

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

**2018**

**July 2019**

Dear Minister Flanagan,

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

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

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

This report outlines the work the Interagency Group has undertaken during its second full year. I would like to acknowledge the commitment of many Departments and Agencies to Interagency cooperation and working. My experience through the work of this group is that there is a shared learning about the nature of the problems facing prisoners, their partners and children. It is my belief that our Group facilitates agencies to develop better relationships and responsible officials to get to know each other and to learn more about each other's 'bottom lines'. I would also like to acknowledge the models of good practice of Interagency cooperation in existence, progress achieved on removing obstacles, improving interaction and continuity of care for the successful integration and rehabilitation of prisoners on release from custody.

In 2018 progress was made with ensuring access to medical cards for eligible persons on release from prison, improvements in access to income support on release and improved application processes for some prisoners to public service cards prior to release. There is also better coordination of training and employment planning between the Irish Prison Service and the Department of Employment Affairs & Social Protection.

Interagency working also faces many challenges. These include the need to streamline and mainstream a consistency of approach from the relevant agencies. A regular turnover of representatives and varying attendance levels from different agencies at Interagency meetings does not lend itself to a coherent response to the many issues faced across the sectors. There are also data sharing issues between the 'outer ring' of agencies external to the Justice sector which were not resolved at the end of 2018. In my experience, prisoners and crime prevention are not always on the list of priorities of many agencies. Also the number of agencies involved in our highly centralised system of Government and the absence of competent regional and local authorities can effect coordination of policies and programmes. The absence of Wi-Fi in prisons, which is mostly for security and operational reasons, could make family contact so much easier, facilitate further training and education opportunities, enable photos for public service cards, continues to cause some difficulties.

The Interagency Group previously identified a number of issues that are causing particular problems for the reintegration of offenders and which could be addressed by better interagency cooperation. Whilst progress has been achieved, these issues remain. They include the deficit of suitable accommodation, easier access to income support and employment activation, the award of medical cards to all eligible prisoners across the whole prison system before release from custody, and the provision of a public service card for all prisoners who wish to have one before release. The Group also identified that there is a need to increase the amount of information and research about the experiences of offenders following release from custody so that policies can be evaluated and adjusted accordingly.

In that respect I welcome your Department's Data and Research Strategy and the call to the research community to undertake research on a number of important issues. Good research and data are crucial to successful interagency working and this will form a key plank of our work in 2019. Specifically we aim to identify where research and data collection could assist in interagency cooperation in the rehabilitation of offenders and the formulation and impact of penal policy.

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



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Ruth Barrington PhD

Chair

5<sup>th</sup> July 2019

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## **1 Context**

### **1.1 Background to the Establishment of the Interagency Group**

The Penal Policy Review Group (PPRG) was established in 2012, in line with the recommendations of the Thornton Hall Project Review Group, to conduct a wide ranging strategic review of penal policy, taking into account relevant work already carried out in this jurisdiction and elsewhere, the rights of those convicted of crimes, the perspective of those who are victims of crime, and the interests of society in general.

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

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

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

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

#### ***Recommendation 3***

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

#### ***Recommendation 41***

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

## 1.2 Rationale for the establishment of the Interagency Group

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

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

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

Looking at the number of committals to prison, both prisoners on remand and those who have been sentenced, demonstrates the scale of the challenge to public bodies of facilitating successful reintegration of prisoners into society and reducing recidivism. The table below provided by the Irish Prison Service gives an indication of the size of the prison population and the through-put in the prison system over recent years. It is notable that for the first year since 2010, the total number of releases was less than the committals, giving rise to concern about overcrowding in prisons and the possibility of prisoners being released at short notice without the agreed protocols being followed.

