

**Irish Prison Chaplains
Annual Report 2008**

**Submitted to the
Minister for Justice,
Equality and Law Reform.**

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Prison Chaplains' Annual Report for the Year

Introduction

It is not without special significance that the prison chaplains have chosen the 10th of December to launch their Annual Report to the Minister for Justice, Equality and Law Reform for the year 2008. December 10th marks the sixtieth anniversary of the Universal Declaration of Human Rights and it is against this backdrop that the report is presented. It is set in the context of the daily reality of life in our Irish prisons – the hidden reality and a reality that for the most part is known only to those incarcerated behind the walls, doors and gates of our fourteen penal institutions. The anniversary is, as the Secretary General of the United Nations, Ban Ki-moon says: *an occasion for all of us to recommit to the vision of the Declaration*: and he adds *it is our duty to ensure that it is a living reality*.

In their annual report for the year 2004 the chaplains highlighted a number of issues relating to Human Rights for prisoners, which included living conditions, padded cells, mentally ill prisoners and deportation. Subsequent reports further outlined human rights issues and described the prison system *as dysfunctional and in need of radical change*. The report for the year 2006-07 reiterated the need for: *change based on good sound research*, research, the chaplains pointed out, that was already available.

This report will seek to revisit some of these issues and will do so from a human rights perspective. It will also aim to situate the reality of imprisonment in the context of Ireland to day and to call on the wider community to engage in the issues that are contributing to an increasing prison population. Dialogue is needed to find the way forward in the complex and at times, highly emotive area of crime and punishment. Dialogue and balanced debate, as opposed to knee jerk reactions to crises situations, are needed.

This report will call for a Restorative Justice model of justice to be pursued as opposed to the current retributive, punitive and failed model. Human Rights are an intrinsic element of a Restorative Justice model where the human rights of the victim and their families, the perpetrator and their families and the wider community are recognised and respected. Restorative Justice offers a process of inclusion and dialogue that is absent in the current system.

The report will argue that based on the chaplains' unique and daily experience, smaller more rehabilitative prisons are the way forward. Smaller prisons, situated in local communities as close to home as possible for those needing to be imprisoned, would facilitate a more humane approach for prisoners and their families. We question the continued prison expansion of a failed system that not even an economic downturn seems capable of stemming. The research is available, the evidence is obvious, the results of the current system can be judged by the continued high rate of recidivism and yet the process of expansion continues. It is time to stop. It is time, not just to look at alternatives, but to

implement them. It is time to examine the system against not just home made standards, but best European and International standards. It is time to learn from what has been learned in other jurisdictions and to embrace best practice. The Universal Declaration of Human Rights offers us the foundation for such practice.

It is time too that the public had some say in this process. Voices need to be heard, including the voices of prisoners, ex-prisoners and their families. The question must be asked in relation to how much real, factual and solid information is available to the public in relation to what actually happens in prison. Out of sight, out of mind is more than a cliché - it is a reality.

A fundamental issue that needs to be addressed at this time is whether we as a society, are willing to cut back on education, on health, on social welfare, but unwilling to cut back on prison expansion. People have a right, a duty and a responsibility to decide.

Living Conditions in 2008

That people are required to sleep on the floors of prison cells, as they do in Mountjoy Prison in the year 2008, is surely a human rights issue. Two years ago after the tragic death of the twenty one year old Gary Douche it was promised that no prisoner would ever sleep on the floor again. It appears that it will take another tragedy before anything is done. It is not unusual in Mountjoy for five men on twenty three hour lock up to be housed in four-man cells or for two men to be locked in one-man cells for twenty three hours.

That prisoners in Mountjoy, Cork and Limerick still slop out after a seventeen hour lock-up with two, three or even four others and then return to those same cells and eat their meals is surely against human rights. Lack of in-cell washing and toilet facilities is both degrading and demeaning.

That prisoners on twenty three hour lock-up in many of our prisons have extremely limited access to educational opportunities and no access to work and training facilities, is hardly an example of best practice, in a system that claims to be committed to rehabilitation and reintegration.

