

Prison As Punishment or For Punishment:

Perceptions within Irish Society.

Aoife Ward

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Supervisor: Dr. J. Brunton

Head of Department: Dr J. Brunton

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Social Science Programme Team

DBS School of Arts

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Abstract

The aim of this research project was to investigate the perceptions of Irish society on issues surrounding many of the areas of the Irish prison system. Qualitative research methods were used to carry out this project and thematic analysis was used to analyze the data that was collected. The data used for this research project was collected through interviews and letters. The age of the participants ranged from 20 – 23, and all participants were from the South of Dublin. Results of the analysis of the data highlighted a number of key areas within the prison system on which the participants had both positive and negative views. The main conclusions of this research project were that perceptions in society do in many ways mirror the actual problems that occur in the Irish prison system. Despite being an institution for punishment to offenders in society, it was clear that those in society felt that offenders should still be treated like human beings, regardless of what crime or crimes they have committed and through this respectful treatment, rehabilitation would occur.

Section 1 – Introduction

This research project seeks to investigate the perceptions of Irish society on issues surrounding the prison system in Ireland. The research project will investigate a number of issues in prison systems both in Ireland and elsewhere. These issues will include overcrowding; the poor conditions of prisons, police brutality, the treatment of prisoners, rehabilitation and it will also investigate the role of the government and government bodies in ensuring the proper running of the prison system. The prison which will be the main focus for Ireland will be Mount Joy Prison in Dublin.

Crime in most societies is today viewed as a major social problem, as crime rates have risen and the types of crimes have expanded and become more violent. Like the crime it is dealing with, modern punishment is now seen as a major social problem also. As with many other areas, modern punishment has become an institution within itself. This institution provides society with readymade answers to the questions surrounding crime and punishment, and so relieves society of any thoughts about these social issues. As a result society remains unaware of the major problems within this institution.

Sociological explanations of the relationship between punishment and society have existed since the mid-eighteenth century. These include the writings of Weber, Marx, Durkheim and Foucault. Each perspective is different to the next as each writer takes a different approach (Garland, 1990). Perhaps one of the most widely used perspective is that of Michael Foucault, who highlights the failures of the modern prison system.

Foucault provides a history of the modern prison system. Prior to the 18th century, public executions and corporal punishments were key to punishment and torture was part of most criminal investigations (Foucault, 1991). During this century there were many calls for reform of punishment, as reformers wanted to make power work more efficiently (Foucault, 1991). When the idea of the prison system was finally accepted, its aim was to both deprive the individual of his freedom and to reform him. The new prison system became part of a network of power that existed in society (Foucault, 1991), and this network operated as a power – knowledge mechanisms within wider strategies of domination and subjectification (Garland, 1990).

As with many institutions in society, there are laws and guidelines attributed to the prison system also. McDermot (2000) provides an overview of the guidelines for conditions and treatment within prisons and it is clear that the standards of prison conditions have evolved over time and conditions that were upheld as constitutional 25 years ago may not be regarded as constitutional today.

1.1 - Overcrowding

The 1947 prison rules state that each prisoner is to occupy a cell by himself, except as otherwise directed, for example, where the governor is of the opinion that accommodation is insufficient to enable each prisoner to occupy a cell, but this may only last for a limited time (McDermot, 2000). The state of capacity in prisons at present does not mirror this rule as prison population's increase. As a result services and activities within a prison will be adversely affected and the overall quality of life will be lowered (CPT, 2009).

The prison population in Ireland has increased greatly since the 1960s. This increase in prisoners had led to severe overcrowding (O'Mahony, 2000), which in turn has led to the negative effects on regimes and conditions in the prisons and has also led to the sometimes early release of prisoners. The early release of prisoner's demoralises the prison system itself and indeed undermines those in authority in the criminal justice system (O'Mahony, 2000). In 1997, 45% of a sample from Mount Joy prison in Dublin had a cell to themselves, 43% were in a double cell and 12% were in multiple occupancy cells (O'Mahony, 1997). The numbers occupying a single cell is significantly lower than those in England and Wales. The original bed capacity for Mount Joy prison was 489, in 2009 the bed capacity was currently at 540 and at times more (Reilly, 2009). As a result of this, overcrowding occurs in many areas of the prison with many prisoners sleeping on mattresses on the floor. The CPT (the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment) has also noted issues of overcrowding in Irish prisons.

This problem of overcrowding is not unique to prisons in Ireland. Georgia's primary prison is one of the developed world's most crowded prisons (Carter, 2006). Within the prison, 14 bunks serve 28 prisoners, in each of the 30 housing units, 60-64 prisoners are assigned to this space, so while 28 sleep, 32 stand because there is no room to sit (Carter, 2006). Malawi also has problems of overcrowding in prisons. This can be attributed to the acceptance of refugees from Mozambique. As a result of this overcrowding, cells in many of the prisons are stuffed beyond their capacity, for example, in one prison, 200 prisoners are held in cells built to accommodate 70, and as a result diseases are rife in the prison (Lancet, 1992). France also faces this problem, with chronic overcrowding resulting from harsher sentencing and crimes such as domestic violence which are likely to lead to a prison sentence (Economist, 2009).

Prison population has also increased in the period from 2003-2008, resulting in many inmates being doubled up in small cells (CPT, 2008).

1.2 – Poor Conditions

Every prisoner has the personal right to be free from inhuman or degrading treatment or punishment (McDermot, 2000). Within many prisons, this right is violated as many prisoners face inhuman or degrading material conditions whilst serving time in prison. Access to proper toilet, shower, bathing and outdoor facilities are essential components of a humane environment within prisons (CPT, 2009).

