

Implementation of Penal Policy Review Group Recommendations

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

May 2017

Implementation of Penal Policy Review Group Recommendations

In bold = Lead Agency(ies)

Ratings scale under Implementation Status

| Rating A to G | Description of range |
|---------------|--|
| E | No Progress |
| D | Discussion/Consultation/Planning Phase |
| C | Implementation Phase Commenced |
| B | Implementation Phase Progressing |
| A | Fully Implemented |

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

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status |
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| | | | | | | |
| 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 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 | Criminal Law Reform (CLR), Irish Prison Service (IPS), Probation Service (PS), Chief Information Office (CIO), | <ol style="list-style-type: none"> 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 | ✓ | C |
| | | | | 2. Consultation with Courts Service (CS) Q4 2015. CLR | ✓ | |
| | | | | 3. General Scheme of Criminal Justice (Sentencing and Parole) Bill around broad principles of sentencing to be submitted to Government Q4 2016. CLR | ✗ | |
| | | | | Government agreed to focus on Parole Board Private Members Bill and work in partnership with Deputy O'Callaghan to achieve this objective. | | |
| | | | | Private Members' Bill has passed second stage. Parole Board Bill agreed at Committee stage on 24 th May 2017. The Bill will proceed according to the timetable agreed by the Houses of the Oireachtas. | | |
| 4. Establishment of a small group of judges representing the various jurisdictions to consider and return observations on the sentencing heads of the Bill. This group to revert to the DoJE Q4 2016. CLR | ✓ | | | | | |
| 5. Regarding the sentencing heads of the Bill, a response from the Group of Judges asked to consider the matter was received and is now is being | ✗ | | | | | |

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| | imposing and implementing criminal sanctions. | | | considered. Q1 2017 CLR | | |
| | | | | 6. Statement in annual report of IPS July 2016. IPS. | ✓ | |
| | | | | 7. Statement in annual report of Probation Service July 2016. PS | ✓ | |
| | | | | 8. Monitoring of sentencing trends and outcomes- to follow. CIO | ✗ | |
| 2 | <p>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</p> <ul style="list-style-type: none"> • reoffending behaviour, and • reliance on prison as a sanction. <p>These principles should inform all aspects of penal policy from diversion through to sentencing, serving of sanction, rehabilitation and exit from sanction.</p> | <p>1. PPP</p> <p>2. An Garda Síochána (AGS)</p> <p>3. IPS</p> <p>4. PS</p> <p>5. CP</p> <p>Next Steps- other agencies to be consulted:</p> <ul style="list-style-type: none"> • Irish Youth Justice Service (IYJS) • Dept. Of Environment, Community & Local Government (D/E,C&LG) • Dept. Social Protection • Dept of Education • Dept of Health/Health Service | <p>1. Government Memorandum.</p> <p>2. Letter to all agencies sent.</p> <p>3. Strategy statement and annual report of IPS contains reference to these principles.</p> <p>4. Strategy statement and annual report of Probation Service contains reference to these principles.</p> <p>5. Convening of interdepartmental interagency group re collaborative working.</p> <p>6. Strategy statement of the Dept Justice & Equality to contain reference to these principles.</p> | <p>1. Memorandum – completed May 2015. PPP</p> <p>2. Letter to all agencies drawing attention to this recommendation issues (pending Government approval of recommendation 1). Completed December 2015 PPP</p> <p>3. Statement in annual report of IPS July 2016. IPS</p> <p>4. Statement in annual report Probation Service July 2016. PS</p> <p>5. Action in Dept Justice & Equality Strategy Statement 2016-2019, to ensure a whole of Govt approach to penal policy & addressing offender behaviour to reduce reoffending. DJE</p> | <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> | C |

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| | | Executive (HSE) | | | | |
| 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. | <ol style="list-style-type: none"> 1. PPP 2. CLR 3. AGS 4. IPS 5. PS 6. CP 7. DJE <p>Next Steps- other agencies to be consulted:</p> <p>YJS D/E,C&LG</p> <ul style="list-style-type: none"> • D/Social Protection • D/Education • D/Health/HSE • Community organisations | <ol style="list-style-type: none"> 1. IPS and PS express views to PPP on ways to improve interagency cooperation. 2. IPS/PS Strategic Steering Group express views on way to improve interagency co-operation. 3. Integrated Offender Management Initiative continues to operate. 4. SORAM includes representation from Housing Sector, HSE. 5. Meeting of interdepartmental/ agency group. 6. Strategy statement of the Dept Justice & Equality to contain reference to these principles. | <ol style="list-style-type: none"> 1. On 20 January 2016 Acting Secretary General wrote 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. ASG 2. Chairperson appointed in July 2016 and 17 nominations for interdepartmental/agency group received September 2016. Q3 2016. PPP 3. Workshop on Interagency and Interdepartmental Co-Operation held on 8 February 2016. PPP 4. Interdepartmental inter-agency group established Q3 2016. PPP 5. Schedule of meetings of inter-agency group laid out Q4 2016. 1st meeting took place on 10 October 2016, 2nd meeting on 16 November 2016 at which it was agreed that group will meet thereafter on a quarterly basis. PPP 6. Terms of reference of the group to be agreed May 18th 2017 PPP 7. Programme of work to be considered <i>to follow</i> PPP 8. Pilot joint agency response continues to operate - <i>ongoing</i>. IPS, PS, AGS | <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✗</p> <p>✓</p> | D |

