

Implementation of Penal Policy Review Group Recommendations

1st Report of the Implementation Oversight Group to the Minister for Justice and Equality

November 2015

Implementation of Penal Policy Review Group Recommendations

In bold = Lead Agency(ies)

Chapter 2 - A New Penal Policy (establishing a rationale for the future)

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
1	The Review Group considers that any punishment within criminal sanctions should as far as reasonably feasible but subject to the principle of proportionality, also assist an offender's rehabilitation and reintegration. The	1. Criminal Law Reform (CLR) 2. Prisons and Probation Policy (PPP) 3. Irish Prison Service (IPS) 4. Probation Service (PS) 5. Courts Policy (CP)	1. Government Memorandum. 2. Letter to all agencies. 3. Strategy statements and annual report of IPS. 4. Strategy statements and annual report of PS. 5. Statement of principles contained in sentencing legislation. 6. Monitoring of sentencing trends and outcomes.	1. Approval of Scheme by Minister July 2015. CLR	✓	Not complete
2. Consultation with Courts Service (CS) Q4 2015. CLR				✗		
3. General Scheme of Criminal Justice (Sentencing and Parole) Bill to be submitted to Government Q2 2016. CLR				✗		
4. Statement in annual report of IPS. IPS.				✗		

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
	Review Group therefore recommends that all of the key players involved in the administration of criminal justice and penal policy should take into account the aim of rehabilitation and reintegration of the offender when imposing and implementing criminal sanctions.			5. Statement in annual report PS. PS	X	
				6. Monitoring of sentencing trends and outcomes- <i>to follow. Data Analysis & Evidence Unit (DAEU) - to be decided.</i>	X	
2	The Review Group recommends that our law and practice in the area of penal policy should be just, proportionate, humane and should aim to reduce <ul style="list-style-type: none"> • reoffending behaviour, and • reliance on prison as a sanction. These principles should inform all aspects of penal policy from	1. PPP 2. An Garda Síochána (AGS) 3. IPS 4. PS 5. CP Next Steps- other agencies to be consulted: <ul style="list-style-type: none"> • Irish Youth Justice Service (IYJS) • Dept. Of Environment, • Community & Local Government (D/E,C&LG) 	1. Government Memorandum. 2. Letter to all agencies sent. 3. Strategy statement and annual report of IPS contains reference to these principles. 4. Strategy statement and annual report of Probation Service contains reference to these principles. 5. Convening of interdepartmental/interagency group re collaborative working.	1. Memorandum – completed May 2015.	✓	Not complete
				2. Letter to all agencies drawing attention to this recommendation issues. PPP	X	
				3. Statement in annual report of IPS. IPS	X	
				4. Statement in annual report Probation Service. PS	X	
				5. First meeting of interdepartmental/agency group. PPP	X	
				6. Schedule of meetings of interdepartmental/agency groups completed. PPP	X	

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones	Implementation Status	
	diversion through to sentencing, serving of sanction, rehabilitation and exit from sanction.	<ul style="list-style-type: none"> Dept. Social Protection Dept of Education Dept of Health/Health Service Executive (HSE) 			X	
3	The Review Group recommends that there must be greater emphasis, if necessary through legislation, on promoting inter-agency cooperation in the management and rehabilitation of offenders. In addition to the criminal justice agencies, there is a need to recognise that a whole-of Government approach is required in collaboration with relevant agencies and local authorities in addressing offending behaviour and assisting offenders in maintaining crime free lives.	<p>1. Prisons and Probation Policy</p> <ol style="list-style-type: none"> CLR AGS IPS PS CP <p>Next Steps- other agencies to be consulted:</p> <ul style="list-style-type: none"> IYJS D/E,C&LG D/Social Protection D/Education D/Health/HSE Community organisations 	<ol style="list-style-type: none"> IPS and PS express views to PPP on ways to improve interagency cooperation. IPS/PS Strategic Steering Group express views on way to improve interagency co-operation. Integrated Offender Management Initiative continues to operate. SORAM includes representation from Housing Sector, HSE. Meeting of interdepartmental/ agency group. 	<ol style="list-style-type: none"> Acting Secretary General to write to the main Departments concerned to invite them to participate in interdepartmental/agency group and to seek their views at the same time on recommendation 41 by end 2015. Acting Secretary General Interdepartmental inter-agency group established Q1 2016.PPP Schedule of meetings of inter-agency group laid out Q1 2016. PPP Pilot joint agency response continues to operate - <i>ongoing</i>. IPS, PS, AGS Meetings of SORAM continue - <i>ongoing</i>. Evaluation of Community Return (CR) Scheme undertaken November 2013. PS Plan to jointly deliver dedicated services to sex offenders in the Midlands prison in place delivered Q1 2016. IPS, PS 	<p>X</p> <p>X</p> <p>X</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>X</p>	Not complete

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
4	The Review Group recommends that a programme similar to the Youth Diversion Programme be introduced for young people above the age of 18 with an initial focus on 18-21 year olds. In this respect, the Review Group recommends that the relevant Departments and agencies, including An Garda Síochána should immediately consult in relation to the most appropriate and effective means of targeting this group within the context of current and future resources.	<ul style="list-style-type: none"> 1. PPP 2. IYJS 3. PS 4. AGS 	<ul style="list-style-type: none"> 1. Plan for diverting this age group in place. 2. Youth Diversion Programme (YDP) for 18-21 year olds introduced. 3. Review of 21+ age group commences. 	1. Letter issued on 5 th August, 2015 to Department of Children and Youth Affairs (DCYA) with a view to placing responsibility on IYJS. PPP	✓	Not complete
				2. Letter to Garda Commissioner issued 10 June 15. PPP	✓	
				3. IYJS provide response. IYJS	✗	
				4. IYJS convene meeting of all groups. IYJS	✗	
				5. Decision taken on expanding YDP taken. PPP	✗	
				6. Programme introduced - <i>to follow</i> .	✗	
				7. Evaluation and monitoring of programme - <i>to follow</i> .	✗	
				8. Implementation of findings from evaluation and monitoring - <i>to follow</i> .	✗	
5	The Review Group recommends that relevant agencies review the offences covered by the adult caution scheme with a view to including a wider range of offences.	<ul style="list-style-type: none"> 1. AGS 2. Crime Division (CD) 3. Director of Public Prosecutions (DPP) 	<ul style="list-style-type: none"> 1. AGS to initiate review with a view to extending adult caution scheme 2. AGS report on proposed extension 3. Protocols put in place 	1. Meeting of stakeholders convened. Timeline to be decided. AGS	✗	Not complete

