

‘We Cannot Do This Alone’ – A Co-designed, Multi-departmental Strategy to Increase the Employment Prospects of People with Criminal Records

Siobhán Cafferty*

Summary: The year 2020 is one we will never forget. In a matter of weeks, the world was taken by complete surprise and gripped by the COVID-19 pandemic. The effects of this major health issue are still ongoing and have had knock-on ramifications on other sectors. With the closure of many businesses in an attempt to suppress the virus, the unemployment rates internationally soared, with those most marginalised and previously excluded from the labour market feeling the impact disproportionately. People with convictions, who historically have faced barriers to securing employment due to their criminal record, are just one of these marginalised groups. Now more than ever, an ambitious, coherent and collaborative approach to increasing employment options for people with a criminal past is needed. *Working to Change – Social Enterprise and Employment Strategy 2021–2023* is designed to do just that. This paper begins by setting out the journey to this new strategy. It provides the context and the infrastructure that needed to be in place in order for the Department of Justice to be in a position to launch this ambitious and forward-thinking strategy. The paper outlines the co-design approach taken in its development, as well as detailing the underpinning principles of the employment-focused strategy for people with criminal convictions. It concludes with a snapshot of the most significant actions included in the strategy that will require an interdepartmental approach to implementation.

Keywords: Interdepartmental, social enterprise, offenders, criminal justice, co-design, employment, desistance, recidivism, entrepreneurship, progression, prison, probation.

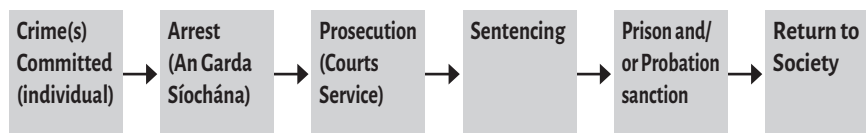
Introduction

The Irish criminal justice system (CJS), like the majority of others across the globe, consists of four key elements: legislation, law enforcement, the judicial

* Siobhán Cafferty is currently the Social Enterprise Project Manager working with the Probation Service and Irish Prison Service and was formerly the Executive Manager of The Bridge Project, a Probation-funded community organisation working with violent offenders. She leads out on the Department of Justice strategy, *Working to Change – Social Enterprise and Employment Strategy 2021–2023*. The strategy is available here: www.workingtochange.ie (email: siobhan@workingtochange.ie).

system and corrections.¹ While interconnected and sharing the same goal of managing offenders, reducing reoffending and creating safer communities, each element or stage has its own clearly defined roles and responsibilities. Depending on the nature and type of offence committed, the CJS, in essence, is linear by design, meaning that the individual is meant to move through one stage to the next before, in most cases, returning to society having completed their court-determined sanction (Patterson, 2018). Figure 1 below outlines the linear process through the Irish criminal justice system.

Figure 1: *Linear model of the Irish criminal justice system*



Along this journey, each stage has a designated agency with a duty of care for each person who has been mandated to them by the courts. For those who receive a custodial sentence, it is the responsibility of the Irish Prison Service to meet their mission of 'providing safe and secure custody, dignity of care and rehabilitation to prisoners for safer communities' (Irish Prison Service, 2019). For those who receive either a Part Suspended Sentence Supervision Order (PSSSO)² or a stand-alone community-based sanction as an alternative to custody, the Probation Service works to 'reduce crime levels through offender rehabilitation, with a view to creating safer communities and fewer victims (Probation Service, 2018).

In reality, we know that the journey through the CJS is far from linear. Recidivism statistics in Ireland tell us that nearly half the people who leave prison will return within a three-year period, making the journey more cyclical in nature. 'Recidivism is measured by criminal acts that resulted in re-arrest, reconviction or return to prison with or without a new sentence during a three-year period following the prisoner's release' (National Institute of Justice, 2020). The latest available prison recidivism rate in Ireland is 55.2 per cent for people released in 2014 and tracked recidivism up to 2016 (CSO, 2019). While this figure is a reduction on previous years, it remains higher than desired when compared to international statistics.

¹ Correction facilities include prisons and Probation services in the community setting.

² A Part Suspended Sentence Supervision Order means that offenders are subject to Probation Service supervision having served a specified period in custody.

It is widely known that the securing of employment plays a significant role in desistance from crime (Farrington et al., 1996; Maruna, 1997; Visser et al., 2005; Social Exclusion Unit, 2002). However, having a criminal record, regardless of the crime and how long ago the conviction(s) may have occurred, presents significant challenges to securing employment. Weaver (2018) states that, 'having a criminal record can have significant effects on employment prospects producing invisible punishment or collateral consequences of contact with the justice system'.

