

26 Upper Sherrard Street, Dublin 1

Mr Michael Whelan
Chairman
Working Group on Penal Policy
Montague Court - 3rd floor
7-11 Montague Street
Dublin 2

28 February 2013

Dear Mr Whelan,

The Jesuit Centre for Faith and Justice (JCFJ) welcomes the opportunity to make a submission to the *Working Group on Penal Policy*.

The Centre is a leading advocate for prison reform and the promotion of social justice. In 2012 it produced a comprehensive report, *The Irish Prison System: Vision, Values, Reality*. In September last the Centre hosted an international conference, 'Re-imagining Imprisonment in Europe: Common Challenges, Diverse Policies and Practice'.

The Centre's Report, which argues for a radical change in prison policy is, in fact, doing no more than calling on the Government to ensure that key principles of international human rights conventions relating to imprisonment are implemented in Ireland. It points out that the State has ratified these United Nations and Council of Europe conventions, and in doing so signalled to the international community its commitment to adhere to their requirements. Furthermore, key official statements regarding the role and function of the prison system, including the Department of Justice document, *The Management of Offenders* (1994) and the Mission Statement of the Irish Prison Service, clearly reflect the core principles of these conventions.

A key challenge concerning prison policy in Ireland today is the necessity to close the considerable gap which exists between officially espoused principles and the reality of both current prison conditions and the type of retrograde decisions that have been taken in recent decades.

The Centre urges that future prison policy must express five key principles:

- It is the deprivation of liberty which constitutes the punishment of imprisonment: people are sent to prison *as* punishment, not *for* punishment;
- People in prison must be treated with humanity and respect for their inherent dignity;
- The prison system must seek to promote the rehabilitation and social reintegration of those imprisoned;
- Given that it is the loss of freedom which constitutes the punishment, and given the goal of rehabilitation, then life inside prison should be as normal as possible, with security no greater than is required for safe custody;

- The use of imprisonment should be kept to a minimum and alternative, non-custodial sentences used as an alternative.

The following action, though by no means an exhaustive list, is needed to reflect these principles:

- Re-instate the principle of ‘one person one cell’ as the norm governing all future prison building and refurbishment programmes;
- End ‘slopping out’ and institute a programme to ensure, for all prisoners, privacy in the use of toilet facilities;
- A review into the systemic failure at all levels of management, up to and including the Minister, in the care of children and young adults in the Irish prisons including St. Patrick’s Institution;
- An action plan for young adults within the prison system, whereby best international standards are adhered to in the provision of accommodation and services;
- Community alternative facilities for women in the criminal justice system need to emulate the standards set out within the Corston Report and should be located in those areas which most conveniently suit the service users. The proposed use of a former detention institution building expresses apathy towards women who come into contact with the criminal justice system;
- Reverse the creep towards ever larger prisons/prison estates

Noting the terms of reference of the Strategic Review of Penal Policy this submission highlights a number of serious deficiencies, as well as inhuman and degrading treatment, within the Irish prison system.

This submission focuses on a number of issues. However, it should be noted that it does not provide a comprehensive analysis of all concerns that the JCFJ has in regards to penal reform. Also included is Fr Peter McVerry’s submission to the Oireachtas Sub-Committee on Penal Reform. Peter McVerry SJ is a member of the JCFJ team and a Director of the Peter McVerry Trust.

We welcome this opportunity to contribute to Irish Penal Policy.

