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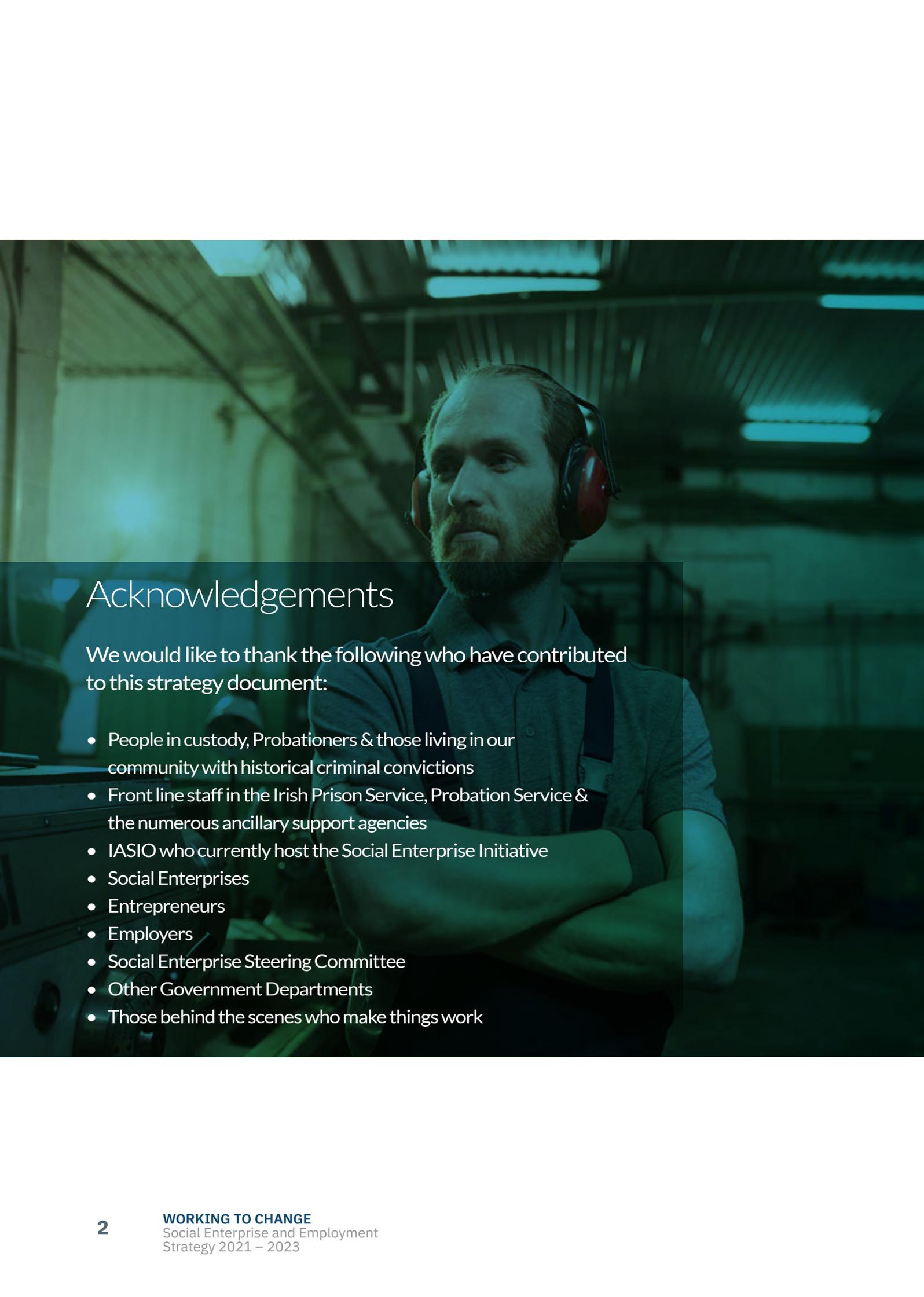
‘WORKING TO CHANGE’

Social Enterprise and Employment Strategy

2021 - 2023

A co-designed strategy to
increase the employment
progression prospects of people
with criminal convictions





Acknowledgements

We would like to thank the following who have contributed to this strategy document:

- People in custody, Probationers & those living in our community with historical criminal convictions
- Front line staff in the Irish Prison Service, Probation Service & the numerous ancillary support agencies
- IASIO who currently host the Social Enterprise Initiative
- Social Enterprises
- Entrepreneurs
- Employers
- Social Enterprise Steering Committee
- Other Government Departments
- Those behind the scenes who make things work

Foreword

Welcome to 'Working to Change – social enterprise and employment strategy 2021 – 2023'. It is with great honour that my Department is taking a lead on the important actions contained within this strategy along with the Irish Prison Service and the Probation Service.

2020 will forever be remembered as a turbulent year as a result of the COVID-19 health pandemic. It is having far reaching impacts on every sector of our society and we must learn to adapt to our new way of life. As we continue to work together to #StaySafe, we need to look for opportunities to bring about change into the future and to plan for a re-imagined Ireland, one that welcomes diversity, is inclusive and creates equity of opportunities for all of our citizens.

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 existence. 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. However, having a criminal record poses many challenges to securing employment regardless of how long it has been since the last conviction. It is highly likely that COVID-19 will only have exacerbated this.

We acknowledge the harm that crime causes to individuals, families and communities and strive to reduce this harm through the implementation of this strategy. We cannot do this alone,

and while the strategy will be driven by the Probation Service and the Irish Prison Service it will be delivered in collaboration with other Government Departments, criminal justice agencies and essential frontline services. It will also require positive engagement from employers and entrepreneurs alike.

While the overarching theme of *Working to Change* is increasing access to employment opportunities for people with criminal convictions, it sets out a total of 46 inter-connected actions under three strategic areas of focus: (1) social enterprise employment options; (2) general employment options and (3) entrepreneurship. While the strategy is led by the Department of Justice, the actions are aligned with a number of other national and international policies, signifying that in order to address crime and create safer communities, we need to work collaboratively and learn from each other.

I am delighted to publish 'Working to Change - Social Enterprise and Employment strategy 2021 – 2023'. That is exactly what we intend to do, not only for the term of this strategy but into the future. My Department endeavours to work to change things for the better in order to create a safer, fairer and more inclusive Ireland.