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
6	The Review Group welcomes and supports proposals to pilot a community court and emphasises the need to ensure that such courts are re adequately resourced.	1. CP Next Steps- other agencies to be consulted: <ul style="list-style-type: none"> • D/E,C &LG • D/Health • D/Education • HSE • Courts • DCYA • TUSLA 	1. CP to convene meeting of stakeholders. 2. Pilot commences. 3. Pilot evaluated. 4. Results of evaluation implemented. 5. Pilot agreed.	1. Preliminary meeting of Justice Agency representatives and Department held to scope out implementation steps May 2015. CP	✓	On track
				2. Follow up meeting of Justice Agency representatives and Departments held October 2015. CP	✓	
				3. CP to send outline strategy to Minister for Justice and Equality for assessment – <i>to follow</i> . CP	✗	
				4. Structure of pilot agreed - <i>to follow</i> . CP	✗	
				5. Resources for pilot agreed - <i>to follow</i> . CP	✗	
				6. Pilot commences - <i>to follow</i> .	✗	
				7. Pilot evaluated - <i>to follow</i> .	✗	
				8. Evaluation implemented - <i>to follow</i> .	✗	

Chapter 3 – VICTIMS OF CRIME

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
7	The Review Group recommends that the role of the victim in the criminal justice system be fully acknowledged and looks forward to the full implementation of the EU Directive (2012/29/EU) establishing minimum standards on the rights, supports and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA on the	<u>Transposition</u> CLR <u>Implementation</u> All criminal justice agencies	1. Directive implemented.	1. Views of COSC sought. CLR	✓	On track
				2. Consultation with groups supporting victims completed. CLR	✓	
				3. Agencies undertake technical work. CLR	✗	
				4. General Scheme drafted and submitted to Government and approved July 2015. CLR	✓	
				5. Ministerial approval to go to Government to publish Scheme. CLR	✓	
				6. Pre-legislative scrutiny currently underway. CLR	✓	
				7. Government approval to publish Bill in Q4 2015. CLR	✗	
				8. Publication of Bill in Q4 2015. CLR	✗	

	standing of victims in criminal proceedings.			9. Enactment of Bill - <i>to follow</i> . CLR	X	
				10. Commencement of Bill - <i>to follow</i> . CLR	X	

Chapter 4 – ALTERNATIVES TO CUSTODY

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
8	The Review Group recommends the adoption of a strategy to reduce prisoner numbers to a safe level subject to the need to ensure proper protection of the public. This requires a focus on alternative approaches to the treatment of offenders. However, to achieve a reduction of prisoners in custody requires a level of collaboration and cooperation between all relevant Departments and agencies, including the IPS, Probation Service, An Garda Síochána, Irish Youth Justice Service, Department of Health and local authorities.	Diversion 1. PPP 2. AGS 3. PS 4. IPS 5. CP Reduction in numbers currently in prison 1. IPS 2. PS 3. PPP 4. IYJS	1. CR scheme continues/is expanded. 2. Alternatives to custody developed/increase in use as compared to custodial sanctions. 3. Reduction in numbers entering prison. 4. Reduction in numbers in prison to safe custody levels.	1. Devise Strategy by March 2016. PPP	X	Diversion Not complete Reduction in numbers On Track
				2. Prison population records falls.	✓	
				3. DAEU to be established <i>to be decided</i> .	X	
				4. Monitoring of prison numbers and impact of initiatives <i>to follow</i> . DAEU	X	
				5. Examination of sentencing trends annually <i>to follow</i> . DAEU	X	
9	The Review Group recommends the development and expansion of the use of community sanctions in particular those that address the underlying causes of offending.	1. PS 2. CLR 3. CP	1. Expansion of the use of alternatives to imprisonment and accompanying reduction in use of imprisonment. 2. Criminal Justice (Community Sanctions) Bill drafted by the OPC. 3. Legislation enacted.	PS	X	On Track
				1. PS to examine feasibility of introducing integrated community service by Q4 2015.	X	
				2. Scoping project commences Q4 2015.	X	
				3. Pilot introduced Q1 2016.	X	
				4. Completion of pilot Q3 2016.	X	
5. Results of evaluation Q4 2016.	X					

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
				6. Implementation of findings Q3/4 2016.	X	
				CLR	✓	
				1. Government decision on legislative priorities.		
				2. Publication of Bill - <i>to follow</i> .	X	
				3. Enactment of Bill - <i>to follow</i> .	X	
10	The Review Group supports the Fines (Payment and Recovery) Act 2014 and welcomes the positive impact that such legislation will have on fine defaulters and prison administration. The Review Group recommends the early and full implementation of this legislation.	1. CP 2. CS	1. Fines Act fully implemented. 2. Monitoring of impact of implementation indicates reduction in numbers entering prison for fine default.	1. Preparations for the implementation of the Act completed Q1 2016. CP	X	Not complete
				2. Debt recovery process finalised Q1 2016. CP	X	
				3. System in operation January 2016. CP	X	
				4. Monitoring of impact of implementation commences Q4 2016. CP/DAEU	X	
				5. Implementation of findings from monitoring - <i>to follow</i> . CP	X	
11	The Review Group supports the increased focus on and promotion of community service as an alternative to imprisonment. The Review Group therefore recommends that the Probation Service examine the feasibility of introducing, on a pilot basis, an integrated community service where community	1. PS 2. CLR 3. PPP 4. CP Next Steps- other agencies to be consulted: • HSE • D/Health	1. Completion of pilot study. 2. Evaluation of pilot study. 3. Engagement and information sharing with the judiciary and other agencies: HSE, housing agencies, and others PS deems appropriate.	PS	X	On track
				1. PS to examine feasibility of introducing 'integrated community service' by Q4 2015.		
				2. Scoping project commences Q4 2015.	X	
				3. Pilot introduced Q1 2016.	X	
				4. Completion of pilot Q3 2016.	X	
				5. Results of evaluation Q4 2016.	X	