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|---|--|--|---|--|--------------------------------------|-----------------------|
| | | | | 9. Meetings of SORAM continue - <i>ongoing</i> . IPS, PS, AGS | ✓ | |
| | | | | 10. Evaluation of Community Return (CR) Scheme undertaken November 2013. PS | ✓ | |
| | | | | 11. Plan to jointly deliver dedicated services to sex offenders in the Midlands prison in place delivered Q1 2016. IPS, PS | ✓ | |
| | | | | 12. Action in Dept Justice & Equality Strategy Statement 2016-2019, to ensure a whole of Govt approach to penal policy & addressing offender behaviour to reduce reoffending. DJE | ✓ | |
| 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 | 1. PPP 2. IYJS 3. PS 4. AGS | 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 2 Letter to Garda Commissioner issued 10 June 2015. PPP 3 Meeting held in September 2016 between AGS and IYJS regarding consideration implications of the change. AGS 4 AGS to complete review of impact of any changes by Q1 2017. AGS 5 Further discussions with AGS and IYJS to take place on this recommendation following review. IYJS 6 IYJS convene meeting of all groups. IYJS 7 Decision taken on expanding YDP taken. PPP/DCYA Proposal made on whether to introduce legislation to follow PPP/DCYA 8 Programme introduced - <i>to follow</i> . DCYA/AGS | ✓ ✓ ✓ ✗ ✗ ✗ ✗ ✗ | D |

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| | effective means of targeting this group within the context of current and future resources. | | | 9 Evaluation and monitoring of programme - <i>to follow</i> . | X | |
| | | | | 10 Implementation of findings from evaluation and monitoring - <i>to follow</i> . | X | |
| 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. | 1. AGS 2. Crime Division (CD) 3. Director of Public Prosecutions (DPP) | 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. Three meetings of stakeholders convened. AGS | ✓ | D |
| | | | | 2. Fourth meeting of criminal justice interagency working group to be held on 9 th May 2016 with a view to making recommendations. DJE | ✓ | |
| | | | | 3. Review carried out and report produced by Working Group on Alternatives to Prosecution Q4 2016 DJE | ✓ | |
| | | | | 4. Decision to be made by IOG meeting on alignment of this recommendation with alternatives to prosecution project. Q4 2017 IOG | X | |
| 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: 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 | ✓ | D |
| | | | | 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. Paper on alignment between this initiative and alternatives to prosecution project to go to IOG for consideration Q3 2017 CP | X | |
| | | | | 5. Decision to be made by IOG on alignment between this initiative and alternatives to prosecution project Q4 2017. IOG | X | |

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 standing of victims in criminal proceedings. | <p><u>Transposition</u> CLR</p> <p><u>Implementation</u> All criminal justice agencies</p> | 1. Directive implemented. | 1. Views of COSC sought. CLR | ✓ | B |
| | | | | 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 2016. CLR | ✓ | |
| | | | | 8. Publication of Bill in Q4 2016. CLR | ✓ | |
| | | | | 9. Enactment of Bill - <i>to follow</i> . CLR Q3 2017 | ✗ | |
| | | | | 10. Commencement of Bill - <i>to follow</i> . CLR | ✗ | |

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. Draft Strategy to be finalised for submission to Management Board. PPP Q3 2017 | ✗ | B |
| 2. Prison population records falls. IPS/PS/PPP | ✓ | | | | | |
| 3. First meeting with CIO and researchers held 24 November 2016. CIO | ✓ | | | | | |
| 4. Meetings of DoJE Working Group on Data & Interoperability held. CIO | ✓ | | | | | |
| 5. Monitoring of prison numbers and impact of initiatives <i>to follow</i> . CIO | ✗ | | | | | |
| 6. Examination of sentencing trends annually <i>to follow</i> . CIO | ✗ | | | | | |
| 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 1. PS to examine feasibility of introducing integrated community service by Q4 2015. | ✓ | B |
| 2. Scoping project commenced Q4 2015. | ✓ | | | | | |
| 3. Pilot introduced July 2016. Q3 2016 PS | ✓ | | | | | |
| 4. Completion of pilot Q2 2017. | ✗ | | | | | |
| 5. Results of evaluation Q4 2017. | ✗ | | | | | |
| 6. Implementation of findings Q4 2017. | ✗ | | | | | |
| CLR 7. New Government decision on legislative priorities. | | | | | | |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status |
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| | | | | awaited. Not currently possible to indicate date of publication due to competing priorities. | X | |
| | | | | 8. Publication of Bill - <i>to follow</i> . | X | |
| | | | | 9. 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 | ✓ | C |
| | | | | 2. Debt recovery process finalised Q1 2016. CP | ✓ | |
| | | | | 3. System in operation January 2016. CP | ✓ | |
| | | | | 4. Monitoring of impact of implementation commences Q4 2017. CP/CIO | ✓ | |
| | | | | 5. Meeting relevant parties including AGS, PS, CS, IPS to discuss implications of legislation. Q4 2017 CP | X | |
| | | | | 6. Discuss communications strategy with Courts Service. Q1 2017 CP | ✓ | |
| | | | | 7. Implementation of findings from monitoring - <i>to follow</i> . CP | X | |
| | | | | 8. Review overall implementation of Act. 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 | 1. PS 2. CLR 3. PPP 4. CP Next Steps- other agencies to be consulted: | 1. Completion of pilot study. 2. Evaluation of pilot study. 3. Engagement and information sharing with the judiciary and other agencies: HSE, housing | PS 1. PS examined feasibility of introducing 'integrated community service' Q4 2015. | ✓ | B |
| | | | | 2. Scoping project commenced Q4 2015. | ✓ | |
| | | | | 3. Pilot introduced July 2016. | ✓ | |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|---|--|---|---|--|---|-----------------------|
| | Probation Service examine the feasibility of introducing, on a pilot basis, an integrated community service where community service would be imposed with conditions, such as a mandatory restriction on movement order or addiction treatment, where appropriate. | <ul style="list-style-type: none"> •HSE •D/Health | agencies, and others PS deems appropriate. | 4. Completion of pilot Q2 2017. | ✓ | |
| 5. Results of evaluation Q2 2017. | | | | ✓ | | |
| 6. Review of findings from monitoring ongoing. | | | | ✓ | | |
| 7. Implementation of findings Q3 2017. | | | | ✗ | | |
| 8. Engagement and information sharing with judiciary <i>ongoing</i> . | | | | ✓ | | |
| CIO 9. Monitoring of impact of changes on sentencing trends annually. | | | | ✗ | | |
| PPP 10. Review of findings from monitoring <i>ongoing</i> . | | | | ✗ | | |
| 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. | <ol style="list-style-type: none"> 1. PPP 2. CLR 3. PS | <ol style="list-style-type: none"> 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. | <ol style="list-style-type: none"> 1. Review of need for new alternatives to imprisonment completed. PPP | ✓ | E |
| | | | <ol style="list-style-type: none"> 2. Decision on whether to introduce this sanction made July 2015. (Decision not to proceed at this stage) PPP | ✓ | | |
| 13 | The Review Group recommends that the use of open prisons for weekend sentencing be considered. | <ol style="list-style-type: none"> 1. IPS 2. PPP 3. CLR | <ol style="list-style-type: none"> 1. IPS completes assessment. 2. Findings implemented. | <ol style="list-style-type: none"> 1. IPS position considered and stated to PPP on 13 October 2015. Weekend sentencing option is not considered a priority at this time for IPS. IPS | ✓ | A |