One of the most common complaints about Mount Joy prison by the prisoners was the hygiene levels in the prison (O'Mahony, 1997). The most degrading and inhuman aspect of the poor conditions of Mount Joy prison is that of 'slopping out'. As bodily wastes are deposited into plastic buckets and left in the cells until they are able to be emptied, this creates a very unhygienic environment, especially in cases where cells are cramped (O'Mahony, 2000). In modern society, having basic toilet and washing facilities is a basic necessity. Visits and recommendations by the CPT over a number of years have not been followed or implemented in relation to this issue. In 2009, the Inspector of Mount Joy prison Report reveals the presence of 'slopping out' in the main part of the prison. It was also noted that there was no privacy in this part of the prison for prisoners to attend to their hygiene requirements (Reilly, 2009). Overcrowding in the prison has also led to these slop out buckets not being adequately emptied and as a result they are emptied into general waste bins. These

poor conditions of hygiene amount to nothing more than inhuman and degrading conditions (Reilly, 2009).

Another poor condition within Mount Joy prison is the serious drug problem. The use of drugs plays a dominant role in the prison, often providing temporary relief for the prisoners from their surroundings, for a temporary period. The disputes and intimidation arising from this drug problem have caused an uneasy environment within the prison (O'Mahony, 2000). Even with the introduction of the medical unit detoxification programme, the problem of drugs in Mount Joy prison is far from being resolved. As well as the dirty and unhygienic conditions of Mount Joy prison, issues of broken facilities, equipment and pipes is also a major problem (Reilly, 2009).

The problem of poor conditions in prisons is certainly not just unique to Ireland. Conditions in Georgia's main prison can be described as deplorable and a result of scarce resources and intentional neglect (Carter, 2006). The prison is in major violation of universally accepted safety standards. These include the use of padlocks on cells, inadequate fire escapes and no fire alarms (Carter, 2006). These conditions are putting the safety of prisoners and staff at risk. Prisons in France also have poor prison conditions, with unsanitary cells, dirty toilets and inadequate washing facilities (Economist, 2009).

1.3 – Police Brutality & Ill-Treatment of Prisoners

People who are detained or imprisoned do not cease to be human beings, no matter how serious the crime of which they have been accused or convicted (Coyle, 2002). Despite this,

many persons detained by police are subjected to physical and mental abuse by those in authority. The Convention against torture and Other Cruel, Inhuman or Degrading treatment or punishment, Article 1.1, states that:

“the term ‘torture’ means any act by which severe pain or suffering whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining information or a confession, punishing him or an act or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the investigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

This is not always followed by those in authority. For many years the United States has campaigned for human rights both in the U.S and also within other countries. Whilst this may be true, when examining the U.S prison system and police departments, questions arise about just how focused the U.S are on human rights and increasing incidents of police brutality and ill treatment in prisons have led Amnesty International to launch a human rights campaign in the U.S. The traditional view that imprisonment meant rehabilitation has been replaced with the view that imprisonment is entirely about punishment, and over the past 25 years, attitudes towards offenders has become vengeful, unsuccessful and expensive (Drinan, 1998).

Human Rights watch, an organisation that has examined alleged human rights violations in U.S courts and prisons, stated that there are sever human rights problems with regard to issues of police brutality and in prisons (Jack, 1997). Examination of U.S courts and prisons came about from the United Nations criticising the U.S legal system for violating

international human rights standards. These reports have been denied by the U.S government and have been described as an absurd charade (Jack, 1997).

This issue of police brutality and ill treatment in prisons is also present in Ireland. The Basic Principles for the Treatment of Prisoners, Principle 1, states that:

“All prisoners shall be treated with the respect due to their inherent dignity and as human beings”

All prison staff are aware that they do not have the right to inflict additional punishments on prisoners but the closed and isolated nature of prisons can offer the opportunity for abusive actions to be committed with impunity, sometimes in an organised manner and the unlawful use of force and beatings can come to be regarded by staff as ‘normal’ behaviour (Coyle, 2002).

In 1997 one in five prisoners in Mount Joy prison considered they had been treated badly by prison officers (O’Mahony, 1997). This was more than those reported in England and Wales, although unequal comparisons may occur due to only a sample of prisoners being studied in Mount Joy. Under inspection in 2009, 67 complaints had been lodged by prisoners against prison officers, between January 2008 and May 2009 (Reilly, 2009). It was evident that these complaints had not been recorded or dealt with adequately. This caused great concern and as a result of being reported a Garda investigation into these complaints was initiated in February 2009, and the Irish Prison Service also became involved in this investigation.

Another area in which prisoners are ill treated in many prisons is in the case where a prisoner suffers from mental illness. Many prisoners have undergone a lifetime of violent traumas, then, as convicts they experience further trauma (Kupers & Bass, 2000). Prisoners with mental illness are often victimised by other prisoners and so become confined to their cells, this leading to further emotional deterioration.

Many reports by the Mount Joy Visiting Committee in the 1990s highlighted the deficiencies of the prison in response to many psychiatrically ill and emotionally disturbed prisoners (O'Mahony, 2000). The CPT and other committees also reported on this issue and made recommendations for the issue to be resolved, which were not followed through. As a result between 1990 and 1997, suicide rates in the prison rose, compared to rates in the 1980s. As services for those with mental illness would have been no different in the 1980s, this shows the growing numbers of those needing help in prison. In 1997, it was reported that 40% of the sample studied had attended the Central Mental Hospital, but whilst in prison very few received follow on care with relation to their illness (O'Mahony, 1997). As a result of this deficiency, Irish suicide rates tended to be higher than that of our neighbours, Britain.

