

Mr. Charlie Flanagan T.D.,  
Minister for Justice and Equality,  
51 St. Stephen's Green,  
Dublin 2

**Fifth Progress Report of the Implementation Oversight Group to oversee implementation of the recommendations of the Penal Policy Review Group**

Dear Minister Flanagan,

On behalf of the Implementation and Oversight Group which oversees implementation of the recommendations of the Penal Policy Review Group, I am pleased to submit the Group's fifth progress report following on the Group's first, second, third & fourth reports submitted to you and your predecessor, the Tánaiste Ms Frances Fitzgerald T.D., in November 2015, June 2016, February 2017 and September 2017.

In the preparation of this report, the core group met on 1 November 2017 and I have also met with members of the group separately as part of this process.

As with our previous report, the group has carried out a further analysis of (1) the timelines expected for the implementation of each recommendation made by the Penal Policy Review Group, and (2) the implementation status of each of those recommendations. The group has also reviewed the milestones attached to each recommendation and, where relevant, created new ones to reflect developments since our first and second reports.

As you know, the Penal Policy Review Group made 43 recommendations. Some of these contain multiple elements and we have identified a total of 55 areas for assessment arising from those recommendations. Again, the Group has made a qualitative and overall assessment concerning the implementation of each of those recommendations.

The following scale is used by the Group as a mechanism for reporting on progress on the implementation of recommendations.

<b>Rating</b>	<b>Description of range</b>
E	No Progress
D	Discussion/Consultation/Planning Phase
C	Implementation Phase Commenced
B	Implementation Phase Progressing
A	Fully Implemented

3 recommendations are in the 'A' category, 17 are in the 'B' category, 14 are in the 'C' category, 20 are in the 'D' category and 1 is in the 'E' category.

In our first report, 70 milestones were deemed complete, while in this report, 211 milestones have been deemed complete.

Since our last report, I am pleased to note that work is continuing towards establishing an independent Parole Board on a statutory basis (recommendation 31). We continue to await legislation on the principles of sentencing and community sanctions.

During this reporting period, the Criminal Justice (Victims of Crime) Act was enacted, implementing a key aspect of the Penal Policy Review Group's report.

Expressions of interest have also been prepared for the development of an open centre for women (recommendations 18 and 23). Since the completion of this report, a formal tender process has now been instigated and we await the awarding of the contract.

The Penal Policy Review Group was also strongly of the view that our penal policy needs to be based on evidence and best practice. The work of the group chaired by Mr Vivian Geiran, Director of the Probation Service, to support the improvement of data and the use of data in the criminal justice system is welcome in this respect. I will also be writing to your Department regarding a proposal for developing a Departmental Research Strategy which would provide a more cohesive and strategic approach to the issue of data collection.

A key theme in the work of the Penal Policy Review Group was, as you know, the importance of inter-departmental and inter-agency working in order to prevent crime and reoffending. The work of the Interagency Group for a Safer and Fairer Ireland, chaired by Dr. Ruth Barrington, continues its important work in advancing this objective. In that regard, I wish to mention recommendation 26. This states, *inter alia*, that "... the Review Group recommends an increased focus on the provision of suitable accommodation, including step down accommodation, to ease the reintegration of offenders". The Implementation and Oversight Group has noted an enduring and recurrent difficulty in ensuring accommodation is in place for people leaving prison, especially those in the "high risk" category. As you know, stable housing is an important factor in supporting a person to desist from offending, and this recommendation is therefore central to a policy which seeks to reduce reoffending behaviour. There remains a need for the agencies and your Department to receive the necessary support from the Department of Housing, Planning and Local Government and Tusla to fulfil this recommendation.

The work of the Implementation and Oversight Group will continue in preparation for a sixth report. Finally, if it would be of assistance, I would be delighted to meet at a date convenient to you, to discuss our report in greater detail.

I look forward to continuing to work with you on the implementation of this report.

Yours sincerely,



---

Mary Rogan  
Chairperson of the Implementation Oversight Group  
13 February, 2018