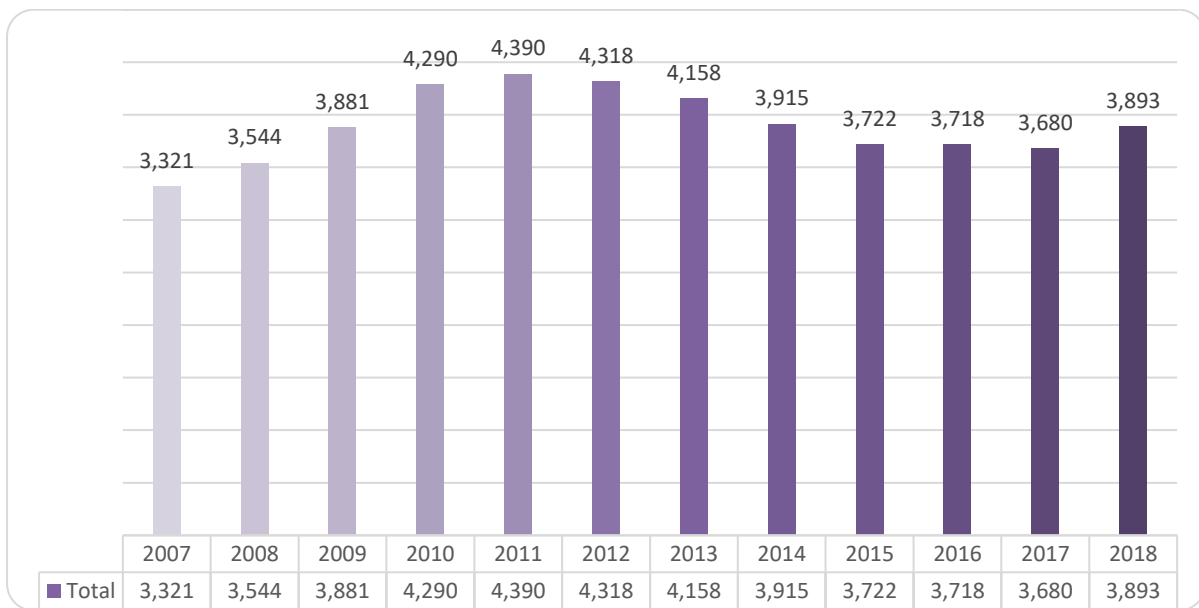
### TOTAL COMMITTALS INTO AND RELEASES FROM PRISONS

Year	Total Committals	Total Releases
<b>2018</b>	<b>8,071</b>	<b>7,811</b>
2017	9,287	9,313
2016	15,099	15,205
2015	17,206	17,403
2014	16,155	16,662
2013	15,735	15,905
2012	17,026	17,052

2011	17,318	17,358
2010	17,179	16,922

### DAILY AVERAGE NUMBER OF PRISONERS IN CUSTODY

The graph below provides figures in relation to the daily average number of prisoners in custody over recent years. The overall daily average number of prisoners in custody in 2018 was 3,893, compared to 3,680 in 2017, an increase of 5.8%. The average number of female offenders in custody was 165, a 14.6% increase on the 2017 average of 144.



### RECIDIVISM

The latest data in relation to recidivism rates for offenders who were given a custodial sentence or community sanction is contained in the fourth set of recidivism studies published by the Central Statistics Office in November 2016.

The studies report on:

- Prison Recidivism which is a detailed study on those who were released from a custodial prison sentence in 2010 and whether they were subsequently convicted of a further offence up to the end of 2013 and
- Probation Recidivism which is a detailed study of recidivism (re-offending) among offenders placed under Probation Service supervision in 2010.

### Prison Report

The Prison Recidivism Study, published by the Central Statistics Office (CSO), reports on recidivism among 9,339 offenders released by the Irish Prison Service on completion of a custodial sentence in 2010, based on reoffending and reconviction data up to the end of 2013.

The study's findings indicate that the recidivism or re-offending rate was 45.1% for the particular cohort of offenders released in 2010. When compared with the equivalent cohort from the 2009 study, there is a fall in recidivism of 2.4%. This follows the 3.5% decrease that was seen for the 2009 cohort from the previous report.

The report found that males made up most of the total population assessed and had a higher recidivism rate than females (46% for males and 37.8% among females). Re-offending among younger offenders is high (a rate of 49.8% for prisoners under 21 years of age, however, this is down from 54.4% for the 2009 cohort).

The highest rates of recidivism were in the 21-25 age group at 50.7% and the lowest was in the 51+ age group at 29.4%. The highest rates of recidivism were among prisoners whose initial offence was in *Group 6 Robbery, extortion and hijacking offences*, *Group 7 Burglary and related offences* and *Group 8 Theft and related offences*. Recidivism in each of these groups was measured at over 60%, as was the case in the previous year.