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
	service would be imposed with conditions, such as a mandatory restriction on movement order or addiction treatment, where appropriate.			6. Review of findings from monitoring ongoing.	X	
				7. Implementation of findings Q3/4 2016.	X	
				8. Engagement and information sharing with judiciary <i>ongoing</i> .	X	
				DAEU 1. Monitoring of impact of changes on sentencing trends annually.	X	
				PPP 1. Review of findings from monitoring <i>ongoing</i> .	X	
12	The Review Group recommends the introduction, on a statutory basis, of a provision for community service in lieu of part of a sentence of imprisonment in excess of one year.	1. PPP 2. CLR 3. PS	1. PPP complete examination of the issues and develop proposals. 2. Subject to 1, initiation and passing of legislation. 3. Monitoring of impact on sentencing trends and prison population. 4. Implementation of findings. 5. Publication of Bill.	1. Review of need for new alternatives to imprisonment completed. PPP	✓	Not complete
				2. Decision on whether to introduce this sanction made July 2015. (Decision not to proceed at this stage)	✓	
13	The Review Group recommends that the use of open prisons for weekend sentencing be considered.	1. IPS 2. PPP 3. CLR	1. IPS completes assessment. 2. Findings implemented.	1. IPS position considered and stated to PPP on 13 October 2015.	✓	Not complete
				2. Decision by PPP/IPS on recommendation to Minister end Q4 2015. PPP,IPS	X	
				3. Implementation of this decision <i>to follow</i> . CLR	X	
14	Recognising the positive impact which restorative justice can	1. PS 2. CP	1. New Implementation Plan in place.	1. Implement restorative interventions including restorative conferences, victim empathy programmes and participation in victim impact panels <i>ongoing</i> . PS	✓	On Track

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
	have for appropriate victims and offenders, the Review Group recommends the extension of the restorative justice programmes.		2. Restorative Justice available nationally. 3. Increased referrals to Restorative Justice programmes.	2 Introduce Communication Strategy with judiciary Q4 2015. PS	X	
3 Pilot Victim Offender Mediation Programme Q4 2015. PS				X		
4 Evaluation of Circuit Court Restorative Justice Pilot Q4 2015. PS				X		
5 Referrals rates recorded annually. DAEU				X		

Chapter 5 – Custodial Accommodation and Regimes

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
15	The Review Group welcomes the steps taken to improve the standard of accommodation in Mountjoy and Cork prisons and recommends that similar steps need to be taken (as a matter of urgency) in relation to Limerick prison, in particular the female accommodation in that prison, and Portlaoise prison.	1. IPS 2. PPP	1. Refurbishment of D Wing, Mountjoy completed and 2 landings opened. 2. Refurbishment of workshops in D block completed. 3. New Cork prison completed. 4. Scoping exercise for Portlaoise commenced. 5. Report of Inspector of Prisons.	1. Plan of action for improvement with timelines agreed in Strategy Statement 2012-2015. IPS	✓	On Track
				2. Refurbishment of D Wing completed and 2 landings opened by December 2015. IPS	X	
				3. Contract awarded for refurbishment of workshops June 2015. IPS	✓	
				4. Refurbishment of workshops in D block completed Sept 2016. IPS	X	
				5. New Cork prison completed by October 2015. IPS	✓	
				6. Transition arrangements completed by end February 2016. IPS	X	
				7. Construction on Limerick commenced in second half 2016. IPS	X	
				8. Scoping exercise for Portlaoise commenced December 2015. IPS	X	
				9. Report of Inspector of Prisons at the appropriate times decided by the Inspector <i>to follow</i> .	X	
16	The Review Group recommends that an inter-agency approach	1. IPS 2. AGS	1. Joint strategy on reduction in use of protection and post-	<u>Inter gang rivalry</u> 1. Meeting of joint group on inter gang rivalry Q1 2016. IPS	X	<u>Inter gang rivalry</u> Not complete

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
	is adopted in relation to those offenders who as a result of inter-gang rivalry or other disputes require protection while in prison. Such co-operation must also support the efforts, already underway, to reduce the numbers of prisoners on protection.	Next Steps- other agencies to be consulted: 1. Community Groups 2. PS	release issues completed and published. 2. Reduction in numbers of people on protection.	2. Completion of strategy Q2 2016. IPS	X	Protection On track
				Protection 3. Programme on inter-prisoner relations commences Q3 2016. IPS	X	
				4. Monitoring of implementation <i>quarterly</i> . IPS	X	
				5. Implementation of findings from monitoring <i>to follow</i> . IPS	X	
17	The Review Group recommends that prisoners should only be on restricted regimes for the shortest period consistent with their safety and have access to adequate training, education and recreational facilities.	1. IPS 2. PPP	1. Publication of strategy for reduction in use of restricted regimes. 2. Strategy for supporting access to training, education and recreational facilities. 3. Evaluation of strategy and monitoring. 4. Reduction in use of restricted regimes. 5. All prisoners getting minimum of 3 hours out of cell time. 6. All prisoners having access to training, education and recreational facilities. 7. Review the target for out of cell time.	1. New policy on restricted regimes introduced May 2015. IPS	✓	On track
				2. Monitoring of implementation <i>quarterly</i> . IPS	✓	
				3. Invitation to Inspector to report by Inspector on the use of restricted regimes Q1 2016 - <i>to follow</i> . PPP to arrange invitation.	X	
18	The Review Group recommends the increased use of such	1. IPS 2. PPP	1. Plan with timelines for open centre for women finalised.	Additional open prison for Dublin 1. IPS review brought to PPP October 2015. IPS	✓	Additional open prison for Dublin

