

Annual Report of the Interagency Group for a Fairer and Safer Ireland,

2019

November 2020

Dear Minister McEntee,

I have pleasure in presenting you with the third annual report of the Interagency Group for a Fairer and Safer Ireland.

I was appointed by your predecessor, the Tánaiste & Minister for Justice and Equality, Ms. Frances Fitzgerald T.D., as the independent Chairperson of the Interagency Group for a Fairer and Safer Ireland in 2016.

The main purpose of the Group is to implement two key recommendations of the Penal Policy Review Group Report (*July 2014 Report of the Strategic Review of Penal Policy* (www.justice.ie/penalpolicy), which call for much greater cross-government cooperation in the management and rehabilitation of offenders and crime prevention in general.

This report outlines the work the Interagency Group undertook during 2019.

During 2019 progress continued to ensure that offenders have access to the public services they need on release to increase their likelihood of social conformity. In particular, cooperation between the Irish Prison Service, the HSE and the Irish Association for Social Inclusion Opportunities (IASIO) enabled medical cards to be offered to eligible prisoners before release from prison. Cooperation between the IPS and Citizens Information Bureau will mean that ongoing support to engage with the National Medical Card Unit is available post-release. During 2019, work also continued on the implementation of the three year social enterprise strategy for the criminal justice sector. This work has been primarily led by the Irish Prison Service and Probation Service and implementation of the strategy is driven by a Social Enterprise Project Manager. During 2019 the first round of kickstart funding (€300,000 from the Dormant Accounts Fund) was awarded to social enterprises to develop their enterprises with a view to employing people with previous convictions. A second round of funding (€1m) was secured in 2019 for awarding to social enterprises in 2020. Aligned with this, a mentoring support programme has been put in place for social enterprises to improve their businesses and engagement with the insurance industry has taken place to enable enterprises to get insurance cover at reasonable rates when they employ people with previous convictions. Other initiatives undertaken were the promotion of social procurement by public bodies so that social enterprises can provide services to public bodies and social clauses included in contracts that require public suppliers to employ/train long-term unemployed or those with convictions in appropriate roles in delivering public service contracts. A Prison Entrepreneurship Programme was delivered in Wheatfield Prison which enabled people in custody to explore options for self-employment post-release, led by social entrepreneur, chef and journalist Domini Kemp. At the end of 2019 there were approximately 50 social enterprises that were already employing at least one person with a conviction in Ireland. Some social enterprises that work with clients in the criminal justice sector have been approved three year funding under the Community Services Programme, thus securing their viability.

Arrangements for coordinating employment and training opportunities for offenders in prison and on release were improved and a data sharing agreement between the IPS and the Department of Employment Affairs & Social Protection was devised to improve the case management of employment activation of offenders. However, at the end of 2019, significant challenges remained in relation to providing accommodation for offenders who are homeless and for the welfare of offenders with mental health problems. Interagency coordination is also hampered by the absence of a unique identifier of offenders across criminal justice agencies and the absence of data sharing arrangements across all agencies with responsibilities for offenders on release. In line with our terms of reference, the Interagency Group formulated proposals for research projects with a cross government focus and was disappointed that, by year end, these proposals had not been formally responded to by your Department. The Interagency Group would like to encourage and engage with a commitment to a coordinated approach to research, which supports individual agency initiated research projects within an overall research strategy.

The work of the Interagency Group in 2019 took place in the context of a major reorganisation of the Department of Justice and Equality. A consequence of the reorganisation was that there was a complete change in the Department's representation on the Interagency Group and of its secretariat. I would like to thank the former officials, and our Secretary, Keith Lynn, in particular, for their expertise, support and commitment to the Interagency Group. We welcomed Chrystele Brunet-Lee as Secretary of the Group in July 2019 and Aaron Murphy who succeeded her in December 2019.

I would like to thank the members of the Group for their commitment to improving interagency cooperation in relation to offenders and penal policy and I look forward to continuing to work with you and your colleagues in Government on the implementation of the recommendations of the Penal Policy Review Group Report.



Ruth Barrington PhD
Chair
October 2020

Contents

1. Context	
1.1. Background	5
1.2. Rationale for Group	6
2. Working Methods	
2.1. Representation on the Group	11
2.2. Meetings	11
2.3. Terms of Reference	11
3. Work Programme 2019	13
4. Report for 2019	
4.1 Overview of Progress	16
4.2 Issues of Concern	18
4.3 Research Proposals	21
4.4 Presentations to the Group	24

Appendices

Appendix A - Membership of Interagency Group for a Fairer & Safer Ireland.	27
Appendix B - Attendance at meetings of Interagency Group for a Fairer & Safer Ireland.	28

1 Context

1.1 Background to the Establishment of the Interagency Group

The Penal Policy Review Group (PPRG) conducted a wide ranging strategic review of penal policy, taking into account relevant work already carried out in this jurisdiction and elsewhere, the rights of those convicted of crimes, the perspective of those who are victims of crime, and the interests of society in general.

The PPRG advocated an approach to crime and the penal system which emphasised rehabilitation and advocated for an improved penal system, the reduction of reliance on imprisonment as a sanction, and an increased focus on alternatives to prison. A strong thread running through all of its recommendations is the need to see the wider social context of offending, and to ensure that the work of the criminal justice agencies is integrated with social services, broadly conceived.

The Government endorsed the Penal Policy Review Group recommendations in 2014.

An Implementation Oversight Group (IOG) was established to oversee implementation of the Penal Policy Review Group's recommendations. The Group is chaired by Dr. Mary Rogan, Associate Professor, School of Law, Trinity College who was a member of the Review Group. The Group submits Implementation Reports to the Minister every six months for publication.

The two key recommendations of the Review Group Report relevant to the work of the Interagency Group are recommendation 3 and 41 below. These recommendations promote inter agency and inter departmental cooperation, on the basis that crime is a matter of social as well as penal policy.

Recommendation 3

The Review Group recommends that there must be greater emphasis, if necessary through legislation, on promoting inter-agency cooperation in the management and rehabilitation of offenders. In addition to the criminal justice agencies, there is a need to recognise that a whole-of Government approach is required in collaboration with relevant agencies and local authorities in addressing offending behaviour and assisting offenders in maintaining crime free lives.

