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Joint Committee on Justice

Report on an Examination of Rehabilitative
Opportunities within the Prison System

33/JC/39

May 2023

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CATHAOIRLEACH'S FOREWORD

The Committee was pleased to facilitate an examination on the topic of 'Rehabilitative Opportunities within the Prison System'.

In selecting this topic from its Committee Work Programme, the Committee was interested in considering the rehabilitative opportunities that are available within the Irish prison system, including education programmes, workshops and mental health and addiction supports and examining the effectiveness of these programmes and how they could be improved upon.

In reaching out to stakeholders to gain diverse perspectives on this topic, the written submissions and witnesses provided the Committee with an insight into several areas where they felt it was most important to make improvements. Among these key areas identified include the provision of workshops and education within prisons; the barriers that can hinder prisoners from re-integrating into society upon their release; the mental health and addiction services available within prisons; and alternative rehabilitative measures to the prison system.

The Committee also had the opportunity to meet with a delegation from the House of Commons Justice Committee in Autumn 2022, who were conducting an inquiry into 'The role of adult custodial remand in the criminal justice system'. This meeting provided the Committee with the opportunity to further discuss their findings about the Irish prison system and to compare how the system in the UK worked and the Committee felt that this was a very worthwhile and positive engagement.

The Committee has made a number of recommendations for these areas and it is hoped that these will receive due consideration. A copy of this report and recommendations will be sent to the Minister for Justice and the Committee looks forward to working proactively and productively with the Minister to address issues identified regarding the rehabilitative opportunities available within the prison system.

I would like to express my gratitude on behalf of the Committee to all the witnesses who attended our public hearing to give evidence and those who forwarded written submissions.



James Lawless TD (FF) [Cathaoirleach]
May 2023

COMMITTEE MEMBERSHIP

Joint Committee on Justice

Deputies



James Lawless TD (FF) [Cathaoirleach]



Colm Brophy TD
(FG)



Patrick Costello TD
(GP)



Alan Farrell TD
(FG)



Pa Daly TD
(SF)



Aodhán Ó Ríordáin TD
(LAB)



Mark Ward TD
(SF)



Thomas Pringle TD
(IND)



Niamh Smyth TD
(FF)

Senators



Robbie Gallagher
(FF)



Vincent P. Martin
(GP)



Michael McDowell
(IND)



Lynn Ruane
(IND)



Barry Ward
(FG) [Leaschathaoirleach]

Notes:

1. Deputies nominated by the Dáil Committee of Selection and appointed by Order of the Dáil on 3rd September 2020.
2. Senators nominated by the Seanad Committee of Selection and appointed by Order of the Seanad on 25th September 2020.
3. Deputy Jennifer Carroll MacNeill elected as Leas-Chathaoirleach on 6 October 2020.
4. Deputy James O'Connor discharged and Deputy Niamh Smyth nominated to serve in his stead by the Fifth Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 19th November 2020.
5. Deputy Michael Creed discharged and Deputy Alan Farrell nominated to serve in his stead by the Fifteenth Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 28th June 2022.
6. Deputy Brendan Howlin discharged and Deputy Aodhán Ó Ríordáin nominated to serve in his stead by the Nineteenth Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 8th November 2022.
7. Deputy Jennifer Carroll MacNeill was discharged, pursuant to Standing Order 34, on 21st December 2022.
8. Senator Barry Ward was elected as Leas-Chathaoirleach at the Committee meeting on 15th February 2023.
9. Deputy Colm Brophy nominated to serve on the Committee by the Twenty First Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 7th March 2023.
10. Deputy Martin Kenny discharged and Deputy Mark Ward nominated to serve in his stead by the Twenty-Third Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 26th April 2023.

COMMITTEE RECOMMENDATIONS

The following recommendations were made by the Committee in relation to the topic:

1. The Committee recommends that consideration should be given towards the concentration of certain supports within specific prisons; particularly rehabilitation, training, education, mental health and addiction services.
2. The Committee recommends that measures should be taken to reduce the prison population as a matter of urgency, by expanding the range of community-based sanctions, including restorative justice programmes, available to the court as alternatives to imprisonment and addressing first-time offenders who are often subject to custodial sentences.
3. The Committee recommends that the Irish Prison Service (IPS) should provide more training and workshops on digital literacy skills to support prisoners' reintegration into a society that revolves around technology.
4. The Committee recommends that the IPS undertake a review of all mental health supports available within prisons, in order to ascertain any areas where increased resources should be directed and to identify areas that require specialised professionals.
5. The Committee recommends that the IPS would develop a revised drugs policy, aligned with the national drugs strategy and promote a health-led approach to drug use within prisons, with consideration to factors within the prison system that may influence drug use, whether or not an underlying issue exists.
6. The Committee recommends that addiction services within prisons and the wider community should be significantly improved, to address underlying addiction issues amongst prisoners and to prevent them from relapsing during their sentence and upon release.

