

Mr. Charlie Flanagan T.D.,  
Minister for Justice and Equality,  
51 St. Stephen's Green,  
Dublin 2

**Seventh Progress Report of the Implementation Oversight Group to oversee implementation of the recommendations of the Penal Policy Review Group**

Dear Minister Flanagan,

It is my pleasure to submit to you the seventh report of the Implementation Oversight Group for the Penal Policy Review Group Report.

In the preparation of this report, the core group met on 7th of November, 2018 and I have also met with all members of the group separately as part of this process.

As with our previous report, the group has carried out a further analysis of (1) the timelines expected for the implementation of each recommendation made by the Penal Policy Review Group, and (2) the implementation status of each of those recommendations. The group has also reviewed the milestones attached to each recommendation and, where relevant, created new ones to reflect developments since our first and second reports.

As you know, the Penal Policy Review Group made 43 recommendations. Some of these contain multiple elements, and we have identified a total of 55 areas for assessment arising from the report. Again, the Group has made a qualitative and overall assessment concerning the implementation of each of those recommendations.

The following scale is used by the Group as a mechanism for reporting on progress on the implementation of recommendations.

<b>Rating</b>	<b>Description of range</b>
E	No Progress
D	Discussion/Consultation/Planning Phase
C	Implementation Phase Commenced
B	Implementation Phase Progressing
A	Fully Implemented

3 recommendations are in the 'A' category, 19 are in the 'B' category, 15 are in the 'C' category, 14 are in the 'D' category and 4 are in the 'E' category.

In our first report, 70 milestones were deemed complete, while in this report, 262 milestones have been deemed complete.

As you will be aware, Minister, the report of the Penal Policy Review Group was published in September 2014 and the Implementation Oversight Group has now prepared seven reports.

The Penal Policy Review Group, following the Thornton Hall Review Group, represented a step-change in thinking about penal policy in Ireland. Its great strength was its ability to achieve consensus amongst a wide variety of participants, from Department of Justice and Equality officials to NGOs. Now, almost five years after the report was first published, the Implementation and Oversight Group continues its work reporting on the progress of its implementation. A lot has changed in that period; the Community Return scheme has shown success, the interdepartmental and interagency group on a Safer and Fairer Ireland has been established, your Department now has a Data and Research Strategy, and the Victims' Directive has now been transposed into Irish law.

The prison population has recorded falls for much of this period. While that is so, you will be aware that, in more recent times, there are worrying indications of a return to an increasing prison population, especially amongst women, subjects of major concern to the Penal Policy Review Group in 2014. I might note, in particular, Recommendation 21, which advocates that: "gender appropriate strategies are adopted to the management of female offending and female offenders". The development of a supported facility for women in the criminal justice system is an important step in this regard. Nevertheless, it remains the case that the number of women entering prison raises serious questions about whether the Penal Policy Review Group's envisaged approach concerning women in the criminal justice system is being fulfilled.

Furthermore, some of the statutory underpinnings which the Penal Policy Review Group thought important to its blueprint for a renewed penal policy remain absent. Recommendation 32, which recommended that the principle that imprisonment be a measure of last resort be enshrined in statute has not been implemented. Legislation on community sanctions (Recommendation 9) is also still awaited. Core elements of the Penal Policy Review Group's report concerning support for the policymaking process have also not been progressed, such as the establishment of a Consultative Council.

In the coming months, the Implementation and Oversight Group will discuss how best to proceed in its efforts to ensure the implementation of the Penal Policy Review Group's recommendations, and assess its own workings. The Group will review the overall implementation process to date and assess possible ways forward to ensure the promise of the Penal Policy Review Group's vision is fulfilled.

I would also like to take this opportunity to acknowledge the major contribution Michael Donnellan, former Director General of the Irish Prison Service, made to the work of the Implementation and Oversight Group since its establishment and thank him for his personal commitment to its work.

As always, it would be my pleasure to meet you to discuss the enclosed report in more detail.

Yours sincerely,

A handwritten signature in black ink on a light gray background. The signature is cursive and reads "Mary Rogan".

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Mary Rogan  
Chairperson of the Implementation Oversight Group  
28 February, 2019