Recommendation 41

The Review Group recognises that crime is a question of social as well as penal policy and recommends that all Government departments and agencies consider the question of crime prevention when formulating policy. In this regard, the Review Group recommends that the Department of Justice and Equality join with all Government Departments and agencies to facilitate and support research in order to assist in the formulation of penal policy.

1.2 Rationale for the establishment of the Interagency Group

The rationale for the Interagency Group is that crime is a challenge for all of society and requires a whole-of-society response. Crime is associated with many social problems such as economic deprivation, unemployment, low levels of educational achievement and substance misuse. Society suffers as a result of crime and everyone has an interest in preventing crime; it is not just the responsibility of criminal justice agencies.

The socio-economic factors which may be involved when someone goes to jail are the same factors which need to be addressed when he or she comes out of prison. That is to say, many people convicted of criminal offences have similar characteristics and deficits, which have contributed to their offending, and issues that are likely to inhibit them leading lives free of crime and predispose them to re-offending.

For example, a significant percentage of those in prison or on probation are low income, unemployed, with low levels of educational achievement, and many are relatively young men, with histories of substance misuse. Homeless people and those with mental illness are also considerably over-represented in the prison and probation populations.

The number of committals to prison, of both prisoners on remand and those who have been sentenced, demonstrates the scale of the challenge to public bodies of facilitating successful reintegration of prisoners into society and reducing recidivism. The table below provided by the Irish Prison Service shows the size of the prison population and the through-put of the prison system in recent years. While there has been a significant fall in the number of people committed to prison between 2010 and 2019, it is notable that for the second year in a row, the total number of prisoners released was less than those committed. This trend gives rise to concern about a possible return to overcrowding in prisons and the possibility of prisoners being released at short notice without the agreed protocols being followed.

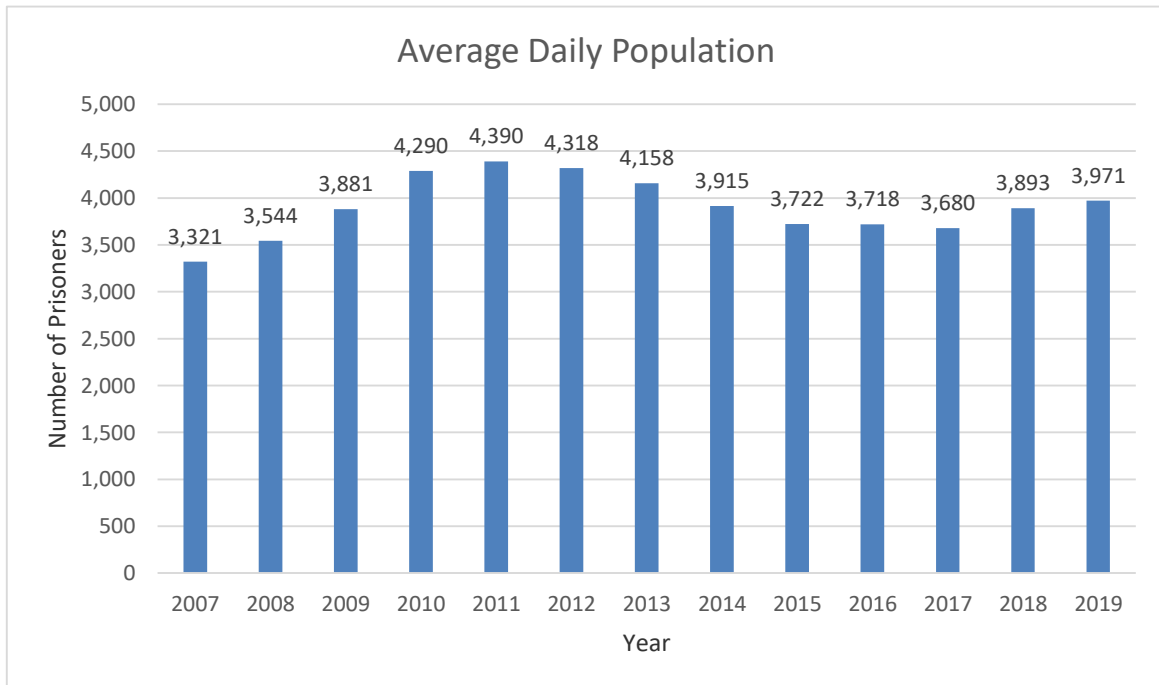
TOTAL COMMITMENTS INTO AND RELEASES FROM PRISONS

Year	Total Committals	Total Releases
2019	8,939	8,656
2018	8,071	7,811
2017	9,287	9,313
2016	15,099	15,205
2015	17,206	17,403
2014	16,155	16,662

2013	15,735	15,905
2012	17,026	17,052
2011	17,318	17,358
2010	17,179	16,922

DAILY AVERAGE NUMBER OF PRISONERS IN CUSTODY

The graph below provides figures in relation to the daily average number of prisoners in custody over recent years. The overall daily average number of prisoners in custody in 2019 was 3,971, compared to 3,893 in 2018, an increase of 1.9%. The average number of female offenders in custody was 170, a 2.9% increase on the 2018 average of 165.



OFFENDERS SUPERVISED BY THE PROBATION SERVICE

Year	Total offenders deal with in year*	Total offenders referred from courts
2019	16,607	9,009
2018	15,777	8,105
2017	15,269	7,799

* This includes offenders being dealt with at the beginning of the year in addition to new referrals made during the year.

REOFFENDING AMONG OFFENDERS

Valuable information about the population of offenders is provided by the CSO's studies of recidivism or reoffending. The latest data in relation to recidivism rates for offenders who were given a custodial sentence or community sanction is contained in the fifth set of recidivism studies published by the Central Statistics Office (CSO) in September 2019 and December 2019.