Helen McEntee

Helen McEntee

Minister for Justice



List of Abbreviations

BTWEA	Back to Work Enterprise Allowances
CJS	Criminal Justice Sector
CPD	Continuous Professional Development
DSP	Department of Social Protection, Community & Rural Development and the Islands
DOJ	Department of Justice
DRCD	Department of Rural & Community Development
EGFSN	Expert Group on Future Skills Needs
GDPR	General Data Protection Regulations
GEM	Global Entrepreneurship Monitor
IASIO	Irish Association for Social Integration Opportunities
IPRT	Irish Penal Reform Trust
IPS	Irish Prison Service
ISEN	Irish Social Enterprise Network
KPI	Key Performance Indicator
LDC	Local Development Company
LMAP	Labour Market Activation Programmes
OECD	Organisation for Economic Co-operation & Development
PEP	Prison Entrepreneurship Programme
PS	Probation Service
SDG	Sustainable Development Goals
SE	Social Enterprise

What do we mean by:

Employment

An agreement between an employer and an employee that the latter will complete certain duties as outlined in a job description and be paid by the former for these activities.

Social Enterprise

Our definition of social enterprise is aligned with that of the National Social Enterprise Policy for Ireland 2019 – 2022¹;

‘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.’

Entrepreneurship

The Global Entrepreneurship Monitor defines entrepreneurship as:

“Any attempt at new business or new venture creation, such as self-employment, a new business organization, or the expansion of an existing business, by an individual, a team of individuals, or an established business”².

1 The definition and reference can be accessed at <https://www.gemconsortium.org/wiki/1149>

2 Department of Rural and Community Development, (2019), ‘National Social Enterprise Strategy for Ireland 2019 -2022’, Available at: <https://s3-eu-west-1.amazonaws.com/govieassets/19332/2fae274a44904593abba864427718a46.pdf>

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1. Executive Summary

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 existence. **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.** However, having a criminal record poses many challenges to securing employment regardless of how long it has been since the last conviction.

We acknowledge the harm that crime causes to individuals, families and communities and strive to reduce this harm through the implementation of this strategy. Despite the current global circumstances, 'Working to Change', endeavours to find solutions, to be innovative, to identify and remove systemic barriers so people can make sustainable changes.

The latest available prison recidivism rate in Ireland is 55.2% for people released in 2014 and tracks recidivism up to 2016³. Despite this figure being lower than previous years, it remains higher than desired and high by international comparison⁴. We need to collectively do more to reduce this figure and an effective Social Enterprise & Employment strategy can help us to achieve this.

We cannot do this alone, this strategy will therefore be driven by our executive agencies, the Probation Service and the Irish Prison Service as well as in collaboration with other Government Departments, criminal justice agencies and essential frontline services. It will also require positive engagement from employers and entrepreneurs alike.

Our Vision

A whole-systems⁵ 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 a route to desistance.

The Strategy

While the overarching theme of *Working to Change* is **increasing access to employment opportunities for people with criminal convictions**, it sets out a total of 46 inter-connected actions under three strategic areas of focus:

1. Social Enterprise employment options
2. General Employment options
3. Entrepreneurship

It should be noted that the implementation of all 46 inter-connected actions is crucial to the successful outcomes of this strategy in order to bring about meaningful and sustainable change to individuals and communities. However, under each strategic area we have identified critical actions that need to be prioritised. In brief, they include:

Strategic Area 1: Social Enterprise employment options: 15 actions

- Continuation of the KickStart Fund to support & encourage new and existing social enterprises to create meaningful jobs for people with criminal convictions as a stepping stone to mainstream employment & that facilitates access to existing SE financial supports



³ <https://www.cso.ie/en/releasesandpublications/ep/p-pros/prisonre-offendingstatistics2011-2017/introduction/>

⁴ Recidivism rates by country can be found at: <https://worldpopulationreview.com/country-rankings/recidivism-rates-by-country>

⁵ By a 'whole-systems' approach we mean that we will endeavour to continue to work with key stakeholders to identify the issues but more importantly, to find the most appropriate solutions, regardless of where they are at in the criminal justice sector.



- Open up supply chains to SEs & pledge a target of 10% of all CJS procurement contracts for the provision of goods & services include social considerations⁶ by the end of this strategy
- Conduct an annual Needs Analysis of social enterprises who currently employ people with criminal convictions in order to identify the nature & type of supports they require & feed this information into the National Social Enterprise structures
- Liaise with the DSP to ensure that SEs can access current Labour Market Activation Programmes & where gaps exist, explore the potential for the development of stand-alone programmes

Strategic Area 2: Mainstream employment options: 19 actions

- Conduct a sector wide Attitudes & Behaviours - Call for Evidence survey across all employer groups: Public, private, voluntary and social enterprise sector in order to establish the starting point.
- Establish a DOJ led Employers' Forum to assist with the reduction in systemic barriers to employment for people with criminal convictions
- Explore how the Civil and Public Service can provide meaningful employment opportunities for suitably qualified people with convictions
- Develop a Safer, Fairer & Inclusive Employment package for employers that promotes the positive recruitment of people with convictions while also safeguarding the rights of each individual

Strategic Area 3: Entrepreneurship: 12 actions

- Establish a dedicated Entrepreneurship Network consisting of all stakeholder groups that will work in collaboration to drive forward entrepreneurship as an employment option for people with criminal convictions
- Explore the introduction of an insurance underwriting scheme designed to remove barriers to securing public liability insurance for people with criminal records who are setting up their own business
- Continuation, expansion & promotion of the Prison Entrepreneurship Programme (PEP) across the prison estate that also targets specific groupings e.g. females, members of the Traveller community, people with disabilities etc
- Explore the expansion of the KickStart Fund to include specific financial supports for entrepreneurial activity by those who have come through the CJS which also facilitates access to existing entrepreneurial financial supports
- Establish a network of business mentors from various sectors who are willing to provide support to people engaged in the CJS who wish to become self-employed

Strategy Implementation

The implementation of the strategy will be overseen by a broadly-based Steering Committee with membership that represents relevant stakeholders and expertise in the above strategic areas.