### **Probation Report**

The Probation Recidivism Study, also published by the CSO, reports that close to 63% of offenders did not reoffend within a three-year period of being placed under Probation Service supervision. This is a similar figure to the previous year. When compared with the 2009 cohort the overall recidivism rate increased marginally from 37.3% to 37.5%.

The re-offending rates were lower for females with almost 70% of females not reoffending in the period.

The percentage of offenders on Community Service Orders who did not re-offend was slightly lower at 66.1% in comparison with 67.5% in the 2009 cohort.

The re-offending rate for offenders on Probation Supervision stayed at a similar level to the previous study at almost 41%.

The analysis above (by the CSO) shows that on average offender has a 45% probability of re-offending within 3 years of leaving prison

An average probation client has around a 37% likelihood of re-offending within a 3-year period of completing probation supervision.



The Central Statistics Office are currently working on the studies of the cohort of people released in 2011 and 2012 and it is anticipated that these reports will be published in the near future.

## ACCESS TO SERVICES

Although the Prison Service and the Probation Service provide direct services - such as risk assessment, motivational programmes, offending behaviour programmes, counselling, and practical help - aimed at the rehabilitation of those under their care or supervision, many of the services that offenders need to reduce their risk of reoffending are provided by a range of other government departments and agencies. These services include accommodation, health and mental health services, income maintenance, education and training. At present, prison and probation staff working with individual offenders refer prisoners on release to these other services and hope that they get access to them.

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

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

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

## **2 Working Methods**

### **2.1 Representation on the Interagency Group**

In September 2016, the Acting Secretary General, Noel Waters wrote to a number of Secretary Generals and heads of public sector bodies, inviting them to nominate a representative to sit on the Group. As a result, various public sector bodies and Departments nominated representatives to sit on the Group. The current membership list is attached at Appendix A.

### **2.2 Meetings**

The Group agreed that it would meet quarterly to progress its terms of reference. In 2018 the Group met four times on the following dates 11 April, 20 June, 19 September & 12 December. In total to the end of 2018, the Group has held 10 meetings. A table of those Department/agencies attendance at the 2018 meetings is attached at Appendix B. The Group also established a subgroup that met once in October 2018.

### **2.3 Terms of Reference**

The following terms of reference of the Group were discussed over a number of meetings in 2017 and agreed.

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

To this end, the Interagency Group will

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

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

### **3 Work Programme 2018**

#### **3.1 Overview**

In 2016 & 2017, the Group focussed on acquainting itself with the issues, identifying good practices in relation to interagency cooperation and areas where it could be improved. As outlined in the 2017 Annual report, the Group identified three examples of excellent interagency working – particularly between the core agencies of the Department of Justice and Equality. These included the Community Return Programme, Sex Offender Risk Assessment & Management (SORAM) and the Joint Strategy for the Development of Social Enterprises. However, the Group also discovered that interagency cooperation does not always work that well with the ‘outer ring’ of departments/agencies.

In 2018, the Group continued to identify where interagency cooperation could improve the integration and rehabilitation of offenders on release. Some progress has been made with access to medical cards for eligible persons on release from prison, arrangements for income support on release, improving application processes for prisoners to public service cards prior to release, and better coordination of training and employment planning between the Irish Prison Service and the Department of Employment Affairs & Social Protection.

With regards to promoting pro-social behaviour which results in positive participation in society, the Group examined the issue of maintaining contact by prisoners with family and children. International evidence suggests that strong family links are a key factor in successful rehabilitation of offenders. Governor Pat Dawson made a presentation on a pilot project in Cork Prison to promote a family friendly visiting facilities in prisons. The Group has identified that there is an opportunity to create interagency cooperation to support prisoners’ families, especially the children of prisoners, and this is an area that the Group will continue to focus on in 2019.

The importance of maintaining links with prisoners’ families was emphasised in a presentation by Deirdre Malone, Executive Director of the Irish Penal Reform Trust, in which she emphasised the number of children at any time – 6,500-7,500 with parents in prison, the challenges this poses for those children and the high risk that children of prisoners will themselves become offenders. She emphasised that children have a right under the UN Convention to the company of both parents.

Fergal Landy, Western Regional Manager with Tusla, in his presentation on Adverse Childhood Experiences, confirmed that having a parent in prison is considered as an ‘adverse childhood event’ which can contribute negative outcomes for children, physically, mentally and behaviourally. If children experience four or more adverse childhood events, they are at much higher risk of committing offences, having mental health problems, and suffering from physical health problems such as heart disease and cancer.

