



Seirbhís Phríosúin
na hÉireann
Irish Prison Service



8th Annual Irish Criminal Justice Agencies Conference Race, Migration and the Criminal Justice System

THEMATIC SESSION 2

Cultural Diversity in the Criminal Justice System - Agencies

Seamus Beirne, Equality, Inclusion & Diversity Lead, Irish Prison Service

Diversity Management in Irish Prisons

The most recent Census data (2016) reported that almost 12% of the resident population are of non-Irish nationality.

The six largest groups of which are:

Polish – British – Lithuanian – Romanian – Latvian – Brazilian

Approximately 5% of the population are from minority ethnic groups (excluding White minorities). Of these groups:

- 1.7% Asian or Asian-Irish community, excluding Chinese;
- 1.5% mixed ethnicity; and
- 1.2% Black or Black-Irish community or of African descent





Non-Irish Nationality Group in Custody on 30 April 2022

Nationality	Female	Male	Total	%
African	4	68	72	12.1
Asian	1	31	32	5.4
British	1	64	65	11.0
Central American	0	1	1	0.2
European Union	8	339	347	58.5
Middle East	1	5	6	1.0
Oceania	0	1	1	0.2
Other European	0	31	31	5.2
South American	6	32	38	6.4
Total	21	572	593	100.0



Top 5 Non-Nationals by Nationality in Custody on 30 April 2022

Nationality	Female	Male	Total
Polish	3	131	134
Romanian	0	74	74
Lithuanian	3	66	69
British	1	64	65
Brazilian	6	30	36
Total	13	365	378

The categories of ethnicity:



- Asian or Asian Irish (Sub-categories: Chinese; Any other Asian Background)
- Black or Black Irish (Sub-categories: African; Any other Black Background)
- White (Sub-categories: Irish; Irish Traveller; Roma; Any other White Background)
- Blank
- Other

Ethnicity data

Ethnic identifier 31 May, 2022



Ethnic Identifier	Female	Male	Total	%
Asian or Asian Irish	1	38	39	1.0
Black or Black Irish	7	86	93	2.3
Other	5	71	76	1.9
White	157	3,587	3,744	91.2
(blank)	0	152	152	3.7
Grand Total	170	3,934	4,104	100.0



Staff Diversity

American, British, Chinese, Danish

Dutch, Filipino, French, German

Lithuanian, Nigerian, Polish

Romanian, Scottish, South African.





Training and development of staff in Human Rights and Equality related matters

Officers who were recruited to the Irish Prison Service since 2007 are required to complete a module on Equality, Diversity and Cultural and Social Awareness as part of the Higher Certificate in Custodial Care, where they are expected to:



- Appreciate the significance of diversity in modern Ireland
- Understand the significance of gender, sexuality, disability, ethnicity, race, nationality and age as social constructs
- Develop anti-discriminatory organisational and personal action plans and improved personal sensitisation to diversity issues



Irish Human Rights and Equality Commission (IHREC) training for Directors and Governors.



On 17 October 2018, the Irish Human Rights and Equality Commission (IHREC) provided a workshop to directors and governors regarding their responsibilities under Section 42 of the Irish Human Rights and Equality Commission Act 2014 to:

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- (a) eliminate discrimination,
 - (b) promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and
 - (c) protect the human rights of its members, staff and the persons to whom it provides services.

An IHREC booklet was distributed to all governors as part of this training. Newly promoted Assistant Chief Officers also receive training on equality and dignity.



International and European legal frameworks concerning foreign national and minority ethnic prisoners

- All prisoners retain the human rights and fundamental freedoms codified in human rights law, except for those rights that are limited by detention. International and European penal standards are inspired by human rights law.
- The UN Standard Minimum Rules for the Treatment of Prisoners 2015 (the Nelson Mandela Rules) set out the core human rights standards for prisoners within the UN system.
- Council of Europe system, the Revised European Prison Rules 2020, the Committee of Minister's Recommendation (2012)¹² concerning foreign prisoners, and their commentaries set out for Member States the primary rules that apply to foreign national prisoners. Collectively, these cover a wide range of areas including conditions of imprisonment, rehabilitation, and preparation for release.
- The CoE's penal law and policy heavily influence the Irish Prison Rules 2007, which are currently under review.

The content of the Recommendation (2012)¹² concerning foreign national prisoners (FNPs) is heavily influenced by the case law of the European Court of Human Rights, the work of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and the needs of FNPs as identified in the academic research.

The Recommendation sets out a range of rules that aim to reduce the number of FNPs in prison, alleviate the hardships that they face and best facilitate their reintegration post-prison. It also contains a number of measures that States can take to reduce the potential isolation faced by FNPs, for example, by grouping prisoners of the same national, cultural or religious background in the same area of the prison, where it is safe and secure to do so.