⁶ '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. As with other aspects of public procurement, there are EU and national rules that determine what and how such considerations can successfully be incorporated', Extract from 'Information note: Incorporating social considerations into public procurement'; Office of Government Procurement, (2018). Accessible: <https://ogp.gov.ie/information-notes/>

People with education and training, who are in work, are less likely to offend and are more likely to make good citizens.

2. Introduction

This Department of Justice (DOJ) 'Social Enterprise & Employment Strategy 2021 -2023' begins at an unprecedented time in our history. 2020 sees the world facing one of its greatest challenges in the form of the COVID-19 pandemic. Hundreds of thousands of lives were tragically lost while countries tried to safeguard their citizens with stay-at-home orders and business closures. The global economy shut down as whole industries slowed or ceased trading in efforts to contain the virus. While we have seen significant improvements, the battle is not over. We live a very different life to before while we continually adapt to our new reality.

We know that people with education and training, who are in work, are less likely to offend and are more likely to make good. That is the essence of our strategy. It is also why we must acknowledge the effects of the pandemic as not just an isolated health issue. It has caused a worldwide recession resulting in the highest unemployment rates ever recorded here in Ireland all of which will make the implementation of this Strategy difficult but not impossible. The response to the challenges we have collectively experienced since the beginning of 2020 has resulted in some great examples of human resilience, of finding alternative solutions, of communities working together to support one another in order to overcome adversity. This

Strategy acknowledges these unprecedented times and aims to provide a glimmer of hope for the future.

Our new Social Enterprise and Employment Strategy is titled, '*Working to Change*'. As a Department that is exactly what we are committing to do. We can only do this in close collaboration with our executive agencies, the Irish Prison Service and Probation Service. We acknowledge the harm that crime causes to individuals, to families and to communities. Despite the current global circumstances within which this strategy will be implemented, we endeavour to strive for solutions, to be innovative, to identify and remove systemic barriers so people can make sustainable changes. COVID-19 has not stopped us, it has changed how we do things.

We are proud to say that this strategy is based on the ideas, suggestions and innovative ways of doing things all of which came directly from people currently in prison, on Probation in the community or those living with the label of 'offender' many years since their last conviction. Essential frontline services providing supports to various service user groups⁷, employers, entrepreneurs and academics also contributed to this strategy.

2.1 Strategic Aim

We, the DOJ, aim to develop and implement a world class, innovative and ambitious Social Enterprise and Employment Strategy that is:

- Co-designed by those it will impact on most
- Driven by the Irish Prison Service & Probation Service
- Developed and supported cross-departmentally
- Enables progress by removing barriers
- Maximises employment & enterprise opportunities
- Continues to support the development of the social enterprise sector as a whole
- Is responsive to the changing needs and demands of all stakeholders
- Meaningfully consults and engages employers continuously
- Builds on existing wrap-around structures & services
- Clearly measures outcomes & actively aims to reduce unintended consequences
- Is fair, transparent and allows for accountability

⁷ Examples of service user groups include: male/female prisoners and Probationers, members of the Traveller community, those with neuro-diversity needs and older former offenders



2.2 Our 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.

2.3 Mission

Working to Change will increase access to and therefore maximise employment options for people with criminal convictions in Ireland by meaningfully engaging multiple stakeholders across a range of sectors including social enterprises. Once again, we are committed to trialling new ways of working, changing our systems to work in line with good practice and encouraging entrepreneurship and innovation. Furthermore, we will share our lessons learned and experiences throughout the process.

3. Context

The DOJ recognises and acknowledges the tremendous amount of work already being carried out by the Irish Prison Service, Probation Service, IASIO and other frontline services to increase the work readiness and employment opportunities for people with criminal convictions as well as addressing the many complex needs that are often experienced by individuals. Employment has and will continue to be an on-going target for all criminal justice agencies.

Currently, there are various employment focussed interventions which take place along the criminal justice spectrum for those in custody, those preparing for release and for those engaging in Probation funded projects in the community. In addition, people with convictions can avail of the programmes provided through Government Agencies which support training, employment and entrepreneurship. Examples of training and employment focused interventions in the criminal justice sector include

- Training workshops⁸ with dedicated Work Training Officers across the prison service, Integrated Sentence Management (ISM) Co-ordinators, along with Training & Employment Officers employed through IASIO in prisons and in the community
- A Prison Education Service staffed by 220 wholetime equivalent teachers offering a comprehensive further education service ranging from basic literacy, language and numeracy programmes, to QQI accredited courses, state examination subjects and Open University modules
- Over 60 community based organisations⁹ around the country, who receive funding from the Probation Service, to provide education, training, up-skilling as well as employment supports to people on Probation sanctions in the community

While there are many examples of good practice, *Working to Change* aims to create a flexible, responsive system that ties all of these interventions together in a coherent, strategic and progressive manner with each intervention building on the previous ones, for the benefit of people with convictions. This is the first time the Department has clearly mapped out its direction in this area and therefore, *Working To Change* marks a new milestone.

'*Working to Change – social enterprise and employment strategy 2021 – 2023*' is an expanded follow up document to the previously published, '*A New Way Forward – social enterprise strategy 2017 - 2019*'¹⁰. *Working to Change* will build on the achievements completed throughout the three year term of A New Way Forward while introducing a range of forward thinking actions. The work achieved to date will be continued into the term of this new strategy building on what has gone before.



8 Prison based workshops provide opportunities to receive certification in a range of industries from construction, woodwork, metal work, catering, laundry facilities, hairdressing and industrial cleaning to name a few.

9 Community Based Organisations (CBOs) provide a range of services to adult and young offenders in local communities, including training and education, offending behaviour programmes, residential accommodation, and drug and alcohol treatment programmes. To view the full list of CBOs, visit: <http://www.pprobation.ie/en/PB/Pages/WP16000056>

10 'A New Way Forward – social enterprise strategy 2017 – 2019' was launched in May 2017 and is available 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

Below is a snapshot of some of the key achievements completed throughout the term of 'A New Way Forward'¹¹:



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



In excess of **100**¹² people with a criminal past employed and/or receiving workplace training in these social enterprises



Probation Service KickStart Fund supporting social enterprises launched with funding in excess of €1.3m dispersed into the social enterprise sector to support meaningful employment for people with criminal convictions



Brand new Business Planning & Mentoring Programme created in partnership with UCD Innovation Academy and the Rotary Clubs, Ireland



New insurance scheme specifically for social enterprises negotiated and made available nationwide

Working to Change is all about meaningful employment, about removing barriers to support individual change, creating fair and accessible routes to work for people with criminal records, while ensuring the safety of the entire community. It is in recognition of the positive impact that securing employment for people with convictions plays in supporting desistance and creating safer communities that the DOJ is setting out its direction on supporting and maximising employment options for people with criminal convictions.