These presentations emphasised that it is in everybody’s interests that efforts are continually made to minimise the impacts on children and reinforce positive family connections and relationships to ensure the successful reintegration of offenders.

### **3.2 Presentations to the Group**

In 2018, there were a number of presentations made to the Group that facilitated exploration of issues affecting prisoners and their families. A summary of those presentations below.

#### **Presentation by Pat Dawson on Families and Imprisonment.**

Pat Dawson, Governor of Cork Prison, in his presentation to the Group in September talked about the importance of maintaining contact between prisoners with their families. Governor Dawson referred to the growing awareness of the importance of maintaining family contacts to the welfare of prisoners and their successful reintegration post-release. Strong family connections was one of the factors that reduced recidivism by prisoners on release. On that basis, enquiries are now made on committal about prisoners' partners and children. The Irish Prison Service was also aware of the research that found the children of prisoners are at a very high risk of becoming prisoners as adults. Governor Dawson spoke about an initiative in Cork prison to promote family contact which is being rolled out in other prisons. The aim was to make visiting a more pleasant and informal experience for both prisoners and their families. Governor Dawson emphasised that there is a balance to be struck between maintaining prison security and promoting family contact. Issues that arise and continue to be explored include the use of technology to increase prisoners' access to their families and the recording and use of data in respect of visiting children and child safety issues.

Governor Dawson's view, which is shared by this Group, is that the more agencies work together, the better the outcomes. He mentioned that Tusla had a particular contribution to make to protecting the welfare of children of prisoners. Governor Dawson outlined that it is early days in developing a new culture and approach in the prison system and that this kind of family friendly approach is more developed in other jurisdictions. Issues to consider for the future include the constant challenge of drugs in prisons, child poverty, lessening the negative impacts of imprisonment, different challenges and requirements of male and female prisoners, the difficulties some families faced in accessing prisons because of poor public transport, and the unique challenges for Traveller families. The key challenge outlined by Governor Dawson is to balance the risks and maintain a humane approach which promotes pro-social factors.

#### **Presentation by Deirdre Malone, Executive Director, Irish Penal Reform Trust (IPRT).**

Deirdre Malone, Executive Director of the Irish Penal Reform Trust in her presentation to the Group in September outlined the role of the IPRT and their view of how prisoner contact with their families could be improved. Ms Malone referred to the IPRT report “*Progress in the Penal system – A framework for penal reform, 2017*”, which made much broader penal reform recommendations than those just relating to prisons. One issue to which she referred was the need for much better research and data on offenders. Ms Malone outlined the Data-kind Survey which the IPRT conducted which was a survey of 700 prisoners. One of the areas covered was education and links to the prison population. The data that came from this survey pointed to very stark educational deficits in this cohort. The question now arises as to how to use this data to change policy. Ms Malone also outlined that published statistics on young people sent to Oberstown Detention Centre confirmed their low educational attainment.

Ms Malone then referred to the broad terms of reference for this Interagency Group, particularly crime prevention, research and data, resources, and assessing the impact of policy proposals. With respect to measuring impacts, she suggested that there are other ways of measuring progress than just reoffending rates.

In relation to improving prisoners’ access to their families, Ms Malone welcomed the steps being taken by the IPS as outlined by Governor Pat Dawson. However, she emphasised that the perspective of the child’s right to know and enjoy the company of both parents needed to be built into IPS policy on family access. She said the report that the IPRT had published on the families of those in prison (*Picking up the Pieces*, IPRT, 2012, Partner) suggested that at any time there are over 6,000 children with a parent, mostly a father, in prison and that they are some of the most disadvantaged children in the country.

### **Presentation by Fergal Landy, TUSLA**

Following a TUSLA conference on adverse childhood experiences, Fergal Landy TUSLA was invited to give a presentation to the Group at the December meeting on adverse childhood experiences (ACE’s), their prevention and on partnership and family support programmes. Mr Landy defined adverse childhood experiences as traumatic childhood events that can have negative, lasting effects on health and wellbeing especially if a child experiences four or more of these events. Mr Landy outlined that anything that prevents or mitigates these negative childhood experiences helps achieve better outcomes and that there are longitudinal studies that demonstrate this.