7. The Committee recommends that the approach towards offering restorative justice services to prisoners and victims should be more formalised.
8. The Committee recommends that consideration be given to introducing peer-to-peer mentoring schemes between young offenders and longer-serving prisoners who have engaged effectively in rehabilitation programmes.
9. The Committee recommends that measures are taken to encourage and incentivise employers to hire individuals with a criminal record following their release, to aid reintegration into society and reduce the risk of recidivism.
10. The Committee recommends that measures are devised to encourage a changed approach around the roles that society should play in creating environments that foster rehabilitation, by addressing damaging narratives and helping to provide opportunities to former offenders that enable them to re-integrate, including a more pro-active engagement between the Probation Service, the Irish Prison Service and Local Authorities to address housing needs.
11. The Committee recommends that the Criminal Justice (Community Service) (Amendment) Act 2011 and the use of shorter sentences be reviewed as soon as possible.
12. The Committee recommends that the General Scheme of the Criminal Justice (Community Sanctions) Bill published in 2014 should be reviewed and progressed as soon as possible.
13. The Committee recommends that the eligibility criteria for temporary release, the potential to increase the use of open prisons in Ireland, the criteria for eligibility for transfer to an open prison, and the establishment of independent living facilities for prisoners be examined.

14. The Committee recommends that consideration be given to establishing an open prison for women in Ireland, in order to provide an alternative to prison for certain female prisoners.
15. The Committee recommends recognition of stable and safe living conditions as being fundamental to the rehabilitation function of the prison system. A review of single-cell accommodation and a dedicated strategy for reducing restricted regimes is encouraged.
16. The Committee recommends that a person-centred approach is required to further provision and engagement of rehabilitative opportunities and to address negative labelling and stigma surrounding people in prison.

SUMMARY

In selecting the topic 'An Examination of Rehabilitative Opportunities Within the Prison System' for further analysis, the Joint Committee on Justice acknowledged that an effective Irish prison system must balance the need to ensure that victims receive justice, while also trying to provide rehabilitative opportunities to prisoners and ensure that society enables them to re-integrate upon their release. During its engagement with stakeholders, the Committee heard that equipping prisoners with supports and opportunities that will help them to contribute positively to society results in positive benefits for wider society overall, with lower recidivism rates and fewer victims of crime.

In discussing and evaluating relevant areas in relation to this topic, the Committee invited written submissions seeking the views of various stakeholders. Stakeholders, in addition to any general points on the topic, were asked to comment on whether they believed there are sufficient rehabilitative opportunities within the prison system; whether these opportunities provide the relevant skills for prisoners to re-engage in society upon release; whether there are adequate mental and emotional health supports in the prison system; and what other supports and resources a person may need while in the prison system to reduce recidivism.

Based on the evidence to the Committee, it is clear that there are several areas where improvements could be made in order to increase the chances of those within the prison system rehabilitating successfully upon their release. While some changes outlined by witnesses could be introduced in the short-term, including the provision of workshops and training or the establishment of a peer-to-peer mentoring scheme between young-offenders and longer serving prisoners, other issues identified would require more deep-seated reforms to take place. Among these is the need for society to acknowledge its own role in the rehabilitation of prisoners and the need to encourage a shift within public perception of prisoners, in order for sufficient health services and employment opportunities to be provided to former prisoners and to allow them to work towards their successful re-integration into society following their release.

The discussion surrounding the rehabilitative opportunities available within the prison system and potential solutions for how to improve upon them are outlined in the following section.

CHAPTER 1 – Engagement with Stakeholders

Introduction

The Joint Committee on Justice invited submissions from stakeholders on the topic of ‘an Examination of Rehabilitative Opportunities within the Prison System’.