¹¹ Statistics were recorded pre-COVID 19 restrictions and are therefore accurate up to January 31st 2020.
¹² Figures provided by individual social enterprises nationwide

3.1 Links between Social Enterprise and mainstream employment

The DOJ continues to recognise the important role social enterprises play in creating real employment for people with criminal records. They are often the first step on the employment ladder for individuals post release from prison or once they have finished their 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. They are not the end result though.

The DOJ, along with the Irish Prison Service and Probation Service, continues to promote employment in social enterprises as a progression model, a stepping stone to achieving mainstream employment often with a greater earning potential. This progressive model is designed to create a throughput of individuals rather than create a bottleneck.

An emerging priority outlined in the Mid-Term Review of 'A New Way Forward – Social Enterprise Strategy 2017 -2019'¹³ highlighted the need to:

'Support people with a criminal conviction to progress into long-term, sustainable jobs. Develop an action plan for onward progression into the mainstream labour market following employment in a social enterprise.'

Working to Change takes up this challenge and is the next logical step to creating a whole-systems approach to supporting work readiness initiatives and employment focussed education and training along the entire criminal justice sector continuum.

The latest available prison recidivism rate in Ireland is 55.2% for people released in 2014 and tracks recidivism up to 2016¹⁴.

Despite this figure being lower than previous years, it remains higher than desired and high by international comparison. We need to collectively do more to reduce this figure and an effective Social Enterprise & Employment strategy can help to achieve this.

While it should be acknowledged that significant

work is being undertaken in the area of employment for people with convictions, we need to ensure a flexible and responsive system that trains people to industry standards across sectors with identified skills gaps. We need to provide employment packages for employers that encourages them to recruit from a previously untapped source of talent. We need to more effectively match individuals' skills and talents to meaningful jobs and not just into unsuitable vacancies. We need to develop safeguarding measures for all involved if we are to avoid any unintended consequences; but finally, we need to give people in the system, as early as possible, hope that their future can be different.

Experiences have highlighted that people with criminal records have five main income-generating possibilities upon their release from prison or on completion of their community Probation sanction. Put simply, these are:

1. Commence or continue a training programme or apprenticeship
2. Get a job in a social enterprise or mainstream employment
3. Start their own job / business
4. Claim social welfare benefits
5. Return to crime

Working to Change will actively address barriers to achieving Options 1, 2 and 3. By doing this, it aims to reduce the need for someone to claim social welfare benefits and, of course, to consider re-engaging in crime.

Progress has been made in the Criminal Justice (Spent Convictions & Certain Disclosures) Act 2016 as a result of proposed legislative amendments in the form of Criminal Justice (Rehabilitative Periods) Bill 2018. In addition, the new Programme for Government has made a commitment to, 'Review the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 to broaden the range of convictions that are considered spent'. It is intended that the actions contained in this strategy will continue to further support this progress.

13 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

14 <https://www.cso.ie/en/releasesandpublications/ep/p-prir/prisonrecidivism2011and2012cohorts/>

15 Recidivism rates by country can be found at: <https://worldpopulationreview.com/country-rankings/recidivism-rates-by-country>

16 <http://www.irishstatutebook.ie/eli/2016/act/4/enacted/en/html>

17 Taken from 'Programme for Government – Our Shared Future', Pg. 86, (2020). Accessible: https://www.greenparty.ie/wp-content/uploads/2020/06/2020-06-15-ProgrammeForGovernment_Corrected-Final-Version.pdf

3.2 Key assumptions underpinning *Working to Change*

All actions outlined in this strategy are underpinned by the following knowledge and key assumptions:

- This is inherently a Human Rights informed strategy promoting equality of opportunity by recognising 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 issues¹⁸ - additional, on-going 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 re-offending, fewer victims and safer communities
- We cannot do this alone – we need to actively engage multiple stakeholders at multiple points

3.3 Who does this strategy target?

It is widely recognised that the label of 'offender' does not cease once someone has served their time or completed their Probation sanction. It is an invisible label that stays with a person for many years and has significant implications in a number of areas of their lives¹⁹, not just in securing meaningful employment. This invisible label remains regardless of the type of crime committed but also regardless of how long ago it was committed. In acknowledgement of this '*Working to Change*' will further address the employment needs of the following people:

- Those currently in prison
- Those on a Probation sanction in the community
- Those with historical criminal convictions who continue to face barriers to securing employment but are no longer engaged with any criminal justice service

3.4 The structures supporting *Working to Change*

In 2016, the DOJ, in conjunction with the Irish Prison Service and Probation Service, established a High Level Social Enterprise Steering Committee²⁰ in order to oversee and assist with the implementation of '*A New Way Forward – social enterprise strategy*'. It is intended that this steering committee will be expanded to include other relevant stakeholders, based on a skills audit, to oversee the implementation of this expanded strategy, *Working to Change*. A revised Terms of Reference will be drawn up in order to ensure the Steering Committee are clear on their purpose and remit while also maximising the effectiveness of the group.

A dedicated website, www.WorkingtoChange.ie will be launched in order to support the implementation of the actions contained within this strategy as well as providing timely updates on progress made to date or emerging issues.

¹⁸ Examples of psycho-social issues can include one or more of the following: early childhood trauma(s), poor educational attainment, drug and alcohol addictions, mental and physical health issues, experiences of homelessness, bereavement/loss as well as family disintegration

¹⁹ Some implications as a result of having a criminal record, in addition to employment barriers include: lifelong travel restrictions, restricted/limited access to some Third Level institutions, inability to obtain insurance (home, travel & public liability) and bans on memberships of State and Charity Boards.