To witness men in Cloverhill Remand Prison walking aimlessly around prison yards for two hours in the morning, regardless of weather conditions and for another two hours in the afternoon - this time with the option of moving in doors to a recreation room, is to witness something of the incredible aimlessness of time on remand. It is also witness to the sheer boredom, uselessness and futility of a process of imprisonment, which is the lot of many prisoners that begins on remand and will continue, in the event of sentencing, to the day of release. The trauma of re-integration and re-socialisation for many ex-prisoners, who failed to find meaningful and purposeful activity while in prison, has its roots in this time of futility. If imprisonment fails to re-habilitate, it fails, not just the perpetrators of crime but their victims and wider communities striving to cope with the scourges of crime.

Everything that is done to enhance the humanity of a person while in custody, can only serve to benefit all who have been wronged by crime. The offender taking his/her place in society in a meaningful, wholesome way is the most respectful response to those who have been victimised. The central focus of our society should always be around the creation of structures and the support of values which give individuals and communities a deeper sense of their own dignity and humanity. We will always be challenged to address that which robs us of dignity and attempts to dehumanise us.

Prisoners are among the most vulnerable in our society. They are removed from sight and hearing. The vast majority come from some of the most disadvantaged and socially deprived areas of our towns and cities, areas that will be the most affected by the almost virtual disappearance of the Combat Poverty Agency. Added to this is the recent government

decision to cut the annual budget of the Human Rights Commission by almost a quarter. This will have adverse effects for those whose human rights are in danger of being infringed.

Overcrowding

Overcrowding places severe stress on all the services within the prison system and is one of the most urgent problems needing to be addressed. As chaplains we believe that not only can it be addressed, it must be addressed. It must be addressed for the safety and well-being of prisoners. It must be addressed to afford reasonable opportunities for rehabilitation. It must be addressed to ensure that the human rights of prisoners are not further endangered.

We believe that a reduction in the number of people sent to prison for the non-payment of fines, that those committed for short sentences for petty crime would significantly reduce numbers. More than 80% of annual committals are for one year or less according to the prison service own figures, and 60% serving sentences for six months or less are mostly poor and often homeless people. The introduction of new legislation on begging to include a €700 fine or a month in prison will further criminalise the poor and add to an already over stressed prison population. Many countries have decriminalised vagrancy.

Many prisoners suffer from mental health issues, have limited social skills, poor education, are addicted to drugs and alcohol and are mostly unemployed people. Prison is not the place to deal with these issues. Prisons have simply become dumping grounds for those rejected by society. It may be an easy option to remove them from sight for a short time, release them back into the same environment, re-arrest and lock up again but it is not a solution. The rising tide of the Celtic Tiger ensured that there was no shortage of money to keep repeating this process. It also ensured that the state could afford to spend €30 million to provide a building site to keep the process in motion while all the time failing to provide alternatives that would keep these people out of prison.

The new Prison Rules of 2007 upheld the one quarter remission for all sentences exceeding one month. It also stated that: *the minister may grant greater remission of sentence in excess of one quarter but not exceeding one third thereof where a prisoner has shown further good conduct by engaging in authorised structured activity and the Minister is satisfied that, as a result, the prisoner is less likely to re-offend and will be better able to reintegrate into the community.* Prisoners sentenced to life imprisonment and prisoners committed for contempt of court are excluded from this rule.

The implementation of this rule would greatly reduce the current overcrowding. The reality, however, is that, due to overcrowding and limited resources many prisoners are denied opportunities to engage in “*authorised structured activity*” and those who have engaged and continue to engage are not being offered the increased remission.

Getting to the heart of the issue of overcrowding must involve a co-ordination of all arms of the Criminal Justice System. If prisons were not allowed hold more than their “certified” numbers then alternatives would have to be explored.

Prisons are necessary for people who commit the most serious crimes and who are not willing to avail of alternative sanctions. It is these people who need the greatest interventions. Smaller prisons, with smaller numbers and greater resources could provide the interventions.