❖ This is a practice facilitated by prison authorities in Ireland

S.I. No. 252 of 2007



Prison Rules, 2007

Recording of prisoner's details

4. Particulars relating to the admission of each prisoner shall be recorded by a person designated by the Governor upon his or her admission to a prison including the following:

(a) the prisoner's name, date of birth, nationality and any other information that will enable him or her to be identified,



- (e) contact details for either,
 - (i) a parent or lawful guardian of a prisoner under 18 years of age or,
 - (ii) such member of the prisoner's family as the prisoner may nominate, or
 - (iii) such other person as the prisoner may nominate,
- (i) the religious denomination (if any) to which the prisoner declares himself or herself to belong, and
- (j) any other information provided by the prisoner which the Governor, in the interests of good order and safe and secure custody, deems relevant.

Foreign nationals



16. (1) A foreign national shall be provided with the means to contact a consul and, in addition, an asylum applicant shall be provided with the means to contact:

(a) the United Nations High Commissioner for Refugees or the Representative in Ireland of the High Commissioner, and

(b) subject to such limitation as to numbers as the Governor may reasonably impose, national or international authorities and organisations whose principal object is to serve the interests of refugees or stateless persons or to protect the civil and human rights of such persons.

(2) A person to whom paragraph (1) applies shall be informed in particular of his or her entitlements under Rule 38 (Visit by legal adviser or relating to court appearance.)

Food and drink



23. (1) The Governor shall ensure that each prisoner is provided with a sufficient quantity of wholesome and nutritious food and drink each day and that food and drink shall be properly prepared, well presented and reasonably varied.

(2) Subject to the maintenance of good order and safe and secure custody, the Governor shall, in so far as is practicable in the performance of his or her functions under paragraph (1), ensure that provision shall be made to enable a prisoner to observe dietary practices of a religion or culture of which he or she professes to be a follower.

Visit to foreign national



39. (1) A foreign national shall be entitled to receive a visit from his or her consul at any reasonable time or where he or she is a stateless person the consul of a state of his or her choosing who is willing to visit him or her.
- (2) An asylum applicant shall be entitled to receive a visit at any reasonable time from –
- (a) such national or international authorities or organisations, as may be designated by the Minister, whose principal object is to serve the interests of refugees or stateless persons, and
 - (b) a consul of a state of his or her choosing.

Family Information Booklet



The Irish Prison Service has created a booklet to inform friends and family about day-to-day activities in our prisons, changes to physical visits during Covid-19 and information on what cannot be brought into prison.

Video and Family Information Booklet is available in 6 foreign languages: French, Spanish, Russian, Polish, Romanian and Cantonese as well as English and Irish on the Irish Prison Service website.



“Sometimes I’m Missing the Words” (2022) a collaborative report with Maynooth University (Doyle et al.)

University School of Law and Criminology was commissioned by Irish Penal Reform Trust analysed the rights, needs and experiences of foreign national and minority ethnic groups in the Irish penal system.

Findings from the research included:



- Analysis, along with interviews from professional stakeholders, established that the IPS data – while including statistics on prisoners' nationality – was deficient in the areas of ethnicity and religion of the prison population.
- Interview data revealed that there were significant challenges faced by foreign nationals and minority ethnic people in prison concerning access to services, respect for different religious backgrounds, as well as language and communication barriers.



I spoke to ethnic data earlier -

- In relation to communications barriers, approximately €45k was spent on translation services. IPS is currently reviewing requirements for language translation and interpretation services.

Chaplaincy - external religious and faith groups



- The Irish Prison Service has in place a prison-based Chaplain Service. It has a crucial role in the provision of pastoral and spiritual care to the entire prison community and seeks to meet the needs of prisoners of all denominations and none.
- The Service has a significant contribution to make as part of the multi-disciplinary team in a prison, addressing the physical, social and spiritual needs of prisoners in a holistic way.
- Chaplains develop and maintain links with appropriate community based groups, including religious and faith organisations, or persons who visit prisoners for spiritual or pastoral purposes.
- Spiritual advisors with a range of backgrounds also attend prisons on a visiting basis, at the request of individual prisoners, subject to normal visit rules.

Thank you



Séamus Beirne

Equality, Diversity & Inclusion Lead

Ceanncheathrú Sheirbhís Phríosúin na hÉireann

Irish Prison Service Headquarters

Stiúrthóireacht um Sheirbhísí Corparáideacha, Páirc Ghnó an ÚFT, Bóthar Bhéal Átha na Lao, An Longfort, Co. an Longfoirt N39 A308

Corporate Services Directorate, IDA Business Park, Ballinalee Road, Longford, Co. Longford N39 A308

T +353 (0) 43 333 5292 | **M** +353 (0)87 942 2714 | **E** SMBeirne@irishprisons.ie

www.irishprisons.ie