The studies report on:

- Prison Recidivism provides information on those who were released from a custodial prison sentence in 2012 and whether they were subsequently convicted of a further offence up to the end of 2015 and
- Probation Recidivism which provides information on offenders who were convicted of a crime in 2012 and placed under Probation Service supervision and who committed an offence and for which a conviction was obtained on or before December 2017.

Prisoner reoffending

The Prison Recidivism study, published by the CSO, reports on recidivism among 10,035 and 10,682 (in 2011 and 2012 respectively) offenders released by the Irish Prison Service on completion of a custodial sentence between 2011 and 2012, based on reoffending and reconviction data up to the end of 2015.

The study's findings indicate that the recidivism rate was 48.9% for the particular cohort of offenders released in 2011 and 45.8% in 2012. When compared with the equivalent cohort from the 2010 study, there is a rise in recidivism of 0.7% between 2010 and 2012. This does not follow the trend of decreasing recidivism seen in recent years.

Males made up most of the total population assessed and had a higher recidivism rate than females (50.2% for males and 40.2% among females in 2011, 47.6% for males and 36.0% for

females in 2012). Re-offending among younger offenders is particularly high (a rate of 73.1% for prisoners under 21 years of age in 2011, decreasing to 72.3% in 2012).

The highest rates of recidivism were in the over 21 age group and the lowest was in the 51 plus age group; 73.1% and 23.8% respectively in 2011, decreasing to 72.3% and 23.3% respectively in 2012.

Probation Reoffending

The Probation Recidivism study reported that 46.8% of 4,663 offenders who were placed under probation reoffended within a three-year period of the end of supervision in 2011 and 46.9% of 4,350 offenders reoffended within three years among the 2012 cohort. This is a slight reduction on the 2010 cohort which saw 48.2% reoffending. Since 2009 the average recidivism rate has dropped by 5.6%.

The reoffending rates among females were lower in both years compared with those of males. Female reoffending rates were 40.5% and 42.8% in 2011 and 2012 respectively.

The reoffending rate among those on Community Service Orders was lower than the average reoffending rates in both 2011 and 2012 at 44% and 42.3% respectively. This is lower than the 2010 rate of 45.3%.

Limitations of Recidivism reports

In presentations to the Interagency Group, CSO representatives have drawn attention to the limitations of their reports on recidivism. The absence of a shared identification system in the criminal justice system makes it time consuming and resource intensive to track individuals from the Pulse system used by An Garda Síochána, through the Courts Service and on conviction, to the Irish Prison Service and the Probation Service. It is not possible to track an estimated 5 per cent of offenders.

Limited information is collected about the profile of those who reoffend or those who do not reoffend. As part of its data holdings, the CSO has access to and use of other administrative datasets such as those of the Department of Employment and Social Protection, Revenue, Education and other agencies and departments. It also has access to mortality data from the General Registry Office, the Geo-directory and Census data. Other information which would be useful in predicting the risk of recidivism before or at the time of incarceration include; age at first offence, prior arrests, family status, health status and education level. The addition of these variables could be used to enrich the existing prison and probation datasets to provide a better understanding of the factors that predispose offenders to reoffend or conversely, to lead a crime free life. They would also draw attention to the cross government nature of the responses needed to reduce recidivism and crime. The Interagency Group, in its proposals for research, discussed later in this report, made a proposal to enhance the value of the recidivism reports.

ACCESS TO SERVICES

By definition, offenders can experience resistance, delays and even rejection in trying to access mainstream services. As a result, from a very practical point of view, their level of risk of reoffending can be unwittingly increased. Clearly, criminal justice services - prison and probation - have a responsibility to do what they can to facilitate reintegration, by virtue of their specific roles, responsibilities, experience, and expertise. However, they can only go so far: to address some of the issues that have a significant impact on the risk of reoffending - e.g. homelessness, unemployment, addiction, and mental illness - the cooperation of the relevant Government departments and agencies is required.

Therefore, there is a clear need to have joined-up services, including improved information sharing and operational co-operation to achieve optimal impact on reducing offending and victimisation in our communities.

A key role played by the Interagency Group is to raise awareness among its members from Government departments and agencies of the implications of policy and services on the reintegration and rehabilitation of offenders and the prevention of crime and of the need to adapt or coordinate those policies/services to facilitate reintegration and reduce recidivism.

2 Working Methods

2.1 Representation on the Interagency Group

The Interagency Group consists of representatives of the main Departments and agencies with responsibilities for the management and rehabilitation of offenders. The membership of the Interagency in 2019 is included at Appendix A.

2.2 Meetings

The Group agreed that it would meet quarterly to progress its terms of reference. In 2019 the Group met four times on the following dates: 13 February, 12 June, 25 September and 11 December. In total, to the end of 2019, the Group has held 14 meetings. A table of those Department/agencies attendance at the 2019 meetings is attached at Appendix B.

The Group set up a subgroup to examine in more detail how better coordination between agencies could facilitate the reintegration of offenders. The Pathways to Reintegration subgroup met twice in 2019 on the following dates: 23 May and 31 October. In total, to the end of 2019, the subgroup had held three meetings.

2.3 Terms of Reference

The following are the terms of reference of the Group:

The mission of the Interagency Group on Cooperation for a Fairer and Safer Ireland is to improve interdepartmental and interagency coordination in the integration and rehabilitation of offenders and the prevention of crime as recommended by the Report of the Penal Policy Strategic Review Group.

To this end, the Interagency Group will:

1. Review existing pathways that involve interagency coordination and cooperation to improve the integration and rehabilitation of offenders;
2. Based on this review, propose improved interagency coordination arrangements for the integration and rehabilitation of offenders;
- 3 Promote pro-social behaviour by offenders, to those most at risk of offending and anti-social behaviour, which results in positive participation in society.
4. Recommend how the consideration of crime prevention could be incorporated in the formulation and implementation of public sector penal and social policies.
5. Consider how fairness and greater equality could be achieved in the areas of penal and

social policy in relation to crime prevention issues.

6. Identify where research and data collation could assist in greater integration across the Public Service in terms of the rehabilitation of offenders and the formulation and impact of penal policy.

3. Work Programme 2019

The work programme for 2019 agreed by the Interagency Group is set out below, linked to the Group's terms of reference.