Yours sincerely,



Eoin Carroll
(on behalf of the Jesuit Centre for Faith and Justice)

Table of Content

1. Inadequacy in independent oversight of Irish Prisons
2. 10 Key Recommendations as outlined in *The Irish Prison System: Vision, Values, Reality*, (Jesuit Centre for Faith and Justice, 2012) available at: <http://www.jcfj.ie/publications/penal-publications.html>
3. Overcrowding
4. Stopping-out and prison hygiene
5. One-person, one-cell and large prisons
6. Submission to Oireachtas Sub-Committee on Penal Reform, Peter McVerry SJ (31 August 2012)
7. St Patrick's Institution
8. About the Jesuit Centre for Faith and Justice

1. Inadequacy in independent oversight of Irish Prisons

The Irish Penal Reform Trust (IPRT) has written extensively on the need for greater oversight ([http://www.iprt.ie/files/IPRT_Position_Paper_7_-_Complaints, Monitoring and Inspection in Prisons.pdf](http://www.iprt.ie/files/IPRT_Position_Paper_7_-_Complaints,_Monitoring_and_Inspection_in_Prisons.pdf)) which the JCFJ endorses.

In addition to these IPRT recommendations, there is also a need for an examination of why the recommendations contained within critical reports, dating back to the 1970s, has been met with such inertia.

2. 10 Key Recommendations as outlined in *The Irish Prison System: Vision, Values, Reality*, (Jesuit Centre for Faith and Justice, 2012) available at:

<http://www.jcfj.ie/publications/penal-publications.html>

1. Minimise the use of imprisonment

Ireland should adopt a clear policy position that imprisonment will be used only as the penal option of last resort. It should seek to reduce, and set a limit to, the numbers in prison.

It should be a feasible target to return to the rate of incarceration that applied up to the mid-1990s, when it rarely exceeded 60 per 100,000. This would mean a prison population of approximately 2,700. Achievement of this goal would necessitate the extension of the use of alternatives to imprisonment, including community service, a clear policy of not using imprisonment for less serious offences, increased remission, and the use of early release under supervision.

2. Minimise levels of security

Practically the whole of the Irish prison system operates under high security, which is extremely detrimental to the welfare of prisoners. There needs to be a gradient in security levels, with no more security than is required by the need to ensure safe custody. A target of having one-third of all prisoners accommodated in open prisons should be adopted. Such prisons are much less damaging, offer better prospects of successful re-settlement following release, and are less costly to run.

3. Transform regime standards

Single occupancy of cells should be considered as the norm and should be an essential requirement of all future prison building programmes.

Out-of-cell time should be increased to at least 12 hours per day.

Structured activity opportunities should be available to all prisoners – to include, education, work, work-training, drug treatment, therapy, or combinations of these elements.

Self-management opportunities should be available to at least all those in prison under sentence, with prisoners enabled to do their own cooking, laundry and other normal daily tasks, and be able to eat meals together away from their cells.

4. Make smaller prisons the norm

Set as the goal for all future building programmes the provision of prison places in small, geographically dispersed prisons. Such prisons (preferably with 100 or fewer prisoners) provide the possibility of less conflicted, less restrictive, but more constructive and potentially less costly regimes. Such a policy would require the abandonment of current plans for Thornton Hall.

5. Provide a system for progressive serving of sentences

There should be a process, beginning at the time of entry to prison, whereby a person can progressively move towards eventual reintegration into society.

6. Ensure that no child is detained in a prison

~~The UN Convention on the Rights of the Child requires that nobody under the age of eighteen should be detained alongside adults. Currently, boys aged sixteen and seventeen are held in St Patrick's Institution. [The JCFJ are please that a firm commitment has been made to end this practice and would call for the process of removing children from St Patrick's Institution to be accelerated, see further comments made later in this submission].~~

7. Provide comprehensive drug and alcohol detoxification and treatment services

The effort and resources currently devoted to keeping drugs out of prison should be at least matched by resources devoted to treatment and rehabilitation for those with dependency and addiction problems. All prisoners who are willing to avail of drug and/or alcohol treatment and rehabilitation should have access to such services without undue delay. Drug treatment provision within the prison system should include at least one custodial drug treatment centre

8. Develop a more positive role for prison officers, to reflect a real care/custody balance

There is a need to develop significantly the role of the prison officer in the prison system, so that it is less oriented merely towards 'guarding' – that is, with the physical control of prisoners – and is much more focused on 'dynamic security'. With this approach, staff members are more involved in caring for, interacting with, and supporting prisoners.