On 29th March 2022 the Committee held a public engagement with several of these stakeholders, as laid out in the table below:

Table 1: List of public engagements with Stakeholders

Organisation	Witnesses	Date of appearance
Ms. Ethel Gavin	Former Prison Governor, Midlands Prison	29 th March 2022
Mr. Eddie Mullins	Governor, Mountjoy Prison	29 th March 2022
Mr. Warren Graham	Prisoner at Loughan House Open Centre	29 th March 2022
Irish Penal Reform Trust (IPRT)	Ms. Molly Joyce, Acting Executive Director Ms. Sarahjane McCreery, Senior Policy & Research Officer	29 th March 2022
Irish Prison Service (IPS)	Ms Caron McCaffrey, Director General Mr. Fergal Black, Director of Care and Rehabilitation	29 th March 2022

The primary focus of these meeting was to allow for an engagement between the Members and stakeholders to discuss the rehabilitative opportunities that are available within Irish prisons and to explore measures that could improve these opportunities for prisoners.

This report summarises the engagements and the key points considered by the Committee when drafting the recommendations set out in this report.

A link to the full transcript of the engagement can be found [here](#).

CHAPTER 2 - Summary of Evidence

In the course of the public hearing, a number of important points were raised. A summary of the main areas discussed in evidence to the Committee follows.

1. Factors affecting the likelihood of being imprisoned

On several occasions throughout the engagement, Members and witnesses highlighted specific disadvantages that can increase the prospects of individuals being sent to prison and emphasised the continued need for these factors to be tackled and addressed.

The Committee heard that there is a significant link between several factors and the likelihood of entering prison including unemployment; drug addiction; leaving education at an early age; adverse childhood experiences; family circumstances; and growing up in an area of deprivation. Evidence from witnesses highlighted that prisoners are 25 times more likely to come from a disadvantaged area; that over 70% of those in prisons in 2017 were unemployed; and that over 50% of prisoners have left formal education before they turn 15.

The Committee was also told of a study by the Association for Criminal Justice Research and Development from 2007, which analysed the backgrounds of young people that came before the Children's Court. The results of this survey found that there were also significant correlations between the above factors and the young individuals that presented before court. Of the 400 young people evaluated within the study, the majority of them were male, lived in disadvantaged communities; did not live with both of their parents; and were not in full-time education.

Witnesses argued that more preventative measures and policies should be in place to discourage individuals from committing crimes in the first instance, as this would be more effective than trying to rehabilitate individuals after a crime has already been committed. Several witnesses stressed the need for wraparound services, within and outside of the prison system.

In discussing the best options to help rehabilitate individuals who end up in prison, witnesses outlined several key factors, including the importance of providing education to those imprisoned and ensuring that they can continue this education upon their release ([see Point 3](#)); the importance of expanding mental health and addiction services, within prisons and communities, to help tackle underlying health issues ([see Point 4](#)); and the importance of ensuring that there are employment opportunities available to those leaving prison, in order to re-integrate more fully into society ([see Point 7](#)):

Witnesses highlighted that they are aware of the particular vulnerabilities of younger offenders and that they engage in a specific manner with this cohort to try and help them ([see Point 6](#)).

2. Opportunities and barriers to rehabilitation within the prison system

Members and witnesses discussed the rehabilitative opportunities that are available within prisons and raised questions around the factors that influence whether prisoners will engage in rehabilitation opportunities or what additional assistance could be provided, to ensure that as many prisoners as possible avail of these opportunities.

Witnesses from the Irish Prison Service (IPS) informed the Committee that they provide rehabilitative services to prisoners in areas including [education and workshops](#) and [mental health supports](#), alongside providing an integrated sentence management (ISM) system for prisoners. The ISM system is a multi-disciplinary approach to engaging with prisoners, which emphasises the prisoner taking responsibility for their development in prison, through availing of services available to them. The ISM also aims to help prisoners plan for their release and make preparations regarding accommodation, employment and education upon their release.

The Committee heard that a prisoner progression plan is being developed, which would identify the services provided in each prison and the number of prisoners that can be accommodated in different prisons. Witnesses identified the barriers posed by location in extending the current Work and Training system to all prisons. They identified that particular services are best accounted for in specific prisons. For example, Wheatfield prison is thought to be the most suitable for rehabilitation and training programmes, while Mountjoy prison would be more suited to providing drug treatment programmes and mental health programmes.