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| 14 | Recognising the positive impact which restorative justice can have for appropriate victims and offenders, the Review Group recommends the extension of the restorative justice programmes. | 1. PS 2. CP | 1. New Implementation Plan in place. 2. Restorative Justice available nationally. 3. Increased referrals to Restorative Justice programmes. | 1 | Implement restorative interventions including restorative conferences, victim empathy programmes and participation in victim impact panels <i>ongoing</i> . PS | ✓ | B |
| | | | | 2 | Introduce Communication Strategy with judiciary Q3 2016. PS | ✓ | |
| | | | | 3 | Pilot Victim Offender Mediation Programme Q4 2015. PS | ✓ | |
| | | | | 4 | Evaluation of Circuit Court Restorative Justice Pilot Q4 2015. PS | ✓ | |
| | | | | 5 | Agree implementation plan with RJS. Q2 2017 | ✓ | |
| | | | | 6 | Referrals rates recorded annually. PS/CIO | ✗ | |

Chapter 5 – Custodial Accommodation and Regimes

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status | |
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| 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 | ✓ | Cork A |
| | | | | 2. | New Cork prison completed by October 2015. IPS | ✓ | |
| | | | | 3. | New Build of Mountjoy D Wing completed 2016. IPS | ✓ | |
| | | | | Mountjoy B | 4. | New build of Mountjoy workshops in D Block completed September 2016. IPS | ✓ |
| | | | | | 5. | Masterplan for Mountjoy completed Q3 2017 | ✓ |
| | | | | | 6. | New development for Limerick Prison (wing & female unit) to go to tender Q2 2017 IPS | ✓ |
| | | | | Portlaoise D | 7. | Construction on Limerick commenced February 2018. IPS | ✓ |
| | | | | | 8. | Upgrade works for Portlaoise prison to go to tender Q2 2017. IPS | ✗ |
| | | | | | 9. | Opening of National Violent & Disruptive Prisoners Unit | ✗ |

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| | | | | Q1 2018. IPS | | |
| | | | | 10. Construction on Portlaoise commenced. IPS | X | |
| | | | | 11. 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 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. | <p>1. IPS 2. AGS</p> <p>Next Steps- other agencies to be consulted:</p> <p>1. Community Groups 2. PS</p> | <p>1. Joint strategy on reduction in use of protection and post-release issues completed and published.</p> <p>2. Reduction in numbers of people on protection.</p> | <p>Inter gang rivalry</p> <p>1. Analysis of gang activity in prisons completed and submitted to the Department Q1 2016. IPS</p> <p>2. Submission to Minister Q2 2016. IPS, PPP</p> <p>3. Inter-agency sharing of information ongoing. AGS/IPS</p> <p>Protection</p> <p>4. Analysis of Protection Prisoners to be completed Q2 2017 IPS</p> <p>5. Recommendations considered by IPS Q3 2017.</p> <p>6. Implementation of recommendations Q4 2017 –Q1 2018. IPS</p> <p>7. Monitoring and implementation of findings quarterly <i>to follow</i>. IPS</p> | <p>✓</p> <p>✓</p> <p>✓</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> | <p>Inter gang rivalry</p> <p>B</p> <p>Protection</p> <p>D</p> |
| 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. | <p>1. IPS 2. PPP</p> | <p>1. Publication of strategy for reduction in use of restricted regimes.</p> <p>2. Strategy for supporting access to training, education and recreational facilities.</p> <p>3. Evaluation of strategy and monitoring.</p> <p>4. Reduction in use of restricted regimes.</p> <p>5. All prisoners getting minimum of 3 hours out of cell time.</p> <p>6. All prisoners having</p> | <p>1. New policy on restricted regimes introduced May 2015. IPS</p> <p>2. Monitoring of implementation <i>quarterly</i>. IPS</p> <p>3. Statement in IPS Strategy statement that" we will review and put forward proposals to amend the Prison Rules 2007 for consideration to take into account international best practice with particular reference to the United Nations Standard Minimum Rules for the protection of Prisoners (Mandela Rules)."</p> <p>4. Regarding milestone no 3, Amending Statutory Instrument (S.I.) to be completed Q2 2017. PPP</p> | <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> | <p>C</p> |

