

Dear Minister and Director General,

We write today as a collective of stakeholders and individuals with a deep and demonstrated interest in criminal justice and penal reform, to express significant shared concern regarding the closure of the Progression Unit in Mountjoy Prison, to facilitate its use as segregated accommodation for people convicted of sex offences separate to the general prison population in line with established policy.

The Progression Unit, formerly St Patrick's Institution for Young Offenders, is a designated facility on the Mountjoy Prison campus which accommodates people in prison on enhanced regimes and those nearing the end of their sentences. The Unit prioritises preparation for life post-release and the individual's meaningful reintegration into society; an integral part of the rehabilitative process, and an important mechanism by and through which recidivism can be reduced.

While data isn't frequently published on the number of people in the Unit, we know that it regularly accommodates 180 people. The Unit provides an important incentive for people who have engaged in the rehabilitative process while in prison, progressed in their sentence, and demonstrated good behaviour. It provides men in the main jail with something to work towards in their sentence, an important steppingstone in their rehabilitative journey.

In March of this year, a decision was taken by the Irish Prison Service to repurpose the Progression Unit on a phased basis due to severe over-crowding across the prison network. As of 29 April 2024, 36 individuals convicted of sex offences had been accommodated in the Unit, with further movements anticipated over the coming months, despite there being designated prisons where men convicted of sex offences are ordinarily held in custody – Arbour Hill, Castlerea and the Midlands.

Notwithstanding the significant pressure and strain under which the Irish Prison Service is presently operating, it is our view that repurposing the Progression Unit is a regressive step that will not have any impact on overcrowding. The Minister for Justice, Helen McEntee TD, recently confirmed to Deputy Ivana Bacik that, "The Irish Prison Service must make the best use of all available prison capacity".ⁱ We question whether moving people around the prison estate will do anything to reduce pressure and alleviate tensions. In our view, the priority should instead be reducing the number of people in prison, in line with existing government commitments.

International human rights mechanisms note that an essential aim of the treatment of people in prison should be "their reformation and social rehabilitation".ⁱⁱ While we agree that the Progression Unit required investment and improvements so that it could meet its full potential, the development of a strategy to help fulfil its objectives would have been preferable to its closure. The decision to close the Progression Unit isn't likely to have any tangible impact on overcrowding, but it will almost certainly interfere with the rehabilitation of the almost 180 men who will be transferred back to the main jail or to other prisons on account of its closure. Some may even be confined to their cells for long periods for their own protection.

Beyond the educational and professional opportunities provided within the Progression Unit, it is a place where many individuals find peace, space to work on their person, opportunities to express themselves through art, music and sport, and an environment to rebuild and strengthen family connections in more positive surroundings. In setting up the Progression Unit, the Irish Prison Service recognised that these were the cornerstones of meaningful rehabilitation, which helps

people integrate and ultimately reduces the rate of reoffending. The current decision undermines the progressive approach taken within the Unit to date.

Beyond closing the Progression Unit, there are many other levers available to the Department which could address the root causes of crime and recidivism, and which, by extension, would alleviate pressure on the prison network. Additionally, there are specific practical measures that could immediately address the issue of overcrowding, including the expanded use of our existing open centres, and the provision of greater opportunities for enhanced remission. Indeed, our current Taoiseach, Simon Harris TD, while serving as Minister for Justice highlighted how enhanced remission and temporary release can “improve rehabilitation and reduce reoffending and overcrowding in prisons”.ⁱⁱⁱ While it has been recently decided not to make changes to the current rate of remission, we would encourage the Minister to reconsider as another way to reduce the current pressure on the prison estate.

The Chief Inspector of Prisons, Mark Kelly, following a full inspection of Mountjoy Prison in 2022, expressed significant concern regarding the levels of overcrowding, which is the result of “the rising number of people being held in prison in Ireland”. Without “urgent action”, he warned of the potential for “a grave problem for the prison system as a whole”.^{iv} Our short-sighted and narrow-mindedness when thinking about criminal justice and rehabilitation doesn’t serve anyone’s interest. Criminal justice policy should not be shaped in response to logistical considerations, but should instead focus on the growth and development of the person within the penal system, and how we can create the societal conditions which allow people to live better lives.

Repurposing the Progression Unit is a short-term solution to a longer-term problem, which is likely to be further exacerbated by the Unit’s closure. Instead of focusing solely on capacity, it is our shared view that the State should be focusing on how the policies of the Government contribute to the record numbers of people in the Irish prison system in the first instance.

We urge that this decision be reversed with immediate effect. We would be pleased to have the opportunity to meet with you, to discuss our concerns in greater detail.

Yours sincerely,

Senator Lynn Ruane, Member of Joint Oireachtas Committee on Justice

Senator Barry Ward, Member of Joint Oireachtas Committee on Justice

Thomas Pringle TD, Member of Joint Oireachtas Committee on Justice

Pa Daly TD, Member of Joint Oireachtas Committee on Justice

Patrick Costello TD, Member of Joint Oireachtas Committee on Justice

Aodhán Ó Ríordáin TD, Member of Joint Oireachtas Committee on Justice

Saoirse Brady, Executive Director, Irish Penal Reform Trust

Amy Carey, Chief Executive Officer, Solas Project

Damien Quinn, Founder, Spéire Nua - New Horizon

Maggie Clune, CEO, PACE

Daniel Lambert, Chief Operating Officer, Bohemian Football Club

Philip Larrigy, CEO, RELEASE

Keith Adams, Penal Policy Advocate, Jesuit Centre for Faith and Justice

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Dr. Ciara Bracken-Roche, Assistant Professor & Director of Internalisation, Maynooth University

Dr. Ian D. Marder, Assistant Professor in Criminology, Maynooth University

ⁱ [Prison Service – Wednesday, 1 May 2024 – Parliamentary Questions \(33rd Dáil\) – Houses of the Oireachtas](#)

ⁱⁱ www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights

ⁱⁱⁱ [Prison Service – Tuesday, 21 Mar 2023 – Parliamentary Questions \(33rd Dáil\) – Houses of the Oireachtas](#)

^{iv} www.gov.ie/pdf/?file=https://assets.gov.ie/273603/34733865-88a0-4ec7-82a6-72c6c30281c8.pdf#page=null