1. Review existing pathways that involve interagency coordination and cooperation to improve the integration and rehabilitation of offenders.

In 2019, the Group will continue to identify where interagency cooperation can improve the effectiveness of the pathways for the integration and rehabilitation of offenders. It will facilitate agreement among the agencies involved through reviews of successful interagency initiatives and proposed initiatives and, through discussion and analysis, encourage alignment of policy and service objectives.

The Group will continue to focus on encouraging solutions to blockages in existing pathways and agree new pathways among the relevant agencies which improve the integration and rehabilitation of offenders.

2. Based on this review, propose improved interagency coordination arrangements for the integration and rehabilitation of offenders.

The work of the Group to date suggests that interagency cooperation could be enhanced to ensure that offenders, on release from prison, have an identity for the purposes of accessing relevant and needed public services, have better access to accommodation, to medical care for on-going conditions, particularly continuity of care regarding mental health issues and to training/employment opportunities. The Group will recommend steps that could be taken to improve access to these services.

The Group aims to specifically focus on access to the public services card in order to ensure that all prisoners can access related public services on their release from prison. The Group also aims to focus on employment related issues such as job seekers protocol, disability benefit and employment opportunities.

The Group also aims to continue to focus on the issue of medical cards to eligible offenders on release from prison. This includes the monitoring of procedures currently in place in the IPS with a view to improving procedures for applying pre- release and maintaining access to medical cards post release for eligible prisoners.

3 Promote pro-social behaviour, which results in a positive participation in society.

The Interagency Group has noted the success of the Community Return Programme in promoting better social behaviour among prisoners before release from prison and their positive participation in society after release.

The Group will examine initiatives involving interagency cooperation in other jurisdictions, which could improve social behaviour and the positive participation of offenders in society and make recommendations where appropriate.

4. Recommend how the consideration of crime prevention could be incorporated in the formulation and implementation of public sector penal and social policies.

The Group will examine ways in which cross-sectoral issues are handled nationally and in other jurisdictions to identify an effective model for incorporating crime prevention in the formulation and implementation of penal and social policies and make recommendations accordingly.

Based on the evidence of the importance of family life to the reintegration and rehabilitation of offenders, the Group will continue to focus on strengthening & maintaining family links for prisoners. The Group will pay particular attention to how interagency cooperation could strengthen offenders' engagement in family life, both in prison and on release.

5. Consider how fairness and greater equality could be achieved in the areas of penal and social policy in relation to crime prevention issues.

The Group will review existing policies and practices in crime prevention from the perspective of fairness and equality and identify where interagency cooperation could achieve greater fairness and equality in crime prevention.

The Group will focus on accommodation related issues and their importance to fairness, equality and crime prevention. This includes focussing on implementation of a housing protocol between relevant services including the IPS, monitoring and contributing to Housing First Policy which is being developed and which aims to provide housing and provision of wrap around services support services for prisoners with special needs on release.

The Group will continue to monitor and engage with relevant services regarding continuity of medical care pre and post release, particularly in relation to those suffering from mental illness.

6. Identify where research and data collation could assist in greater integration across the Public Service in terms of the rehabilitation of offenders and the formulation and impact of penal policy.

The Group will continue to review existing research and data on the rehabilitation of offenders and the formulation and impact of penal policy and recommend where, from an interagency perspective, further research and data are required to underpin policy and to monitor implementation of service initiatives in the rehabilitation of offenders and the impact of penal policy.

The Group specifically aims to examine the following areas in detail, recidivism studies, crime prevention & reduction programmes and longitudinal studies of offenders post release with a view to collaborate with the Department of Justice & Equality in respect of their Data

and Research Strategy and including proposals from the Group in the Departments call for research proposals.

4. Report for 2019

4.1 Overview of Progress

In 2019 the Interagency Group noted progress with respect to:

- access to medical cards for eligible persons on release from prison;
- arrangements for income support on release;
- improving prisoner application processes for public service cards prior to release; and
- better coordination of training and employment planning between the Irish Prison Service and the Department of Employment Affairs & Social Protection (DEASP).

Access to Healthcare

Acquiring a medical card prior to release from prison is important for many offenders with medical conditions who do not have the means to pay medical and pharmacy bills. It is a vital mechanism for continuity of care, providing support to maintain medical regimes commenced in prison on return to the community, supporting stability and reducing the risk of re-offending. The application process to the HSE for all applicants is complex and can be particularly challenging for prisoners. A pilot Medical Card scheme to encourage prisoners to apply for a card in preparation for their release, which began in 2018 in Cork prison in cooperation with the HSE, was extended to all prisons in 2019. The initiative was supported by a poster awareness campaign in each prison to encourage engagement with the application process. By the end of 2019, 412 prisoners had taken the opportunity to acquire a medical card prior to release from prison, up from 183 in 2018. The increase in take up was also facilitated by weekly clinics held by the Citizens Information Bureau (CIB) in all prisons. The medical card awarded to offenders is for six months. At three months post release, the HSE informs the offender that his or her entitlement to a card will be means tested and that they must reapply if the card is to be extended.

The Interagency Group welcomed this coordination by the IPS, HSE, CIB and the charity partner IASIO (Irish Association for Social Inclusion Opportunities) of access to medical cards as a major step towards ensuring that offenders experience a smooth transition to medical care on release. It is expected that the numbers of offenders applying for medical cards will continue to increase. The Group was informed that issues still remain with the process. These include the three month review of entitlement to the card in relation to offenders who are homeless or no longer live at the address provided on release from prison and the difficulty of persuading some general practitioners to accept offenders as patients.

Income support

Income support is vital for offenders on release from prison as they begin the process of reintegration. The Group was informed during 2019 of the decision of the Department of

Employment Affairs and Social Protection to withdraw its community welfare officers from the larger prisons. Community welfare officers played an important role in providing offenders with temporary income on release and linking them with the job seeker support services of the DEASP. Procedures were put in place by the DEASP to allow persons on release with a temporary public services card to withdraw their first payment at any office and then have it registered to the office nearest their home. These arrangements should allow prisoners to access the income support they need in their first day in the community, and to cope with the difficult few days post-release that have been identified as a weak point in the reintegration process.