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
	open prisons. The Review Group is concerned at the lack of an open prison for female offenders and recommends that such an appropriate open facility be introduced. Emphasising the need to provide accommodation appropriate to the security requirements of prisoners, the Review Group recommends that, subject to funding, an additional open prison be considered for the Dublin area.		2. Review of possibility for open prison for Dublin. 3. Plan for diversion of prisoners to new facility(ies). 4. Opening of facility(ies.)	2. Submission to Minister Q4 2015. PPP	✓	Not complete
3. Implementation of decision - <i>to follow</i> . IPS				✗		
Open centre for women 1. Feasibility study on women in prison completed. IPS				✓	Open centre for women On track	
2. Identify suitable sites options by October 2015. IPS				✓		
3. Expressions of interest sought and detailed specification prepared Q1 2016. IPS				✗		
4. Facility for women opened Q4 2016. IPS				✗		
19	The Review Group recommends greater involvement of prisoners in the management of their sentences. The Review Group welcomes the joint IPS and Probation Service commitment to enhancing sentence management from pre to post imprisonment. The Review Group recognises that Integrated Sentence	Post-release coordination: 1. IPS 2. PS ISM 1. IPS 2. PPP	1. Implementation of joint IPS-PS strategic objective on continuum of sentence management. 2. Extension of ISM to all eligible prisoners. 3. Every eligible prisoner has access to ISM.	1. IPS/PS Joint Strategy Statement published 18 May 2015. IPS	✓	On track
2. Monitor on bi-monthly basis in conjunction with PS. IPS, PS				✓		
3. Porporino Report submitted to Department for approval Q4 2015. IPS				✓		
4. IPS to submit Business Plan based on recommendations in the Porporino Report Q1 2016. IPS				✗		
5. Working Group established to drive recommendations Q1 2016. IPS				✗		
6. Protocols and ICT developments to follow Q4 2016. IPS				✗		

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
	Management (ISM) is the appropriate tool for the management of sentences of more than 12 months and should be extended to all eligible prisoners.			7. All prisoners > 12 months eligible for ISM. IPS	✓	
20	The Review Group is of the view that engagement in education, training and treatment services is crucial to the rehabilitation and reintegration of an offender. In this respect, the Group welcomes the Incentivised Regime Policy (IRP) and its role in encouraging both good behaviour and engagement by offenders. The Group stresses the need for a transparent and open application of the policy which would ensure that all prisoners are kept informed of the various programmes available to them.	1. IPS	<ol style="list-style-type: none"> 1. Protocol for informing prisoners of programmes, including staff training. 2. Policy on providing prisoners with information on reasons for decisions. 3. Monitoring and implementation of policies. 	<ol style="list-style-type: none"> 1. Instigation of review of management of regimes policy. IPS 2. Work and Training Audit ongoing and completed by end of 2015. IPS 3. Directory of programmes established Q2 2016. IPS 4. Industrial Manager (IM), Work Training Officers (WTOs), and ISM Coordinator tasked with highlighting the availability of programmes to prisoners <i>to follow</i>. IPS 5. IM, WTO and ISM Coordinators' role clarified <i>to follow</i>. IPS 6. Development of new protocol on the open and transparent application of IRP Q2 2016. IPS 7. Annual reporting on monitoring and implementation of new protocol <i>to follow</i>. IPS 8. Invitation to Inspector of Prisons on services to report <i>to follow</i>. PPP to manage invitation. 	<p>✗</p> <p>✓</p> <p>✗</p> <p>✗</p> <p>✗</p> <p>✗</p> <p>✗</p>	On track

Chapter 6 – Female Offenders

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones	Implementation Status	
21	To ensure that gender appropriate strategies are adopted to the management of female offending and female offenders, the Review Group recommends that further research into and evaluation of the particular needs and circumstances of female offenders be conducted by the criminal justice agencies. This work should support the processes identified in the Joint IPS/Probation Service Strategy relating to women offenders.	1. IPS 2. PS	1. Research areas identified. 2. Research commissioned/ instigated. 3. Engagement and information sharing with the judiciary, criminal justice and non-justice agencies.	1. Research already underway/recently identified – review completed June 2015. IPS, IPS	✓	On track
				2. Position formulated by IPS and PS jointly (September 2015). IPS, PS	✓	
				3. Size of budget for research required identified end 2015. IPS, PS	✗	
				4. Allocation for research in 2016 budget Q4 2015. IPS, PS	✗	
				5. Research Projects instigated <i>to follow</i> . IPS, PS	✗	
22	The Review Group recommends that a review of remand of female offenders be conducted in order to determine the reasons for the high level of female offenders subjected to committal remand.	1. IPS 2. PS 3. PPP 4. CP	1. Research into committal remands commenced. 2. Research into levels of women subjected to committal remand completed. 3. Research completed on the reasons for the growth in	1. Review of research already underway/recently completed June 2015. IPS, PS	✓	On track
				2. Position formulated by IPS and PS (September 2015). IPS, PS	✓	
				3. Size of budget for research required identified end 2015. IPS, PS	✗	