Prison is not the place to deal with addictions, secure treatment centres are. Research has shown that imprisonment may compound the issues that lead many to offend sexually. Treatment centres in the community are not only more cost effective but they are more beneficial to society in the long term. Homelessness is not addressed by imprisonment. It is merely a temporary solution and in many cases can lead to further homelessness. With the annual average cost of imprisonment running at, in the region of €100, 000 per person per year, with poor results the alternatives could be provided within the same budget and with greater effectiveness: *If imprisonment punishes and often harms, the prisoner and his family, it punishes the taxpayer too.* (Whittaker Report 1984) Why further harm the addict, the homeless and those in need of care when more appropriate care could be provided elsewhere? Why further endanger society by failing to address the causes of crime? This has now become a moral issue.

Immigration

Overcrowding is further compounded by the use of prisons to hold illegal immigrants pending deportation. This is most noticeable in Cloverhill Remand Prison, Limerick and the Dochas Centre. Under the Immigration, Residence and Protection Bill, an asylum seeker can be arrested and detained at the frontier of the State, where it is “not practicable” to issue an entry permit. Such people can be held in “a prison or other place of lawful detention”. As stated in many of our annual reports prison is not the place for asylum seekers who have not been convicted of a criminal offence

Mental Health/ Medical Care

As chaplains we continue to be concerned about the incarceration of people who are mentally ill. Our reports have consistently stated that those who are ill should not be imprisoned. As far back as 1985 the Whittaker Report challenged the judiciary to find alternatives. We welcome the recent statement of the inspector of Prisons, Judge Michael Reilly, in relation to people who are mentally ill and his efforts to ascertain the real extent of the problem.

We are concerned that the proposed re-location of the Central Mental Hospital in the grounds of Thornton Hall will automatically associate mental illness with criminal behaviour in the public mind. This will further stigmatise people who are in fact sick.

We welcome the appointment of nurse managers and the improved medical conditions in some prisons. A situation that needs to be urgently addressed is the care of the sick and elderly in prison. In Arbour Hill a directive to increase bed capacity has meant that three-man cells had to become four-man cells. These men eat, sleep and live in these cells for up to eighteen hours a day. The size of the cell makes it extremely difficult to eat with any comfort or to use the toilet facilities with dignity.

Juveniles

We welcome the work of Youth Justice and the real and genuine commitment of prison management to improve conditions and provide improved services in St. Patrick's Institution. It remains, however, a monument to the failure of the state to address issues affecting the youngest and most vulnerable members of our communities. As a detention centre for juvenile offenders and children, it points to the states previous social failures.

On the 20th of November this year there were nineteen, sixteen-year-olds and thirty five, seventeen-year-olds (children) in St. Patrick's Institution. There were a further one hundred and sixty eight juveniles between the ages of eighteen and twenty. These young people are housed in cells, designed solely for containment. They are dressed in prison garb and held in secure restrictive conditions that are in no way conducive to humane living. The Whittaker Report warned that: *The physical impact of the stark conditions in prisons is always secondary to its psychological impact.* That we subject the youngest, most vulnerable members of society to these conditions is a blot on our nation. How are they expected to grow into responsible young people, if all responsibility is taken from them? How are they expected to develop into mature young people, if they are treated as adult criminals? How are they expected to grow and develop as young men, if at this early age they are denied open access even with their parents and /their children? While appreciating the efforts made to reduce drug supply and the compensatory effort to offer family visits, following periods of good behaviour, the sheer numbers incarcerated would indicate, that these visits have to be limited. The fact remains that not all young people are drug dependent, not all families bring drugs into prison. The impact on mothers and fathers trying to communicate with their child or young son through glass screens, as well as the impact and lasting effect on the young person, is not to be ignored.

The detention of young people who are still legally children is in contravention of Ireland's obligation under the U.N. Convention on the Rights of the Child. The Children's Act 2001 allows for the extension of the use of detention schools to include sixteen and seventeen year olds and the Government's decision to proceed with the development of a school in Lusk are to be welcomed. While we await the building of this school, the prisons' building expansion continues leaving the question as to where our priorities lie. It is to be hoped that the building of this school will precede any move to provide prison facilities in Thornton Hall for sixteen and seventeen year old children.