By the end of 2019, it was too early for the Interagency Group to draw conclusions about how well the new arrangements were working but the good working relationships between the IPS and the DEASP provided reassurance that offenders would not be disadvantaged by the changes.

Training and Employment

The Interagency Group welcomed the agreement in 2019 on a protocol between the IPS, the Probation Service, the IASIO (Irish Association for Social Inclusion Opportunities) and DEASP concerning liaison between the IPS training and employment officers (TEOs) and DEASP INTREO staff on a pilot basis in 4 locations. Under the protocol, TEOs generate a personal report on prisoner's participation in training and job preparation activities which is shared with INTREO staff. The protocol resolves the issues identified in 2018 regarding DEASP recognition of jobseekers training undertaken by prisoners while in custody and facilitates easier access by offenders on release to appropriate training and job opportunities. The protocol also seeks to address issues arising for people with complex needs who were not faring well in the standard job activation model. For example, an issue identified was that the private job seeker companies had placed people with addiction issues in bar work

The Interagency Group welcomed an agreement between IPS and DEASP to establish a six month pilot scheme in four areas to begin on the 1st January 2020 to ensure that pertinent information regarding the engaged prisoner's education and training achievements while in custody were shared to improve the case management of employment opportunities on return to the community. The Group noted that progress had been made by the IPS and the Probation Service in linking offenders who have participated in the Community Return Scheme and/or the Community Support Scheme to willing employers. The Irish Association for Social Inclusion Opportunities (IASIO), a charity, has been extremely helpful in this process.

Data sharing agreement

The Interagency Group welcomed the data sharing arrangements under GDPR agreed in 2019 between DEASP and the IPS that permits both organisations to share information to facilitate the reintegration of offenders to the community. The agreement may provide a model for

other agencies to follow. However, it is also important to note that the information sharing agreement between IPS and DEASP for the job activation protocol requires the prisoner to complete their own application and the IPS merely relays the information. There is still a need to comprehensively address the barriers that exist in relation to information sharing between government departments about the needs of offenders on return to the community if the prisoner does not consent to sharing that information.

4.2 ISSUES OF CONCERN

Accommodation

Accommodation for offenders on release from prison remains a major concern of the Group. There was an acute shortage of accommodation, emergency and otherwise for offenders across the country and most acutely in Dublin, reflecting the crisis in housing provision more generally. The IPS funds the IASIO to provide Resettlement Coordinators in each of the closed prisons. In recent years, the IPS has increased the number of Resettlement Coordinators across the prison estate from 3 to 11 coordinators (9 full-time and 2 part-time). Up to mid-2019, the Resettlement Coordinators' service was limited to sentenced prisoners serving more than 12 months. The contract was re-negotiated and resources added by the IPS to expand this service to all sentenced prisoners serving more than three months.

In 2018, the Resettlement Service assisted 414 prisoners to make applications for social housing and worked with the local authorities to provide details of housing requirements prior to release. In 2019, the Resettlement Service had engaged with 1,477 prisoners in custody and submitted 371 applications for social housing.

Working with the Local Government Management Agency and the County and City Managers Association, the IPS secured agreement for 'single-points-of-contact' within each local authority to respond directly to applications for social housing from Resettlement Coordinators on behalf of prisoners returning to the community. The Resettlement Coordinators assemble and complete the necessary supporting documentation and liaise with the local authority contact up to the point of release to identify suitable accommodation. Even with these single points-of-contact, the response varies across local authorities. Once a housing application is submitted by the prison on behalf of a prisoner, the prison-based Resettlement Coordinator must be tenacious in their pursuit of accommodation options with the local authority due to the level of competing demand and lack of suitable supply. Frequently, the housing option is only identified within days or hours of release and the accommodation option offered is temporary accommodation or the Housing Assistance Payment for the prisoner to self-accommodate.

In many cases, the Group was informed, these arrangements are working well. However, in some difficult high-need or high-risk cases where no accommodation can be sourced up to the

date of release, the IPS has had no choice but to present the prisoner to the local authority public housing desk responsible for providing accommodation on the day of release. This is undesirable as not having an address means that the arrangements for other supports such as healthcare and addiction supports must wait until the last minute until the locality for residence is identified.

Arrangements have been put in place between the IPS and the Dublin Housing Central Placement Service in Dublin that manages emergency homeless accommodation to receive direct referrals from Dublin prisons via the prison-based Resettlement Service with the aim of avoiding the risk of rough sleeping. The prison contacts Dublin Central Placement Service when the prisoner is returning to the Dublin City area and is eligible for housing in Dublin. This is a service to people for whom no accommodation has been identified and they are at risk of rough sleeping. Prisoners presenting to the Central Placement Service on release are assessed and allocated an emergency or short-term bed.

The Group welcomed the inclusion in 2019 of offenders in the Housing First initiative. Housing First is a multi-agency initiative with the objective of providing permanent and lasting homes with 'wraparound' support services for people who are chronically homeless. The agencies involved in Housing First are the HSE, the Irish Prison Service, the Probation Service, the Department of Health, the Department of Housing, Planning and Local Government and local authorities. The criminal justice specific Housing First programme will provide additional layers of support by ensuring that the staff involved has the particular skill sets required to navigate the criminal justice sector. Supports provided by the Housing First Intensive Case Management team will include a tenancy sustainment key worker, a general nurse, a psychiatric nurse, and an addiction specialist. An added benefit of the initiative is that the IPS and the Intensive Case management team will liaise three months in advance of the release of a prisoner who requires Housing First Services. The Group was informed that it was planned to offer the first tenancies under this initiative in early 2020.

The Group welcomed the opening in Dublin during 2019 of a hostel run by Focus Ireland for female offenders. Also, a joint Probation Service/ Irish Prison Service working group, when considering an open centre for women, recommended that a more practical and cost effective way to address the needs identified was to pursue a step down facility for women. In this regard, the Probation Service and Irish Prison Service worked collaboratively towards the identification of a suitable venue for a Women's Step Down Unit in Dublin, via a public procurement competition with the Office of Government Procurement. The Unit is managed by Focus Ireland following a successful tender process. As part of the public procurement competition process, the service provider was required to provide and operate a building, with appropriate planning permission, to deliver a self-catering step down unit for 7 women, plus a minimum of 3 further independent housing units which can act as a progression route to full independent living in the community.