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones	Implementation Status	
	The Review Group further recommends that research be undertaken into the reasons behind the growth in the use of imprisonment for women and development of further appropriate non-custodial alternatives to imprisonment.		imprisonment for women.	4. Allocation for research in 2016 budget Q4 2015. IPS, PS	X	
5. Research methodology confirmed Q1 2016. IPS, PS				X		
6. Research instigated (subject to 5 above).				X		
23	The Review Group, noting that, in light of the nature of their offending, female offenders often require less stringent security conditions, recommends a greater focus on step down facilities, supported accommodation, and the use of more community based open conditions for female offenders	1. IPS 2. PS 3. PPP 4. CP 5. DAEU	1. Diversion of women from prisons to community sanctions. 2. Increased provision/use of supported accommodation on release. 3. Establishment of Finglas Women's Centre. 4. Engagement and information sharing with the judiciary. 5. Engagement and information sharing with non-criminal justice agencies. 6. Analysis of sentencing trends indicates increase in non-custodial	1. IPS review brought to PPP Oct 2015. IPS,PS	✓	On track
2. Matter for discussion – IPS and PPP in December 2015.				X		
3. Submission to Minister Q4 2015. PPP				X		
4. Identify site options by October 2015. IPS, PS				✓		
5. Expressions of interest sought and detailed specification prepared Q1 2016. IPS, PS				X		
6. Operation of facility supported in conjunction with other agencies Q4 2016. IPS, PS				X		
7. Abigail Centre, Finglas, opened since December 2014. IPS, PS				X		

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
			sanctions and decrease in custodial sanctions. DAEU	8. Assessment of trends concerning women <i>to follow</i> . DAEU	X	
24	The Review Group recommends that gender appropriate community sanctions and programmes should continue to be developed.	1. PS 2. PPP	1. More gender appropriate community sanctions and programmes implemented. 2. Increased use of community sanctions for women and decreasing use of prison. 3. Evaluation and monitoring.	1. Joint PS-IPS Women's Strategy 2014-2016 finalised December 2016. PS, IPS 2. Development of such sanctions and programmes initially in Dublin, Cork, Limerick and Cavan Q2 2016. PS 3. Creation of tailored placements across the country Q2 2016. PS 4. Communication Strategy with the judiciary finalised Q4 2015. PS 5. Evaluation and monitoring of use of gender appropriate sanctions annually <i>to follow</i> . DAEU 6. Analysis of sentencing trends completed annually - <i>to follow</i> . DAEU	✓ ✓ X X X X	On track
25	The Review Group recommends that all criminal justice agencies work to promote contact between offenders and their children and other family members, where such contact is appropriate. In particular, the Irish Prison Service should work to ensure that conditions for visits, as	1. IPS 2. PS	1. Conditions for visits are sensitive to the needs of children. 2. Protocols for denying visits or denying contact visits require assessment of the needs of children. 3. Support services for parenting are offered to people in prison and under the supervision of the PS.	IPS 1. Visiting areas reviewed early 2015. IPS 2. Removal of counter style visits Q1-Q4 2016. IPS 3. Protocols for denying visits or contact visits include reference to the needs of children drafted Q2 2016. IPS 4. Review of pilot parenting supports offered by IPS completed. IPS 5. Future programmes to be reviewed - <i>to follow</i> . 6. First bespoke parenting programme delivered. IPS Limerick Prison commence second parenting programme in January 2016. IPS	✓ X X X X X	On track

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones	Implementation Status
	well as decisions regarding the denial of visits, are sensitive to the needs of children.			7. Extension of bespoke programme Q1 2016 in Cork and Wheatfield.	X
8. Appropriate independent evaluation by Q2 2016.				X	
PS 1. Review of programmes supporting parenting Q1 2016.				X	
2. Increase in use of programmes supporting parenting Q3 2016.				X	

Chapter 7 – Rehabilitation and Reintegration

	Recommendation	Party(ies) Responsible	Measures of Progress	Timeline/Milestones	Implementation Status	
26	The Review Group recommends that all offenders must have the opportunity to avail of any necessary services or programmes to aid their rehabilitation and reintegration. A renewed focus on how best to approach the rehabilitation and reintegration of offenders is required. In particular, the importance of providing appropriate social services such as accommodation, education and training and addiction treatment or counselling must be acknowledged. In this regard, the Review	<ol style="list-style-type: none"> IPS PS PPP <p>Next Steps- other agencies to be consulted:</p> <ul style="list-style-type: none"> Housing agencies D/Health,HSE D/Education D/E,C&LG Community Agencies D/Social Protection Local authorities 	<ol style="list-style-type: none"> IPS commission review/audit of service and programme needs. IPS and PS review of alcohol and drug treatment services. Meeting of inter-departmental/interagency group on crime. Increased provision of step down accommodation. 	<u>In-prison services</u> 1. Audit of Work/Training service/programmes for prisoners completed end Q4, 2015 and results submitted to PPP. IPS	✓	<u>In-prison services</u> On track
2. Review of Alcohol and Drug Treatment Services by Eustace Patterson Ltd. Completed end Q4 2015. IPS				✓		
<u>Post-release</u> 1. Release Planning Policy, Protocols and Standard Operating Procedures completed Q4 2015. IPS				✓	<u>Post Release</u> Not complete	
2. Prisoner database amended to incorporate requirements of Release Planning Policy completed end Q4 2015. IPS				X		
3. Protocol drafted and piloted in partnership with the Probation Service and a local authority to explore a consistent and joint approach to the needs of prisoners vulnerable to homelessness in 2015. Pilot to include completion of Housing Needs Assessment by local authority 9 months in advance of release. Pilot evaluated Q1 2016. IPS				✓		
4. Increased supported accommodation for women leaving prison Q4 2016.				X		
5. Discussions commenced with housing providers on pathways for accommodation for high risk offenders leaving custody Q4 2015. IPS,PS	✓					