The question that needs to be addressed is, whether the harsh physical reality of St. Patrick's Institution and its psychological impact on young people, as they enter the threshold of adulthood, deter them from a life of crime or are the beginning of the long hard road of terms of imprisonment. Our experience would indicate the latter.

Women

Women prisoners are among the most vulnerable group of women in our society. The Whitaker Report (1985) recommended that women offenders, in so far as possible, should be given non-custodial sentences and that, of those imprisoned, the majority should be accommodated in open prisons and as near as possible to their own homes. Subsequent research and recommendations have all pointed in the same direction. In spite of this in 1994, while there were just forty women in the Women's prison in Mountjoy, the Department of Justice published a five year plan stating that a sixty bed women's prison was needed on the Mountjoy site. Four years later the Strategy Statement 1998 – 2000 of the Department announced that the new prison would have eighty places. To day the capacity is eighty five with the numbers in custody on any one day exceeding 100. On November 27th this year the number was 113. The proposed development at Thornton Hall is for a facility to accommodate 170. The fact that 50% of the women are on remand, the fact that many are "small time" or first time offenders needs to be examined before proceeding with extra prison spaces for them.

The whole ethos of care and compassion for the women in the Dochas Centre is to be commended. Its location for families, volunteers and medical needs cannot be relocated to Thornton Hall. Severe stress will be placed on all concerned.

Limerick Prison, "home" to a small number of women is frequently overcrowded. The ten double cells in a small confined area are certainly not conducive to any rehabilitation in the real sense of the word. It is in this context that the decisions of prison management to allow the women use the new education facility is to be commended.

Open Prisons

Punishments are part of prison life and infringement of various prison rules within prison carry penalties. There are, however, few, if any rewards. People can spend years in prison, engage with all available services, work, obey all the rules and yet make no advancement during their time of incarceration. One ray of hope is a transfer to an open or semi-open prison.

Shelton Abbey has accommodation for ninety men. There are forty four single cells and nine dormitories with forty six beds. There is no overcrowding but there is insufficient meaningful or productive occupation for the men. While many find work on the farm, in the grounds, laundry, kitchen and in recycling there is a significant number who do not. This

needs to be addressed. This particular group find the unstructured day in Shelton difficult to cope with and the absconding rate continues to be high.

While a clear defined policy of criteria for movement seems to exist it is not always easy to follow its operation in practice. As it stands, it would seem that many are transferred due to overcrowding in closed prisons.

In Loughan House the numbers have increased since the opening of the new wing and it now has a capacity for one hundred and thirty men. As in Shelton Abbey many prisoners are sent to Loughan House to address the overcrowding situation in Castlerea. Due to unsuitability they are constantly sent back. This is a waste of time and money. While facilities are generally good the reality is that a number of prisoners will be found in any one day either lying on beds or aimlessly walking around the place. It would be expected that open prisons would have intensive pre-release programmes; would provide return to work courses and would be active in helping prisoners find accommodation prior to release. The location of Shelton Abbey and Loughan House militates against opportunities for work locally, for any of the men sent there.

The Training Unit in Mountjoy is the one semi-open prison in the system. Its location by contrast affords opportunities for the men to attend places of work and training. Often, however the men can spend a long time in the Training Unit before being allowed out either to work to begin a process of re-socialisation prior to release. This means that much time and space is wasted. Others in closed prisons would benefit by being in the Training Unit but are denied access as there is no room while those occupying the spaces are quite frankly just passing the time.