9. Develop an independent prison authority, with a care/custody agenda

There is a need to establish a prison authority that is genuinely separate from the Department of Justice, and has the authority to institute and implement a prison policy based on a proper care/custody balance.

10. Adhere to the idea that ‘good social policy is the best criminal justice policy’

For a broader discussion of recommendations: <http://www.jcfj.ie/publications/penal-publications.html>

3. Overcrowding

Overcrowding is now the dominant characteristic of prisons in Ireland, and the most significant indicator of the inadequacy of the policies pursued. Nearly every prison in Ireland is now holding numbers in excess of its original design capacity; overcrowding leads to a ‘pressure cooker’ atmosphere within prisons, with the multiple occupancy of cells originally designed for just one person, and limitations on access to services such as work, training and education.

Overcrowding hinders the ability of the prison authorities to deal appropriately with inter-prisoner tensions and violence, so that some prisoners have to be locked up for extended periods for their own safety.

4. Stopping-out and prison hygiene

End ‘stopping out’ and institute a programme to ensure, for all prisoners, privacy in the use of toilet facilities. Privacy is understood to mean a separate room with toilet.

5. One-person, one-cell and large prisons

The JCFJ is of the opinion that existing policy is biased in favour of creating very large prisons, either by extending existing developments or by planning for the building of new, and large, prisons; as such, plans for Thornton Hall outside Dublin are an example of a retrograde policy. This is at variance with international best practice, which favours the provision of prison places in smaller, and geographically dispersed, prisons.

The current policy of prison design which allows for two or more person occupancy cells does not follow best international practice and is an extremely negative policy decision. The JCFJ is of the opinion that this policy should be reversed and that a key guiding principle for all future prison planning be that the norm will be single-cell occupancy. Therefore the current policy of two-person cells for the proposed prison in Cork should be reversed.

The JCFJ is currently drafting a briefing paper on ‘one person, one cell’; in the interim the following observations of international standards can be made:

United Nations, Standard Minimum Rules for the Treatment of Prisoners (1977), Accommodation

The principle of ‘one person, one cell’, where:

9(1) ... sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, **it is not desirable to have two prisoners in a cell or room.** [emphasis added]

European Prison Rules (2006), Part II, Allocation and Accommodation

The principle of ‘one person, one cell’, where:

18.5 Prisoners shall **normally be accommodated during the night in individual cells** except where it is preferable for them to share sleeping accommodation. [emphasis added]

18.6 Accommodation shall only be shared if it is suitable for this purpose and shall be occupied by prisoners suitable to associate with each other.

18.7 As far as possible, prisoners shall be given a choice before being required to share sleeping accommodation.

Irish Prison Rules 1947, Accommodation, Cells, Occupation of Separate Cell

2. Within the Irish Prison Rules 1947 it can be inferred that the principle of one-person, one-cell was desired and seen as the norm.

The principle of ‘one person, one cell’, where:

3. A cell shall not be used for the **separate confinement** of a prisoner **unless it is certified by the Minister to be of such a size**, and to be lighted, warmed, ventilated, and fitted up in such a manner as may be requisite for health, and furnished with the means of enabling the prisoner to communicate at any time with an officer of the prison.

4. **Each prisoner shall occupy a cell by himself by day and by night** (except as otherwise directed). If, for medical reasons or in other special circumstances, it is

necessary that prisoners be associated, not fewer than three prisoners may be located in one room, in which each shall be supplied with a separate bed.

[emphasis added]

Irish Prison Rules 2007, Basic Provisions, Certification of Cells or Rooms,

The Irish Prison Rules 2007, rather than emphasis growing international consensus on the principle of ‘one person, one cell’, removed the inference of the principle that was contained in the 1947 rules.