The figures in a recent Central Statistics Office report on offender outcomes highlighted just how low the employment rate of people with a criminal record is in comparison to the general population. *Offenders 2016: Employment, Education and Other Outcomes, 2016–2019* is based on people enumerated in Irish prisons on Census Night 2016 and focuses on economic, educational, housing and other themes' (CSO, 2020). This report found that 'substantial employment only'³ accounted for the last activity of 9.5 per cent of offenders in May 2019. For the same period, the overall unemployment rate for Ireland was 4.4 per cent.⁴

Despite the various criminal justice agencies having clearly defined roles and responsibilities for the management of offenders and offending behaviour, the focus on developing initiatives to support employment beyond these clearly defined roles has been gaining momentum over the past number of years. Securing meaningful work not only has a positive impact on individuals, their families and communities; it also plays a role in counteracting the cyclical journey of the CJS.

Context – A New Way Forward⁵

In recognition of the positive impact securing employment plays in reducing reoffending rates and creating safer communities, an alternative and innovative approach was set out in 2017 when the then Minister for Justice and Equality, Frances Fitzgerald, launched Ireland's first social enterprise strategy, *A New Way Forward — Social Enterprise Strategy 2017–2019* (Department of Justice and Equality, 2017).

³ Substantial employment only is defined as having had at least 12 weeks' insurable work within the previous 12 months and an average weekly income of €100 (CSO, 2020).

⁴ Figures sourced from: <https://www.cso.ie/en/releasesandpublications/er/mue/monthlyunemploymentmay2019/#:~:text=Monthly%20unemployment%20rate%20of%204.4%25%20May%202019andtext=The%20seasonally%20adjusted%20unemployment%20rate,from%205.9%25%20in%20May%202018>.

⁵ *A New Way Forward — Social Enterprise Strategy 2017–2019* can be accessed here: http://www.justice.ie/en/JELR/A_New_Way_Forward_-_Social_Enterprise_Strategy_2017-2019.pdf/Files/A_New_Way_Forward_-_Social_Enterprise_Strategy_2017-2019.pdf

The emergence of social enterprises (SEs) within criminal justice jurisdictions across Europe had increased significantly in prior years; however, it had remained a relatively unknown and therefore underutilised approach here in Ireland (Cafferty *et al.*, 2016). Prison and community-based income-generating enterprises were providing employment for those who found it most difficult to secure jobs as a result of their previous criminal lifestyles. A *New Way Forward* sought to change this by developing a vibrant social enterprise sector, resulting in people with convictions securing sustainable employment. This strategy was co-owned by the Department of Justice and Equality and its executive agencies, the Irish Prison Service and the Probation Service, and as such remained very much situated within the criminal justice sector. It was designed to operate within and support a wider employment-focused approach by both agencies than was currently in existence.

The SE sector has seen significant changes and progress since the launch of *A New Way Forward* in 2017. The Department of Rural and Community Development, which has responsibility for social enterprise, launched the *National Social Enterprise Policy* in 2019 and has been leading on the implementation of its actions ever since. This policy sets out the following definition for SEs:

A social enterprise is an enterprise whose objective is to achieve a social, societal or environmental impact, rather than maximising profit for its owners or shareholders. It pursues its objectives by trading on an ongoing basis through the provision of goods and/or services and by reinvesting surpluses into achieving social objectives. It is governed in a fully accountable and transparent manner. (Department of Rural and Community Development, 2019)

The National SE policy recognised that social enterprise activity takes place along a spectrum with a variety of different SEs tackling a range of social and environmental issues, while providing much-needed goods and services to local communities. The Department of Justice (DoJ) is particularly interested in Work Integration Social Enterprises (WISEs), as they 'support disadvantaged people to prepare for, and participate in, the labour market' (Department of Rural and Community Development, 2019). WISEs are enterprises that have been established to provide goods and services to customers but, in doing so, provide employment to those most at risk of being permanently excluded from the labour market and, in turn, assist them

to reintegrate back into society through work and become active citizens again (Nyssens, 2006, cited in Defourny and Nyssens, 2012, p. 76).

Furthermore, SEs can and do operate across most sectors, and therefore provide a wide variety of employment opportunities for former offenders⁶ as well as other marginalised people.⁷ SEs are often the first step on the employment ladder for individuals post-release from prison or when they are on a community-based Probation sanction. They can also be the supportive work environment people with criminal records need to re-enter the labour market despite it being many years since their last conviction or engagement with a criminal justice agency.