Violence in Prisons

Increased security measures have lessened the level of violence to some degree and this is to be welcomed. The fact, however, that increasing numbers of prisoners are requesting to go on “voluntary” lock-up is an indication that many in the “safe and secure custody of the state” do not feel safe. This brings us to the deeper issues involved. While acknowledging the clear link between violence in the community with violence in prisons the contributory causes of violence in prisons must be acknowledged. The most obvious cause is the illegal drugs trade. Drug barons know where to find lucrative outlets. Our prisons are overcrowded with drug dependent people, a dependency that, in many cases, is fuelled by the sheer boredom and aimlessness of prison life; a dependency that is very often a learned behaviour in prison; a dependency that has led many into a life of crime and will ensure further crime on release because their time in prison was simply “doing time” But this is not the only cause of violence.

To address the deeper issue of violence in prison it is vital that every intervention that contributes to a person’s sense of well being and dignity is fully explored. Procedures for

receiving new committals and the appropriate placement of a person, followed by the management of their sentence are key components of a process of creating a non-violent culture. It also calls for: *the creation of a culture where staff are trained to model a non-violent approach even in situations of conflict* (Chaplains' Report 2006 – 07). In a recently published article entitled, *The Harms of Prison*, Professor Ian O'Donnell states *Safe prisons require well-trained and accountable staff who engage with the concerns of inmates. Also required are fair disciplinary systems and adequate mechanisms for prisoners to ventilate grievance*" The Universal Declaration of Human Rights, Art.5 explicitly states that: *no one shall be subjected to cruel, inhuman or degrading treatment*. While acknowledging the dedication and care of the vast majority of prison staff we need to state that the occasional assaults by staff on prisoners are a matter of grave concern to us. The growing problem of violence in our prisons was noted during the visitation of The EU Commission for the Prevention of Torture and Inhuman or Degrading Treatment of Prisoners in October 2006. And in our report for the year 2006 -2007 we pointed to research coming from the U.S calling for a combination of prisoner centred strategies, staff centred strategies and management focused strategies to deal with the issue of violence.

The Parole Board

Long term and life prisoners come under the remit of the Parole Board. The whole Parole Board review is a long protracted process that can, at times, involve long delays. This has resulted in some long-term prisoners withdrawing from the process. This needs to be remedied and people encouraged to engage with the service. The promise of parole would have positive effects on the efforts people make to address their behaviour. It needs to be acknowledged and placed on record that often the long wait to avail of professional help in many of our prisons, due to insufficient levels of staffing, also militates against their efforts. Many loose heart in the process. Many try and fail. Some persist and succeed. Smaller numbers and increased services would facilitate greater levels of success.

The Parole Board is not independent and can not make decisions. It can only make recommendations to the Minister for Justice, Equality and Law Reform thus politicising the whole process. At times, in spite of a consensus of opinion regarding positive moves from every service working with some individual the final decision still rests with the minister. Recommendations resulting from long years of therapeutic work can be totally ignored and the person is left frustrated, unsure, anxious and ultimately in a Limbo situation. This can have a negative effect on other prisoners. On the other hand even a small concession in recognition of good work done can become a beacon of hope and encouragement to others. While recognising that in the region of 90% of the recommendations are approved by the Minister the situation of the other 10% cannot be ignored.

Chaplains are particularly concerned about a number of men who have a limited intellectual, emotional or mental health ability to engage in the therapeutic work required of them. An issue that needs to be addressed is at what stage, if any, there can be

recognition of these limitations and a decision made as to what the appropriate plan should be for these men?

The Media

Our report for the year 2006 2007 highlighted serious concerns about: *a certain kind of media coverage that is both distasteful and irresponsible*. The situation has not changed. A number of issues need to be addressed. First we are concerned in relation to the sources of some of this coverage. How can internal matters relating to individual prisoners serving their time be made available with no recognition of the rights of the individual and or his/her family? The question of who is making the information available needs to be addressed and appropriate action taken. Secondly, at times, the reporting of inaccurate and damaging information goes unchallenged simply because to do so would further prolong the matter and cause more damage. Prisoners are powerless to challenge it and the prohibitive cost of doing so makes it an impossible option for their families.