18(1) The Minister shall, in relation to a prison or part of a prison, **certify that all such cells or rooms therein as are intended for use in the accommodation of prisoners are, in respect of their size,** and the lighting, heating, ventilation and fittings available in the cells or rooms in that prison or that part, suitable for the purposes of such accommodation.

18(2)(a) The Minister **may specify the maximum number of persons** who may, in normal circumstances, be accommodated in cells or rooms belonging to such class as may be so specified.

(2)(b) The Minister shall when specifying a maximum number under subparagraph (a) have regard to the size of, and the availability of lighting, heating, ventilation and fittings in cells or rooms belonging to the class concerned.

[emphasis added]

Ireland’s current economic situation cannot be used to justify poor prison conditions, as noted in Part I, para 4 of the European Prison Rules ‘Prison conditions that infringe prisoners’ human rights are not justified by lack of resources’.

6. Submission to Oireachtas Sub-Committee on Penal Reform, Peter McVerry SJ (31 August 2012)

(For a fuller discussion of the issues below, and more, see the Jesuit Centre for Faith and Justice’s comprehensive report, *The Irish Prison System: Vision, Values, Reality*, available on the website: www.jcfj.ie)

1. I have been working with young homeless people for the past thirty-five years. Many of them have an addiction to alcohol and/or drugs. Most of them have spent time in prison, some on many occasions. I first started visiting prisons in 1975. I now spend most of my weekends visiting Mountjoy Prison, Cloverhill Prison, Wheatfield Prison and St. Patrick’s Institution. Through these visits, I keep contact with people whom I knew prior to their imprisonment, and

while I am in the prisons, other people come up to me for a chat, or to ask me to do something for them, such as make a phone call.

2. Obviously, one cannot discuss the prison system in isolation from what is happening in the community. People come into prison from the community, and will eventually return to the community. Some come into prison because of the inadequacy of homeless services, or addiction services, or mental health services and will return to the same inadequate services on release. However, the period immediately upon release is critical to the future outcome for a person. Co-ordination between the Irish Prison Service and other agencies to ensure a smooth and appropriate transition is vital but often very inadequate.
3. There is a need to address some simple, urgent and immediate problems, which impact heavily on prisoners on release.
 - Acknowledging that a Community Welfare Officer visits some of the prisons with a view to helping prisoners who may be homeless on release – and this is a very welcome development –the reality is still that in many instances prisoners are released with a couple of euro in their pocket. The next day (the following Monday, if they are released on a Friday or at the weekend) they attend the office of the local Community Welfare Officer who will give them a sheaf of forms to fill out. They frequently have to wait at least one week and up to three weeks (occasionally up to several months if the person is on disability allowance) before they will receive any welfare payments. If they have no family or friends to financially support them, they are reduced to robbing immediately on release. This is a problem which I encounter on an almost daily basis. It is a very simple, easily resolved issue but it causes huge problems for the person who is released.
 - Many people leave prison with no accommodation arranged for them. They join the ranks of the homeless. While the appalling state of the homeless services is not the responsibility of the prison service, releasing people into homelessness is almost guaranteed to lead to further offending.
 - Many people leave prison with no medical card and hence no access to necessary medication. One young man, who was well known to me, was receiving medication for his mental health problems while in prison but, on release, had no medical care and no access to medication. Six weeks later, he was dead. The lack of a medical card is again an issue which creates huge difficulties for some people leaving prison but one that could be easily resolved.
4. It seems absurd to me that a person can be in the care of the State for months or even years, yet the State can show itself unwilling or unable to organise accommodation, welfare payments and medical cards for them prior to release.

If such simple, but important, issues cannot be properly dealt with, what hope is there that the more difficult and intransigent problems will be addressed?

5. Over the years, I have seen many changes in the prison system, some of them very positive and some of them very negative. Amongst the positive changes have been significant improvements in the physical conditions of some prisons, or of units within prisons, improvement in the health services available, wider access to methadone treatment, expansion of the excellent education services etc.