More than ten years later, after many recommendations, there is still no dedicated area in Mount Joy for vulnerable prisoners. Vulnerable prisoners were separated onto different landings, meaning they may not have adequate access to all the primary healthcare and mental health services that they would have if in a dedicated unit (Reilly, 2009). Mental illness is also a mishandled issue in U.S prisons, with the number of mentally ill prisoners increasing greatly since the 1980s, as with Ireland (Kupers & Bass, 2000). French prisons

also house a disproportionate number of mentally ill, rather than being housed in appropriate units.

1.4 – Government

The mission of the Department of Justice in Ireland is to maintain and enhance community security and promote a fair society through the development of a range of policies and high quality services (Department of Justice, 2009). Some of the core values of the department include, to apply fair and equal standards of treatment to all groups in society, to ensure access to justice and to respect and value the individual with whom they engage in whatever situation they encounter him or her (Department of Justice, 2009).

The mission of the Irish Prison Service is to provide safe, secure and humane custody for people who are sent to prison. The service is committed to managing custodial sentences in a way which encourages and supports prisoners in their endeavouring to live law abiding and purposeful lives as valued members of society (Irish Prison Service, 2008). Some of the core values of the Irish Prison Service include, recognising its obligation to serve the community with full respect for the human dignity and rights of every person both in custody and in the wider community, believes in making available to each person in custody, conditions and services appropriate to their well being and personal development and also commits itself to minimising the detrimental effects of imprisonment (Irish Prison Service, 2008).

After close examination of the Irish prison system, reports provided by CPT visits to Ireland and the most recent report by the inspector of prisons in Mount Joy Prison in Dublin, it can

be argued that aspects of the missions and core values of both the Department of Justice and the Irish Prison Service have not been upheld. Examination of the issues in the Irish prison system makes it clear that management down through the years has been characterised by a laid back, defeatist attitude and by a general failure to confront problems, to plan for them and to act decisively to put solutions in place (O'Mahony, 2000).

While in Ireland, the condition of prisons makes a mockery of the sentiments expressed in the governments' proposal of The Management of Offenders: a Five Year Plan, elsewhere governments have made successful moves to improve the conditions of prisons. This can be seen in France, where the government launched a renewal programme which would result in building new prisons, revamping old ones, separating those awaiting trial from those already sentenced, introducing new laws to improve the rights and conditions of prisoners and prison officers and also appointing France's first inspector of prisons, Jean-Marie Delarue (Economist, 2009).

1.5 – Not all Doom & Gloom Prisons

While it may seem that most prisons have serious problems in many areas, this is not the case for all prisons. Prisons in the U.S and Norway are run very differently to many conventional prisons. McKean Federal Corrections Institution in Pennsylvania is run with a business management approach which is believed to make the prison more cost effective and more humane (Worth, 1995). The root of this approach is unconditional respect for the inmates, clean and aesthetically pleasing environment as it is believed that physical details help to

maintain order (Worth, 1995). Every aspect of McKean prison is turned into a management tool.

Another example of how humane treatment can prove to be much success can be seen in Bastøy Island in Norway. The prison holds some of the country's most notorious criminals yet it is seen as an environmentally friendly prison which has a unique way of treating inmates (Earth Island Journal, 2008). Within the prison, inmates engage in activities such as horse-riding, tennis, tending to livestock, working in the kitchen and learning other skills. It is believed that engaging in these activities assists inmates upon their release and these efforts are beneficial to the prisoners and the corrections department.

As the prison system is regarded as an institution in society, it may well be said that penal practices exist within a specific penal culture which is itself supported and made meaningful by wider cultural forms, these, in turn, being grounded in society's patterns of material life and social action (Garland, 1990). Despite this, society still remains unaware in many aspects of the problems of the prison system, and so it is unlikely that society's opinions will be acknowledged.

The aim of this research project is to investigate the perceptions of Irish society on the many issues surrounding the prison system. The areas in which perceptions will be investigated include overcrowding, prison conditions, treatment of prisoners, the role of the government and any other factors that may arise during the research.

Section 2 – Methodology

This section will outline the methods used to conduct this research project and the methods used to analyze the data. The aim of this research project was to investigate the perceptions of Irish society on the issues surrounding the prison system in Ireland. Qualitative research methods were used to conduct this research, rather than Quantitative, for a number of reasons. Quantitative research methods focus on collecting facts and studying the relationship of one set of facts to another and use techniques to produce quantified broad conclusions (Bell, 2005). Qualitative research methods focus on understanding individual's perceptions and seek insights and in-depth sources of data (Bell, 2005) and so as this project seeks to investigate the perceptions of those in Irish society, qualitative research methods were found to be most appropriate.

2.1 - Ethical Consideration:

All aspects of this research project were cleared before an ethics committee prior to commencing all research.

2.2 - Apparatus:

Two pieces of apparatus were required for this research project. The first was a Digital Voice Recorder, which allowed the 25-50 minute interviews to be recorded with ease and this device also allowed the recorded interviews to be saved to alternative devices to reduce the risk of loss of data. The second piece of apparatus was the computer software Nvivo 8, which was used to carry out analysis on the data collected.

2.3 - Participants:

The total number of participants that were used to conduct this project was 5 people. The participants consisted of two females and three males. The ages of the participants ranged from 20-23. All participants were from the South of Dublin. The two female participants (P1 & P2) were college students aged twenty and twenty two, one studying Nursing and the other studying Geography and Economics, both work part-time. Of the male participants, the first aged twenty three was in part-time employment as a barman (P3), the second aged twenty three was in full-time employment, in the meat industry (P4) and the third male participant aged twenty three years, is currently awaiting sentencing in Cloverhill Prison Dublin (P5).