Mr Landy also summarised the many services and programmes that TUSLA provide as well as links they have made with the Prison Service such as with the Family and Imprisonment Group and family links programmes such as the Bedford Row project. Much of their work overlaps with reintegration initiatives being undertaken by the Irish Prison Service. Their Meitheal model (national early intervention practise model) is one example in which some cases involve reintegration into the family structure of a family member such as a parent who

was imprisoned. Links are established in this respect with various prisons, with the Dochas Centre being cited as an example.

Mr Landy said that there is a lot of interagency work going on across the system but overall it lacks coordination. This is a view very much shared by the Group. Mr Landy also mentioned that there are no ACE studies in Ireland yet. However, the HSE had previously commissioned some related research on outcomes and their relationship to early problems in childhood.

### **3.3 Sub-Group to review pathways for integration & rehabilitation of offenders.**

A Sub-Group was previously set up to explore in more detail the first term of reference, of the Interagency Group which is *“To review existing pathways that involve interagency coordination and cooperation to improve the integration and rehabilitation of offenders”*. The Pathways Sub-Group focused on the detail of improving interagency cooperation to ensure the successful reintegration of prisoners on release. The establishment of this sub group which reports back to the main Group, allowed for a more in depth review and analysis of the main issues in respect of the integration and rehabilitation of offenders on release from prison.

This Group met on 11 October 2018, the key issues which the Sub-Group focussed on included the following:

- Accommodation,
- Income support on release and access to work activation programmes,
- Personal identifier - public service cards,
- Medical cards,
- Access to drug treatment programmes,
- Access to mental health programmes.

Dr Suzi Lyons Senior Researcher with the Health Research Board (HRB) made a presentation to the Sub-Group at its meeting on 11 October, 2018 on the issue of drugs in prison and national drug related deaths. Dr Lyons also elaborated on the pathways to treatment on release from prison and related outcomes. The figures presented by Dr Lyons outlined a largely a positive picture. Following the presentation, a discussion took place on related issues. The main areas discussed, issues arising and areas for further exploration included the following:

- A need to increase the range of prisons providing access to data, to allow a more accurate picture to be ascertained;

- What more needs to be done to get a more accurate picture? In this respect it was noted that the Merchants Quay Ireland Addiction Service is required to report and is working with the HRB.
- Issues relating to the transferring of data from the Prison Service healthcare database to the HRB, which require an IT solution.
- The issue of European comparisons and how we compare.
- The long term tracking of prisoners on release regarding outcomes and what steps are required in order to do so. Currently the situation requires clear and unambiguous consent.
- The lack of full coverage across prisons regarding drug treatment.
- The need to track the link between deaths and lack of accommodation embedded in a robust system of monitoring.

It was agreed following the presentation that the HRB is to look at comparative data issues and meet with the Prison Service, to identify and address strengths and weaknesses vis a vis other jurisdictions. The Prison Service will also link the HRB in with a group examining self-harm and deaths of prisoners in custody.

A summary of the main issues discussed by the Sub-Group and indeed the main Group include the following areas.

### ***Accommodation***

Accommodation remains a major concern of the Group. The current housing crisis and the dearth of stable accommodation in the community undermine much of the good work done in prisons to rehabilitate offenders and successfully reintegrate them into the community. Whilst there is ongoing work addressing the needs of offenders who are homeless, which includes their referral to homeless services in the community on release, the lack of suitable accommodation remains a significant impediment to successful reintegration of offenders and reducing reoffending.

A draft protocol has being developed between the Department of Housing, Planning, Community and Local Government, and the Prison Service, to ensure that offenders can access some form of accommodation on release. While there is goodwill on all sides towards implementing the draft protocol and all prisoners released from custody are referred to homeless services, the shortage of accommodation is making it difficult to ensure that suitable accommodation, to support successful reintegration and desistance from crime, is made available for offenders on release from prison.

### ***Income Support***



Income support is an issue that the Group first explored in 2017. A draft protocol has been developed between the Irish Prison Service, the Department of Housing, Planning, Community and Local Government and the Department of Employment Affairs and Social Protection (DEASP) to ensure that appropriate income support and links to support services in the community are in place for offenders on release. The DEASP wishes to withdraw dedicated social welfare officers from all prisons and instead provide income support following discharge from prison in designated offices.