The Women's Outlook Programme took their first client from the Dóchas Centre on 10 May 2019. The vision of the programme is to promote the rehabilitation and re-integration of

women leaving prison and those who have accommodation needs requiring support in the community. The programme supports women serving sentences of imprisonment who pose a low risk to society to gradually reintegrate into the community. The women the programme caters for are required to be drug free and have, in general, been convicted of one-off offences.

The Group noted that National Quality Standards were adopted in 2019 to improve accommodation for people who are homeless. A review of facilities for homeless people is scheduled for 2020, involving site visits with partner organisations such as the HSE. While this is a positive development, the impact will only be seen in future years.

Housing for persons convicted of a sex offence or arson offence

The Group was informed that sourcing suitable accommodation for persons who have completed a sentence for a sex offence or an arson offence remains very difficult. A major issue is that SORAM (Sex Offenders Risk Assessment & Management Group) is tasked only with managing cases for which there is a Post-Release Supervision Order, which is roughly 50% of the population in custody for a sex offence. In most cases, the person convicted of one of these offences cannot return or is barred from returning to a particular home or area. In these cases, local authorities struggle to identify suitable accommodation options that meet the requirements of their own risk and estate management assessments. It may take months of negotiations with local authorities to source accommodation and offers of accommodation may not be available until the last minute.

Draft Housing Protocol

The Group welcomed the draft protocol that had been developed between the Department of Housing, Planning, Community and Local Government, and the IPS with the help of the Dublin Regional Homeless Executive, to ensure that all offenders can access some form of accommodation on release from prison. While there was goodwill on all sides towards implementing the draft protocol and all prisoners released from custody without a home are referred to homeless services, the Group noted that shortage of accommodation was making it difficult to ensure that suitable accommodation to support reintegration and desistance from crime is made available for offenders. The Group was informed that it was expected that the protocol would be agreed with the Dublin Regional Homeless Forum by January 2020. However, it had been difficult to agree firm deadlines from other local authorities as the protocol necessitates them altering some of their existing processes and data collection methods. Points of contact have been established between the IPS and local authorities however and there is positive movement in this area.

Mental Health

Mental health and healthcare remains an area of concern for the Group. The new Central Mental Hospital facility, which is scheduled to open in 2020, will provide limited additional beds and is unlikely to impact much on the need for specialised mental healthcare for prisoners. The Group was informed that there are a significant number of prisoners with acute mental health needs whom the IPS considers should be treated in dedicated mental healthcare facilities. Set against the background of the rising number of committals and strained resources, this is an area that will need specific action. The second report of the Interdepartmental Group on Mental Health was not published in 2019 and the Interagency Group was not in a position to engage with its findings and recommendations.

Another issue highlighted to the Interagency Group was the need for continuity of care for prisoners with mental health needs on release from prison and Community Mental Health services. The Interagency Group is aware that communication between the IPS and the HSE in relation to the needs of offenders with mental health issues should be strengthened to ensure continuity of treatment and to protect the public.

4.3 Proposals for research on offenders and penal policy

The Review Group on Penal Policy highlighted the need for evidence based on research to inform penal policy and recommended that the Department of Justice and Equality join with other Government Departments and agencies to support research in order to assist in the formulation of penal policy.

The terms of reference of the Inter Agency Group mandate the Group to identify where research and data collation could assist in greater integration across the public service in terms of the rehabilitation of offenders and the formulation and impact of penal policy. The Interagency Group's Work Programme included a commitment to review research and data on the rehabilitation of offenders and the formulation and impact of penal policy and to recommend where, from an interagency perspective, further research and data are required to underpin policy and to monitor the implementation of service initiatives in the rehabilitation of offenders and the impact of penal policy.

The Group was aware that little research was being conducted on penal policy, particularly as it relates to prisoners, former prisoners, and interagency working. It welcomed the commitment by the Department of Justice and Equality to invest in data and research.

In July 2018, the Department of Justice and Equality published a Data and Research Strategy to improve the quality of data and evidence to achieve the strategic goals of the Department. At the same time, a data and research Implementation and Oversight Group was established and a Chief Information Officer appointed, supported by a small team. A Research Advisory Group, comprising academics and members of criminal justice agencies and the Department was also established.

In October, the Department of Justice and Equality issued a call to the research community for proposals to undertake studies in specified areas relevant to the strategic agenda of the Department. The call was the first in a series, with a subsequent call in early 2019. A maximum of €30,000 (ex-

vat) was available per successful proposal. The Interagency Group agreed to propose priority areas for research, in the expectation that they might be included in future calls.

Based on advice from the CSO and taking into account other issues considered by the Interagency Group, the Interagency Group proposed the following three research proposals, for inclusion in futures calls for research proposals or for funding separately.

Recidivism and Reintegration

The first proposal was to enhance the existing study of recidivism by deeper analysis of the data available to the CSO, including age, gender, type of offence, geographical location, other available demographic information, and type of sanction and the length of time to reoffending. There is also the possibility of linking the existing data with information in the Department of Employment and Social Protection, Revenue Commissioners, Department of Education and the Health Service Executive to give a fuller picture of the factors associated with recidivism and reintegration. This would require further discussion and consultation with those bodies, but the potential value of such aggregated data is immense. There is a need to reduce the time lag in the reporting of the data and to calculate the likelihood of reoffending for different time periods. While the Group was aware of the CSO's commitment to making resources available to maintain the current recidivism study, additional resources were needed to delve deeper into the data and the issues affecting recidivism/reintegration. The Group suggested that funding be made available by the Department of Justice and Equality through one of the calls to the research community to support an academic researcher to undertake this work, in close association with the CSO.