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| | | | access to training, education and recreational facilities. 7. Review the target for out of cell time. | 5. Following Statutory Instrument, IPS to launch policy regarding restricted regimes and solitary confinement. Q2 2017 IPS | ✓ | |
| | | | | 6. Invitation to Inspector to report on the use of restricted regimes Q2 2018 - <i>to follow</i> . PPP to arrange invitation. | ✗ | |
| 18 | The Review Group recommends the increased use of such 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. | 1. IPS 2. PPP | 1. Plan with timelines for open centre for women finalised. 2. Review of possibility for open prison for Dublin. 3. Plan for diversion of prisoners to new facility(ies). 4. Opening of facility(ies.) | Additional open prison for Dublin 1. IPS review complete and brought to PPP October 2015. IPS | ✓ | Additional open prison for Dublin D |
| | | | | 2. Submission to Minister Q4 2015. Decision taken not to proceed at this point. PPP | ✓ | |
| | | | | 3. The question of additional open prison capacity in Dublin will be reopened for consideration, in the context of the consultation, planning and implementation of the Mountjoy Campus long term development plan. IPS | ✗ | |
| | | | | Open centre for women 4. Decision made to proceed with step down facilities for women. | ✓ | Open centre for women A |
| 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 | 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 | ✓ | B |
| | | | | 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 | ✓ | |

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| | management from pre to post imprisonment. The Review Group recognises that Integrated Sentence Management (ISM) is the appropriate tool for the management of sentences of more than 12 months and should be extended to all eligible prisoners. | | | 5. Working Group established to drive recommendations Q1 2016. IPS | ✓ | |
| 6. Approval to recruit 6 Assistant Psychologists, 1 Senior Psychologist for Dóchas and a Head of Psychology in support of the Porporino Report implementation | | | | ✓ | | |
| 7. Protocols and ICT developments to follow Q4 2016. IPS | | | | ✓ | | |
| 8. Pilot to focus on 18-24 year olds serving sentences of > 12 months Q1 2017 (In progress since Jan 2017) IPS | | | | ✓ | | |
| 9. Pilot to be reviewed by the Porporino Working Group Q42017 IPS/PS | | | | ✗ | | |
| 10. All prisoners > 12 months eligible for ISM. IPS | | | | ✓ | | |
| 11. Completion of report on sentence management for life sentence prisoners. Q2 2017 | | | | ✓ | | |
| 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 | 1. IPS | 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. | 1. Work and Training Audit ongoing and completed end of 2015. IPS | ✓ | B |
| 2. Instigation of independent review of management of incentivised regimes policy. Q1 2017. IPS | | | | ✗ | | |
| 3. Instigation of assessment of prisoner needs in the area of Education to be done. Q4 2016 | | | | ✓ | | |
| 4. Completion of assessment of prisoner needs in the area of Education to be done. Q1 2018 | | | | ✗ | | |
| 5. Review of Education Programmes Q2 2017. IPS | | | | ✓ | | |
| 6. Education Directory produced for the 2016/2017 academic year Q1 2017. IPS | | | | ✓ | | |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|--|---|------------------------|---------------------|--|---|-----------------------|
| | 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. | | | 7. Industrial Manager (IM), Work Training Officers (WTOs), and ISM Coordinator tasked with highlighting the availability of programmes to prisoners (ongoing). | ✓ | |
| 8. All IM, WTO and ISM positions to be filled Q2 2017. IPS (All IM positions filled Q1 2017, WTO & ISM competition commenced) | | | | ✓ | | |
| 9. IM, WTO and ISM Coordinators' role clarified Q1 2017. IPS | | | | ✓ | | |
| 10. Development of new protocol on the open and transparent application of IRP Q3 2017. IPS | | | | ✗ | | |
| 11. Annual reporting on monitoring and implementation of new protocol <i>to follow</i> . IPS | | | | ✗ | | |
| 12. Invitation to Inspector of Prisons on services to report <i>to follow</i> . PPP to manage invitation. | | | | ✗ | | |