Witnesses told the Committee that several factors can influence whether a prisoner engages with rehabilitation opportunities or not including some of the following:

- **Lack of available places:** Witnesses highlighted that opportunities for rehabilitation are available but can be limited, e.g., due to lack of availability or resources such as funding, or staff capacity.
- **Preclusion from engaging in rehabilitation programmes:** Some prisoners are placed on restricted regime or on protection which prevents them from engaging in temporary release programmes, workshops and educational

opportunities. This can result in these prisoners disengaging from any rehabilitation programmes, as they feel there is no benefit for them.

- **Reputation:** The reputation that an individual has upon entering prison can influence their ability to rehabilitate themselves, as prisoners can find it hard to shake this reputation and be perceived differently even after engaging in rehabilitation opportunities. This is often exacerbated by the sensationalism of offences through media outlets.
- **External factors:** Witnesses pointed out that the often traumatic experiences of individuals prior to their time in prison, in childhood and within their homes, can prevent them from engaging with rehabilitation opportunities. Another factor was their relationships with loved ones while they are in prison.
- **Length of prison sentence:** Those serving longer sentences are often less likely to engage, particularly those serving life sentences. Witnesses noted that the prospect of release or the idea of life upon release often provides motivation for engagement with rehabilitative opportunities.

Witnesses made several suggestions for how to better support prisoners to engage in rehabilitation programmes, including:

- That measures must be taken to reduce the prison population, as a lower population would have a positive impact on access to rehabilitative opportunities and other supports within prisons. Witnesses noted that the Progress in the Penal System (PIPS) report from 2021 had found that the daily average of those in custody was higher in 2020 than in 2017 and that there had been a decrease in the use of community service orders, in favour of short-term sentences.
- Witnesses highlighted that it is essential that prisoners should be afforded more than one chance to make good of the opportunities provided to them and that

due consideration should be given to factors that may influence disengagement. Allowances should be made for the inevitable mistakes that prisoners will make throughout the course of their rehabilitation journey.

3. Provision of education and workshops in prisons

Members and witnesses discussed the provision of workshops and education within prisons.

Witnesses highlighted that 70% of the current prison population are classified as early school-leavers while in 2017 over 50% of the prison population had left school before turning 15 years old.

The Committee heard that prison education is provided by the Department of Education and that there are 220 full-time teachers in prison schools. Witnesses said that there is good participation of prisoners in the education system, particularly in the areas of music and arts.

Witnesses attested to the value of education for prisoners and the Committee was told that there are many benefits of education for prisoners. These include

- That accessing education is essential to help rehabilitate prisoners, reduce recidivism rates and prepare them for re-engaging in society and securing employment;
- That many individuals engage with education meaningfully for the first time in a prison setting and may discover new skills or talents within themselves;
- Providing education to prisoners helps them to develop their self-worth and self-belief;
- Providing education to prisoners has wider benefits, as they can share this education with their families and within their wider communities.

The Committee was told about some of the schemes being undertaken by third level universities, including the National University of Ireland Maynooth and University College Cork, to provide opportunities for those within prison to engage in third-level education. The Committee also heard of the potential for apprenticeship options to be made available for those leaving prison.

Witnesses highlighted that it is imperative that the education provided to those within prison can be further facilitated within communities to ensure that they do not re-engage in criminal behaviour.

Witnesses told the Committee that the competing demands for resources to be allocated to different services within prisons can impact on the provision of education or workshops. One example given is the need for prison staff to escort prisoners to external court appointments, which impacts negatively on the provision of education and workshops within prisons. The Committee heard that the introduction of the annualised hours system of working in 2005 also changed the regulations around overtime for prison staff and contributed to the closure of many workshops. Witnesses pointed out that the frequency of workshop closures can lead to a lack of motivation amongst training staff, a disengagement amongst prisoners and creates a barrier to prisoners achieving their accreditation.

Members and witnesses also spoke of the need for the IPS to focus more on credited workshops and training prisoners in digital literacy skills, as these are essential both for employment opportunities and also in daily life, where many tasks, such as banking, have now moved largely online.

4. Mental health supports and addictions services within the prison system

Members and witnesses discussed the provision of mental health and addiction services within the prison system.

Members questioned how long the waiting times were to access mental health or psychological supports within prisons and whether there were plans in place to address the waiting lists for prisoners to access drug counsellors and other supports.

The Committee was informed that, in order to best engage with and help someone with their mental health or addiction issues, staff need to dedicate a significant amount of time towards helping this individual. This means that such services are often better suited to those serving longer sentences.