2.4 - Design:

This project was a Qualitative analysis, based on data led thematic analysis as a method of identifying, analyzing and reporting patterns or themes within the data that was used. Thus analysis was used to create a learning portfolio, consisting of various stages of a practical exercise using a certain text. Other methods of analysis such as Grounded theory which focuses of producing a set of categories which amount to a theoretical description of the data (Howitt & Cramer, 2008), and also Discourse analysis which focuses on the variety of ways of studying and understanding talk or text as a social action by studying language (Howitt & Cramer, 2008) were not considered appropriate for the analysis within this project.

The data-led thematic analysis was used to analyze interviews and personal letters. The data consisted of four interviews and numerous personal letters received from one of the male participants currently awaiting sentencing in Cloverhill Prison. Interviews were conducted in

order to collect in-depth perspectives on the topic of interest. The interviews that were conducted were semi-structured. This allowed the topic of interest to be explored but also allowed further investigation into topics that may arise during the interviews. The interview schedule consisted of three main questions. Depending on the response to these questions, five alternative questions were provided and prompts were used also. All of the questions involved in the interview schedule allowed the topic of imprisonment and issues within the prison service to be explored.

2.5 - Procedure:

The interviews were conducted on a one on one basis with each participant. Before beginning each interview the participant was given a brief outline of the research project, without too much information being given which may have altered the participant's response to the questions that would be asked. The participant was also asked to sign a form which outlined the aspects of the research project and gave assurance that any information and the participant's details would be strictly confidential. By signing this form the participants gave permission for all of the information collected during the interview to be used in the research project.

The interview process consisted of three main questions, which were asked to every participant (see appendix A). Depending on the participants' responses to two of the three main questions, further questions were asked to gather more information on the topic of interest (see appendix A). A Digital Voice Recorder was used to record each interview and no notes were taken during any of the interviews. After each interview, the participant was given

the opportunity to ask any questions they may have had with relation to the research project or with relation to any of the topics that may have arisen during the interview.

The data used for this analysis consisted of a number of interviews and personal letters, relating to the topic of imprisonment and issues within the prison service. Thematic analysis and using step by step stages was used to prevent bias affecting the stages of analysis. Five different stages were carried out for this thematic analysis, using software for managing data called Nvivo 8. This software provided a set of tools to assist in the analysis and also to increase effectiveness and efficiency of analysis, and also to manage data by keeping track of messy records. The five different stages were as follows:

- Firstly, the research had to familiarize themselves with the data. This was done by reading each interview and letter once or twice to get a general idea of the issues being presented. These initial ideas were put into a project journal which kept record of all ideas and notes throughout the analysis.
- Secondly, Free Nodes were created. These free nodes can be described as codes that identify a feature of the data that appears interesting to us, the analyzer. This was done by re-reading each interview and letter, highlighting words or phrases that seemed important and transferring them into the free node folder, so they could be easily accessed and read. The free nodes were then read over and placed into different groups called Tree Nodes. This was done by deciding which words or phrases had similar meaning and transferring each into appropriate Tree Node.
- Thirdly, the different tree nodes were labeled with themes, as a theme captures something important about the data in relation to the research question. The different tree nodes were studied, so as to see how the different free nodes combine to create a

general theme for the group. When this was completed, each tree node was renamed and given a brief description.

- Fourthly, the themes were reviewed. This involved looking at the different free nodes under each theme and deciding whether or not they belonged to that theme or if they would fit better under a different theme or as a sub-theme. Also the themes were reviewed to ensure each one was appropriate for each group of free nodes.
- After reviewing each theme the end product was a structured and easily understood thematic list, showing each theme and there sub-themes if any.

After this was completed, the major themes were chosen to use for the further analysis of this project.

Section 3 – Results

Using thematic analysis to analyze the data that was collected, uncovered a number of different themes. These themes were common throughout each of the interviews and letters.

3.1 - Criminal Justice System

The first major theme that arose was issues within the criminal justice system in Ireland.

Within this theme a number of sub-themes were also present.

Courts

Within this sub-theme it is clear that the participants' perceptions of the Irish court system were more negative than positive. These negative perceptions refer to the functions and operations of the Irish court system.

“And you can see like the justice system (.) when they are convicting people obviously because more people are committing crimes like (.) I can see them like giving longer tougher sentences to try to deter other people BUT like it doesn't work like (.) they just need to realise that change needs to be implemented” (P1)

It was clear that the Irish court systems use of imprisonment as a form of punishment was a failure as it did not create the deterrent that was desired. It was also perceived that the Irish courts tended to overuse imprisonment which in return affected the effects of imprisonment

as a form of punishment and led to the early release of prisoners, who may not have been fully rehabilitated.

“Like the courts overuse imprisonment totally (.) so like it ends up that like they are giving all these people prison sentences (.) they go in and they don't have enough room for them and then they are sending them home” (P2)

The ways in which the Irish court system deals with cases was perceived to also be an issue.

One of the male participants described how:

“I'm actually in the middle of a court case at the minute (.) it's a fuckin nightmare they keep putting it back so I've been to court about 15 times just for them to tell me to come back at a later date (3) fuckin stupid” (P3)

The length of time taken to sentence offenders was also perceived as a negative issue. One of the male participants currently awaiting sentencing describes:

“It normally takes 8-12 months to be sentenced but it can often be 1-2 years. I'm not quite sure why. There are a lot of court dates for paperwork and so much crime that there is a constant back log of trials” (P5)

The Irish court systems inability to deal with the high rates of crime is also highlighted above. Whilst much of the perceptions of the Irish court system are negative, some positive aspects are also highlighted. These refer to actions implemented by the courts with relation to the release of prisoners.