SEs provide real work with real pay for people, while also allowing them to prove, to themselves, that they have what it takes to be employed. Most importantly, SEs provide the much-needed employer-to-employer work reference which, when coupled with existing skills, talents and prior experience, opens up the labour market and the potential to secure higher-income positions.

SEs are not the end result though. Through the implementation of *A New Way Forward*, the DoJ, along with the Irish Prison Service and Probation Service, continued to promote employment in SEs as a progression model, a stepping-stone to achieving mainstream employment, often resulting in a greater earning potential and an exit from supplementary social welfare payments. The CSO offender outcomes report (2020) highlighted that of the people tracked for a three-year period between 2016 and 2019, of the 9.5 per cent found to be in substantive employment, 15.5 per cent were receiving some form of social protection payment as a proportion of their income. This progressive model is designed to result in a throughput of individuals rather than creating a bottleneck of limited job opportunities.

***A New Way Forward* — Snapshot of key achievements**

Throughout the three-year term for this strategy, there were a number of key actions that were achieved that helped grow the SE sector as employers for people with criminal convictions. Some of these highlight achievements include:

- Over 54 social enterprises nationwide actively recruiting skilled people with criminal records;

⁶ For a list of SEs currently employing or open to employing people with past convictions, visit <https://www.workingtochange.ie/social-enterprise>

⁷ For a directory of SEs nationwide, visit: <https://www.buysocial.ie/>

- In excess of 100 people with a criminal past employed and/or receiving workplace training in these SEs;⁸
- Probation Service KickStart Fund supporting SEs launched with funding in excess of €1.3m dispersed to the sector to support meaningful employment for this target group;
- New insurance scheme specifically for SEs negotiated and made available nationwide.

(Department of Justice, 2020)

COVID – 19: Unexpected, unplanned and with a disproportionate impact

While steady progress had been made on the progression and outcomes as a result of the *New Way Forward* strategy, all progress came to a grinding halt in March 2020. The sudden and unexpected emergence of the COVID-19 pandemic has had a significant impact on global economies with no sector remaining untouched. While the world got to grips with this unprecedented health issue, whole industries and sectors either temporarily or permanently shut down. The SE sector here in Ireland was no different.

Following the government announcement that, in order to protect our citizens and preserve lives, the entire country was going into a national lockdown, many businesses and SEs had no choice but to close their doors and cease trading. This resulted in immediate job losses and over 500,000 people having to apply for the state-funded Pandemic Unemployment Payment (PUP)⁹ by mid-April 2020 (Parliamentary Budget Office, 2020). Despite initial predictions that this figure would plateau, the ongoing COVID-19 crisis resulted in the figure continuing to grow.

In addition, recent reports show that the impact of the pandemic is felt disproportionately across society. Those who were unemployed, low paid or marginalised prior to the pandemic are feeling its impact the most. The UN High Commissioner for Human Rights, Michelle Bachelet, stated in November 2020 when addressing the disproportionate impact of COVID-19 on minority ethnic communities, that 'It has been shocking to see the disproportionate

⁸ The statistics outlined in this excerpt were accurate prior to the introduction of COVID-19 restrictions – 31 January 2020.

⁹ The Pandemic Unemployment Payment was introduced by the Irish Government in the wake of the first national lockdown. It is available to employees and self-employed people who lost their jobs as a result of the pandemic. As the pandemic is still ongoing, people could still apply for PUP until the end of June; however, those currently on the payment would see this period extended. Further details available here: <https://www.gov.ie/en/service/be74d3-covid-19-pandemic-unemployment-payment/>

toll of COVID-19 on individuals and groups who are marginalized and suffer discrimination based on descent. They are placed at a structural disadvantage when it comes to any threat' (Bachelet, 2020).

In addition, Social Justice Ireland states that, 'when recovery comes, it is likely that many low-income workers, and employees with precarious employment conditions, will be the last to experience it' (Social Justice Ireland, 2020).

On a positive note, while some SEs unfortunately have remained shut to this day with a loss of services and jobs, others adapted their business models in order to meet the changing needs and demands as a result of the pandemic, turning a challenge into opportunities.

New strategy, new approach, one clear message: We cannot do this alone

Building on the lessons learned and successes of *A New Way Forward*, the DoJ and its executive agencies sought to find more ways to increase the employment opportunities available to people with criminal convictions, by setting out their direction in a follow-up and expanded strategy to *A New Way Forward*.

Coming at a time when the world had been gripped by the pandemic for six months, Minister for Justice Helen McEntee launched *Working to Change — Social Enterprise and Employment Strategy 2021–2023*¹⁰ on 20 November 2020. The very nature of this launch event, hosted online and attended by over 200 people from a number of different countries,¹¹ reflected the many ways within which our way of being and operating had changed. On this occasion, the working-from-home mandate meant that more people could virtually attend, which, in turn, increased the range and number of people hearing the underlying message.