| | 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 | 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, PS | ✓ | C |
| 2. Position formulated by IPS and PS jointly (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 |
|----|---|---|---|---|-----------------------|
| | criminal justice agencies. This work should support the processes identified in the Joint IPS/Probation Service Strategy relating to women offenders. | | | <p>4. Allocation for research in 2016 budget Q2 2016. IPS, PS ✓</p> <p>5. Research Projects instigated. Project on alcohol completed. IPS, PS ✓</p> <p>6. Project on committal rate for women to go to tender Q3 2017. IPS ✗</p> | |
| 22 | <p>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.</p> <p>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.</p> | <p>1. IPS 2. PS 3. PPP 4. CP</p> | <p>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 imprisonment for women.</p> | <p>1. Review of research completed June 2015. IPS, PS ✓</p> <p>2. Position formulated by IPS and PS jointly (September 2015). IPS, PS ✓</p> <p>3. Budget for research required identified Q2 2016. IPS, PS ✓</p> <p>4. Allocation for research in 2016 & 2017 budget Q2 2016. IPS, PS ✓</p> <p>5. Research methodology confirmed and projects instigated Q3 2016. IPS, PS ✗</p> <p>6. University of Huddersfield Research project on remand of women underway and to be completed Q4 2017 IPS ✗</p> <p>7. Project on committal rate for women, tender to be issued Q3 2017. IPS ✗</p> | C |
| 23 | The Review Group, noting that, in light of the nature of their offending, female | <p>1. IPS 2. PS 3. PPP 4. CP</p> | <p>1. Diversion of women from prisons to community sanctions.</p> | <p>1. IPS review brought to PPP Oct 2015. IPS, PS ✓</p> | C |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|----|---|------------------------|---|---|--|-----------------------|
| | 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 | 5. CIO | 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 sanctions and decrease in custodial sanctions. CIO | 2. Matter for discussion – IPS and PPP in December 2015. ✓ 3. Submission to Minister Q4 2015. PPP ✓ 4. Identify site options by October 2015. IPS, PS ✓ 5. Expressions of interest prepared. Tender issued. Q2 2017. IPS, PS ✓ 6. Operation of facility supported in conjunction with other agencies Q4 2017. IPS, PS ✗ 7. Abigal Centre, Finglas, opened since December 2014. IPS, PS ✓ 8. Assessment of trends concerning women <i>to follow</i> . CIO ✗ | | |
| 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. Probation Officers dedicated to this topic in particular regions Q1 2016. PS ✓ 4. Funding provided to SAOL for peer educator service user programmes Q4 2016 PS . ✓ 5. Development of guidelines and protocols for community service and community return with women nationally Q2 2016. PS ✓ | | B |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | Implementation Status | |
|----|---|-------------------------------|--|---|-----------------------|----------------------------|
| | | | | 6. Communication Strategy with the judiciary underway since Q3 2016. PS | ✓ | |
| | | | | 7. Evaluation and monitoring of use of gender appropriate sanctions annually <i>to follow</i> . CIO | ✗ | |
| | | | | 8. Analysis of sentencing trends completed annually - <i>to follow</i> . CIO | ✗ | |
| 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 well as decisions regarding the denial of visits, are sensitive to the needs of children. | 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 | ✓ | IPS B |
| | | | | 2. Removal of counter style visits completed and available. All completed bar 3 outstanding. | ✓ | |
| | | | | 3. Visits refurbishment for Wheatfield, to tender Q4 2016, to be completed Q3 2017. | ✗ | |
| | | | | 4. Visits refurbishment for Castlerea, commenced new build Q4 2016, to be completed Q4 2017. | ✗ | |
| | | | | 5. Visits refurbishment for Mountjoy, under consideration. | ✗ | |
| | | | | 6. Review Visits refurbishment progress Q3 2017. | ✗ | |
| | | | | 7. Protocols for denying visits or contact visits include reference to the needs of children drafted. Circular to issue Q1 2017. IPS | ✓ | |
| | | | | 8. Review of pilot parenting supports offered by IPS completed Q2 2016. IPS | ✓ | |
| | | | | 9. New Parenting Support programmes to start in Midlands, Portlaoise, Castlerea prisons, they are currently at an early stage of commencement. IPS | ✓ | |
| | | | | 10. Future programmes to be reviewed in 2017. IPS | ✗ | |
| | | | | 11. Next programme to commence in Wheatfield Q3 2016. IPS | ✓ | |
| | | | | 12. First bespoke parenting programme delivered. Limerick Prison commence second parenting programme in Q3 | ✓ | |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | Implementation Status | |
|--|----------------|------------------------|---------------------|--|-----------------------|----------|
| | | | | 2016. IPS | PS C | |
| | | | | 13. Extension of bespoke programme Q3 2017 in Cork and PL, Q4 in Midlands . IPS | | X |
| | | | | 14. Appropriate independent evaluation by Q4 2017. | | X |
| | | | | PS 15. Review of programmes supporting parenting Q1 2016. PS | | ✓ |
| | | | | 16. Create a project plan arising out of review Q2 2017 PS | | X |
| | | | | 17. Increase in use of programmes supporting parenting <i>Now</i> Q3 2017 PS | | 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 Group recommends an increased focus on the provision of suitable accommodation, including step down facilities to ease the reintegration of offenders. | <ol style="list-style-type: none"> 1. IPS 2. PS 3. 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"> 1. IPS commission review/audit of service and programme needs. 2. IPS and PS review of alcohol and drug treatment services. 3. Meeting of inter-departmental/interagency group on crime. 4. Increased provision of step down accommodation. | <p><u>In-prison services</u></p> <ol style="list-style-type: none"> 1. Audit of Work/Training service/programmes for prisoners completed end Q4, 2015 and results submitted to PPP. IPS | ✓ | <u>In-prison services</u> |
| | | | | <ol style="list-style-type: none"> 2. Review of Alcohol and Drug Treatment Services by Eustace Patterson Ltd. Completed end Q4 2015. IPS, PS | ✓ | |
| | | | | <ol style="list-style-type: none"> 3. Implementation Plan of Alcohol and Drug Treatment Services to be published. Q2 2017 IPS | ✗ | |
| | | | | <p><u>Post-release</u></p> <ol style="list-style-type: none"> 4. Release Planning Policy, Protocols and Standard Operating Procedures completed Q4 2015. IPS | ✓ | <u>Post Release</u> |
| | | | | <ol style="list-style-type: none"> 5. Prisoner database amended to incorporate requirements of Release Planning Policy completed end Q4 2015. IPS | ✓ | |
| | | | | <ol style="list-style-type: none"> 6. 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 | ✓ | |
| | | | | <ol style="list-style-type: none"> 7. Increased supported accommodation/step down facilities available for women leaving prison Q4 2017. IPS | ✗ | |
| | | | | <ol style="list-style-type: none"> 8. Discussions commenced with housing providers on pathways for accommodation for high risk offenders leaving custody Q4 2016. IPS, PS | ✓ | |
| | | | | <ol style="list-style-type: none"> 9. Develop & agree multi agency protocols to the management of placements in the community, discuss with relevant stakeholders including Dept Housing, Planning & local Government and Tusla. IPS/PS Q2 2017 | ✗ | |
| | | | | <ol style="list-style-type: none"> 10. Plan for accommodation for high risk offenders in place Q4 2017. IPS, PS | ✗ | |