	Recommendation	Party(ies) Responsible	Measures of Progress	Timeline/Milestones	Implementation Status	
	Group recommends an increased focus on the provision of suitable accommodation, including step down facilities to ease the reintegration of offenders.			6. Plan for accommodation for high risk offenders in place Q2 2016. IPS, PS	X	Interdepartmental Working Not complete
7. Protocol agreed with the Primary Care Reimbursement Service (PCRS) to issue emergency medical cards to prisoners on release agreed in 2015. Pilot of protocol in one prison location to commence Q1 2016. IPS				X		
Interdepartmental working 1. Invitation issued to relevant agencies/departments Q1 2016. PPP				X		
2. First meeting of interdepartmental/interagency group on post release support Q1 2016. PPP				X		
3. Schedule for meetings of interdepartmental/interagency group on crime <i>to follow</i> . PPP				X		
27	The Review Group recommends that there should be a consistent and transparent approach to the use of open prisons prior to release.	1. IPS	1. Protocol/policy on applications for transfer to open prisons/transfers to include guidance on decision making and reasons for decisions. 2. Staff training on application of transfer policy in place.	1. IPS to develop policy on the use of open centres by October 2015. IPS 2. Submission to PPP Q4 2015. IPS 3. Monitoring of implementation of policy - <i>to follow annually</i> . IPS 4. Implementation of findings from monitoring - <i>to follow</i> . IPS	X X X X	On track
28	The Review Group recommends the greater use of structured temporary release. The Group recommends that there	1. IPS	1. Increase in use of structured temporary release. 2. Application of Statutory	1. IPS review of use of structured temporary release to be completed by end of November 2015. IPS	X	On track

	Recommendation	Party(ies) Responsible	Measures of Progress	Timeline/Milestones	Implementation Status	
	should be a consistent and transparent application of provisions, based on fair procedures, permitting offenders to earn remission of up to one third of the sentence imposed if such discretionary remission is to be retained.		Instrument20 on enhanced remission. 3. Increased use of enhanced remission.	2. Analysis of numbers of prisoners applying for and receiving/denied TR/enhanced remission by age, gender, offence etc. DAEU 3. Number of prisoners on enhanced remission monitored and published on IPS website, commencing June 2015. IPS	X ✓	
29	The Review Group recommends a new focus on the management of temporary release with equity and monitoring of the application of temporary release. In particular, the Review Group recommends that the prohibition on temporary release for those offenders who receive the presumptive mandatory sentence for a drugs or firearms offence should be removed.	Monitoring and equity in Temporary Release (TR) 1. IPS Removal of prohibition 1. CLR	1. Annual monitoring of decision-making around temporary release and compliance with legal requirements, including a diversity assessment. 2. Removal of prohibition on TR.	Monitoring and equity in TR 1. Daily custody statistics monitored and published on IPS website – <i>ongoing</i> . IPS 2. First review of TR - <i>to follow</i> DAEU Removal of prohibition 1. Submission from CLR to the Minister Sept 2015. CLR 2. Decision taken not to proceed at this stage.	✓ X ✓ ✓	Monitoring & Equity in TR Not complete Removal of prohibition Not complete

	Recommendation	Party(ies) Responsible	Measures of Progress	Timeline/Milestones	Implementation Status	
30	The Review Group recommends the continuation and the expansion of the Community Return Programme and Community Support Scheme.	1. PS 2. IPS	1. Increase in number of placements on CR in 2015/16. 2. Increase in number of sites.	1. Monitor targets <i>ongoing</i> . PS	✓	On track
				2. Target set for CR for January 2015. PS	✓	
				3. Target set for CR for January 2016 by end 2015. PS	✗	
				4. Statistics reported on IPS and PS websites every month. PS, IPS	✓	
31	The Review Group recommends that a Parole Board should be established on a statutory footing with the power to make decisions.	1. CLR 2. PPP	1. Legislation passed. 2. New Parole Board established.	1. Draft General Scheme created Q2 2015. CLR	✓	Not complete
				2. General Scheme of Bill to be submitted to Minister and Government Q2 2016. CLR	✗	
				3. Pre-legislative scrutiny <i>to follow</i> .	✗	
				4. OPC to draft Bill <i>to follow</i> .	✗	
				5. Government approval to publish Bill <i>to follow</i> .	✗	
				6. Publication of Bill <i>to follow</i> .	✗	
				7. Parole Board <i>to follow</i> .	✗	

Chapter 8 – Sentencing Policy

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones	Implementation Status	
32	In order to use prisons most justly and effectively, we should break with the idea that prison is the only real form of punishment. The Group recommends that imprisonment be regarded as a <u>sanction of last resort</u> and that this principle be incorporated in statute. The Group further recommends that non-custodial sanctions should become the default position in dealing with less serious offenders.	1. CLR 2. PPP 3. CP 4. PS 5. DAEU	1. Legislative statement on imprisonment as a last resort in place. 2. Analysis of sentencing trends indicates move to non custodial sanctions for less serious offenders.	1. Letter from the Minister to Chief Justice issued 11/8/15 requesting that the Chief Justice consider recommendations which relate to sentencing and the judiciary. CLR	✓	Not complete
				2. General Scheme of Criminal Justice (Sentencing & Parole) Bill to be submitted to Government Q2 2016. CLR	✗	
				3. Analysis of sentencing trends completed annually <i>to follow</i> . DAEU	✗	
				4. Findings of analysis shared and implemented <i>to follow</i> .	✗	
33	The Review Group recommends that, In all cases where a custodial sentence is imposed by a court, the court should set out its reasons in writing for so doing. This requirement should be incorporated in statute.	1. CP 2. CLR 3. CS	1. Legislation passed. 2. Monitoring of implementation.	1. Letter from the Minister to Chief Justice issued 11/8/2015 requesting that the Chief Justice consider recommendations which relate to sentencing and the judiciary. PPP	✓	Not complete
				2. Consideration of response from the Chief Justice, <i>to follow</i> . CP	✗	
				3. Draft General Scheme <i>to follow</i> . CLR	✗	
				4. Ministerial approval to go to Government to publish Scheme <i>to follow</i> . CLR	✗	
				5. Pre-legislative scrutiny <i>to follow</i> . CLR	✗	
				6. OPC to draft Bill <i>to follow</i> . CLR	✗	
				7. Government approval to publish Bill <i>to follow</i> .	✗	