The *Working to Change* launch was a display of unity across the Irish Criminal Justice Sector (CJS), with the Heads of Services¹² within the Department, the Probation Service and Irish Prison Service all clearly stating their commitment to support its implementation. With the collective acknowledgement that the recidivism statistics need to be better, *Working to*

¹⁰ *Working to Change — Social Enterprise and Employment Strategy 2021–2023* can be accessed at www.workingtochange.ie

¹¹ To view the recording of this launch event, visit <https://www.youtube.com/watch?v=QOoqxaqGBc0>

¹² Minister for Justice Helen McEntee, Ben Ryan, Head of Policy for Criminal Justice (DoJ), Mark Wilson, Director of the Probation Service, and Caron McCaffrey, Director General of the Irish Prison Service, all contributed to the launch event.

Change has one clear underpinning message, 'We cannot do this alone'. As this paper has stated earlier, while the criminal justice agencies have clearly defined roles and responsibilities in the management of offenders, crime and criminality require a whole-of-society approach if they are to be addressed effectively and the desired outcomes are to be achieved.

Working to Change is a DoJ strategy that is driven by the Probation Service and the Irish Prison Service; however, it goes far beyond the boundaries of the CJS as many of the systemic barriers to progression cannot be resolved in isolation. It will be only through effective collaboration with other government departments and public bodies that real progress will be made. *Working to Change*, therefore, will be delivered in collaboration with a number of other government departments, public bodies, criminal justice agencies and essential frontline workers. If employment is the desired outcome, positive engagement from employers and entrepreneurs alike will also be required.

This collaborative approach is very much in keeping with the Department's recently launched *Statement of Strategy for 2021–2023*: 'The Department will work collaboratively on the development and implementation of cross departmental and public service initiatives which engage with and benefit the public we serve' (Department of Justice, 2021).

Working to Change – Social Enterprise and Employment Strategy: An overview

In essence, this strategy sets out ambitious targets to increase the employment options for people who have criminal records, and builds on a strong foundation of supports already in place. 'We know that people with education and training, who are in work, are less likely to offend and are more likely to make good citizens' (Department of Justice, 2020). While this seems like an obvious statement and an easy achievement, for people with past criminal records, gaining access to the right education and training at the right time and subsequently securing meaningful employment is far from straightforward. Having a criminal record, regardless of timespan since the last offence, poses many challenges for the individual and not just in securing employment. Research shows that the real or perceived stigma attached to having a criminal record, combined with facing multiple barriers to employment, can increase the likelihood of reoffending (Weaver, 2018; Farrall, 2002; LeBel, 2012; Winnick and Bodkin, 2008).

As the label of 'offender' or 'ex-offender' is one that stays with a person long after they have repaid their court-mandated debt to society (Hadjimatheou, 2016; Weaver, 2018), *Working to Change* has recognised this challenge and responded by expanding the cohort of individuals on whom the strategy will have an impact, to include the following:

1. Those currently in prison
2. Those on a Probation sanction in the community
3. Those with historical criminal convictions who are no longer engaged with any criminal justice service.

As those in the third cohort outlined above are people who are no longer involved in any criminal justice agency, they traditionally fall outside of criminal justice policies and strategies; however, they continue to be counted as part of recidivism statistics. As they are no longer mandated to engage in the CJS, specialist employment supports are no longer available to them, which leaves them a particularly vulnerable group for reoffending as they still face all the same barriers to progression due to their criminal record.

Working to Change aims to create a flexible, responsive system that prepares people with criminal records more appropriately for the working environment, to have the skills and talents required for identified labour shortages now and into the future, and not just at entry-level positions. Uniquely, a number of actions in the strategy are designed to establish our starting point by gathering data from all key stakeholder groups, cross-referencing the outcomes and then re-establishing our plan of action based on these results. Information will be gathered from people with lived experience, employment support services, employers from various sectors and entrepreneurs, in order for the DoJ to ensure that the emerging actions are targeted at the right people, in the right areas and at the right time. *Working to Change*, once fully implemented, is about improving employment options now, but more importantly future proofing options for years to come.

Vision

A whole-systems approach to increasing employment options for people with past convictions that recognises their skills and capabilities, leading to active citizenship, safer communities, fewer victims and supporting desistance.