### ***Public Services Card***

The Department of Employment and Social Protection requires personal identification for the payment of allowances. Many prisoners have no form of identification. The DEASP has worked with the Irish Prison Service in their open prisons to provide prisoners with Public Service Cards but these were one-off initiatives.

The issue of access by prisoners to public services cards on release from prison remains an issue of concern to the Group. There are a small number of mainly older prisoners who do not have a public services card. The lack of a card will not prevent a former prisoner receiving income support as there is a discretion in the system which is exercised to ensure some form of payment is made and a temporary payment card can be issued. Due to the widespread coverage of public services card in the community, the main outstanding group not covered are prisoners in custody for a long time who have had no recent interaction with public services.

This Group continues to draw agencies attention to the significance of a public services card, which is wider than simply access to income support. Access to all public services increasingly requires evidence of identity and without a public services card, former offenders can find it difficult to secure a medical card, a driver's licence, apply for the HAP or a passport. Even homeless services now require evidence of identity before admitting a client. It was noted that there are some vetting procedures in place for people with no identification documents such as might arise with prisoners on release from custody.

DEASP has provided in-reach service in Cork Prison and Loughan House Place of Detention for public services cards but there are issues to be resolved such as lack of access to Wi-Fi and DEASP resources in other locations which would allow for such a service to be provided across the prison estate.

As a result of close co-operation and good communication between Cork Prison and DEASP Cork City office, a prisoner released from Cork Prison returning to any other location in the country, will have an appointment with DEASP on the day of release. During this appointment, full registration for a Public Services Card is completed and the first income support payment is processed. IPS are working with DEASP in other locations to implement this same process for prisoners released from all prisons.

Streamlining application procedures so all prisoners across the prison estate can apply for a public services card before leaving prison and easily access relevant public support services on release, was identified by the Group as an important interagency issue that needs to be addressed and is one which the Group will remain focussed on in 2019.

### ***Job Seekers Protocol***

It was noted that a job seekers protocol has been drafted by the DEASP and IPS but is not yet operational and that there are data protection issues to be resolved regarding its operation. It was also noted that a handover of progression plans of prisoners from the Prison Service to Department of Employment Affairs and Social Protection has started to happen in prisons and that this should help making a seamless transition of prisoners from prison training to work activation on release. The data protection issues had not been resolved by the end of 2018.

Regarding data on progression and outcomes, the Group noted that there is a need to collect such data anonymously to evaluate the success or otherwise of such arrangements.

### ***Medical Cards & Medical Issues***

The Group noted that many offenders have health problems leaving prison and may qualify for a medical card in income grounds. The Irish Prison Service has engaged with the Health Service Executive (HSE) to achieve continuity of care for those leaving custody. There was a pilot project in place in Cork prison, which was extended to Arbour Hill in April 2017, whereby offenders who are leaving custody and are eligible for a medical card, are facilitated by resettlement officers in applying for a medical card pre-release.

It is noted that the pilot medical card application project in Cork prison had been extended in 2018 to all committal prisons for sentenced prisoners. It is acknowledged that much progress has been made in this area but that no universal solution currently exists that covers all persons leaving prison. There is also concern that cards issued to prisoners are only for 6 months duration. The person to whom the card was issued is reminded after three months of the need to renew the card but given the problems of homelessness and illiteracy among prisoners, these reminders may go unheeded and the card lapses once the six months is up. The Group acknowledges that prisoners are encouraged to make contact with the National Medical Card Unit following release and to draw on assistance that is available in the community from their local Citizen's Information Service.

### ***Access to Drug Treatment Services***

The Group notes that there is good communication between the Irish Prison Service and the HSE Drug Treatment services in the community, such as in the case of Methadone support programmes. Liaison has improved significantly over recent years and no problems were reported to the Group regarding offenders continuing to access methadone treatment on release from custody. The unplanned release of offenders has caused problems in the past. Unplanned releases decreased in recent years with the reduction in overcrowding in prisons. However, as the number of prisoners committed rises and overcrowding increases, the risk associated with unplanned releases returns.

The presentation by Dr Suzi Lyons Health Research Board on drugs in prison and drug related deaths was welcomed and it was noted that there remain issues for the Prison Service to progress regarding access and overall coverage of data available to the Health Research Board.