Crime Prevention and Reduction Programmes

A number of crime prevention and reduction programmes have demonstrated that interagency cooperation can work well and achieve agreed objectives. An evaluation of the effectiveness of these crime prevention and reduction programmes, both pre and post release would be valuable in embedding interagency cooperation in the implementation of penal policy. The Community Returns Programme, SORAM, the pilot initiative to develop more family friendly prisons, the Youth Diversion programme are candidates for external evaluation to assess their impact on the rehabilitation of offenders and their families, a 'business review' of the process by which these developments came about and were implemented and of the kind of interagency working necessary to their successful future operation. The Group suggested that an academic research team be funded through a targeted call to undertake this evaluation.

Longitudinal study of offenders

Longitudinal studies have proven very effective in studying cohorts of people over time and identifying the factors that shape their lives. The Growing up in Ireland (GUI) study and TILDA, a study of cohort of older people, are two examples of publicly funded studies, which are following the life experience of two groups of people at the two ends of the age spectrum. A similar study of a cohort of offenders, focused on their quality of life and experience of integration rather than on recidivism, would shed light on the problems they face, their experience of public services and the factors that helped or hindered their re-integration. It would provide a continuing rationale for interagency cooperation for successful rehabilitation of offenders and crime reduction policies. Offenders could be invited to join the cohort while still in prison, undertaking community service or

on probation and agree to be contacted again at scheduled intervals, such as six months, two years, five years etc. The findings from the study would be reported on at regular intervals and the data collected would be made available to researchers for ‘nested studies’ of particular issues, subject to the standard safeguards. Additional cohorts of offenders could be added at 5 or 10 year intervals to measure what progress, if any, has been made to the reintegration of offenders and the extent of interagency cooperation in achieving that objective.

Such a study requires an institutional commitment over an extended period if the full value its findings are to be realised. The funding of such a study would require a long term commitment (of at least 5 years) and the amount required to fund the study would be outside the parameters of the Department of Justice’s calls to the research community to address priorities of penal policy. The Group was aware that the CSO has a strong commitment to providing information and evidence for whole of government approaches to addressing social and economic problems and has a unique statutory authority to combine data from different public organisations. It has already demonstrated its contribution to penal policy through the reports on recidivism and would be an institution of choice to undertake a longitudinal, cohort study of offenders.

Embedding the learning

The Group considered that it would be important that what is learnt from the studies proposed above is shared with those agencies with responsibilities for the integration of offenders and for crime reduction. One way to achieve this learning is to involve representatives of those agencies with responsibilities in a research group/s to oversee the research undertaken and to engage with the researchers as their findings emerge. The group/s could be under the aegis of the existing Interagency Group.

The Group’s proposals were submitted to the Chief Information Officer of Department of Justice and Equality in June 2019. The Group was disappointed that it had not received a formal response to its proposals by the end of 2019.

Review of Recidivism and Policy Responses

The Group welcomed the commissioning by the Department of Justice and Equality of a literature review of definitions of and policy responses to recidivism in a number of countries by Dr Ian O’Donnell, Professor of Criminology in UCD. The Group looked forward to engaging with Professor O’Donnell about his analysis and recommendations on publication of his report in early 2020.

4.4 Presentations to the Group

In 2019, the Department of Justice and Equality made two presentations to the Group. The first on the organisational restructuring of the Department which took place between August and September 2019, and the second was an introduction to the Community Safety Strategy (being drafted by the newly developed Criminal Policy team) and a report on the November seminar hosted by the Irish Penal Reform Trust on Developing Youth Justice Initiatives. These presentations are summarised below.

Presentation by Deborah White on organisational change in DJE.

Deborah White, Principal Officer of the Penal and Policing Applied Policy unit gave an overview of the restructuring of the Department around two distinct pillars: The Civil Justice Pillar and the Criminal Justice Pillar. These pillars are each divided in four functional areas, namely policy, legislation, governance, and service delivery and operations. Transparency is a function common to both pillars and is the Department's communications centre. The Department's representatives on the Interagency Group work in the Criminal Justice pillar and are part of the Penal and Policing Applied Policy team. The Criminal Justice pillar became active on 9th September 2019.

Ms White said that the Penal and Policing Applied Policy unit would work on developing a collaborative and proactive approach in the formulation and application of penal and policing policies. The first tasks of the team were to define its remit, to reach out to stakeholders and to introduce the team and its role, as well as to highlight the collaborative approach of the unit's work, within the Department, but also with all stakeholders.

This new structure of responsibilities means that different people from across all four functions could be involved in any particular project / matter depending on the stage it is at. Thus there will be a shared knowledge of and responsibility for the subject matter. An organisation chart of the Policy division was distributed to all the attendees.

The Group welcomed the new focus on policy and the new members of the Criminal Policy team to the group.

Youth Justice - Community Safety and Youth Justice Strategies

Ben Ryan, Assistant Secretary of the Criminal Policy Function in the Department of Justice and Equality provided an overview of the work being done on the Community Safety Strategy by the Criminal Policy team and an update on seminar hosted by the Irish Penal Reform Trust (ITPT) on Youth Justice Initiatives in November 2019.

Mr Ryan said that the youth justice strategy was being drafted within the National Policy Framework for Children and Young Adults, "*Better Outcomes Brighter Futures*", which is coordinated by the Department of Children and Youth Affairs and to align with the

implementation of recommendations of the Commission on the Future of Policing in Ireland (CoFPI), and any related oversight or monitoring arrangements. The strategy would be published in early 2020. It has prioritised aims:

- to enhance national oversight of Youth Justice;
- expand the evidence base for policy and monitoring implementation, including the quality of local coordination and in relation to harder to reach groups (e.g. Travellers, in State Care); and
- strengthen prevention and early Intervention measures, including in schools, to prevent offending behaviour.

The Group welcomed the update on the youth strategy, noting in particular the strong focus on interagency work and cooperation and the particular vulnerabilities of young people who come in regular contact with the criminal justice system.

