

Foreign National Prisoners and Religious Practice in Irish Prisons

David M. Doyle , Joe Garrihy , Maria Cleary , and Muiread Murphy* 

Abstract

This policy and practice note will investigate the extent to which Foreign National Prisoners (FNPs) feel that religious expression is respected in Irish prisons and explore the degree to which the Irish Prison Service (IPS) facilitates these prisoners' religious dietary preferences. Drawing on 82 semi-structured interviews across eight prisons, the findings demonstrate that while the IPS is generally progressive in accommodating FNPs' religious needs, provision could be improved in certain respects. The policy and practice note briefly concludes that the IPS could potentially draw on some 'promising practice' that has been implemented with respect to religious expression and practice in other European prisons.

Keywords: Foreign National Prisoners; Ireland; prisons; religious dietary preferences; religious expression and practice

1. Introduction

In an environment characterized by severe material deprivation (Sykes 1958), the opportunity to express and practice one's religion is of particular importance (Valentine and Longstaff 1998). Furthermore, access to religious dietary preferences affords an opportunity to practice religious traditions and demonstrate faith (Godderis 2006), while it can also provide 'a means of "escape"' (Ugelvik 2011: 57). This policy and practice note will investigate the extent to which Foreign National Prisoners (FNPs) feel that religious expression is respected in prisons in the Republic of Ireland and explore the degree to which the Irish prison service (IPS) facilitates these prisoners' religious dietary preferences. Drawing on 82 semi-structured interviews across eight prisons, the findings demonstrate that while the IPS are generally progressive in accommodating FNPs' religious needs, provision could be improved in certain respects. The policy and practice note briefly concludes that the IPS could potentially draw on some 'promising practice' that has been implemented with respect to religious expression and practice in other European prisons.

2. Methodology

Our analysis draws on semi-structured interviews conducted with 82 FNPs—69 male and 13 female—in eight Irish prisons from late 2021 until the summer of 2022. These interviewees

* David M. Doyle is Associate Professor of Law, Maynooth University, Maynooth, County Kildare, Ireland; Joe Garrihy is Assistant Professor of Criminology, Maynooth University, Ireland; Maria Cleary is Research Assistant, School of Law and Criminology, Maynooth University, Ireland; Muiread Murphy is Irish Research Council Doctoral Scholar, School of Law and Criminology, Maynooth University, Ireland.

were recruited by teachers in the respective institutions and the interviews were facilitated by the IPS. The majority of these interviews were conducted in person in the respective prisons, but a small number were carried out via the IPS online calling facilities with the assistance of professional interpreters. The vulnerability of the interviewees was of primary concern, and the interviews were conducted in line with international best practice and as sensitively as possible (van Liempt and Bilger 2009). The participants were alone in either a classroom, or a visitors'/professional box, for the duration of the interview. A small number of interviewees—who wished to participate but were unable to speak English—were assisted at their request by fellow prisoners of a shared nationality and/or language who acted as informal interpreters.

Till et al. (2019: 14) note that 'broad variations in numbers of detained FNPs are observed between countries occupying traditional Western and Eastern territories', and our interviews suggest Ireland is no exception in this regard. The participants in this study came from 24 different countries, with an age range of 22 to 61 years. The duration of the interviews varied between eight and 75 minutes.¹ The interviews were transcribed, stored on institutional servers in encrypted format and analysed thematically (Braun and Clarke 2006). Ethical approval was granted by Maynooth University (MU) Social Research Ethics Subcommittee and the IPS Research Ethics Committee.

Having outlined the methodology used, it should be noted that the search for 'best practice' pertaining to the treatment of FNPs has been characterized as 'naïve' (Brannan et al. 2008; Osburn et al. 2011; Rich 1997: 2). By contrast, searching for 'promising practice' is perceived to be a much more feasible endeavour (Slade 2015: 3). It should be noted, however, that the term 'promising' is interpreted broadly, and we acknowledge that certain initiatives—when originating from a low base—may not necessarily constitute particularly high quality practice. The note briefly concludes by engaging in 'learning from abroad' (Ettelt et al. 2012: 491) and by highlighting some initiatives in prisons in other jurisdictions that might be considered 'promising practice' with respect to facilitating religious expression, and accommodating the religious dietary preferences of FNPs.

