



An Roinn Dlí agus Cirt  
Department of Justice



OIFIG AN CHIGIRE PRÍOSÚN  
OFFICE OF THE INSPECTOR OF PRISONS

## Department of Justice

---

## Office of the Inspector of Prisons

## Performance Delivery Agreement 2021

## 1. Background and Context

### 1.1 Objectives of this Agreement

The purpose of this Agreement is to define, in the context of the resource inputs provided, the targets by which the performance of the Office of the Inspector of Prisons (OIP) will be measured in 2021. The ongoing supports that the Department of Justice will provide to the OIP in this regard, and the mechanisms for monitoring and appraising performance, form part of the overall governance arrangements between the two parties and as such are set out in the separate but complementary Oversight Agreement 2020-22.

### 1.2 Inputs

#### 1.2.1 Financial Inputs

The OIP's budget allocation for 2021 is as follows:

Pay	€ 1,328,000
Non-Pay	€ 626,000
<b>Total</b>	<b>€1,954,000</b>

#### 1.2.2 Staffing Resources

The following table shows the OIP's full-time equivalent staffing as at 1st March 2021.

Chief Inspector (Assistant Secretary equivalent grade)	1
Senior Inspector (Principal Officer equivalent grade)	2
Inspector (Higher Executive Officer equivalent grade)	5
Data Analyst (Higher Executive Officer equivalent grade)	1
Office Manager (Administrative Officer equivalent grade)	1
Executive Officer	1
Clerical Officer	1
<b>Total</b>	<b>12</b>

## 2. Performance Targets

The following are the principal targets that shall be referenced in 2021 to assess the OIP's efficiency and productivity in using the resources allocated to it.

## 2.1 Quantitative targets

Output area or initiative	Metric	Associated strategic objective <sup>1</sup>	2021 Target	2020 Target	2020 Outturn	2019 Target	2019 Outturn
<i>Prison Inspection</i>	Full Inspection Report submitted to the Minister by end Q4	1, 3	1*	1	0	1	0
<i>Thematic/ Focused Inspections</i>	Thematic/Focused (management of COVID) reports submitted to Minister by end Q3	1, 3	12	2	2	1	0
<i>Death-in-custody investigations</i>	% of Death in Custody investigation report backlog cleared	4	53%	---	---	---	---
<i>Letters received from prisoners under Rule 44 of the Prison Rules</i>	% of correspondence received from prisoners under Rule 44 acknowledged within five working days	1	100%	----	----	----	----
	% of final replies issued within 20 working days		100%	----	----	----	----
<i>Review of Category A prisoner complaints</i>	% of Category A complaints reviewed within 20 days of receipt	7	100%	----	----	----	----
<i>Induction, Learning and Development</i>	% of new staff that receive induction following appointment by end Q1	2	100%	----	----	----	----
	% of staff that receive bespoke training relating to OIP statutory functions by end Q1		100%	----	----	----	----

\* The target that had been agreed under the 2021 Revised Estimates has been revised to reflect the anticipated impacts of the public health measures introduced in the interim.

<sup>1</sup> The referenced objectives in the OIP's Strategic Plan 2020-23 are as follows:

- #1 We will develop and maintain the frameworks, approaches and processes to underpin robust regimes for inspection, investigation and written correspondence from prisoners
- #2 We will implement the new operating model required to deliver our Mission and statutory duties
- #3 We will undertake and maintain a robust programme of inspection throughout all of Ireland's prisons
- #4 We will investigate all Deaths in Custody in a robust and timely manner
- #7 We will provide a valuable oversight function for the IPS Prisoner Complaints Procedures

## 2.2 Other targets

Output area or initiative	Target	Associated strategic objective
Communication materials to raise awareness of role of OIP	Audio visual (1 general, 1 inspection-focused) and written materials to be completed and disseminated to IPS by end of Q1.	1

## 2.3 Main Risks to Achievement of Targets

The main potential risks to achievement of the targets set out in this Agreement, and the corresponding mitigation/contingency measures, are as follows:

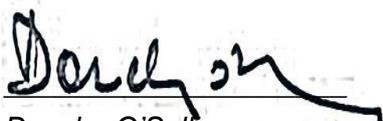
Risk Description	Mitigation Measures
Failure to complete comprehensive Death in Custody investigations in the absence of accessing deceased prisoner's healthcare records	As an interim arrangement since 2014, the IPS release such records with consent from Next of Kin (NoK). However, this inevitably leads in some instances to a failure to review healthcare/ medical records where NoK is unknown or uncontactable. It is intended, as soon as possible, to address the issue in legislation to allow for access to healthcare records.  In instances where the OIP has not received healthcare records, appropriate commentary is inserted in the relevant Death in Custody report.
Failure to carry out planned robust inspections in accordance with the Framework for the Inspection of Prisons in Ireland due to Covid 19 pandemic and associated public health restrictions	Alternative methods (short visits) will be implemented as required to mitigate the risk of planned inspections not occurring. These inspections to commence in Q1.
Inadequate technology / case management systems which may result in failure to: <ul style="list-style-type: none"> <li>- Manage, access and report on information in relation to inspections, investigations and individual prisons</li> <li>- Analyse Rule 57B (Prison Rules) complaint data in a timely and effective manner</li> <li>- Aggregate issues raised in prisoner correspondence to the OIP under Rule 44 (Prison Rules) to inform the inspection of prisons</li> </ul>	Currently working with current Lotus Notes based IT systems which are being supplemented by off-system excel spreadsheets.  Prepare a Business Case by end Q2 seeking Departmental approval for the acquisition of a Case Management System and for an IT Strategy.
Risk of investigations being hindered by lack of statutory powers for OIP personnel	Continued engagement with the Department in relation to legislative reform.
Risk of contracting or introducing Covid-19 in a prison setting	Development of risk informed plan for Covid-19 by end Q1.

## 2.4 Amendment of Targets

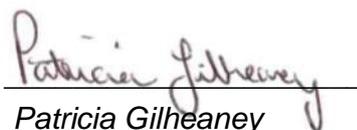
In exceptional circumstances it may become necessary to amend one or more targets over the course of this Agreement. Where either party believes this may be necessary, they shall consult with the other party with a view to agreeing any appropriate changes as soon as practicable.

## 3. Duration and Signatories to the Agreement

Doncha O'Sullivan, Assistant Secretary, Department of Justice, and Patricia Gilheaney, Chief Inspector, Office of the Inspector of Prisons, affirm that this Agreement shall be in effect from the date hereunder until 31<sup>st</sup> December 2021.



*Doncha O'Sullivan*  
*Assistant Secretary*  
*Department of Justice*



*Patricia Gilheaney*  
*Inspector of Prisons (Chief Inspector)*  
*Office of the Inspector of Prisons*

**Date: 15<sup>th</sup> March 2021**