### ***Access to Mental Health Services***

There is a high prevalence of mental health problems among prisoners. The services that are provided to prisons include in-reach psychiatric teams in Cloverhill, Dóchas, Cork and Mountjoy prisons. The screening and assessment process has identified that between 3% and 4% of persons committed to prisons have an acute mental illness. There is a deficit in general and forensic mental health services in the community for prisoners and unless addressed, there will continue to be an increase in numbers in prison requiring treatment. Prisoners with mental health problems on release often find it difficult to access appropriate mental health services in the community.

A new secure mental health facility to replace the Central Mental Hospital is being planned for Portrane in Dublin-Fingal but the number of places to be provided may not be adequate to meet the longer term needs of prisoners with severe mental health problems. The Group considers that the provision of mental health services to prisoners is an issue requiring much greater interagency cooperation if the problem is to be addressed adequately and progress made.

The Group notes that the Interdepartmental Group to examine issues relating to people with mental illness who come in contact with the criminal justice system is due to produce its second report shortly. This group includes representatives of the Department of Justice and Equality, the Department of Health, the Health Service Executive, the Probation Service and the Irish Prison Service. The Interdepartmental Group's first interim report was published in September 2016. That report sets out the work of the Interdepartmental Group in relation to how diversion could be facilitated, where appropriate, at all stages of the criminal process up to the conclusion of a criminal trial. The second report of the Interdepartmental Group explores matters relating to mental health services for prisoners, matters relating to patients detained under the Criminal Law (Insanity) Act 2006 and post-release mental health services

for former prisoners. We look forward to the publication of this report and hope that it will address the issues raised.

The Group noted that there remain major issues with linkages with relevant services for those suffering from mental ill health when released into the community. This is an area which the Pathways Sub Group will focus on after the Interdepartmental Group examining this issue publishes its second report.

### **3.4 Other issues arising in 2018**

#### ***3.4.1 Research agenda***

A discussion paper on research proposals on offenders and penal policy was developed by Paul Crowley (CSO) and circulated to the Group during the year. The paper was discussed and it was agreed that the terms of reference of the Interagency Group provided a mandate to look at the areas of data and research required to underpin interagency cooperation and that it would form a key part of the Group's work programme for 2019. It was noted that there was very little research in this area.

The Department of Justice & Equality launched the Data and Research Strategy 2018- 2021 in 2018, which committed the Justice agencies to developing a common data set and to support research for better policy making. They also issued a call for research proposals in 2018 which included the reasons for the growth of the use of imprisonment for women. The Department's research strategy is directly linked to the Department's strategic goals. The launch of the Strategy is an opportunity for this Group to identify key interagency issues, which needed research, and to link them to the delivery of the Data and Research Strategy.

Paul Crowley's paper was further discussed and developed by the Group and three proposals for research were identified with a view to inclusion in the Department of Justice's next call for research proposals, which is expected in 2019. These proposals relate to expanding the CSO recidivism study, assessment of interagency crime prevention and reduction programmes and a longitudinal study of offenders post release.

Dr Barrington also met Vivian Geiran in his role as Chair of the Justice sector Data and Interoperability group, which is examining related issues across the Justice sector. At that meeting it was outlined that the Department is very much focussed on the area of crime reduction and is very supportive of initiatives to grow expertise and capacity and to evaluate and shape policy. Overall Vivian Geiran very much welcomed input and interest of the Interagency Group and believes it is important to engage with wider group of agencies outside of the Justice sector and that the Group can play a key role in this respect.

This Group has noted that there are many challenges in improving research in this area and the lack of a single unique identifier to link and match data sets relating to offenders still remains the biggest problem in producing more comprehensive recidivism studies.

In 2019, it is planned to further engage with key stakeholders in this area, including the CSO and the Chief Information Office of the Department of Justice & Equality, regarding developing the proposals to build on and enhance the existing recidivism studies, to flesh out proposals for a longitudinal study and evaluation of crime prevention programmes with an interagency element.

### ***3.4.2 Invitation to the Criminal Justice Strategic Committee (CJSC).***

Dr Ruth Barrington in her role as Chairperson of the Interagency Group for a Fairer and Safer Ireland was invited to make a presentation to the Criminal Justice Strategic Committee on 17 December, 2018. The Criminal Justice Strategic Committee comprises the heads of the relevant organisations across the Criminal Justice sector and was established to provide collaborative leadership across the sector. The purpose of the invitation was to discuss the work of the Interagency Group and its synergies and coordination with the CJSC.