²⁰ The current Social Enterprise Steering Committee consists of representatives from the Department of Justice, the Probation Service (Chairing role), the Irish Prison Service, IASIO, the social enterprise sector as well the business world

3.5 Policy alignment

While *Working To Change* is a DOJ strategy it cannot be implemented in a vacuum. If we are to truly bring about sustainable change and tackle systemic barriers we need to look outside of the criminal justice sector for solutions, support and guidance. *Working to Change*, therefore, has been influenced by and aligned with other national and wider departmental policies some of the most relevant ones have been outlined in Table 1 below.

It has also been informed by the United Nations Sustainable Development Goals which set out

17 goals²¹ designed to achieve a better and more sustainable future for everyone.

We also need to share our experiences, our lessons learned both positive and negative with a wider audience to influence policy formation on more equal and fairer employment prospects for people with a criminal past. To this end, it is intended that the outcomes of *Working to Change* will feed into the European policies such as the European Commission's Action Plan for the Social Economy.²²

Table 1: Alignment with cross-departmental & Human Rights policies

Government Department	Policy document(s) ²³
Department of Justice	<ol style="list-style-type: none"> 1. DOJ Strategy Statement 2016 - 2019 2. Irish Prison Service & Probation Service Strategic Plan 2018 - 2020 3. Probation Service Strategic Plan 2018 - 2020 4. Irish Prison Service Strategic Plan 2019 - 2022 5. A New Way Forward - social enterprise strategy 2017 - 2019
Department of Rural & Community Development	<ol style="list-style-type: none"> 6. National Social Enterprise Policy for Ireland 2019 - 2022 7. Sustainable, inclusive & empowered communities 2019 - 2024
Department of Social Protection, Community & Rural Development and the Islands	<ol style="list-style-type: none"> 8. Pathways to Work Strategy 2016 - 2020
Department of Enterprise, Trade & Employment	<ol style="list-style-type: none"> 9. Future Jobs Ireland 2020 10. National Policy on Entrepreneurship Ireland 2014
Department of Public Expenditure & Reform	<ol style="list-style-type: none"> 11. Project Ireland 2040
Charities Regulator	<ol style="list-style-type: none"> 12. Charities Governance Code
Human Rights & Equality Legislation	
Irish Human Rights & Equality Commission	<ol style="list-style-type: none"> 13. Equal Status Act 14. Employment Equality Acts 1998 - 2015
United Nations Sustainable Development Goals	<p>While all 17 SDGs are relevant to this strategy, the three named below are of particular relevance:</p> <p>Goal 8: Decent Work & Economic Growth Goal 10: Reduced Inequalities Goal 16: Peace, Justice & Strong Institutions</p>

21 The Sustainable Development Goals are the blueprint to achieve a better and more sustainable future for all. They address the global challenges we face, including those related to poverty, inequality, climate change, environmental degradation, peace and justice. The 17 Goals are all interconnected, and in order to leave no one behind, it is important that we achieve them all by 2030. Taken from: <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

22 https://www.interregeurope.eu/fileadmin/user_upload/plp_uploads/events/Webinars/Social_Enterprises_12-03-2020/The_Future_of_EU_policies_for_Social_Economy_Towards_a_European_Action_Plan.pdf

23 See Appendices for links to all documents



**Working
to Change**

Strategy

Strategic Area 1: Social Enterprise employment options

4. The Strategy

While the overarching theme of *Working to Change* is **increasing access to employment opportunities for people with criminal convictions**, it sets out a total of 46 inter-connected actions under three strategic areas of focus:



Actions outlined in *Working To Change* are not designed to replace existing services and supports on offer along the continuum of care but rather complement them by providing additional options for progression.

4.1 Strategic Area 1: Social Enterprise employment options

The DOJ and its executive agencies are committed to continuing their support for social enterprises (SE) as a mechanism for creating a range of employment opportunities for skilled people previously engaged in the criminal justice sector. The actions listed in this section build on the progress made to date since the launch of 'A New Way Forward – social enterprise strategy' in 2017. They are cognisant of the unknown impact of COVID-19 on the sector as a whole and are underpinned by the following key points:

- All actions are designed to support the SE sector as a whole and are therefore firmly aligned with the National Social Enterprise Policy 2019 - 2022

- The DOJ support for SEs focuses primarily on Work Integration Social Enterprises²⁴ (WISEs)
- Employment in a SE is often the first step on the employment ladder for people with criminal convictions post release or on completion of a Probation sanction
- It is designed to act as a buffer or stepping stone to mainstream employment where earning potential is greater
- A recent Employer-to-Employer work reference, gained as a result of working in a SE, greatly assists people to progress into the mainstream labour market

24 Work Integration Social Enterprises (WISEs) 'support disadvantaged people to prepare for, and participate in, the labour market', Department of Rural & Community Development, National Social Enterprise Policy 2019 – 2022, available at: <https://s3-eu-west-1.amazonaws.com/govieassets/19332/2fae274a44904593abba864427718a46.pdf>

Actions:

1. Conduct an annual Needs Analysis of social enterprises who currently employ people with criminal convictions in order to identify the nature & type of supports they require & feed this information into the National Social Enterprise structures

KPIs

(1) Report of the findings of the Needs Analysis is compiled & shared with relevant Government Departments as well as relevant stakeholders,
(2) Recommendations for future interventions are agreed with the relevant Government Department(s) & implemented to support the entire SE sector

2. In collaboration with the Government Department(s), conduct a National Employment Survey of social enterprises to ascertain the nature & type of jobs available within SEs as well as the number of people employed with a criminal conviction

KPI

(1) Employment statistics are collated & made available

3. Develop a mapping tool of SEs currently employing people with criminal convictions or who wish to do so in the future

KPIs

(1) Based on the results of the National Employment Survey, a mapping tool showing the SEs that either currently or are seeking to employ people with criminal convictions is made available,
(2) Map is accessible to all stakeholders & updated regularly

4. In collaboration with the relevant Government Department(s), develop a framework for defining good value for money by assessing the cost of transitioning an individual to a SE by creating one job role

KPIs

(1) Framework for assessing value for money is developed in collaboration with the relevant Government Department(s),
(2) Framework is made available

5. Continuation of the KickStart Fund to support & encourage new and existing social enterprises to create meaningful jobs for people with criminal convictions as a stepping stone to mainstream employment & that facilitates access to existing SE financial supports