Nevertheless, overall, basic living conditions have significantly deteriorated. The negative changes include the overcrowding within most of our prisons – which has led to the multiple occupancy of cells becoming not just the norm in practice, but the established policy of the Irish Prison Service – the continuing availability of drugs, the growing violence within most of our prisons and the decreasing access to rehabilitative facilities within prison.

6. *Overcrowding*

The most fundamental issue facing the prison service is overcrowding.

The daily average of persons in custody has risen as follows:

<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
3,321	3,544	3,881	4,290	4,390

The statistics mask the human face of overcrowding. For instance, at time of writing, a 66 year old man has spent three weeks on a mattress on the floor in Wheatfield Prison.

Overcrowding prevents the other major issues – drug availability, violence and lack of access to rehabilitative facilities – being adequately addressed. For example, Wheatfield Prison, when it opened in 1989, was a model prison: there were 320 cells, for 320 prisoners, and almost every prisoner had access to either education, training, kitchen work or other useful activity at all out-of-cell times. Then bunk-beds were put into most cells, and a new extension of 174 cells was built. Today, there are over 700 prisoners in Wheatfield Prison (and it is the intention to put bunk beds into the 174 cells in the new extension in the near future) *but not a single extra classroom or workshop has been added.*

Recommendations

- 1) Alternatives to imprisonment for those convicted of less serious offences should be mandatory. In 2011, of 12,990 people committed to prison under sentence, 8,070 were sentenced to less than three months. While those serving less than three months only account for about 1.2% of the numbers in prison on any particular day, the detention of

these 8,070 persons imposes a huge administrative and financial burden on the system, as each prisoner has to be processed, medically examined, accommodated, even if only for a brief period, and personal files prepared and stored. Meanwhile, even a short prison sentence can have a devastating impact on an individual and his or her family, perhaps resulting in a loss employment, or loss of a welfare payment, and loss of accommodation.

- 2) One-third remission for good behaviour should be introduced (currently it is one-quarter). This was recommended by the Whitaker Report in 1985. In the UK (hardly a model for enlightened prison policy!) one-half remission is the norm. However, during the remission period, the person is supervised by the Probation Service and if any problem arises, they are recalled to prison to finish their sentence.
- 3) A small number of prisoners are elderly; some are in poor health, and should be in a nursing home, not a prison. In December 2011, there were 102 people over the age of 60 in Irish prisons. Four were over 80 (hardly posing a threat to society!), 16 were between 70 and 80, and 82 were between 60 and 70.¹ Even if their offences require on-going imprisonment, detaining them in very expensive high-security prisons is neither appropriate nor cost-effective.

7. *Drug Misuse*

Despite the best efforts of the Irish Prison Service to restrict the flow of drugs into prison, there is ready availability of drugs within many (though not all) of our prisons. The effort (and expense) devoted to reducing the *supply* of drugs in prisons, far exceeds that devoted to reducing the *demand* for drugs in prison.

While the majority of those going to prison have an addiction, there are only nine detox/treatment beds within the whole system (located in the Medical Unit of Mountjoy prison) to help people come off drugs.

The provision of drug counselling services within the prisons is a very welcome development, but the effectiveness of these services is limited by the fact that prisoners continue to live in a drug-filled, overcrowded environment and have limited access to constructive activity during the day. The boredom, even meaninglessness, of such an existence is a primary driver of drug misuse and creates a drug culture within some of our prisons which is difficult to escape – a reality which poses huge difficulties for new prisoners who are not drug users, and for prisoners who are trying to deal with their addiction.

Prison authorities *are* attempting to provide drug-free wings for prisoners, but overcrowding makes this very difficult. I personally know about forty young people who never used drugs prior

¹ *Dáil Debates*, Vol. 750, No. 2, 15 December 2011, p. 516, PQ 239, 40561/11.

to going into prison or St. Patrick's Institution but who came out addicted to heroin. In some cases, they had to share a cell with an active drug user.