Strategic mission

Working to Change will increase access to, and therefore maximise employment options for, people with criminal convictions here in Ireland, by meaningfully engaging multiple stakeholders across a range of sectors including social enterprises. Building on the foundations created by the implementation of the *New Way Forward* strategy, the DoJ and its executive agencies are committed to trialling new ways of working, changing our systems to work in line with good practice and encouraging entrepreneurship and innovation. Furthermore, the DoJ will share the lessons learned and experience throughout the process.

Key assumptions underpinning the strategy

Table 1 below details the knowledge and key assumptions that underpin the strategy.

Table 1: *Key assumptions underpinning Working to Change*

-
- This is inherently a Human Rights informed strategy promoting equality of opportunity by recognising the individual and collective social and economic benefits of a fully engaged and appreciated society
 - Not all offenders are the same. A one size fits all approach will have limited results
 - Employment is not the end result for everyone – people can choose a different progression path
 - Not everyone in the criminal justice system is employment-ready on leaving. Everyone's starting point is different
 - People with convictions often experience multiple psycho-social issues – additional ongoing and professional supports are likely to be required
 - All actions take place along a continuum: a whole system/end-to-end approach is required
 - The provision of high-quality education, industry-standard upskilling and soft skills supports is vital to the outcomes of this strategy but more importantly to individuals' progression
 - Increased employment leads to reduced reoffending, fewer victims and safer communities
 - We cannot do this alone – we need to actively engage multiple stakeholders at multiple points.

(Excerpt from *Working to Change*, Department of Justice, 2020)

Structures supporting the strategy

As stated previously in this paper, *Working to Change* reaches far beyond the boundaries of the CJS and requires an interagency approach. To reflect this, the steering committee originally established to oversee the implementation of the earlier strategy, *A New Way Forward*, has been expanded to include relevant government departments. Membership of this committee now includes:

- The Department of Justice
- The Probation Service — holds the role of Chair
- Irish Prison Service
- Department of Rural and Community Development
- Department of Social Protection
- Department of Enterprise, Trade and Employment
- IASIO¹³
- IBEC¹⁴
- Social enterprise sector representatives
- Entrepreneurs.

Active collaboration — adopting a co-design approach to strategy development

In developing this employment-focused strategy, the DoJ adopted a relatively underutilised approach here in Ireland by undertaking a co-design methodology. 'Co-design is a specific instance of co-creation practice that allows users to become part of the design team as 'experts of their experience' (Sanders and Stappers, 2008; Trischler *et al.*, 2017). It goes beyond a user-centred approach, which is more commonly used in the CJS, as it actively engages the end-user in the design process, right from the beginning and throughout the implementation stages. In this case, the end-users are people with criminal convictions. Also referred to as participatory design, co-design involves a process that engages the end-user and other relevant stakeholders in the design process, to ensure that the outcome meets their needs.

De Leon *et al.* (2018) highlight how a co-design process was used to establish the InHouse Record¹⁵ label social enterprise with prisoners in HMP Elmley in the UK. Engaging prisoners as experts of their own experience right from the very start of this design process was a huge success and has been

¹³ Irish Association for Social Inclusion Opportunities: www.iasio.ie

¹⁴ Irish Business and Employers Confederation: www.ibec.ie

¹⁵ For further information on InHouse Records, visit: <https://www.inhouserecords.org/about>

expanded to another prison, HMP Rochester. The outcomes of this process far exceeded original expectations, as it also transformed 'the behaviour of high-risk prisoners, developing their skills and self-esteem, and creating job opportunities for them on release' (De Leon et al., 2018)

Prior to the initial COVID-19 lockdown in March 2020, one-to-one informal consultations were held with a number of people currently in prison, on probation in the community, and those with historical criminal records, in order to gain an understanding of what they felt could and/or does work in terms of securing employment for themselves. A wide range of ideas, suggestions and recommendations were put forward by these individuals, ranging from small-scale systemic interventions to large-scale innovative sector-wide developments. All the ideas put forward helped to shape the 46 actions and/or sub-actions that have been named in the final *Working to Change* strategy.

Co-design is so much more than one-off interactions and discussions with the end-users, however. It requires ongoing engagement, transparency of progress, testing new approaches and evaluating them with those on whom the policy or strategy is going to impact most. As COVID-19 took hold throughout 2020, it became apparent that the restrictions put in place were going to be more long-term than a quick solution. Non-essential visits to prisons, access to Probationers in community settings, as well as face-to-face meetings with people no longer engaged in the CJS were now off the cards. To overcome these restrictions and to ensure that the DoJ could maintain even the basic elements of the co-design process, it was decided that a dedicated website to support the implementation of the *Working to Change*¹⁶ strategy would be launched at the same time. This provides a one-stop shop for information on the strategy, and provides a platform to be transparent by showing progress as well as possible delays; but more importantly, it also allows people to share their successes of having come through the CJS.