Dr Barrington outlined the background to the establishment of the Group which was support the aim of the Department's Strategy to promote a whole of government approach to penal policy and to implement the following two recommendations of the Penal Policy Strategic Review Group:

- For a whole of government approach to the management and rehabilitation of offenders
- For a whole of government approach to crime prevention, including research for the formulation of penal policy

The Interagency Group published its First Report in July 2018 which was published on the Department of Justice & Equality's website. Dr Barrington outlined the Work Programme for 2018, plans for 2019 and also provided conclusions for the work to date which are summarised in her covering letter to Minister Flanagan accompanying this report.

Dr Barrington indicated the proposed issues which the Interagency Group proposes to focus on in 2019:

- Continuing attention to improving cooperation on pathways to reintegration – access to accommodation and mental health as priorities
- Developing proposals for research to underpin interagency cooperation
- Exploring in more depth the issue of policy on families and children of prisoners

#### **4 Work Programme 2019**

The Group has explored many issues over the course of its work in 2017 and 2018. It is intended to continue to explore and further develop these areas in 2019. The Group has agreed a work programme for 2019 which will form the basis of the Interagency Group's work in 2019. This is in line with the Group's terms of reference and its mission to improve interdepartmental and interagency coordination in the integration and rehabilitation of offenders and the prevention of crime as recommended by the Report of the Penal Policy Strategic Review Group.

The work programme includes the areas of research, employment, fostering family links to support desistance from crime and to promote and enable pro-social behaviours. Below is the proposed work programme

To this end, the Interagency Group will

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

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

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

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

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

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

3 Promote pro-social behaviour, which results in a positive participation in society. The Interagency Group has noted the success of the Community Return Programme in promoting better social behaviour among prisoners before release from prison and their positive participation in society after release.

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

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

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

5. Consider how fairness and greater equality could be achieved in the areas of penal and social policy in relation to crime prevention issues. The Group will review existing policies and practices in crime prevention from the perspective of fairness and equality and identify where interagency cooperation could achieve greater fairness and equality in crime prevention.

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

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

6. Identify where research and data collation could assist in greater integration across the

Public Service in terms of the rehabilitation of offenders and the formulation and impact of penal policy.

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

The Group specifically aims to examine the following areas in detail, recidivism studies, crime prevention & reduction programmes and longitudinal studies of offenders post release with a view to collaborate with the Department of Justice & Equality in respect of their Data and Research Strategy and including proposals from the Group in the Departments call for research proposals.

## **5 Future Reports & Recommendations**

The Group will prepare a report each year on its work, the issues it is addressing and those areas where progress is required. The Group may also issue separate reports or recommendations on issues of interagency co-operation, which it considers, could promote improvements in the reintegration/rehabilitation of offenders and crime prevention, as the need arises.

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## **Appendix A**

### **2018 Membership of Interagency Group for a Fairer and Safer Ireland.**

Dr Ruth Barrington Chairperson

Mr David Kelly, Dept. of the Housing, Planning, Community & Local Government

Mr Paul Crowley, Central Statistics Office

Mr Deaglan O Briain, Youth Crime Policy & Programmes Division, Dept. Justice & Equality  
(Alternate) Brendan Sheehy Youth Crime Policy & Programmes Division, Dept. Justice & Equality

Ms Diane Nurse, Health Service Executive

Mr Phil O'Flaherty, Dept. of Education & Skills

Mr John Conlan, Dept. of Employment Affairs & Social Protection  
(Alternate) Mr Dan Harty, Dept. of Employment Affairs & Social Protection

Chief Superintendent Matthew Nyland, An Garda Síochána

Ms Margaret O'Neill, Courts Service

Mr Gary Kiernan, TUSLA

Ms Susan Scally, Dept. of Health

Mr Fergal Black, Irish Prison Service

Ms Elaine Butler, Dublin Region Homeless Executive

Ms Ita Burke, Probation Service

Mr Michael Flahive, Dept. Justice & Equality (replaced Mr Jimmy Martin, Dept. Justice & Equality from February 2018).

Mr Noel Dowling, Dept. Justice & Equality

Mr Keith Lynn, Dept. Justice & Equality (Secretary to the Group)

## Appendix B

### Attendance at 2018 meetings of the Interagency Group for a Fairer and Safer Ireland.

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