| | Recommendation | Party(ies) Responsible | Measures of Progress | Timeline/Milestones | Implementation Status | |
|----|---|--------------------------------|---|--|-----------------------|---|
| | | | | 11. 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 | ✓ | Interdepartmental/agency Working D |
| | | | Interdepartmental working 12. On 20 January 2016 Acting Secretary General wrote to the main Departments concerned to invite them to participate in interdepartmental/interagency group and to seek their views on recommendations 3 & 41 PPP | ✓ | | |
| | | | 13. Chairperson appointed in July 2016 and 17 nominations for interdepartmental/agency group received September 2016. Q3 2016. PPP | ✓ | | |
| | | | 14. First meeting of interdepartmental/interagency group on post release support i.e. workshop on interagency working held 8 Feb 2016. PPP | ✓ | | |
| | | | 15. Interdepartmental inter-agency group established Q3 2016. PPP | ✓ | | |
| | | | 16. Schedule of meetings of inter-agency group laid out Q4 2016. 1 st meeting took place on 10 October 2016, 2 nd meeting on 16 November 2016 at which it was agreed that group will meet thereafter on a quarterly basis. PPP | ✓ | | |
| | | | 17. Terms of reference to be agreed at meeting on May 18 th 2017. PPP | ✓ | | |
| 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 | ✓ | B |
| | | | | 2. Submission to PPP Q4 2015. IPS | ✓ | |
| | | | | 3. Review of implementation of policy Q2/3 2017 IPS | ✓ | |
| | | | | 4. Implementation of findings from Review - <i>to follow</i> . IPS | ✗ | |
| 28 | The Review Group recommends the | 1. IPS 2. CIO | 1. Increase in use of structured temporary | 1. IPS review of use of enhanced remission to be completed by end of Q2 2017. IPS | ✓ | |

| | Recommendation | Party(ies) Responsible | Measures of Progress | Timeline/Milestones | Implementation Status | |
|----|---|--|---|---|--|--|
| | greater use of structured temporary release. The Group recommends that there 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. | | release. 2. Application of Statutory Instrument 22 on enhanced remission. 3. Increased use of enhanced remission. | <p>2. IPS to consider engaging a Data Analyst to advise on information management Q1 2017 IPS</p> <p>3. Analysis of numbers of prisoners applying for and receiving/denied TR/enhanced remission by age, gender, offence etc. IPS, CIO, Q2 2017.</p> <p>4. Number of prisoners on enhanced remission monitored and published on IPS website, commencing June 2015. IPS</p> <p>5. First analysis of enhanced remission applications to be completed Q2 2017. IPS</p> | <p>X</p> <p>X</p> <p>X</p> <p>X</p> | C |
| 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. | <p>Monitoring and equity in Temporary Release (TR)</p> <p>1. IPS</p> <p>Removal of prohibition</p> <p>1. CLR</p> | <p>1. Annual monitoring of decision-making around temporary release and compliance with legal requirements, including a diversity assessment.</p> <p>2. Removal of prohibition on TR.</p> | <p>Monitoring and equity in TR</p> <p>1. Daily custody statistics monitored and published on IPS website – <i>ongoing</i>. IPS</p> <p>2. Scoping review of TR Q4 2016. Completed & Assessment of Review to be done by Q3 2017 IPS, CIO</p> <p>Removal of prohibition on TR</p> <p>3. Submission from CLR to the Minister Sept 2015. CLR</p> <p>4. Decision taken. DJE</p> <p>5. Resubmission to Minister Q4 2016. CLR Q1 2017</p> | <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> | <p>Monitoring & Equity in TR</p> <p>C</p> <p>Removal of prohibition</p> <p>D</p> |