The IPRT's seminar on Youth Justice Initiatives in November had drawn attention to a number of key points in relation to young offenders. Ian Power, the CEO of 'Spun Out', spoke about the significant over-representation of 18-24 year olds in the Criminal Justice system and the need for a second chance for this age group as it is a formative time in most people's lives and a brush with the criminal justice system at this age can have long lasting effects. Senator Lynn Ruane discussed her Private Members Bill on Spent Convictions which has passed Committee Stage in the Seanad with cross-party support. This Bill would reduce the time after which a conviction would be deemed spent and would create a shorter waiting time for convictions by 18-24 year olds in recognition of the difficulties faced by that group if they are 'branded a criminal' at a young age.

Laura Janes from the Howard League for Penal Reform in England and Wales discussed the recent adoption sentencing guidelines in that jurisdiction based on five principles proposed by the Howard League. These guidelines show promise in providing a 'more reasoned and effective approach to young adult offenders' and consist of recommendations to consider 18-25 year olds as a distinct category of offender with individual needs; consider custody as a last resort; consider the impact of a long sentence on the life, development and wellbeing of the offender and incorporate a consideration of the level of maturity of the offender, not just their numerical age, when sentencing.

Sarah Jane Judge (BL) gave her views on structural and legislative change needed in the prosecution and sentencing of young offenders to assist with more positive outcomes and recommended the adoption of similar guidelines to those used in England and Wales. Eddie Darcy, Director of the Solas Youth Project, spoke about the need to target resources at the most difficult cases. The most problematic youth offenders are often unsuitable for existing intervention programmes, due to complex needs and ingrained offending behaviour. He advocated more options and greater flexibility for custodial sentences given to young offenders who would 'age out' of the current centres. Another open detention centre and an ability to keep someone beyond the age of 18 to finish their sentence would help in managing

the different needs of youths in the criminal justice system, and change the damaging culture in such institutions associated with youths leaving when they turn 18.

CSO Recidivism Study

Olive Loughnane made a presentation to the Interagency group on the CSO's work on recidivism among prisoners and those on probation in September. The results of this work and the challenges faced by the CSO in compiling it have been discussed earlier in this report. The Interagency Group was impressed by the commitment of the CSO to the publication of this important data series and to making it more relevant to policy requirements. Ms Loughnane informed the Group that Sinead O'Neill of the CSO had been seconded to the team of Gurchand Singh, Chief Information Officer in the Department of Justice and Equality to work on comparing the prison population with information from the census.

Appendix A

2019 Membership of Interagency Group for a Fairer and Safer Ireland.

Dr Ruth Barrington Chairperson

Mr Michael Flahive, Department of Justice and Equality (to July 2019)

Mr Noel Dowling, Department of Justice and Equality (to July 2019)

Mr Ben Ryan, Department of Justice & Equality (from July 2019)

Ms Deborah White, Department of Justice and Equality (from July 2019)

Ms Therese Molyneux, Department of Justice and Equality (from July 2019)

Mr David Kelly, Department of Housing, Planning, Community and Local Government

Mr Jim Walsh, Department of Health

Mr Finbarr Lane, Department of Education and Skills

(alternate) Ms Stacy Cannon, Department of Education and Skills)

Mr Dan Harty, Department of Employment Affairs and Social Protection

(alternate) Ms Lisa Arnold, Department of Employment and Social Protection

Mr Keith McSweeney Central Statistics Office (to June 2019)

(alternate) Mr Olive Loughnane Central Statistics Office (from September 2019)

Mr Felix Coleman, Central Statistics Office (from December 2019)

Ms Diane Nurse Health Service Executive (to June 2019)

Mr Joe Doyle, Health Service Executive (from June 2019)

Chief Superintendent Matthew Nyland, An Garda Síochána

Mr Tom Ward, Courts Service

Mr Gary Kiernan, TUSLA

Mr Fergal Black, Irish Prison Service

Ms Ita Burke, Probation Service

(alternate Brian Dack, Probation Service)

Secretary to the Interagency Group

Mr Keith Lynn, Department of Justice and Equality (to July 2019)

Ms Chrystele Brunet-Lee, Department of Justice and Equality (from July to December 2019)

Mr Aaron Murphy, Department of Justice and Equality (from December 2019)

Appendix B

Attendance at 2019 meetings of the Interagency Group for a Fairer and Safer Ireland.

Bodies represented	Meetings	1st	2nd	3rd	4th	Total meetings attended
Chairperson		✓	✓	✓	✓	4
Dept. Housing, Planning, Community & Local Government		✗	✗	✗	✗	0
Central Statistics Office		✗	✗	✓	✓	2
Youth Crime Policy Dept. Justice & Equality*		✓	✗	✓	✓	3
Health Service Executive		✗	✓	✓	✗	2
Dept. Education & Skills		✗	✗	✗	✓	1
Dept. Employment Affairs & Social Protection		✗	✗	✓	✓	2
An Garda Síochána		✓	✓	✗	✓	3
Courts Service		✗	✗	✗	✓	1
TUSLA+		✗	✗	✗	✗	0
Irish Prison Service		✓	✓	✗	✓	3
Dept. Health		✗	✓	✗	✓	2
Dublin Region Homeless Executive*		✗	✗	✗	✗	0
Probation Service		✓	✓	✗	✓	3
Prisons Policy Division, Dept. Justice & Equality*		✓	✓	✓	✓	4

* Due to the transformation programme under taken by DJE in August 2019, the Youth Crime Policy and the Prisons Policy Division became part of the wider Criminal Policy Division with the Prisons and Probation Policy team in the Criminal Policy Division taking the lead. The Community Safety team within Criminal Policy attended meetings when relevant.

+ In the case of TUSLA, Gary Kiernan was replaced by the Chief Operations Officer in 2018 and there has been no attendance since. In the case of the DRHE, they have made clear, and the Group accepts, that due to the high level nature of the issues being discussed and the existing good relationship between IPS and DRHE, that it is not necessary for them to attend.

Attendance at 2019 Meetings of the Pathways to Reintegration Subgroup

Bodies represented	Meetings	23 rd May 2019	31 st October 2019	Total meetings attended
Chairperson		✓	✓	2
Irish Prison Service		✓	✓	2
Dublin Regional Homeless Executive		✓	✓	2
Prisons Policy Division, Dept. Justice & Equality		✓	✓	2