3. Religious expression and practice

3.1 Rights and rules in practice

Rule 34(1) of the Irish Prison Rules (2007) stipulates that each prisoner must be allowed, insofar as is practicable within the prison environment, to 'practice and comply with the rules, observances and norms of behaviour of the religious denomination of which he or she is a follower or member'. Similarly, Rule 66 of the Mandela Rules (2016) states that every prisoner, in so far as possible, should have their religious needs met, and it appears, for the most part, that the religious needs of FNPs are reasonably well served in the Irish prison system.² This is particularly the case for prisoners who derive from predominantly Catholic countries. One Polish participant, for instance, highlighted that 'we have a mass every Sunday' (T26), while similarly a female prisoner from Brazil reported that 'every Wednesday, we sit together and read the bible [with the Chaplain]' (T77). The significance of the chaplaincy service has been well-documented in the prison literature (Shaw 1995; Sundt et al. 2002; Van Denend 2007), and this was borne out by a number of expert interviewees in a recent Irish report (Doyle et al. 2022). Sundt and Cullen (1998) have pointed out that 'chaplains perform a diverse range of activities in the modern prison' and the efforts of individual chaplains in the respective prisons were praised by participants in this study. As one Lithuanian prisoner put it, 'If I want to [do] something else, maybe some prayers or something I ask the chaplain and he let me' (T16).

Robinson-Edwards and Kewley (2018: 130) have written that 'Faith-based activities play an integral role within society' and accordingly 'it is critical that faith-based interventions

1 As is the nature of data collection in prisons, one interview was interrupted and ultimately ceased after only eight minutes. An offer to rearrange the interview was made but declined by the participant.

2 T1, T5, T6, T9, T10, T16, T19, T24, T26, T74, T75, T76, T77, T79.

are a key component within the prison regime'. The importance of being able to express and practice one's religion within the prison setting was highlighted by a Middle Eastern participant who observed that many individuals 'use things like faith to keep their head up' (T5), while a Nigerian interviewee recalled that 'the only thing I have is my faith, or my God. And I just keep praying' (T28). He also outlined the critical role that religious expression can play during imprisonment:

All I can say is please, let me study my Bible at my free time to keep myself busy ... And that's the only thing that keeps me going ... I've seen the people that don't have the grace of religion to encourage them and I've seen what they have turned to (T28).

These findings mirror a number of other studies which highlight the seminal role that religious expression can play in easing the adjustment period and lessening some of the deprivations inherent in imprisonment (Dammer 2002; Kerley and Copes 2009; Wilkinson et al. 2022). Female FNP in Spanish prisons, for instance, reported that 'religion functions as a support mechanism or adaptive strategy' (Ruiz-García and Castillo-Algarra 2014: 596), whereas a FNP in an English study observed that while prison 'takes your self-esteem, your dignity, and everything about you. Religion helped me to regain this' (Clear et al. 2000: 62).

3.2 Facilitating Catholicism and multi-faith practices

There are several prison rules relating to the encouragement, and facilitation, of religious expression nationally and internationally, but one thread that permeated a small number of these testimonies was that the Irish prison system is not as accommodating for FNPs who do not practice Catholicism (T19; T82). This was encapsulated by one Nigerian prisoner who observed that 'The prison is just for the Catholics' (T39). Rule 34(6) of the Irish Prison Rules (2007) states that 'a prisoner shall not, in so far as is practicable, be refused access to a chaplain of any religious denomination', while Rule 34(1) of the Irish Prison Rules stipulates that a prisoner is entitled to receive spiritual or pastoral visits in the absence of a chaplain belonging to their religious denomination. A similar provision is set out in the Mandela Rules (2016), which specifies that 'if the prison contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved', but another Nigerian participant reported:

There's no imam and imam is like the equivalent of a priest ... you feel more comfortable talking about religious stuff to someone who is from the religion. And when you're talking to a chaplain, they don't have a clue. They might have a little bit of understanding but when you get into it they don't understand fully ... There's no place for us to pray, we have to do it in the cell ... there's none of that in any prison here (T66).