Many prisoners are truly remorseful and are willing to do their time. They try during that time, often with little support or help, to address the issues that led to their incarceration. Some have already been the subjects of intense media coverage. For some imprisonment is almost a welcome haven from the barrage of media attention only to subsequently discover that it does not stop outside the court room. It continues and often in the process adds to prison violence, family break up and can have adverse effects on their future prospects of reintegration. Many are met on release by a waiting media. Some few young people having successfully re-entered the education scene can find themselves featuring in week-end tabloids where their past is once more on public display. This is unfair and totally against the human rights of ex-prisoners who have paid their debt to society and, whose only desire is to get their life back on track. It is an appalling use of power by a greedy, self-serving media.

We welcome a balanced and provocative media coverage that raises matters of public concern in relation to crime and punishment. We welcome a media that raises public awareness of poverty and social exclusion and its link to crime. We appreciate the number of fair minded journalists who very often give a lead in challenging an uninterested public.

Positive Initiatives

Among the initiatives are the two Integrated Sentenced Management Pilot Programmes that are running in Arbour Hill and Wheatfield Prisons, involving approximately sixty men. These men are at various stages both of determinate sentences and life sentences. We are hopeful that it will make a meaningful difference to their quality of life while in prison and help prepare them for reintegration to the community. We acknowledge the energy and effort that has been directed into the launching of these pilots and are hopeful that ongoing reviews and evaluation will enable expansion of Integrated Sentence Management to other prisons in a realistic way. It has become clear to us from the pilots that if Integrated

Sentence Management is to establish credibility there needs to be strong collaboration between the key agents responsible for core decisions regarding the management of sentences, namely the Minister, the Parole Board, Operations Directorate and local management. A lack of integration/ communication between these agents will undermine the culture of trust and co-operation that is necessary for initiative to take root and develop. The new Inspector of Prisons, Judge Michael Reilly, has stated his intention of examining the whole question of the sentence management of prisoners throughout the entire prison system

Other new initiatives are also contributing in no small way to enhanced regimes and providing some sense of hope and optimism to some small groups among the approximate three thousand, six hundred and eighty incarcerated people. The extension of the Listener's scheme to Mountjoy in the past year is welcomed and provides a valuable service to many in times of distress. We welcome too the introduction of drugs counsellors to all prisons. The increase in the probation service in Castlereagh is welcomed as is the addition of a training and development officer in Midlands.

The various charity initiatives in many of the prisons provide meaningful and useful occupation for many and give them a sense of achievement and self worth. The Cross Border Project in Loughan House contributed a unique opportunity to the group of young men who participated and the Bothar initiative in Shelton Abbey gave another new and valuable experience to the participants. In Wheatfield, the prisoners' contribution to Belarus not only benefited the recipients but also gave a sense of pride and purpose to the providers.

The opening of the new facility in Limerick which includes an education unit, a medical unit, counselling facilities and a sports gym has a very positive effect on prisoner morale. It is especially welcome to the small group of women in Limerick who are now allowed out of their own small confined unit to attend this new facility.

The various multi disciplinary meetings now established in most prisons are providing a positive forum for the many disciplines that work in our prisons. They are a useful vehicle for attending to the multifaceted needs of the imprisoned in our care.

The continuing work and training in the various work-shops needs to be acknowledged. Welding, joinery, catering, laundry, print, construction, gardening and more recently, recycling initiatives provide useful and structured activity and are useful tools towards future employment. Unfortunately not all have access to these facilities. Increased numbers will put added pressure on these already scarce resources. If we imprison people we have an obligation to provide meaningful activities for them. We acknowledge too the ongoing work of the educational, psychological and probation staffs in our prisons. An extension of the Drugs Court Service and of the Tallaght and Nenagh Restorative Justice Services would further contribute to positive initiatives.

Conclusion

Crime needs to be addressed. Serious crime calls for radical and stringent measures. The causes of crime are varied and while we cannot ignore personal responsibility it is beyond doubt that one of the major factors in the causes of crime and criminal behaviour is poverty and social exclusion. Studies of people in prison in Ireland have consistently shown this. Child neglect and abuse feed into anti-social behaviour and if not addressed will ultimately lead young people into lives of violence and crime. The demographic profile of the prison population is the straightforward evidence of this. Another major factor is the illegal drugs trade. Unfortunately locking up drug addicts, drug mules and small time drug dealers as opposed to major drugs dealers is not the solution. If it were our problem would have been solved by this.