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
				8. Publication of Bill <i>to follow</i> . CLR	X	
				9. Implementation monitored. DAEU	X	
34	The Review Group recommends that no further mandatory sentences or presumptive minimum sentences should be introduced. In addition, the continuation of existing presumptive minimum sentences and the threshold for their application in drugs and other offences should be reviewed in the context of the recent judgments of the Court of Criminal Appeal with a view to determining if this type of sentencing satisfies the need for proportionality in	1. CLR/PPP 2. CP	1. No further mandatory or presumptive sentences introduced. 2. Review of principle behind use of presumptive minimum sentences. 3. Increase in €13,000 threshold. 4. Repeal of prohibition on TR.	1. Instigate review of principle behind use of presumptive minimum sentences Q3 2015. CLR	✓	<u>Review of presumptive minimum sentences</u> Not complete
				2. Above review completed and submission to Minister Q2 2016. CLR	X	
				3. Review of threshold for the application of presumptive minimum sentences Q2 2016. CLR	X	<u>Review of threshold</u> Not complete
						<u>Repeal of prohibition on TR</u> Not complete

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
	<p>sentencing and fulfils the objective of reducing crime. As an initial step to comply with the principle of proportionality, the Review Group recommends an increase in the value of drugs, currently €13,000, possession of which triggers the presumptive minimum sentence of 10 years to a level commensurate with that sentence.</p> <p>The Review Group further recommends that the prohibition on temporary release for persons sentenced to the presumptive minimum sentence should be repealed.</p>					
35	The Review Group recommends that when a court imposes a custodial sentence that court should where possible incorporate an incentive towards rehabilitation in the sentence.	<ol style="list-style-type: none"> 1. CP 2. CS 3. CLR 	1. Assessment of sentencing trends/reasons for custodial decisions shows increase in incentives to rehabilitation.	<ol style="list-style-type: none"> 1. Letter from the Minister to Chief Justice issued 11th August, 2015 requesting that the Chief Justice consider recommendations which relate to sentencing and the judiciary. PPP 2. Consideration of response from Chief Justice <i>to follow</i>. CP 3. Draft General Scheme <i>to follow</i>. CLR 4. Ministerial approval to go to Government to publish scheme - <i>to follow</i>. CLR 5. Pre-legislative scrutiny - <i>to follow</i>. CLR 6. OPC to draft Bill - <i>to follow</i>. CLR 	<p>✓</p> <p>✗</p> <p>✗</p> <p>✗</p> <p>✗</p> <p>✗</p>	Not complete

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
				7. Government approval to publish Bill - <i>to follow</i> . CLR	X	
				8. Publication of Bill - <i>to follow</i> . CLR	X	
				9. Analysis of sentencing trends - <i>to follow</i> . DAEU	X	
36	The Review Group is strongly of the view that the availability of information on sentencing and precedents needs to be improved. In this regard the Review Group supports the valuable work commenced by the Judiciary through the Irish Sentencing Committee. The Group also recommends that the Central Statistics Office, in consultation with the Courts Service and the Judiciary, be requested to produce information on sentencing outcomes with a view to providing public information and informing policy development.	<ol style="list-style-type: none"> 1. CP 2. CS 3. Irish Sentencing Committee steering group <p>Next Steps: Agencies to be consulted</p> <ul style="list-style-type: none"> • Central Statistics Office (CSO) • Irish Sentencing Committee 	<ol style="list-style-type: none"> 1. Review sentencing information resource with steering group and independent researchers. 2. Review nature and structure of data collected and published. 3. Information on sentencing outcomes available on a continuing basis. 	<ol style="list-style-type: none"> 1. Letter from the Minister to Chief Justice issued 11th August, 2015 requesting that the Chief Justice consider recommendations which relate to sentencing and the judiciary. PPP 2. Review of sentencing information completed. CP 3. CP to support scope of existing data holding – <i>to follow</i>. CP 4. Redevelopment of sentencing information - <i>to follow</i>. CP 5. DAEU to be established <i>to be decided</i>. CP 	<p>✓</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	Not complete

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
37	The Review Group recommends that a more structured approach be taken to sentencing. The Judiciary should take the lead role in this area. The Group welcomes the recent judgments of the Court of Criminal Appeal (DPP v Kieran Ryan) which for the first time has given guidance on appropriate sentence ranges. The Group anticipates that this development, combined with the forthcoming introduction of a permanent Court of Appeal, will over time bring about much greater consistency in sentencing.	1. CP	1. Evidence of increased guidance given by the superior courts on sentencing. 2. Research and analysis regarding sentencing examines and tracks consistency. Data regarding sentencing to be made readily available.	1. Letter from the Minister to Chief Justice issued 11 th August, 2015 requesting that the Chief Justice consider recommendations which relate to sentencing and the judiciary. PPP	✓	Not complete
				2. Consideration of response from Chief Justice <i>to follow</i> . CP	✗	
				3. Draft General Scheme - <i>to follow</i> . CLR	✗	
				4. Ministerial approval to go to Government to publish Scheme - <i>to follow</i> . CLR	✗	
				5. Pre-legislative scrutiny - <i>to follow</i> . CLR	✗	
				6. OPC to draft Bill - <i>to follow</i> . CLR	✗	
				7. Government approval to publish the Bill - <i>to follow</i> . CLR	✗	
				8. Publication of Bill - <i>to follow</i> . CLR	✗	
				9. Implementation monitored - <i>to follow</i> . DAEU	✗	
38	The Review Group recommends that the main principles and purposes of sentencing as set out in the recommendations 1, 2 and 32 be set out in statute.	1. CLR 2. CP	1. Principles and purposes of sentencing set out in statute. 2. Review 3 years after commencement of legislation.	1. General Scheme of Criminal Justice (Sentencing and Parole) Bill drafted. CLR	✓	Not complete