Similar views were also expressed by a Muslim prisoner who emphasized the importance of receiving a private visit from their religious representative: 'It should be a law that says if you are a Muslim, they bring Muslim priest, for him to come in here and teach you' (T37). Significantly, research in France—albeit a jurisdiction with a strong tradition of the separation of Church and State (for example, reflected in practice through the non-recognition of religious minorities or data collection on them)—demonstrates that the absence of religious facilities increased the alienation of Muslim prisoners and the risk of encouraging openness to radicalization (Beckford et al. 2005).

3.3 Experiencing Islam in Irish prisons

A thematic study conducted by HM Inspectorate of Prisons (HMIP) in the UK revealed that approximately one third of comments stated that Muslim prisoners received preferential treatment. This was captured by the words of one prisoner who opined that

‘Muslims get more because of their religion, but I accept that they need more to practice it’ (HMIP 2006: 12). This perception of preferential service provision has since been challenged by the testimonies of Muslim prisoners in a number of more recent studies (Awan 2013; Marranci 2009; Schnewly Purdie et al. 2021), and can be contrasted with the experiences of a small cohort of Muslim prisoners in this study who were bereft of the supports and space to engage in meaningful religious practice. One Eastern European prisoner complained that: ‘If I ask for a Muslim mat to pray on, you don’t get it. You have to wait for five, six months for you to get a mat’ (T39), while an African prisoner pointed out ‘I have to pray in my cell. There is no room for prayer for Muslims. You can’t come together’ (T37). It has been reported that IPS staff endeavour to house Muslim prisoners in cells together to allow them to observe their faith (Doyle et al. 2022: 40) but this solution, as another Muslim prisoner pointed out, did not compensate for the fact that Muslim prisoners are bereft of an appropriate space to congregate and pray together:

Only one hour is all I ask, only one small little room. We are not too many, so we are only three or four. So all what I ask is for one little [room] for us that we can go on Friday to pray altogether for few minutes, and then we can go back in to our cell (T13).

Moreover, in the abovementioned UK report, Muslim prisoners reported that their religious expression was restricted due to pernicious stereotypes. One participant stated that ‘I would like to grow a beard to be closer to my religion, but I would just get judged—called a terrorist, so I don’t’, while another prisoner reported that ‘some joke that Muslims are terrorists. I was asked why suicide bombings are right; I don’t think it is right. This happened in education—so I don’t go there anymore (HMIP 2006: 10). Comparably, a recent Irish report revealed that ‘tensions between Muslim prisoners and prisoners of other religious persuasions, or of none at all, manifest in the prison environment and are exacerbated during periods of religious observance’ (Doyle et al. 2022: 40), and similar stereotypes were borne out by a small number of the Muslim participants in this study. One Nigerian participant, for instance, recalled:

I start pray[ing] ... and there was racism for that too, you know? People say ‘ahh you pray for Allah’ ... go pray, people starting shouting ‘hey you guys stop praying, you pray to Allah, you’re from Pakistan’ and everything (T54).

Similarly, a Brazilian participant asserted that religious expression was respected for all ‘except the Muslim ... they call them like bomb man, terrorist, all this stuff’ (T11). Thus, in contrast to other jurisdictions where racial and religious discrimination were inextricably linked, the discrimination (and suspicion of extremism) reported by the prisoners in this sample was primarily based on religious expression, transcended national or ethnic grounds, and encompassed national prisoners (for example ‘Irish Muslims’) who derived from the jurisdiction in which the prison was located (Awan 2013; Marranci 2009; Wilkinson et al. 2022). Other negative experiences reported included ‘bullying’ (T13) and problems surrounding a prisoner ‘reading his Bible’ (T28), while a female Muslim prisoner reported that she refrains from wearing a hijab in order to avoid bullying:

you know why I dress up like this? It’s not my clothes ... I have to put my hijab like this. But you know why put like this? I cry every day in the night about my religion. Because just for bullying. Like I going to be a target for bullying (T78).