In addition to the website, the launch of the *Working to Change* strategy was also recorded and, for the first time in DoJ history, the recording was played on the prison TV channel in prisoners' cells, so that they could see and hear the planned efforts being made across multiple departments and agencies, in order to increase their future employment prospects. It was also sent to all Probation-funded projects operating in the community so that it could be shared with their probation clients.

¹⁶ www.workingtochange.ie

Strategic areas

While the overarching theme of *Working to Change* is increasing employment options to people with criminal convictions, it sets out 46 interconnected actions under three strategic areas:

1. Employment in a social enterprise
2. Mainstream employment
3. Entrepreneurship.

Actions to support employment in social enterprises — highlights

There are a total of 15 actions all supporting the development of social enterprises as an initial employment option for talented people with criminal convictions. These actions go far beyond solely providing financial incentives to encourage the recruitment of people with convictions. They are designed to support the overall sustainability of the social enterprises, increasing their traded income in order that they can grow their operations and subsequently the number of staff they require to meet demand.

- The Probation Service KickStart Fund, financed through the Dormant Accounts Fund,¹⁷ and administered in partnership with Pobal,¹⁸ will be continued. This fund is designed to support SEs to create meaningful jobs for people with convictions as a stepping-stone to mainstream employment;
- The DoJ will open up its supply chains to SEs, and pledges that 10 per cent of all CJS procurement contracts for the provision of goods and services will include social considerations¹⁹ by the end of this strategy;
- An annual Needs Analysis of SEs who currently employ people with criminal convictions will be conducted, in order to identify the nature and type of supports they require and feed this information into the National Social Enterprise structures.

¹⁷ The Dormant Accounts Fund enables unclaimed funds from accounts in credit institutions in Ireland to be used to support the development of persons who are economically or educationally disadvantaged, or those affected by a disability, within the meaning of the Equal Status Act. Taken from: <https://www.gov.ie/en/policy-information/c376c9-dormant-accounts-fund/>

¹⁸ Pobal works on behalf of government to support communities and local agencies toward achieving social inclusion and development. Pobal's role is to provide management and support services to circa 28 programmes in the areas of Social Inclusion and Equality, Inclusive Employment and Enterprise, and Early Years and Young People. Taken from: www.pobal.ie

¹⁹ Examples of social considerations that can be factored into procurement processes include: employment and training opportunities for disadvantaged groups, disability access, promoting social inclusion or the protection of the environment and combating climate change. Taken from Office of Government Procurement: <https://ogp.gov.ie/information-notes/>

Actions to support mainstream employment— highlights

There are 19 actions under the mainstream employment strategic area that range from addressing small but critical systemic barriers to more ambitious progressive approaches. The actions highlights include:

- Conducting an Attitudes, Behaviours and Perceived Barriers survey, concerning taking up employment amongst various cohorts of the target group;
- Conducting a sector-wide Attitudes and Behaviours survey of employers to ascertain their recruitment practices for hiring people with past convictions;
- Establishing a DoJ-led Employers' Forum to assist with the reduction in systemic barriers and to ensure training and upskilling measures offered throughout the CJS journey are up-to-date and responsive;
- Exploring how the civil and public service can provide meaningful employment opportunities for suitably qualified people with convictions.

Actions to support entrepreneurship as an employment option— highlights

For the purposes of the *Working to Change* strategy, entrepreneurship is defined as: 'any attempt at new business or new venture creation, such as self-employment, a new business organisation or the expansion of an existing business by an individual, a team of individuals or an established business' (Global Entrepreneurship Monitor, 2018). There are 12 actions supporting entrepreneurship as an employment option for people with convictions. The highlights include:

- Establishing a dedicated Entrepreneurship Network consisting of all stakeholder groups that will work in collaboration to drive forward entrepreneurship options;
- Exploring the introduction of an insurance underwriting scheme to remove barriers to securing public liability insurance for people with criminal records who are setting up their own business;
- Expanding the KickStart Fund to include specific financial supports for entrepreneurial activity and to facilitate access to existing mainstream financial schemes.

Conclusion

Working to Change — Social Enterprise and Employment Strategy is ambitious; however, the time has come to face head-on the systemic barriers to securing employment for people who have criminal records. The DoJ wants to be ambitious. We need to push beyond our comfort zone and ask for assistance from other government departments, agencies and key stakeholders, as creating safer communities goes far beyond the responsibility of just the CJS; we need to recognise that supports and policies for enterprise development and employment creation are primarily the responsibilities of departments and agencies outside the CJS.