Our response to crime cannot ignore the causes. Our response to crime needs to move beyond political rally cries to be tough on crime to the rally cries of those most affected by crime, namely victims, the poor, the addicts, the mentally disturbed, and above all the families of those imprisoned especially parents and children.

The availability of more and more prison spaces will not reduce crime. This was acknowledged in 2000 by a sub-committee of the Joint Oireachtas Commission on Justice, Equality and Women's Rights: *Despite belief to the contrary imprisonment rates have very little impact on crime rates and can be lowered significantly without exposing the public to serious risk. There is little substance to what might be called the 'hydraulic theory' that as sentences go up, crime goes down.*

Within the past decade millions has been spent on building, expanding and refurbishing prisons. The improved conditions are welcomed as is the replacement of Dickensian type accommodation. Replacement however, has in many cases been accompanied by increased numbers. Additional places are on the increase in spite of the evidence of the ineffectiveness of imprisonment as a solution to crime. Research has shown that of the 20,000 releases from prison between 2001 and 2004 almost a quarter were back in prison within a year and almost half were back within four years. (Professor Ian O'Donnell, Department of Criminology, U.C.D.) There appears to be a combined willingness to ignore solid sound research and a combined unwillingness to abandon a direction that is clearly not working.

It is difficult to believe that the recommendations of the Whitaker Report of 1985 in relation to such fundamentals as crime prevention, reduced dependency on imprisonment and prison regimes have drifted into a twilight zone of political expediency. In August 2007: *the Whittaker Committee Report Twenty Years On – Lessons Learned or Lessons Forgotten?* was launched. In his short foreword Dr Whittaker had this to say: *The committee saw in imprisonment little beyond temporary – and very expensive – protection of the public, with virtually no rehabilitative or educational value. Far too many people were – and still are –*

imprisoned for short periods of time for minor offences not involving violence, such as debt, resulting in overcrowding and unwarranted expense and, he added: Not much has changed in the years since, apart from some overdue improvements in prison conditions. Peter McVerry, a member of the Whittaker committee concluded at the launch: That no lessons have been forgotten – because none were learned.

A delay in the building of Thornton Hall could provide some useful space and time to rethink the proposed expansion; to put in place alternatives for those who fail to pay fines or who are unable to settle debts; to continue to expand the use of restorative justice; to explore the option of providing rehabilitative centres for those who suffer from a wide range of addictions as opposed to imprisoning and warehousing them; to provide mental care services for the mentally ill and to explore the possibility of the smaller more rehabilitative type of prison. Above all the time could provide a new opportunity for a real and balanced debate. As a small nation with a relatively low rate of crime we are at a critical stage in our criminal justice system. Future generations are dependent on our decisions.

Finally, true justice seeks to bring about a positive outcome for victims and offenders and society. It is for this reason that we have consistently advocated that a Restorative Justice model be explored. We were heartened by the establishment of the National Commission on Restorative Justice and welcome their interim report. We look forward to the publication of their final report and hope that it will be the means whereby a new era in our criminal justice system will emerge. The 60th anniversary of the Universal Declaration of Human Rights calls all of us to re-commit to its vision, to respond to its challenge and to make Human Rights the hallmark of our criminal justice system.

Individual liberty is the most fundamental of human rights recognised in international human rights instruments and national constitutions throughout the world. In order to take that right away, even temporarily, governments have a duty to justify the use of imprisonment as necessary to achieve an important societal objective for which there are no less restrictive means with which the objective can be achieved (Alternatives to Imprisonment: United Nations Office on Drugs and Crime 2007)

As chaplains we wish to place on record our appreciation of the work of prison management and staff. We appreciate the very many ways they facilitate the work of the chaplaincy service and the dedication and commitment they bring to their work.