Such examples of intolerance were attributed to the fact that the transgressing prisoners ‘are not believers’ (T28) and the fact that ‘they don’t understand my religion’ (T13).

4. Religious dietary preferences

The Irish Prison Rules (2007) outline that a prisoner's religious dietary preferences should be accommodated. Rule 23(2) explicitly states 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'. However, previous research has shown the difficulties encountered with the provision of food in line with religious beliefs (Doyle et al. 2022; HMIP 2006; Richards et al. 1995). These include, *inter alia*, limited access to halal food during Ramadan, the mixing of halal foods with non-halal foods, and prisoners resorting to buying food in the tuck shop as a substitute (HMIP 2016a: 7–10).

Food in prisons is associated with health and wellbeing, and symbolically linked to the construction and maintenance of identity, possessing agentic qualities while simultaneously facilitating social reintegration (Earle and Philips 2012; Godderis 2006; Richards et al. 1995). An interviewee in a recent Irish study asserted that the IPS 'need to take them serious in terms of the food that they have to have' (Doyle et al. 2022: 39) and equally certain participants in this study aired their grievances at the length of time that it took to receive halal products. Although these requests were ultimately facilitated, one African prisoner reported that 'you wait a week or two to even get halal' (T23), while a Nigerian participant also complained that 'you have to keep asking them like one week before you get it' (T37). The World Health Organization has recommended that 'Special diets must be provided for prisoners with specific cultural, religious or medical needs' (Barnoux and Wood 2013: 243), but approximately one quarter of the comments in an English study pertained to prisons not recognizing or catering for specific religion's dietary needs. This was summarized succinctly by one prisoner who observed that 'there is a limited selection of goods; there was nothing for Ramadan' (HMIP 2006: 3). Although the provision of food from a religious dietary perspective in English prisons has improved considerably in the intervening period, a more recent HMIP report detailed that prisoners occasionally go hungry due to cross-contamination issues when the produce was not correctly 'labelled as Halal' (HMIP 2016a: 10). Similarly, one interviewee in this study expressed his frustrations with cross-contamination:

Every time I walk to the servery ... say you've got glove or a utensil you use to pick up the pork, you can't use that same tongs or that same glove to touch that pork and then pick up the halal food ... there have been several times where I've mentioned it and they've still done it (T66).

Analogous to other studies where FNPs had to rely on canteen foods (Richards et al. 1995), three of the FNPs in this study observed that they had little option but to buy additional food in the tuck shop to satiate their appetites due to the small portions of halal food provided by the prison, especially during Ramadan (T22; T37; T66). This was compounded during daily fasting for Ramadan—approximately 14 hours—when food was delivered late and cold by staff (T66). This is one area where the provision of food from a religious dietary perspective could be enhanced, albeit it has been suggested elsewhere that the IPS are generally progressive in meeting prisoners' religious dietary needs (Doyle et al. 2022: 39).

5. Conclusion

This policy and practice note has highlighted that while there has been positive developments with respect to facilitating religious expression and accommodating the religious dietary preferences of FNPs in Irish prisons, this is not to suggest that current practice could not be enhanced or remedied in certain respects. In this regard, one need look no further than Rule 34(3) of the Irish Prison Rules which states that prisoners must be allowed to possess religious books and literature pertaining to their faith, but nonetheless certain