“One good thing is that a third of your sentence is taken off for good behaviour and you can apply for TR (Temporary Release) and some people have gotten 12 months TR” (P5)

Judges

Within this second sub-theme issues were highlighted surrounding the perceptions of judges handling of court cases and the offenders.

“The odd time you would hear about a court case where a judge wants em (.) like wants to make a point out of a person who say for example had (.) NO previous convictions and gives them five years for something minor like (.) throwing a bottle in a crowd when somebody else at the same time hit somebody with a bottle and they had previous convictions and nothing happened to them” (P2)

The issue of judges ‘making a point out of people was a common perception among the participants.

“The judge decided to make an example of me” (P3)

“Ah (.) the judges in this country are dickheads (3) they think they can just pick and choose who they want to make an example out of regardless like (.) regardless of what they have done” (P4)

It was also highlighted that the judges own personal view may also contribute to decisions made in certain court cases.

“I have often heard people say that if the judge doesn’t like you (.) you are kind of gone from the start like” (P1)

The Guards

The third sub-theme highlights the perceptions of misconduct and ill-treatment by the Guards. When asked about their perceptions of ill-treatment by members of An Garda Siochana, the common response among the participants was a negative one.

“If you cause harm that could have been avoided like those police men are causing deliberate harm to someone for NO reason they (.) I think there should be (.) like they should lose their job WITHOUT A DOUBT though (.) why should they get away with it like” (P1)

“The fact that the Guards think like (.) OH they are kind of big men now and they have control (.) I think it’s totally wrong like they shouldn’t be abusing their authority like” (P2)

“It’s a fuckin disgrace (.) I don’t know how many times they have battered me after arrestin me for NO reason (.) they are a bunch of WANKERS so they are (.) that think they have the right to do anything” (P4)

There was also a common perception that An Garda Síochána was a corrupt organisation.

“It’s so corrupt like (.) like most (.) there is SO many organisations that are corrupt like and there is NO DOUBT about it that the Gardai are so corrupt like (.) and they get away with it like” (P1)

“They are so corrupt it’s unreal (.) sure you always hear about dodgy things going on and they all watch each other’s backs like (.) (P2)

“I’m tellin ya (.) this country is FULL of bent coppers” (P4)

3.2 – The Government

The second major theme that arose from the analysis of the data was the responsibility and role of the government in the prison system. The first issue that was highlighted was the lack of priority the government place on the prison system and prison service.

“Especially at the moment with Ireland being in recession that like prisoners and the prison service are last on the governments list of priorities (.) which is bad because everyone knows that in a recession (.) crime rates rise like” (P1)

*“I think it just shows that low priority the government puts on the prison service you know what I mean like (.) It’s not any easy job and all that but to just *fuck them in* and not give them proper facilities is just an easy way out (.) you know what I mean like” (P3)*

The second issue highlighted was in relation to the government’s spending around the prison system.

“Ah (.) like they are paying enough money to put them in there you know what I mean (.) like they may as well do some good with them (.) you know what I mean” (P3)

“Despite the Celtic Tiger, the government still haven’t managed the completion of Thornton Hall but yet they continue to fork out thousands on the maintenance and upkeep of shrubs and trees” (P5)

“It’s no surprise our country is in shite (.) Sure they waste money and don’t (.) like don’t spend on important stuff” (P4)

3.3 – The Prison System

The third major theme which arose from analysis of the data was issues surrounding the Irish prison system. This theme also consisted of a number of sub-themes.

Prison Environment

There was a common perception among participants that the prison environment was a negative environment for prisoners to be in. It was perceived that this environment had negative effects on the prisoners.

“Yeah they are in there for a reason and all but (.) but they’re institutionalised you know (.) they don’t know any different so when they get out they just do the same shit again like (.) they don’t want to go back to prison but it’s all they know(.) I’ve seen it with mates of mine and all” (P4)

“I hate the thought of being locked in a cell in a confined area especially if it’s over crowded (.) Like imagine like 4 people in a cell that would be unbelievable” (P1)

Another perception of the negative effects of the prison environment would be if the prisoner was not very strong minded.

“Like you know (.) Someone like me cuz you know (.) I’m not like you know (.) I’m not too like (.) intimidating looking or whatever that I’d just (.) like get turned into a drug mule or something like that and any of my visitors coming in I’d be told (.) told that I had to get them to bring in drugs or (.) I’d end up getting killed or whatever you know what I mean” (P3)

Despite the common perception among participants that the prison environment would have negative effects on the prisoners, this may not be the case in all prisons. The participant currently awaiting sentencing in Cloverhill Prison describes:

“I’m on the quietest landing in the prison and share a cell with Spanish guys. The landing I’m on is for people who are least likely to be violent towards one and other. All my cell mates are Spanish but that’s my own choice. I have found Spanish people in the past to be very placid and the cell is very relaxed with no ‘hard man’ element so it’s great” (P5)

Material Conditions

It was a common perception that whilst material conditions in the prison should be basic they should also be decent.

“When I think of the idea of the prison in my head I think of you know (.) I do think of somewhere like the T.V like a stereotypical view but it should be like basic like BUT like nothing plush or anything but like clean like basic but everything you need like (.) good facilities” (P1)

“Well I don’t think they should go in and have four poster beds but like obviously (.) it should be clean like (.) there should be like some kind of a privacy like toilet wise and stuff like that” (P2)

It was also felt that poor material conditions in prisons would also have a negative effect on prisoners.