| | 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. 3. Annual assessment and review of eligibility 4. Review of eligibility criteria | 1. Monitor targets <i>ongoing</i> . PS | ✓ | B |
| | | | | 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 | ✓ | |
| | | | | 5. Target set for 2017, 350 CRS, 450 CSS Q1 2017 IPS | ✓ | |
| | | | | 6. Assessment and review of all those potentially eligible Q2 2017 IPS/PS | ✗ | |
| | | | | 7. Review of criteria for eligibility to follow. IPS/PS | ✗ | |
| | | | | 8. Extension of sites suitable for community support nationally. (expanded CSS to Castlereagh). Q1 2017 IPS/PS | ✗ | |
| | | | | 9. Regular Assessment and review of eligibility and take up for Community Support at PS/IPS oversight meetings. IPS/PS | ✗ | |
| 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 on establishment of Parole Board on a statutory basis to be created Q1 2017. Government agreed to focus on Parole Board Private Members Bill and work in partnership with Deputy O'Callaghan to achieve this objective. CLR | ✓ | C |
| | | | | 2. Private Members' Bill has passed second stage. Parole Board Bill agreed at Committee stage on 24 th May 2017. The Bill will proceed according to the timetable agreed by the Houses of the Oireachtas. | ✓ | |
| | | | | 3. Parole Board in place <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. CIO | 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 August 2015 requesting that the Chief Justice consider recommendations which relate to sentencing and the judiciary. CLR | ✓ | D |
| | | | | 2. Reply from Chief Justice received 1 December 2015 outlining that sentencing is continuously kept under consideration by the Judiciary and is an issue addressed at jurisdictional conferences. | ✓ | |
| | | | | 3. Consideration of response from Chief Justice. CP | ✓ | |
| | | | | 4. General Scheme of Criminal Justice (Sentencing & Parole) Bill including broad principles of sentencing to be revised & submitted to Government Q4 2016. CLR Government agreed to focus on Parole Board Private Members Bill and work in partnership with Deputy O’Callaghan to achieve this objective. Private Members’ Bill has passed second stage. Parole Board Bill agreed at Committee stage on 24 th May 2017. The Bill will proceed according to the timetable agreed by the Houses of the Oireachtas. | ✗ | |
| | | | | 5. Analysis of sentencing trends completed annually <i>to follow</i> . CIO | ✗ | |
| | | | | 6. Findings of analysis shared and implemented <i>to follow</i> . CIO | ✗ | |
| 33 | The Review Group recommends that, In all cases where a custodial sentence is | 1. CP 2. CLR 3. CS | 1. Legislation passed. 2. Monitoring of implementation. | 1. Letter from the Minister to Chief Justice issued 11 August 2015 requesting that the Chief Justice consider recommendations which relate to sentencing and the judiciary. PPP | ✓ | |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status | |
|--|---|------------------------|---------------------|---|---|-----------------------|--|
| | imposed by a court, the court should set out its reasons in writing for so doing. This requirement should be incorporated in statute. | | | 2. Reply from Chief Justice received 1 December 2015 outlining that this issue has already been addressed by case law and European law and noting that the Digital Audio Recording system in place in all Irish courts records the proceedings and as such assists in confirming the position in Court. CP | ✓ | D | |
| | | | | 3. Draft General Scheme of Criminal Justice (Sentencing & Parole) Bill including broad principles of sentencing, to be revised & submitted to Minister and Government Q3 2016. CLR Government agreed to focus on Parole Board Private Members Bill and work in partnership with Deputy O'Callaghan to achieve this objective. Private Members' Bill has passed second stage. Parole Board Bill agreed at Committee stage on 24 th May 2017. The Bill will proceed according to the timetable agreed by the Houses of the Oireachtas. | ✗ | | |
| | | | | 4. Ministerial approval to go to Government to publish General Scheme of Criminal Justice (Sentencing) Bill Scheme <i>to follow</i> . CLR | ✗ | | |
| | | | | 5. Pre-legislative scrutiny of Scheme <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> . CLR | ✗ | | |
| | | | | 8. Publication of Bill <i>to follow</i> . CLR | ✗ | | |
| | | | | 9. Implementation of Act monitored. CIO | ✗ | | |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|----|--|-----------------------------------|---|--|---|--|
| 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 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 | 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> D <u>Review of threshold</u> D |
| | | | | 2. Above review to be completed and submitted to Minister Q1 2017. CLR | ✗ | <u>Repeal of prohibition on TR</u> D |
| | | | | 3. Review of threshold for the application of presumptive minimum sentences Q1 2017. CLR As of May 10th 2017, no new sentences introduced. | ✓ | D |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|----|---|---|--|---|-------------------------------------|-----------------------|
| | <p>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> | | | 4. Repeal of prohibition on TR to be considered as part of the consideration of Private Members Parole Board Bill. | X | |
| 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. | <p>1. CP</p> <p>2. CS</p> <p>3. CLR</p> | 1. Assessment of sentencing trends/reasons for custodial decisions shows increase in incentives to rehabilitation. | <p>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</p> <p>2. Consideration of response from Chief Justice <i>to follow</i>. CP</p> <p>3. General Scheme of Criminal Justice (Sentencing and Parole) Bill including broad principles of sentencing to be submitted to Government Q4 2016. CLR</p> <p>Government agreed to focus on Private Members Bill and work in partnership with Deputy O'Callaghan to achieve this objective.</p> <p>Private Members' Bill has passed second stage. Parole Board Bill agreed at Committee stage on 24th May 2017. The Bill will proceed according to the timetable agreed by the Houses of the Oireachtas.</p> <p>4. Analysis of sentencing trends - <i>to follow</i>. CIO</p> | <p>✓</p> <p>✓</p> <p>X</p> <p>X</p> | D |
| 36 | The Review Group is strongly of the view that | <p>1. CP</p> <p>2. CS</p> | 1. Review sentencing information resource | 1. Letter from the Minister to Chief Justice issued 11 th August, 2015 requesting that the Chief Justice consider | ✓ | |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|--|--|---|---|---|---|-----------------------|
| | 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. | 3. Irish Sentencing Committee steering group Next Steps: Agencies to be consulted Central Statistics Office (CSO) Irish Sentencing Committee | 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. | recommendations which relate to sentencing and the judiciary. PPP | | D |
| 2. Reply from Chief Justice received 1 December 2015 conveying support of the Irish Sentencing Committee in principle for this recommendation. PPP | | | | ✓ | | |
| 3. Committee on Sentencing Information to go under Committee structure of Judicial Council Bill Q3 2017. CP | | | | ✓ | | |
| 4. Judicial Council Bill including sentencing information to be published Q2 2017 CP | | | | ✗ | | |
| 5. Instigation of a review of sentencing information Q3 2017. CP | | | | ✗ | | |
| 6. CP to support scope of existing data holding – <i>to follow</i> . CP | | | | ✗ | | |
| 7. Redevelopment of sentencing information - <i>to follow</i> . CP | | | | ✗ | | |
| 8. CIO to work with Data analysts to build an end model of the Criminal Justice system which will cover data drawn from all systems in the Criminal Justice group including prisoner data.. CIO | | | | ✗ | | |
| 37 | The Review Group recommends that a more structured approach be taken to sentencing. The | 1. CP | 1. Evidence of increased guidance given by the superior courts on sentencing. 2. Research and analysis | 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 | ✓ | |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|----|--|-------------------------------|--|---|---|-----------------------|
| | 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. | | regarding sentencing examines and tracks consistency. Data regarding sentencing to be made readily available. | 2. Reply from Chief Justice received 1 December 2015. PPP | ✓ | D |
| | | | 3. Committee on Sentencing Information to go under Committee structure of Judicial Council Bill Q3 2017. CP | ✓ | | |
| | | | 4. Review of precedents issued by the Court of Appeal instigated Q3 2017. CP | ✗ | | |
| 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. 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 | 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 including broad principles of sentencing to be submitted to Government Q4 2016. CLR Government agreed to focus on Private Members Bill and work in partnership with Deputy O'Callaghan to achieve this objective. Private Members' Bill has passed second stage. Parole Board Bill agreed at Committee stage on 24 th May 2017. The Bill will proceed according to the timetable agreed by the Houses of the Oireachtas. | ✓ | D |
| | | | 2. General Scheme to be submitted to Minister and Government Q3 2016. CLR | ✗ | | |
| | | | 3. General Scheme to be submitted to Government to publish, to follow. CLR | ✗ | | |