participants reported lacking basic materials such as a Bible in a language that they understood (T82). Similarly, Rule 34(4) permits prisoners to attend meetings or services of their denomination, but difficulties accessing prayer groups still reportedly persist (T19, T82). Conversely, other participants revealed that religious expression and practice, irrespective of denomination, was respected by their fellow inmates. One Romanian participant, for instance, stated that 'I still go to church, even though it's not for everybody but everybody respect that' (T8), while a Lithuanian interviewee reported that 'there is no problem. We respect each other, like they pray in the cell like for example from Muslim, we give a tiny bit of space, that's not a problem' (T2). Yet despite these positive sentiments, there are ongoing initiatives in prisons in other jurisdictions that could potentially be replicated in the Irish prison regime. For example, in Bucharest's Jilava Prison and in England and Wales, there are multi-faith rooms which prisoners may visit according to a schedule of faith activities or for individual spiritual meditation, while in Estonia chaplains of several religions are represented in prisons (EuroPris 2022; NOMS 2016). Moreover, labelling equipment appropriately in order to reduce the possibility of cross contamination (NOMS 2010), providing more inclusive menus and food for religious festivals, facilitating self-cook areas such as in HMP Maidstone in England and Wales (Earle and Phillips 2012: 146), or simply permitting FNP's to cook in the prison at designated times, would go a long way towards meeting the religious needs and dietary preferences of all those detained across the Irish prison estate.

Acknowledgements

We are grateful to Irish Research Council *New Foundations* Scheme (2020) for funding this research. We are also especially obliged to all the interviewees who participated in this study.

Conflict of Interest

None declared.

References

- Awan, I. 2013. Muslim Prisoners, Radicalization and Rehabilitation in British Prisons. *Journal of Muslim Minority Affairs* 33(3): 371–84. doi: [10.1080/13602004.2013.853979](https://doi.org/10.1080/13602004.2013.853979).
- Barnoux, M., and J. Wood. 2013. The specific needs of Foreign National Prisoners and the threat to their mental health from being imprisoned in a foreign country. *Aggression and Violent Behaviour* 18(2): 240–6.
- Beckford, J. A., D. Joly, and F. Khosrokhavar. 2005. *Muslims in Prison: Challenge and Change in Britain and France*. Basingstoke: Palgrave Macmillan.
- Brannan, T., C. Durose, P. John *et al.* 2008. Assessing Best Practice as a Means of Innovation. *Local Government Studies* 34(1): 23–38.
- Braun, V., and V. Clarke. 2006. Using Thematic Analysis in Psychology. *Qualitative Research in Psychology* 3(2): 77–101.
- Clear, T. R., P. L. Hardyman, B. Stout *et al.* 2000. The Value of Religion in Prison: An Inmate Perspective. *Journal of Contemporary Justice* 16(1): 53–74.
- Dammer, H. R. 2002. The Reasons for Religious Involvement in the Correctional Environment. *Journal of Offender Rehabilitation* 35(3–4): 35–58.
- Doyle, D. M., A. Brandon, J. Garrihy *et al.* 2022. 'Sometimes I'm Missing the Words': *The Rights, Needs and Experiences of Foreign National and Minority Ethnic Groups in the Irish Penal System*. Dublin: Irish Penal Reform Trust.
- Earle, R., and C. Phillips. 2012. Digesting Men? Ethnicity, Gender and Food: Perspectives from a 'Prison Ethnography'. *Theoretical Criminology* 16(2): 141–56.
- Ettelt, S., N. Mays, and E. Nolte. 2012. Policy Learning from Abroad: Why it is More Difficult than it Seems. *Policy and Politics* 40(4): 491–504.