The underpinning principle of *Working to Change* is that we cannot do this alone and nor should we. We need a whole-of-society and a whole-of-government approach if we are to make sustainable change. We need to work in collaboration, systematically monitor progress, and not be afraid to highlight ongoing difficulties, as a lack of progress does not mean we are not trying. It means that we need to come at things from a different angle. We need to continue with the co-design approach adopted for the development of this strategy. Finally, and most importantly, we should not lose sight of the fact that *Working to Change*, while being a DoJ strategy, ultimately is about individuals. It is about recognising the circumstances that led to crime in the first instance, providing opportunities for people to leave that life behind, to reintegrate in society in a meaningful way, and providing hope for a better future. While securing employment cannot undo the harm caused by crime in the first place, it can reduce the likelihood of future harm. We all have a role to play in this.

References

- Bachelet, M. (2020), 'Addressing the disproportionate impact of COVID-19 on minority ethnic communities', statement by the United Nations High Commissioner for Human Rights, November, Geneva: Office of the High Commissioner, available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26541&LangID=E> (accessed 25 June 2021)
- Cafferty, S., McCarthy, O. and Power, C. (2016), 'Risk and reward: The development of social enterprise within the criminal justice sector in Ireland – Some policy implications', *Irish Probation Journal*, vol. 13, pp 22–39, available at <http://www.probation.ie/EN/PB/0/>

-
- E5A1E4037C3DDF598025805E002BF67F/\$File/SiobhanCafferty_etal_IPJ.pdf (accessed 25 June 2021)
- Central Statistics Office (CSO) (2019), *Prison Re-offending Statistics 2011–2017*, Ireland: CSO, available at <https://www.cso.ie/en/releasesandpublications/ep/p-pros/prisonre-offendingstatistics2011-2017/introduction/> (accessed 25 June 2021)
- Central Statistics Office (CSO) (2020), *Offenders 2016 — Employment, Education and Other Outcomes, 2016–2019*, Ireland: CSO, available at <https://www.cso.ie/en/releasesandpublications/fp/p-offo/offenders2016employmenteducationandotheroutcomes2016-2019/> (accessed 25 June 2021)
- Defourny, J. and Nyssens, M. (2012), *The EMES Approach to Social Enterprise in a Comparative Perspective*, EMES Working Paper Series no. 12/03, Liège: EMES
- De Leon, N., Mager, B. and Armani, J. (2018), 'Service design in criminal justice: A co-production to reduce reoffending', *Irish Probation Journal*, vol. 15, pp 137–47, available at [http://www.probation.ie/EN/PB/0/4FBDE56EEAEC60688025834E004C4056/\\$File/De_Leon_Nicholas_et_al_IPJ.pdf](http://www.probation.ie/EN/PB/0/4FBDE56EEAEC60688025834E004C4056/$File/De_Leon_Nicholas_et_al_IPJ.pdf) (accessed 25 June 2021)
- Department of Justice (2020), *Working to Change — Social Enterprise and Employment Strategy 2021–2023*, Dublin: Government of Ireland, available at www.workingtochange.ie (accessed 25 June 2021)
- Department of Justice (2021), *A Safe, Fair and Inclusive Ireland — Statement of Strategy 2021–2023*, Dublin: Government of Ireland, available at http://www.justice.ie/en/JELR/Pages/DOJ_Strategy_Statement_2021_-_2023 (accessed 25 June 2021)
- Department of Justice and Equality (2017), *A New Way Forward — Social Enterprise Strategy 2017–2019*, Department of Justice and Equality, Dublin: Government of Ireland, available at http://www.justice.ie/en/JELR/A_New_Way_Forward_-_Social_Enterprise_Strategy_2017-2019.pdf/Files/A_New_Way_Forward_-_Social_Enterprise_Strategy_2017-2019.pdf (accessed 25 June 2021)
- Department of Justice and Equality (2018), *A New Way Forward — Social Enterprise Strategy 2017–2019: Midterm Review*, available at: http://www.justice.ie/en/JELR/Mid-Term_Review_-_A_New_Way_Forward_-_Social_Enterprise_Strategy_2017-2019.pdf/Files/Mid-Term_Review_-_A_New_Way_Forward_-_Social_Enterprise_Strategy_2017-2019.pdf (accessed 25 June 2021)