“It’s kind of degrading like” (P3)

“Yeah of course like it would totally affect anyone like (.) They are completely depriving them of their human rights like” (P1)

The male participant currently in Cloverhill prison described the bleak and basic conditions in prison.

“It’s quite cramped with 4 but isn’t so bad with 3. In saying that you’re bedroom would be bigger than my cell so that will give you an idea! It has 2 sets of bunk beds, 1 with 2beds and 1 with a bed on top and table on the bottom. The 4th mattress sleeps under the table. We have 3 plastic chairs, ceramic toilet and sink and other that that everything else is metal” (P5)

3.4 – Rehabilitation

The fourth major theme was rehabilitative effects of imprisonment. It was clear that one perception was that treatment of prisoners effected their rehabilitation.

“It really makes sense like if you are treated with respect you are going to produce that back” (P1)

It was a common belief among participants that everyone could be rehabilitated.

“I definitely don’t believe that anyone is a lost cause” (P2)

“Yeah like I believe no matter what you have done there is a small part in everyone that can be reached like” (P1)

“This has had a huge impact on my life but the bad things rarely ever effect me because I have somewhat numbed myself to the reality of my surroundings but at least I know it has helped me to progress in life” (P5)

There was also a belief that the Irish prison system did not provide rehabilitation.

“Anybody I have ever heard of going to prison here has never got enough rehabilitation” (P4)

“It’s more like (.) the way it was described to me (.) it’s more like a college for criminals you know what I mean (.) you know you’d come out (.) you wouldn’t necessarily come out rehabilitated you’d just come out with (.) another load of ideas on how to break the law” (P3)

3.5 – Life Experiences

The fifth and final theme that arose from analysis of the data was the life experiences that individuals’ have had or face and how they contribute to the outcomes in their lives. One perception was that every individual has a certain amount of drive to be a good person, despite where they may end up.

“Like we all have goals like (.) they are all different like everyone has different goals and regards different things as important but like (.) we all want like a good life” (P1)

Despite the, negative experiences in an individual's life may hamper this drive to be a good person.

“You know young (.) like a young person who has obviously gotten mixed up like where ever they are from (.) they have gotten mixed up in something bad like (2) like what hope have they got” (P2)

“They have nothing going in their life so they have nothing to lose so they don't really care (.) I know the feeling myself” (P4)

Despite this, it was also evident that whilst negative life experiences may lead to negative outcomes for some individuals, this does not mean that they cannot become a good person.

“It would be fair to say I was powerless over my addictions and my life was completely unmanageable so change is the only thing that can save me” (P5).

Section 4 – Discussion

This research project was carried out to investigate the perceptions within Irish society on the many issues surrounding the Irish prison service. The project looked at focusing on the main issues that have been highlighted in the prison system. The first aim of this project was to look at society's perceptions on the way offenders are dealt with when arrested or whilst on trial. This included focusing on areas such as the Irish courts, the judges within the Irish court system and the role and actions of the Gardai in Irish society. Secondly, the project looked at the issues surrounding the government when looking at the Irish prison service. The government has a duty to protect its society, and so the running of the prison system is a major area in which they should give priority and much attention. The third area that this project investigated was the actual prison system itself. There are many areas in the system in which major issues arise. The first was the prison environment in which prisoners live. In many cases this environment is a negative one and full of major problems within itself constantly, caused by those that run the system and indeed the prisoners themselves. The second was the material conditions of the prison. The poor conditions of Irish prisons are as a result of the use of old buildings and the lack of dedication by the Irish government to sort this problem. It is a common perception that these poor conditions impact on the prisoners immensely. The fourth area which this project investigated was the rehabilitation effects of imprisonment. As well as punishment for offenders, imprisonment is supposed to be a means of rehabilitation, in which prisoners can change their lives and indeed themselves, if they wish to do so. This is only possible if the proper services are provided, for the numbers that are in Irish prisons. The final area that was investigated was the life experiences that shape a person's life and leads to positive or negative outcomes, and in the case of offenders, aids in their road to rehabilitation.

Analysis of the data collected for this research project highlighted many of the main perceptions within Irish society surrounding the issues within the Irish prison system. Modern punishment has become an institution within itself, relieving society of any thoughts about how crime should be dealt with (Garland, 1990). It can be said then that those in authority in the institution of modern punishment act as they see fit, regardless of whether it is right or wrong. One of the main issues that were highlighted among participants was the ways in which the courts dealt with offenders. The overuse of imprisonment was a main concern. Participants felt that by giving sentences to first time offenders or for minor offences only added to the problems. It was a belief that by imprisoning first time offenders, this did not lead to rehabilitation in many cases, but instead led to them becoming worse offenders, and not as a deterrent to crime as is its purpose. Irish courts tend to use imprisonment more than other western countries (O'Mahony, 2000). It may be argued that this is due to the rising crime rates but also due to the lack of options in the country for other forms of punishment. Another area which was highlighted in relation to the overuse of imprisonment in Ireland was the issue of 'shedding'. This refers to the early release of prisoners, due to a lack of adequate accommodation in the prisons (O'Mahony, 2000). The common perception among participants was that this only led to further crimes being committed as offenders were not properly rehabilitated, and so created a vicious cycle for offenders, of constantly being in and out of prison.