- EuroPris. 2022. *Table of Recommendations and Practices: Foreign Nationals in Prison*. Netherlands: EuroPris.
- Godderis, R. 2006. Dining In: The Symbolic Power of Food in Prison. *Howard Journal of Crime and Justice* 45(3): 255–67.
- HM Inspectorate of Prisons (HMIP). 2006. *Foreign National Prisoners: A Thematic Review*. London: The Stationary Office.
- HM Inspectorate of Prisons (HMIP). 2016a. *Life in Prison: Food*. London: The Stationary Office.
- HM National Offender Management Service Agency Board (NOMS). 2010. *Catering - Meals for Prisoners PSI 44/2010*. London: National Offender Management Service. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/909661/psi-05-2016-faith-and-pastoral-care-for-prisoners.pdf (referenced 20 June 2022).
- HM National Offender Management Service Agency Board. 2016. 'Faith and Pastoral Care for Prisoners'. London: National Offender Management Service. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/909661/psi-05-2016-faith-and-pastoral-care-for-prisoners.pdf (referenced 20 June 2022).
- Kerley, K. R., and H. Copes. 2009. 'Keepin' my mind right': Identity Maintenance and Religious Social Support in the Prison Context. *International Journal of Offender Therapy and Comparative Criminology* 53(2): 228–44.
- van Liempt, I., and V. Bilger (eds) 2009. *The Ethics of Migration Research Methodology: Dealing with Vulnerable Immigrants*. Sussex Academic Press.
- Marranci, G. 2009. *Faith, Ideology and Fear: Muslim Identities Within and Beyond Prisons*. London; New York: Routledge.
- Osburn, J., G. Caruso, and W. Wolfensberger. 2011. The Concept of 'Best Practice': A Brief Overview of its Meanings, Scope, Uses, and Shortcomings. *International Journal of Disability, Development and Education* 58(3): 213–22.
- Rich, R. F. 1997. Measuring Knowledge Utilization: Processes and Outcomes. *Knowledge and Policy* 10: 11–24. (
- Richards, M., B. McWilliams, N. Batten et al. 1995. Foreign Nationals in English Prisons: I. Family Ties and their Maintenance. *Howard Journal of Crime and Justice* 34(2): 158–75.
- Robinson-Edwards, S., and S. Kewley. 2018. Faith-Based Intervention: Prison, Prayer, and Perseverance. *Religions* 9(4): 130.
- Ruiz-García, M., and J. Castillo-Algarra. 2014. Experiences of Foreign Women in Spanish Prisons. *Journal of Offender Rehabilitation* 53(8): 587–99.
- Schnewly Purdie, M., L. Irfan, M. Quraishi et al. 2021. Living Islam in Prison: How Gender Affects the Religious Experiences of Female and Male Offenders. *Religions* 12(5): 298. doi: [10.3390/rel12050298](https://doi.org/10.3390/rel12050298).
- Shaw, R. D. 1995. *Chaplains to the Imprisoned: Sharing Life with the Incarcerated*. New York: Haworth Press.
- Slade, L. 2015. *Foreign National Prisoners; Best Practice in Prison and Resettlement*. London: PRT.
- Sundt, J. L., and F. T. Cullen. 1998. The Role of the Contemporary Prison Chaplain. *Prison Journal* 78(3): 271–98.
- Sundt, J. L., H. R. Dammer, and F. T. Cullen. 2002. The Role of the Prison Chaplain in Rehabilitation. *Journal of Offender Rehabilitation* 35(3/4): 59–86.
- Sykes, G. M. 1958. *The Society of Captives: A Study of a Maximum Security Prison*. Princeton, NJ: Princeton University Press.
- Till, A., P. Sen, L. Chaplin et al. 2019. The Mental Health of Foreign National Prisoners. *Journal of Legal Medicine* 62: 14–8.
- Ugelvik, T. 2011. The Hidden Food: Mealtime Resistance and Identity Work in a Norwegian Prison. *Punishment and Society* 13(1): 47–63.
- Valentine, G., and B. Longstaff. 1998. Doing Porridge: Food and Social Relations in a Male Prison. *Journal of Material Culture* 3(2): 131–52.
- Van Denend, J. 2007. A New Look at Chaplaincy in a Prison Setting. *Journal of Pastoral Care and Counselling* 61(4): 395–8.
- Wilkinson, M., L. Irfan, M. Quraishi, and M. S. Purdie. 2022. *Islam in Prison: Finding Faith, Freedom and Fraternity*. Bristol: Policy Press. doi: [10.51952/9781447363620](https://doi.org/10.51952/9781447363620).