KPIs

(1) KickStart Fund is continued as a model of incentivising SEs to recruit people with convictions,
(2) Fund is distributed to successful SEs,
(3) Impact/ report on the outcomes of the funding rounds is collated & made available

6. Evaluation of Round Two of the KickStart Fund to be conducted to ensure that this DOJ support is having the desired impact & is an effective use of exchequer money

KPIs

(1) Independent evaluation is conducted on the outcomes of the previous funding rounds of the KickStart programme,
(2) Report is compiled with recommendations for the continuation, revision or abolition of the scheme,
(3) Recommendations implemented

7. Develop targeted supports specifically for SEs that are currently or planning to recruit people with criminal convictions & that promote progression into the mainstream workplace

KPIs

(1) Based on the outcomes of the Needs Analysis conducted under Action 1, specific supports are developed to assist SEs in their hiring, training and on-going progression measures for people with convictions. These measures will be developed in collaboration with external expert agencies,
(2) Range of supports made available to all SEs

8. Work with the Office of Government Procurement to develop guidance notes to facilitate the use of social considerations in relevant CJS contracts

KPIs

(1) In collaboration with the OGP, CJS agencies develop clear guidance notes to support the use of social considerations in appropriate contracts including the revision to awarding criteria,
(2) Meetings with OGP held,
(3) Report on the use of social considerations compiled with lessons learned & recommendations for further wide spread implementation highlighted

9. Open up supply chains to SEs & pledge a target of 10% of all CJS procurement contracts for the provision of goods & services include social considerations by the end of this strategy

KPIs

- (1) DOJ and its executive agencies to pilot the use of social considerations in appropriate contracts with the number of contracts increasing year on year,
- (2) DOJ, IPS & PS to report on the number of contracts won by SEs and/or those that have social consideration clauses in them

10. Liaise with national social enterprise supports networks in order to promote the Buy Social movement

KPIs

- (1) In collaboration with the Irish Social Enterprise Network, relevant Government Department(s) and other SEs networks, support & promote the Buy Social movement in Ireland,
- (2) Increase in the number of SEs registered on the buysocial.ie website

11. In collaboration with regional SEs & other support services, organise Meet & Greet events in order to raise awareness of the multi-faceted benefits of recruiting people with criminal records

KPIs

- (1) Record of events held nationwide, number of SEs in attendance as well as other support services,
- (2) SEs who attend these events are included in the mapping tool as outlined under Action 3

12. Liaise with the DSP to ensure that SEs can access current Labour Market Activation Programmes (LMAPs) & where gaps exist, explore the potential for the development of stand-alone programmes

KPIs

- (1) Meetings held with DSP to ensure that current LMAPs are accessible to SEs. Where gaps exist, explore the feasibility of developing stand-alone programmes to meet this need

13. Develop a targeted mixed media campaign designed to increase awareness of SEs as providers of goods & services as well as raising their profile as potential employers for people with criminal convictions:

KPIs

- (1) Media campaign developed in partnership with other stakeholders that delivers targeted promotional information on SEs as providers as well as raising their profile as potential employers for people with criminal convictions,
- (2) Media campaign is made available across a variety of mediums

14. Actively promote good practice by developing a range of case studies to share lessons learned at a national & international through the OECD and by contributing, where possible, to the aims of the European Commission's Action Plan for the Social Economy

KPIs

- (1) A range of national & international case studies featuring the progress of WISEs are developed,
- (2) Case studies sharing good practice are made available online,
- (3) Case studies & lessons learned are fed into the OECD & the European Commission's Action Plan for the Social Economy

15. Build collaborative partnerships with new & existing stakeholders to assist with the effective implementation of this strategy

KPIs

- (1) Collaborative partnerships negotiated & developed with stakeholders from a variety of different sectors,
- (2) Partnerships listed online,
- (3) Benefits/outcomes of partnerships also made available



**Working
to Change**

Strategy

Strategic Area 2: Mainstream employment options

4.2 Strategic Area 2: Mainstream employment options

This section sets out a total of 19 strategic actions all designed to increase employment options for people with criminal records in the mainstream labour market. It should be acknowledged that these actions build upon progress made to date by the likes of IASIO and other frontline services in this area.

1. Conduct a Needs Analysis amongst various cohorts of the target group to identify their Attitudes, Behaviours & Perceived Barriers to taking up employment

KPIs

- (1) Report on the findings of the needs analysis with recommendations for future responses that are appropriate and tailored to the needs of the target group,
- (2) Report disseminated to key stakeholders,
- (3) Recommendations implemented

2. Conduct a sector wide Attitudes & Behaviours - Call for Evidence survey across all employer groups: Public, private, voluntary and social enterprise sector in order to establish the starting point.

KPIs

- (1) Report on the findings of the Call for Evidence compiled,
- (2) Report disseminated to key stakeholders,
- (3) Recommendations and future actions implemented

3. Conduct a Needs Analysis amongst Employment Intervention Providers to identify any gaps, blocks or recommendations for systemic change to better improve the employment outcomes of the target group

KPIs

- (1) Report on the findings of the needs analysis with recommendations for future responses that are appropriate and tailored to the needs of the target group as well as frontline staff,
- (2) Report disseminated to key stakeholders,
- (3) Recommendations implemented & monitored

4. Conduct an Audit of existing soft skills/ additional wrap around support services provided to people engaged in the CJS in order to better prepare them to access employment

KPIs

- (1) Audit of current wrap around/additional support services that play a key role in preparing people with convictions to be employment ready conducted,
- (2) Report compiled & made available,
- (3) Recommendations made to relevant agencies implemented

5. Establish a DOJ led Employers' Forum to assist with the reduction in systemic barriers to employment for people with criminal convictions

KPIs

- (1) Employers' Forum established with clear Terms of Reference agreed,
- (2) Record & outcomes of meetings made available,
- (3) Mid-Term Report on progress compiled & made available

6. Explore how the Civil & Public Service can provide meaningful employment opportunities for suitably qualified people with convictions

KPIs

- (1) DOJ, along with the IPS & the PS proactively address systemic barriers to people with criminal convictions from being employed in the criminal justice service,
- (2) Employment opportunities identified within IPS & the PS,
- (3) Report on lessons learned compiled & shared with all Government Departments promoting the safe and fair recruitment of people with criminal convictions

Actions:

7. Explore the introduction of a Scholarship & Paid Internship scheme specifically to assist people with criminal convictions to achieve the required entry qualifications for employment in the PS & IPS

KPIs

(1) Meetings held with relevant stakeholders to explore the feasibility, financial and administrative implications for the introduction of a scholarship & paid internship scheme

8. Liaise with the DSP to ensure fair, transparent and consistent access to existing Labour Market Activation Programmes for people with convictions as well as the possible expansion of some measures to incentivise employers to recruit from this target group

KPIs

(1) Meetings held with DSP to explore current take-up levels and any issues arising as well as gaps and blocks experienced by individuals and/or their frontline staff,
(2) Solutions agreed by relevant stakeholders and implemented

9. Review the current joint protocol between IPS, PS, IASIO and INTREO so that there is a smooth transition from prison-based supports to INTREO community-based supports for people on release

KPIs

(1) Meetings held with INTREO to put plans in place to ensure a smooth transition to community based supports for people leaving prison,
(2) Information/logistics of the expanded joint protocol is disseminated to all front line staff with training provided if required,
(3) Expanded joint protocols are implemented

10. Liaise with industry experts to ensure employment focused training & up-skilling measures, offered throughout criminal justice agencies, are responsive and aligned to the identified skills gaps within the labour market

KPIs

(1) Review of current employment focused training & up-skilling measures undertaken,

(2) External advice sought on how best to rectify gaps, bring current provision up to industry standard and to ensure a responsive system into the future

11. Develop a Safer, Fairer & Inclusive Employment package for employers that promotes the positive recruitment of people with convictions while also safeguarding the rights of each individual

KPIs

(1) In collaboration with a number of key stakeholders, a comprehensive employment package is developed in order to support a safer, fairer and more inclusive recruitment process for all employers. It is envisaged that this package will include HR & insurance advice, when/how to ask about criminal convictions, rights of the potential employee as well as a suite of training and support,
(2) Employment package is disseminated to all sectors

12. Recruitment & retention supports are developed & implemented in order to reduce avoidable job losses for individuals and high staff turnover rates for employers

KPIs

(1) A range of evidence based recruitment & retention supports are developed for both employees with convictions & employers,
(2) Supports are implemented

13. Continue to advance developments in relation to the payment to prisoners for engagement in employment, including in social enterprises, prior to their release

KPIs

(1) In collaboration with other relevant Government agencies, the DOJ will continue to seek a workable solution to the payment of prisoners by approved employers prior to their release,
(2) Clear procedures are in place for managing the employment and payment of prisoners that is transparent and fair to all

14. Explore the role peer mentoring can play in providing hope for a different future for those still in prison or on Probation in the community by demonstrating their own progression into employment

KPIs

- (1) Research conducted on the role peer mentors can play in highlighting that things can be different and that employment is possible,
- (2) Report compiled with recommendations,
- (3) Recommendations implemented

15. Explore & develop a range of employment & recruitment signposting options to meet the information needs of all key stakeholders

KPIs

- (1) Explore how best employment focused information can be shared in order to meet the needs of all stakeholder groups at multiple points along the criminal justice journey,
- (2) A range of signposting options are developed & implemented,
- (3) Review of signposting options is conducted after a period of time & used to influence future actions

16. Establish a mechanism to record systemic gaps and blocks that continue to be experienced by potential employees with criminal records & employers

KPIs

- (1) Number and type of issues experienced by employees and employers are easily recorded,
- (2) Issues & solutions are reported,
- (3) Unresolved issues are raised with the relevant agencies, with plans put in place to address them

17. Develop a positive media strategy targeting employers from all sectors highlighting the multi-faceted benefits of recruiting from a previously untapped source of talent

KPIs

- (1) Using the information gathered through previous actions, develop a positive media strategy targeting employers encouraging them to recruit people with criminal convictions

18. Explore the development of appropriate data collection processes that will facilitate the generation of longer term employment progression statistics for people who are no longer engaged in any CJS agency & that are in accordance with GDPR regulations

KPIs

- (1) The DOJ work in collaboration with its executive agencies & other Government Departments to identify a mechanism for recording employment outcomes for people once engaged in their agencies,
- (2) Nature & type of employment statistics are published annually & used to influence future employment related strategies/actions

19. Explore the feasibility & implementation of fairer recruitment measures that focus on providing employers with real-time information on an individuals' skills & talents to be used in conjunction with Garda Vetting forms

KPIs

- (1) Report compiled on fairer recruitment practices in operation in other jurisdictions that focus on highlighting an individual's current achievements and steps they have taken since their last offence,
- (2) Report disseminated with recommendations for future actions to be considered by all relevant stakeholders including the DOJ

Strategy

Strategic Area 3: Entrepreneurship

4.3 Strategic Area 3: Entrepreneurship

According to the National Policy Statement on Entrepreneurship in Ireland (2014), 'entrepreneurship is a key element in any thriving economy', 'because new businesses drive change and are the source of creative ideas and new technologies²⁵'. Our Government recognises that entrepreneurs and entrepreneurial activity are crucial to our economy, probably more so now as we face many challenges as a result of COVID-19 enforced restrictions on trade and movement.

As mentioned earlier in this strategy, from challenges come opportunities and now is the time for us to capitalise on removing barriers and finding innovative solutions. Supporting entrepreneurship for people with criminal records, as a mechanism for creating employment, is just one way of achieving this. To date, it has been untapped to a large extent as barriers do exist. The actions outlined below are just a starting point but a significant one and one upon which can build.

In general, people decide to become self-employed for a variety of reasons; a lifelong ambition, wanting a change, following through on a business idea, flexible working arrangements, autonomy in decision making and all operations. However, starting a business is no easy task. There are a lot of risks involved as well as financial investment.

For some people with criminal records, becoming self-employed may be their only way of securing employment, of generating income and being a contributing member of society through the payment of their taxes. Barriers to mainstream employment, as a result of their past, may result in them feeling that they have no other choice but to become self-employed. In other instances, being self-employed is very much their choice for all the reasons outlined above however, individuals choosing this path will also be faced with barriers and obstacle to overcome. The following actions are designed to address some of the most significant barriers and present self-employment as a very real career option for people with a criminal past.