The ways in which the Irish courts dealt with criminal cases was also highlighted as an issue among participants. Here it was felt that the courts take too long to deal with cases and sentencing of offenders, resulting in offenders being constantly in and out of court. The way particular judges handled cases was also an issue that arose among participants. The idea of 'making an example' out of offenders was discussed with great concern. Participants felt that

this led to no good, as using this as an approach in many ways led to the offenders entering into a vicious cycle of crime, as many minor offenders entered the prison system and came out with more knowledge about crime than they went in with. While there were very negative perceptions about the Irish criminal justice system, one good factor was highlighted by the participant currently in Cloverhill Prison in Dublin. He highlighted the aspect of Temporary Release and reduced sentences due to good behaviour, but it may be argued that this was only seen as a positive if it was felt that offenders had been fully rehabilitated.

Another area that was highlighted was the ways in which the Guards handled offenders. Police brutality is a major issue in many countries, and in many instances goes on without being addressed (Jack, 1997). This issue was viewed by many of the participants as totally unacceptable. It was felt that the Guards should not abuse their authority, and that they have no right to inflict any pain, physical or mental on offenders in their custody. It was also a common perception among participants that An Garda Siochana was a corrupt organisation, covering up for each other and backing each other up, where complaints or issues were brought up against them. This is a perception that cannot be said to be true or accurate, but it does highlight the lack of confidence and trust that many have in the Guards. It was felt that if things like this did occur, that those accused should be fired immediately without question, and that they should not be in this occupation if they would not give their full honest service.

The governments responsibilities to society with relation to the ways crime was dealt with was another major issue highlighted among participants. The Department of Justice highlight their aims and core values when it comes to dealing with crime and protecting society (Department of Justice, 2009). The common perception among participants was that they do

not uphold a lot of these statements. It was highlighted that the government do not give enough priority to the Irish prison system and that as the country is now in a recession that even less priority will be given, despite the statistics that crime rates rise during recession times. Examination of the ways in which the government manage the prison system in Ireland shows that it is characterised by failure and a defeatist attitude (O'Mahony, 2000). Efforts made by the government to restructure the prison system have failed miserably. Their efforts to sort the problems of the conditions of prisons has not seen much progress as efforts to build new prisons through the '*Management of Offenders: A five Year Plan*' (O'Mahony, 2000) have stalled, despite the current awful conditions and the major problems of overcrowding. This highlights the failure of the government to act on issues that clearly need to be addressed immediately. A common perception among participants was the fact that the government spend so much money on imprisoning offenders and running the prison system, yet major problems have not been addressed. One of the participants highlights that despite the Celtic Tiger, and all the money that was generated from this, the government wasted it on the upkeep of the grounds of prisons, rather than using it for solutions to the problems within prisons.

All of the participants felt there were major problems in the prison system itself. It was a common perception among participants that the prison environment was a negative one. As imprisonment has become an institution within itself, with its own rules and guidelines, it was felt among participants that it has an institutionalising effect on the individual. This in turn would result in the prison cycle being all they know and so constantly committing crimes because going to prison is a way of life for them. One of the major issues in the prison environment is the issue of overcrowding. It is clear from research that as crime rates have risen in Ireland, so too has the prison population. This has in turn led to desperate

overcrowding, especially in Mount Joy prison in Dublin (O'Mahony, 1997). This overcrowding has evolved as a result of tougher sentences and indeed prison sentences been given for minor offences. As mentioned above this problem of overcrowding leads to the early release of many prisoners, and results in many prisoners being kept in inadequate areas, and in areas unable to hold the numbers they so often do (Reilly, 2009).

A major issue in Mount Joy prison in Dublin is drugs. It was a common perception among participants that many offenders entering the prison, who would not have previously been addicts would at least at some stage end up trying drugs whilst in prison. This is the case in Mount Joy for many as the short time of euphoria help prisoners to forget about their surroundings (O'Mahony, 1997). It was also a common perception that due to the drug problem in Mount Joy, if a new prisoner was not 'strong' they would be intimidated by a lot of the prisoners already serving time and this would result in many being threatened into carrying out activities involved in getting drugs into the prison. The problem of drugs in Mount Joy in a way can be compared to the recent issues surrounding Pharmacies. Many pharmacies last year withdrew from the medical card and drugs payment schemes for a period of time. This led to up roar in society as many that depended on the medical card would not be able to pay for medication that they needed. If this withdrawal by pharmacies had continued it would no doubt have led to many problems for many people. The same can be said for the drugs problem in Mount Joy, to eradicate drugs from the prison altogether could indeed lead to much bigger problems, as there are so many addicts in the prison. It can also be said that this way of life in the prison is created by the prisoners, for the prisoners, to remove it could lead to up roar within the prisons, an issue that would be very difficult to control.

It can be argued then that many in Mount Joy do not mind the poor conditions of the prison, once they have access to drugs and the possibility of early release due to overcrowding. This may be the case, but the poor conditions are still not acceptable standards for the society we live in today. It was a common perception among participants that whilst material conditions should be basic in prison, they should also meet the needs of the prisoners. One of the main concerns in Mount Joy with relation to the conditions is the process of slopping out. This has been described in reports on the prison by those in authority as inhuman and degrading (Reilly, 2009). This issue led to great concern among the participants when being discussed and they too felt that it was degrading for the prisoners, and that in modern society, in cell sanitation should be provided. Again, it is not due to the age of the buildings, although many other areas aside from the Main Block do have in cell sanitation. This process in turn leads to unhygienic conditions within the prison also. It was also of concern that prisoners should have access to good facilities, but many do not as in many prisons these facilities are not maintained to a good standard.