	Recommendation	Party(ies) responsible	Measure of progress	Timeline and milestones		Implementation Status
	Some members of the Group were of the view that the development of detailed principles and guidelines in the application of these principles was a matter primarily for the judiciary while others favoured more comprehensive and detailed legislation identifying for example relevant aggravating and mitigating factors to be considered in sentencing. The Group recommends that the approach favoured at this time should be reviewed after a period of three years.			2. General Scheme to be submitted to Minister Q1 2016. CLR	X	
3. General Scheme to be submitted to Government to publish Q2 2016. CLR				X		
4. Pre-legislative scrutiny <i>to follow</i> . CLR				X		
5. OPC to draft Bill <i>to follow</i> . CLR				X		
6. Government approval to publish Bill <i>to follow</i> . CLR				X		
7. Publication of Bill <i>to follow</i> . CLR				X		
8. Review instigated – enactment plus 3 years <i>to follow</i> . CLR				X		

Chapter 9 – Achieving Change

	Recommendation	Party(ies) Responsible	Measure of progress	Timeline and milestones		Implementation Status
39	The Review Group recommends an increased focus on effective data management. The Department of Justice and the criminal justice	1. PPP 2. CP 3. IPS 4. PS	1. Inter-agency agreement on data collection, management sharing and publication.	1. Proposal paper brought to Management Board by V. Geiran on 7 th July and agreed. PS	✓	On track
				2. Meeting of agencies on data issues held October 2015. PPP	✓	

	Recommendation	Party(ies) Responsible	Measure of progress	Timeline and milestones		Implementation Status
	agencies should develop a shared agreement outlining how data is to be collected, managed and published by all criminal justice agencies and access to this data should be provided to researchers, within appropriate limits.	Next Steps- other agencies to be consulted: <ul style="list-style-type: none"> • CSO • Academic researchers • AGS • CS • IYJS • DPP 	2. Consultation with CSO and researchers.	3. Meeting with CSO and researchers takes place Q1 2016. PPP	X	
				4. Agreement completed - <i>to follow</i> .	X	
				5. Protocols in place - <i>to follow</i> .	X	
				6. Review of impact of agreement - <i>to follow</i> .	X	
40	The Review Group strongly recommends that all future policy decisions in the area of criminal justice should be pre-assessed with a view to determining, where possible, impacts on prisoner numbers and numbers to be subject to other forms of sanction.	1. PPP 2. CLR	1. Inclusion of this position in Departmental Strategy Statement. 2. Requirement for regulatory impact to include analysis of effect on prisoner numbers and other forms of sanctions. 3. All policies pre-assessed.	1. Submit paper to Management Board by Q1 2016. PPP	X	Not complete
				2. Obtain agreement from Management Board on how to proceed Q2 2016. PPP	X	
				3. Subject to above, mechanism for assessing impacts created - <i>to follow</i> . PPP	X	
				4. First assessment completed - <i>to follow</i> . PPP	X	
				5. Assessments ongoing - <i>to follow</i> . PPP	X	

	Recommendation	Party(ies) Responsible	Measure of progress	Timeline and milestones		Implementation Status
41	The Review Group recognises that crime is a question of social as well as penal policy – all Government Departments and agencies consider the question of crime prevention when formulating policy. In this regard, the Review Group recommends that the Department of Justice and Equality joins with all Government Departments and agencies to facilitate and support research in order to assist in the formulation of penal policy.	1. PPP 2. IPS 3. PS Next Steps- other agencies to be consulted: <ul style="list-style-type: none"> • D/Health • D/Education • D/Social Protection • D/E,C&LG • IYJS • AGS 	1. Non justice Departments and agencies refer to and consider crime prevention outcomes when formulating policy. 2. Inter-Departmental and inter-agency meetings convened.	1. Acting Secretary General to write to the main Departments concerned to invite them to participate and to seek their views at the same time on this & recommendation No. 3 (end 2015). ASG	X	Not complete
2. First meeting of inter-Departmental, inter-agency groups Q1 2016. PPP				X		
42	The Review Group recommends that the Minister for Justice and Equality establish a Consultative Council to advise on issues relating to penal policy. This Committee should consult with relevant partners – at Government, local authority and non-	1. PPP	1. Decision reached on membership of Consultative Council. 2. Consultative Council established.	1. Paper on establishment of Consultative Council brought to Management Board July 2015. PPP	✓	On track
2. Submission subsequently prepared for the Acting Sec General and Minister on 8 th July 2015. Meeting held with Minister on 17 th July 2015 to discuss membership of the Consultative Council. PPP				✓		
3. Paper drafted for the Minister regarding chairmanship of the Council, Chair formally accepted appointment 3 Nov 2015. PPP				✓		

	Recommendation	Party(ies) Responsible	Measure of progress	Timeline and milestones		Implementation Status
	governmental level, as appropriate – on issues as they arise or are referred to them.			4. First meeting of Consultative Council Q1 2016.	X	
43	The Review Group recommends the Minister establish a mechanism to ensure the implementation of actions arising from this report which would report to the Minister on a six monthly basis on such implementation. These reports should be published.	1. Implementation and Oversight Group (IOG)	1. IOG underway. 2. Six monthly reports published.	1. First meeting of IOG held on 15 May 2015. IOG	✓	On track
				2. Second meeting of IOG held 16 October 2015. IOG	✓	
				3. First report of IOG presented to Minister by November 2015. IOG	X	
				4. Six monthly reports published. IOG	X	