Actions:

1. Establish a dedicated Entrepreneurship Network consisting of all stakeholder groups that will work in collaboration to drive forward entrepreneurship as an employment option for people with criminal convictions

KPIs

(1) Entrepreneurship Network established with representatives from DOJ, IPS & PS as well as all other stakeholder groups,
(2) Clear Terms of Reference agreed & made available,
(3) Record of regular meetings held & outcomes of same

2. Explore the expansion of the KickStart Fund to include specific financial supports for entrepreneurial activity²⁶ by those who have come through the CJS which also facilitates access to existing entrepreneurial financial supports

KPI

(1) Multi-departmental meetings held to explore the feasibility & administrative implications for the expansion of the existing Kickstart Fund that complements existing financial support structures

3. Continuation, expansion & promotion of the Prison Entrepreneurship Programme (PEP) across the prison estate that also targets specific groupings e.g. females, members of the Traveller community, people with disabilities etc

KPIs

(1) An expansion plan of PEP is agreed with key stakeholders & implemented on a phased basis,
(2) Review conducted post-delivery on each new site

4. Establish a network of business mentors from various sectors who are willing to provide support to people engaged in the CJS who wish to become self-employed

KPIs

(1) Network of appropriate business mentors is established & made available online to those who are seeking support,
(2) Clear parameters are put in place to safeguard all involved in any business mentoring arrangement

25 Department of Business, Enterprise & Innovation. 'National Policy Statement on Entrepreneurship in Ireland (2014)': Available at: <https://dbei.gov.ie/en/Publications/Publication-files/Policy-Statement-Entrepreneurship-in-Ireland.pdf>

26 The Grameen Group Lending Model is just one example that could be explored as to how financial and non-financial supports could be distributed to support entrepreneurial activity. <http://grameenresearch.org/grameen-group-lending-model/#:~:text=The%20group%20lending%20model%20is,receive%20a%20loan%20from%20Grameen.&text=Multiple%20groups%20form%20a%20center.and%20meet%20with%20Grameen%20staff.>

5. Explore the introduction of an insurance underwriting scheme designed to remove barriers to securing public liability insurance for people with criminal records who are setting up their own business

KPIs

(1) Multi-departmental meetings held to explore the feasibility, administrative implications & possible unintended consequences of introducing a specific insurance underwriting scheme to remove barriers to securing cover for people with a criminal conviction

6. Liaise with the DSP to ensure fair, transparent and consistent access to existing Back to Work Enterprise Allowances for people with convictions

KPIs

(1) Meetings held with DSP to explore current take-up levels and any issues arising as well as gaps and blocks experienced by individuals and/or their frontline staff,
(2) Solutions agreed by relevant stakeholders and implemented

7. Liaise with Local Development Companies (LDCs) & Local Enterprise Offices (LEOs) to ensure fair, transparent and consistent access to their support packages for businesses started by people with convictions

KPIs

(1) Meetings held with LDCs & LEOs nationwide to explore current take-up levels and any issues arising as well as gaps and blocks experienced by individuals and/or their frontline staff,
(2) Solutions agreed by relevant stakeholders and implemented

8. Establish a Gaps & Blocks reporting process that facilitates the capturing of any unforeseen barriers to entrepreneurial activity by people with criminal records and subsequent solutions

KPIs

(1) An easily accessible Gaps & Blocks reporting system is established for use by all key stakeholders,
(2) Systemic gaps & blocks are recorded with subsequent solutions put in place,
(3) Positive outcomes and persistent difficulties are highlighted

9. Develop a range of tailored supports addressing the specific challenges faced by people with criminal records in starting their own businesses that also complement existing mainstream supports

KPIs

(1) Develop tailored supports that identify & address the specific challenges faced by people with convictions in setting up their own business,
(2) Make these supports readily available & signpost people to them

10. Develop learning communities to support knowledge sharing in new & existing enterprises set up by people with a criminal past

KPIs

(1) Online learning community developed to share expertise and knowledge amongst entrepreneurs who were engaged in the CJS

11. Engage with new & existing Community Enterprise Hubs nationwide in order to support their inclusion of start-ups by people with a criminal past & signpost people to these hubs

KPIs

(1) Collaborative partnerships formed with local & regional enterprise hubs to encourage a diverse & inclusive approach to selecting their clients,
(2) Enterprise Hubs who support this diverse & inclusive approach are highlighted with frontline services being made aware of their location

12. Actively promote good practice by developing a range of case studies showcasing successful businesses that were established by people despite their criminal past

KPIs

(1) A range of individual case studies are developed to highlight self-employment as an option for people who have a criminal past,
(2) Steps taken and lessons learned are also highlighted & shared,
(3) Case studies are made available, through a variety of means, to people at every stage in the criminal justice sector

Appendices

Appendices

1. [Department of Justice & Equality Strategy Statement 2016 – 2019](#)
2. [Irish Prison Service & Probation Service Strategic Statement 2018 – 2020](#)
3. [The Probation Service Strategic Plan 2018 – 2020](#)
4. [Irish Prison Service Strategic Plan 2019 – 2022](#)
5. [A New Way Forward – Social Enterprise Strategy 2017 – 2019](#)
6. [Sustainable, inclusive & empowered communities: A five year strategy to support the community and voluntary sector in Ireland 2019 – 2024](#)
7. [Charities Regulator – Charities Governance Code](#)
8. [National Social Enterprise Policy for Ireland 2019- 2022](#)
9. [Future Jobs Ireland 2020](#)
10. [Project Ireland 2040](#)
11. [National Policy on Entrepreneurship in Ireland 2014](#)
12. [Pathways to Work Strategy 2016 – 2020](#)
13. [Equal Status Act 2000](#)
14. [Employment Equality Acts 1998 – 2015](#)
15. [United Nations Sustainable Development Goals](#)

Additional Government publications reviewed:

Forecasting the Future Demand for High-Level ICT Skills in Ireland, 2017- 2022 – Expert Group on Future Skills Needs: <http://egfsn.ie/all-publications/2019/high-level-ict-skills-demand-analysis.pdf>

Skills for the Construction Sector: Assessment of 2008 – 2019 Strategies – Expert Group on Future Skills Needs: <http://www.skillsireland.ie/all-publications/2019/construction-studies-assessment-of-2008-2018-strategies.pdf>







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