| | Recommendation | Party(ies) responsible | Measure of progress | Timeline and milestones | | Implementation Status | |
|--|--|------------------------|---------------------|--|---|-----------------------|--|
| | 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. | | | 4. Pre-legislative scrutiny of Scheme <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 of Act 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 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. | <ol style="list-style-type: none"> 1. PS 2. CP 3. IPS 4. PS <p>Next Steps- other agencies to be consulted:</p> <ul style="list-style-type: none"> • CSO • Academic researchers • AGS • CS • IYJS • DPP | <ol style="list-style-type: none"> 1. Inter-agency agreement on data collection, management sharing and publication. 2. Consultation with CSO and researchers. | 1. Proposal paper brought to Management Board by V. Geiran on 7 th July and agreed. PS | ✓ | D |
| | | | | 2. Meeting of agencies on data issues held October 2015. PS | ✓ | |
| | | | | 3. Meeting with CSO and researchers takes place Q2 2016. PS | ✓ | |
| | | | | 4. Proposals to go to Management Board Q1 2017 from CIO | ✓ | |
| | | | | 5. DJE to meet with CSO regarding strengthening of data capability Q1 2017 CIO | ✗ | |
| | | | | 6. Criminal Justice Strategic Committee established in 2015 to drive enhanced co-operation and reform across the criminal justice system. The Committee has met 5 times to date, most recently in April 2017. The Committee will continue meeting three to four times annually. CD | ✓ | |
| | | | | 7. Agreement in principle completed to share data at 24 April 2017 meeting. | ✓ | |
| | | | | 8. Protocols - <i>to follow</i> . | ✗ | |
| | | | | 9. Review of impact of agreement - <i>to follow</i> . | ✗ | |
| 40 | The Review Group strongly recommends that all future policy decisions in the area of criminal justice should be pre-assessed with a | <ol style="list-style-type: none"> 1. PPP 2. CLR | <ol style="list-style-type: none"> 1. Inclusion of this position in Departmental Strategy Statement. 2. Requirement for regulatory impact to include analysis of effect | 1. Submit paper to Management Board by Q4 2016. PPP | ✓ | C |
| | | | | 2. Obtain agreement from Management Board on how to proceed Q1 2017. PPP | ✓ | |

| | Recommendation | Party(ies) Responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|----|--|---|---|--|---|-----------------------|
| | view to determining, where possible, impacts on prisoner numbers and numbers to be subject to other forms of sanction. | | on prisoner numbers and other forms of sanctions. 3. All policies pre-assessed. | 3. Subject to above, mechanism for assessing impacts created – Q2 2017. PPP | X | |
| | | | | 4. First assessment completed - <i>to follow</i> . PPP | X | |
| | | | | 5. Assessments ongoing - <i>to follow</i> . PPP | X | |
| 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: 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. On 20 January 2016 Acting Secretary General wrote to the main Departments concerned to invite them to participate in interdepartmental/agency group and to seek their views at the same time on this & recommendation No. 3. Acting Secretary General | ✓ | C |
| | | | | 2. Workshop on Interagency and Interdepartmental Co-Operation held on 8 February 2016. PPP | ✓ | |
| | | | | 3. Paper submitted to Management Board on nature of inter-Departmental, inter-agency groups Q2 2016. PPP | ✓ | |
| | | | | 4. Chairperson appointed in July 2016 and 17 nominations for interdepartmental/agency group received September 2016. Interagency Group established. Q3 2016. Schedule of meetings of inter-agency group laid out Q4 2016. 1 st meeting took place on 10 October 2016, 2 nd meeting on 16 November 2016 at which it was agreed that group will meet thereafter on a quarterly basis. PPP | ✓ | |
| | | | | 5. Terms of reference to be agreed at meeting on 18 May 2017. PPP | ✓ | |

| | Recommendation | Party(ies) Responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|----|---|--|--|--|---|-----------------------|
| | | | | 6. Programme of work to be considered <i>to follow</i> . | 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-governmental level, as appropriate – on issues as they arise or are referred to them. | 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 | ✓ | C |
| | | | | 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. To be resubmitted to Tánaiste Q2 2017 PPP | ✓ | |
| | | | | 3. Paper drafted for the Minister regarding chair of the Council, Chair formally accepted appointment 3 Nov 2015. PPP | ✓ | |
| | | | | 4. Invitations to members to issue. Q2 2017 PPP | ✓ | |
| | | | | 5. First meeting of Consultative Council Q3 2017 PPP | 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 | ✓ | B |
| | | | | 2. Second meeting of IOG held 16 October 2015. IOG | ✓ | |
| | | | | 3. First report of IOG presented to Minister on 24 November 2015. IOG | ✓ | |
| | | | | 4. Second report of IOG presented to Minister May 2016. IOG | ✓ | |
| | | | | 5. First & Second Six monthly reports published. Q4 2016 IOG | ✓ | |
| | | | | 6. Third report published Q2 2017. PPP | ✓ | |

| | Recommendation | Party(ies) Responsible | Measure of progress | Timeline and milestones | | Implementation Status |
|--|----------------|------------------------|---------------------|--|---|-----------------------|
| | | | | 7. Fourth report to be prepared following meeting on 10 May. | X | |
| | | | | 8. Submitted to Tánaiste for publication Q2 2017 | X | |
| | | | | 9. Publication Fourth report Q3 2017. | X | |