Recommendations

- 1) In some Scandinavian countries, every prisoner is offered access to drug treatment services within one month of being admitted to prison. If someone is sentenced to six months or longer in prison, there exists an ideal opportunity to help them deal with their addiction during their sentence. In my experience, many prisoners would take the opportunity if it were available. A major expansion of drug detoxification and treatment facilities is urgently required.
- 2) In the 1977 Misuse of Drugs Act, before drugs were even a problem in Ireland, some far-sighted civil servant included a provision that **a person with an addiction could be sent to a custodial drug treatment centre, in lieu of prison**. While they would still be remanded in custody, the intention was that if they successfully completed the programme, they would escape any further custodial sentence. Thirty-five years later, no such custodial drug treatment centre exists. To my mind, **this is the single most important provision that would make a difference to the drug culture in our prisons**.

8. *Violence*

Assaults on prisoners by other prisoners have become a regular feature of prison life. The Irish Prison Service *Annual Report 2010* recorded that there were '1014 incidents of violence among prisoners during the year' – but added that this included 'very minor incidents'.² No figure was provided for assaults on prison officers – but these do, of course, occur, and anecdotal evidence suggests they are increasing. Interestingly, no information about the incidence of inter-prisoner violence is provided in the Annual Report for 2011.

Many of the serious assaults on prisoners by other prisoners involve 'striping' a prisoner's face with a blade, leaving a permanent scar which may run down the whole side of the face.

The fear of assault has resulted in a significant number of prisoners requesting to be placed in isolation from others. In November 2011, there were 364 prisoners on extended lock-up, 178 of them on 23-hour lock up, and 44 of them being young people in St. Patrick's Institution. One prisoner, well known to me, completed four years on 23-hour lock up and is now seriously damaged, emotionally and psychologically.

This segregation also limits, or even excludes completely, access to constructive or rehabilitative facilities within the prison.

² Irish Prison Service, *Annual Report 2010*, Longford: Irish Prison Service, 2011, p. 20. (Available: www.irishprisons.ie)

Apart from the actual recorded incidents of violence, there is considerable bullying and intimidation of prisoners within our prisons. This is also a very prevalent, and very worrying, feature of life within St. Patrick's Institution for young offenders. Huge pressure is placed on vulnerable prisoners to bring back drugs when attending court or hospital. Gang feuds outside prison continue within prison. Scores are settled within prison. Some people going into prison align themselves with one or other of the criminal gangs within prison for their own protection – but on release, they cannot then dissociate themselves from the gang.

The overcrowding in our prisons makes it very difficult to adequately segregate prisoners. Some wings may have different groups who cannot be allowed out of their cells at the same time. Furthermore, the policy of building large prisons or expanding existing ones (Wheatfield – over 700, with a further addition of another 100+ to come; Midlands – soon to reach 900; Mountjoy – usually over 700, but currently around 600, as one wing is closed for renovations; Cloverhill – over 400; the proposed Thornton Hall – 2,200!) makes it difficult to segregate prisoners.

The European Committee for the Prevention of Torture (CPT), following its visit to Ireland in 2006, highlighted the high levels of inter-prisoner violence and, in its strongest statement yet regarding Irish prisons, it assessed Mountjoy Prison, Limerick Prison and St. Patrick's Institution as 'unsafe, both for prisoners and for prison staff'.³

On a recent visit to Mountjoy, I was talking casually to a prison officer, who told me that he had been working there for the past twenty years, and, now, for the first time in his life, he no longer felt safe coming in to work.

9. Rehabilitation

The educational services provided by the VECs within the prison are generally of a very high standard. Similarly, some of the workshops provide high quality training. However, access to the school and workshops are restricted to a minority of prisoners.