While Mount Joy is just one example where poor prison conditions exist, it is a problem in many prisons all over the world, and while some may be worse than others, it does not make for an excuse as to why they should be so bad in modern society, when all other areas of society have advanced and grown. Despite the negative conditions that many prisoners face, not all prisons in Ireland are as bad as Mount Joy. One of the male participants describes the conditions in Cloverhill to be basic but clean and cells do have in cell sanitation. On the other hand one of the male participants, who served just a short period of time in Mount Joy, confirms the terrible and unhygienic conditions that exist there. The government are aware of these conditions as visits by the CPT and the inspector of prisons have highlighted them and

made recommendations over the years, yet action still does not seem to have been taken to improve them, with the exception of a few new units being built.

The rehabilitation of prisoners was another area in which concerns were raised among participants. All believed that every individual could be rehabilitated no matter what the crime was that they committed, but it was also felt that offenders must want to be rehabilitated. Education and rehabilitation facilities are provided in prisons, but as number increase, there are not enough resources to facilitate the numbers (O'Mahony, 2000). There is not adequate rehabilitation for the numbers of drug addicts in prisons, despite new medical units being built. Also, the rehabilitation of vulnerable prisoners is also a major concern in Irish prisons, and it was a concern among participants also. Many offenders have already had lives filled with trauma, and when they enter prison with existing mental or emotional problems, they can often become worse (Kupers & Bass, 2000). As there is no proper units for mentally ill prisoners, they are often put in with the rest of the prison population and in turn be intimidated by other prisoners. In the cases where they are separated, they may not be in proper units, and so they may not have as much access to facilities and care that they need (Reilly, 2009).

While the common perception may be that prisoners are in many cases not properly rehabilitated, the participant currently in Cloverhill is an example of the rehabilitative effects of imprisonment, when the individual wants to be helped, it may also be fair to say that this may be due to the prison he is in, and that individual prisons may differ. He believes that being imprisoned was the best thing that could have happened to him, as it has helped him to sort through many issues in his life and has helped him to become focused on what it is he

wanted out of life. This he did not have outside of prison. It can be then argued that this is due to the faults in Irish society.

For many offenders, their life experiences have led them to lives of crime. Most participants felt that every individual has goals wants to be a good person but that circumstances in life may not make this possible. Research shows that many of those in prison are from disadvantaged backgrounds and are poorly educated (O'Mahony, 1997). And so it may be argued that regardless of the individual's goals, life circumstances may not allow these to be followed through. It was a common perception that indeed society was partly to blame for this also for not providing the support and encouragement that those less advantaged than others may need. Despite the fact that social status and education may contribute to many individuals leading a life of crime, it was believed by all participants that every individual has choices and regardless of their background, in their minds they know right from wrong and choosing to act in one way or another is their own choice.

Section 5 – Conclusion

In conclusion, the findings of this research project were very clear. Despite society being given readymade answers to how crime and punishment should be dealt with, those in society did think about these issues when confronted with them and indeed had a lot of concern and thought surrounding the prison system in Ireland. It has been highlighted that there are serious problems in the Irish prison system that need to be dealt with. As it is society that modern punishment protects, the institution of modern punishment has a duty to carry out the necessary measures to ensure this. As Ireland is now in a recession, a time in which crime rates are known to rise, the prison system will be tested to the max in many ways. Whether they will be able to sufficiently deal with this, is something that many in society may argue they will not.

While all of the necessary steps were carried out to conduct this research project, there were limitations to the project too. The first is that as this was a Qualitative research project, it could not be generalised to the whole population of the country. Further study using a larger sample would provide answers to this. Also, the participants for this project were all from the same area, South Dublin. Using a more diverse range of people may provide different results in some of the areas discussed above. And finally, this project focused on a specific age range. Expanding the age ranges of participants may also produce different results in some of the area discussed above. Further study of other prisons in Ireland would also give a greater understanding of the conditions of the Irish prisons as a whole country.

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Appendices

A. Interview Questions

Main Question:

Q1. Can you tell me a bit about yourself?

Q2. Have you ever committed a crime?

Q3. Do you know anyone that has committed a crime?

Further Questions:

Q4. Police Brutality, including physical and mental abuse, is an issue in many countries including Ireland; do you think this is acceptable?

Q5. Do you think prison sentences should only be given for certain types of crime?

Q6. What do you think prisons should be like?

Q7. Women's prisons are generally in better condition than male prisons; do you think this is acceptable?

Q8. Some prisons in the U.S and Norway for example, have been criticised as being like “resorts”, as they uphold values of unconditional respect for prisoners, have clean environments, have recreation and many activities, and these approaches have proved to reduce incidents in prison and are believed to rehabilitate offenders.

What do you think of this approach?

B. Transcription Symbols

I: Interviewers turn to talk

P: Participants turn to talk

HHH: Laughing or chuckling (each H represents one contraction of the diaphragm)

.hhh: Audible inhale. No. Of h's indicate length

hhh: Audible exhale. No. Of h's indicates length

(.): Indicates a short silence or pause

(4): Indicates a pause or silence measured in seconds

CAPITAL: Words in caps indicate a louder voice relative to the adjacent talk

I: [it's been: Used to indicate the point at which speech overlaps

P: [Okay

I: a while=: No pause between speakers lines

P: =yeah

Oka:y: The “:” indicates a lengthening of the proceeding vowel sound

Hah: Laugh Syllables = relative closed or open position of laughter

C. Nvivo 8 Software

Nvivo 8 software has been designed for researchers in every field, from academia, humanities, health, evaluation and ethnography, to business and marketing (QSR, 2010). It aids in handling rich information, where in-depth analysis of data is required, and removes many of the manual tasks associated with analysis. It allows many files to be imported, ranging from audio to plain text documents, and then to be analyzed, queried and presented in a structured manner (QSR, 2010).