- Department of Rural and Community Development (2019), *National Social Enterprise Policy for Ireland 2019–2022*, Dublin: Government of Ireland, available at <https://www.gov.ie/en/campaigns/e779c3-social-enterprise-policy/> (accessed 25 June 2021)
- Farrall, S. (2002), *Rethinking What Works with Offenders: Probation, Social Context and Desistance from Crime*, Cullompton, Devon: Willan Publishing
- Farrington, D.P., Barnes, G. and Lambert, S. (1996), 'The concentration of offending in families', *Legal and Criminological Psychology*, vol. 1, pp 47–63
- Global Entrepreneurship Monitor (2018), available at <https://gemconsortium.org/wiki/1149> (accessed 25 June 2021)
- Hadjimatheou, K. (2016), 'Criminal labelling, publicity and punishment', *Law and Philosophy*, vol. 35, pp 567–93
- Irish Prison Service (2019), *Irish Prison Service Strategic Plan 2019–2022*, Longford: Irish Prison Service, available at https://www.irishprisons.ie/wp-content/uploads/documents_pdf/Irish-Prison-Services-Strategy-2019-2022.pdf (accessed 25 June 2021)
- LeBel, T.P. (2012), 'Invisible stripes? Formerly incarcerated persons' perceptions of stigma', *Deviant Behavior*, vol. 33, no. 2, pp 89–107
- Maruna, S. (1997), 'Desistance and development: The psychosocial process of "going straight"' in M. Brogde (ed.), *The British Criminology Conferences: Selected Proceedings*, vol. 2: Papers from the British Criminology Conference, Queen's University, Belfast, 15–19 July 1997, This volume published March 1999, London: British Society of Criminology
- National Institute of Justice (2020), available at <https://nij.ojp.gov/topics/corrections/recidivism> (accessed 23 June 2021)
- Nyssens, M. (ed.) (2006), *Social Enterprise: At the Crossroads of Market, Public Policies and Civil Society*, London: Routledge
- Parliamentary Budget Office (PBO) (2020), *The COVID-19 Pandemic: Employment and Unemployment Supports*, PBO Publication 21 of 2020, April, Dublin: PBO, available at https://data.oireachtas.ie/ie/oireachtas/parliamentaryBudgetOffice/2020/2020-04-26_the-covid-19-pandemic-employment-and-unemployment-supports_en.pdf (accessed 25 June 2021)
- Patterson, G.T. (2018), 'Introduction to evidence-based practices and principles in the criminal justice system', in G.T. Patterson and

-
- W.K. Graham, *Clinical Interventions in Criminal Justice Settings – Evidence-Based Practice*, Cambridge, MA, Academic Press
- Probation Service, The (2018), *Strategic Plan 2018–2020. One Vision, One Team, One Standard*, Dublin: The Probation Service, available at [http://www.probation.ie/EN/PB/0/826F04C24F3C2868802582B7003C7AC8/\\$File/Strategic%20Plan%202018%20%E2%80%932020.pdf](http://www.probation.ie/EN/PB/0/826F04C24F3C2868802582B7003C7AC8/$File/Strategic%20Plan%202018%20%E2%80%932020.pdf) (accessed 25 June 2021)
- Sanders, E.B.-N. and Stappers, P.J. (2008), 'Co-creation and the new landscapes of design', *CoDesign, International Journal of CoCreation in Design and the Arts*, vol. 4, no. 1, pp 5–18, available at: <https://www.tandfonline.com/doi/full/10.1080/15710880701875068?src=recsys> (accessed 25 June 2021)
- Social Exclusion Unit (2002), *Reducing Reoffending by Ex-prisoners*, report by the Social Exclusion Unit, London: Office of the Deputy Prime Minister
- Social Justice Ireland (2020), *Poverty Focus 2020*, Dublin: Social Justice Ireland, available at: <https://www.socialjustice.ie/sites/default/files/attach/publication/6310/2020-05-18-sjipovertyfocusmay2020final.pdf?cs=true> (accessed 25 June 2021)
- Trischler, J., Pervan, J., Kelly, S. and Scott, D.R. (2017), 'The value of codesign: The effect of customer involvement in service design teams', *Journal of Service Research*, vol. 21, no. 1, pp 75–100, available at <https://journals.sagepub.com/doi/full/10.1177/1094670517714060> (accessed 25 June 2021)
- Visher, C.A., Winterfield, L. and Coggeshall, M.B. (2005), 'Ex-offender employment programs and recidivism: A meta-analysis', *Journal of Experimental Criminology*, vol. 1, pp 295–315
- Weaver, E. (2018), *Time for Policy Redemption: A Review of the Evidence on the Disclosure of Criminal Records*, University of Strathclyde, Scotland: Strathprints, available at <https://strathprints.strath.ac.uk/64981/> (accessed 25 June 2021)
- Winnick T.A., and Bodkin, M. (2008), 'Anticipated stigma and stigma management among those to be labeled "Ex-con"', *Deviant Behavior*, vol. 29, pp 295–33