The Irish Prison Service will quote figures of 38% of prisoners who attend school. While this is true, the figures have to be interpreted. The 38% presumably includes those who attend school perhaps two mornings a week, but may be walking around the yard the other three mornings and five afternoons. There may be 30 prisoners assigned to a particular workshop but, in reality, if you visit the workshop, there may be only eight prisoners there. This is due to the embargo on recruitment which has resulted in over 70 instructor training posts lying vacant. Hence a

³ Committee for the Prevention of Torture (CPT), *Report to the Government of Ireland on the visit to Ireland carried out by the European Committee on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 2 to 13 October 2006*, Strasbourg: Council of Europe, 10 October 2007, par. 38, p. 21 (Available: www.cpt.coe.int)

workshop which should have two instructors may only have one, and the number of prisoners who can attend at any one time is correspondingly restricted. The ‘official’ figure for attendance at workshops is a reality only on paper.

Recommendations

The highest priority should be given to providing constructive activities for every prisoner during all out-of-cell times. While this will require investment and a suspension of the embargo on new recruitment, it is worth recalling that very considerable investment was put into the Operational Support Unit and the K9 unit (to screen and search everyone who enters any of our prisons for drugs or other forbidden items) because it was considered sufficiently important to do so.

7. St. Patrick’s Institution

Following the recent reports by the Visiting Committee and the Inspector of Prisons, the JCFJ made the following observations:

1. The responsibility for the systemic failures in St Patrick’s Institution rests not just at local management level but with the Irish Prison Service, the Department of Justice and the successive Ministers for Justice.
2. It is a matter of concern that the Minister for Justice has given no indication as to what alternative arrangements are to be made for young men aged eighteen to twenty after 2014 when St Patrick’s Institution will no longer be used for this age-group. Merely to re-assign young men under twenty-one to other prisons throughout the country would not be an acceptable option. In fact, already around half of the young men under twenty-one in the prison system are in adult prisons, with a significant proportion in Limerick and Cork prisons, where over 90 per cent of the prisoners have to share cells and ‘slop out’. Furthermore, the question of the detention of young women under the age of twenty-one alongside older women has, historically, never been addressed.
3. The concerns regarding St Patrick’s, and the adult prisons where young people aged eighteen to twenty are detained, require that an overall review should be undertaken of the current response to these young adults in the prison system. The policy target should be the provision of detention facilities that are separate from adult prisons, with age-specific regimes (in line with international best practice), and single cell accommodation as the norm (in line with the requirements of the European Prison Rules).
4. The situation revealed in the report on St Patrick’s shows that there is an urgent need for more **effective monitoring** of what goes on in our prisons and for thorough investigation of

complaints regarding breaches of prison rules and human rights. The Jesuit Centre for Faith and Justice calls for the following:

- Reports of the Inspector of Prisons should be presented directly to the Oireachtas (as are reports of the Ombudsman and the Ombudsman for Children), rather than to the Minister for Justice, as is currently the case.
- There must be no delay in the plans for implementing the commitments made by the Minister for Justice in August 2012 to reform and strengthen procedures for responding to complaints by prisoners and in the implementation of his commitment in February 2012 to introduce amending legislation to make Prison Visiting Committees more effective.
- There needs to be wide consultation, including with civil society, and with people who have experience of imprisonment, on strengthening prison oversight mechanisms.

For a more comprehensive statement see:

<http://www.jcfj.ie/images/stories/JCFJStatementStPatricks-1112.pdf>

8. About the Centre

The Jesuit Centre for Faith and Justice works to promote social justice by fostering an understanding of public issues through social analysis, reflection and advocacy. The Centre is an agency of the Irish Jesuit Province and is a registered charity: CHY 6965.

At the heart of its work is the belief that every human being deserves dignity and respect. The social justice issues of concern to the Centre include penal policy, housing and homelessness, health care, and the need for a more just and sustainable model of economic development.

The Centre conducts independent analysis on complex issues with the aim of influencing change in policy and practice, as well as raising public awareness of difficult social problems.

This submission has been prepared by Eoin Carroll, Jesuit Centre for Faith and Justice.