Witnesses acknowledged that there are currently waiting lists and delays to access health services within prisons. The Committee was told that an operational dashboard has been developed for the IPS, which tracks and assess the IPS' performance across their services and highlights the areas where improvements to services need to be made. Witnesses from the IPS told the Committee that this system would help them to improve their services and the participation rates in these services.

Mental health supports

The Committee heard that the incidence of people in prison with severe mental illness is four times that of the general population. However, there are several challenges that hinder the provision of mental health supports within prisons, including lack of trauma-informed training for staff, a low psychologist-to-prisoner ratio; significant waiting times for in-prison psychology services and addiction counselling services; and also significant waiting times to access services within the Central Mental Hospital.

Witnesses pointed to the Progress in the Irish Penal System (PIPS) report from 2021 which found that the longest waiting time for a psychology group, was up to four years and the Committee was told that there is one psychologist per approximately 257

prisoners. Witnesses pointed out the impact this has on those serving short term sentences, who require such supports but are released before receiving them.

Witnesses also underlined that, in many cases, those that present with mental health issues should not be in prison in the first instance, as it is not an appropriate environment to help address these issues. Witnesses recommended that more supports should be available within communities to help treat mental health issues.

Witnesses stressed concern around the dual-responsibility of psychologists within the prison system. The shortage of specialists means that they must support those with mental health issues while overseeing the assessment and management of risk. This has consequences for one's ability to progress within the system, particularly those serving life sentences who hope to be considered for parole.

It was recommended that the IPS would undertake a review of all mental health supports available within prisons in order to ascertain the areas where increased resources should be directed.

Addiction services

The Committee heard that evidence demonstrates a clear link between drug use and engagement in criminal activity, with an estimated one in two prisoners having issues with substance misuse or dependence and one in two prisoners actively using drugs within prisons.

Witnesses told the Committee that drug-related intimidation is also a serious issue within communities and that an individual's drug addiction can have repercussions for their family, who may be threatened or extorted in order to pay for their relative's drug debt.

In terms of addiction services, the Committee was told that in the Midlands Prison there are two drugs' counsellors for approximately 700 to 800 prisoners. Witnesses highlighted that there is little publicly accessible information on the supports and treatments for individuals using drugs in prison. The Committee heard that there are

limited harm reduction options for drug use in prison and that there is no needle exchange programme, while prisoners are only provided with naloxone on release from prison. Witnesses also questioned whether there are any peer support programmes available in prisons that could help deal with situations where a prisoner has overdosed.

Witnesses highlighted that IPS' current drugs policy dates from 2006 and does not include reference to harm reduction principles or cohere with the current national drugs strategy. It was recommended that the IPS would develop a revised drugs policy that would align with the national drugs strategy and promote a health-led approach to drug use within prisons.

Witnesses also recommended that a significant enhancement of addiction services, both within prison and in the wider community, must be rolled out to address underlying addiction issues, first-time drug users and to prevent individuals from relapsing.

5. Benefits of restorative justice programmes

Members and witnesses also discussed the benefits of restorative justice programmes for both prisoners and victims.

The Committee heard that restorative justice offers many benefits to both victims and prisoners, for example, that it allows prisoners to address their offending and move past it in a more active and engaged way, than through accounting for their offending by serving a prison sentence.

The Committee was told that studies have found that victims and prisoners want similar things from the justice system including that they feel heard; that it is fair; and a sense that justice has been carried out. Witnesses pointed out that restorative justice practices are a key method towards achieving these goals.

Stakeholders highlighted that the current approach towards restorative justice services is haphazard and that both victims and prisoners may be interested in engaging in these services but are not give enough information on how to access them. The Justice Plan in 2022 highlighted the need for restorative justice practices to be more formalized and to be offered to prisoners on their initial entry into the prison system. Witnesses also pointed out that opportunities for restorative justice practices may depend on the options provided to prisoners by judges, who may not be aware of the opportunities for restorative justice programmes themselves.

In response, witnesses from the IPS highlighted that they are engaging with Dr. Ian Marder from Maynooth University to develop a restorative justice strategy for the Prison Service, which they believe will bring benefits for victims, for prisoners and also for the relationships and issues that may arise between prisoners and between prisoners and staff.

6. Specific measures to help female prisoners and young offenders

Members and witnesses discussed the experience of particular groups within the prison system, such as women and young offenders and what measures could be introduced that would specifically help these cohorts of prisoners.

Measures for female prisoners

It was highlighted that there are only 200 women in the prison population and that many of these women have committed non-violent offences. The Committee heard that women are generally a more vulnerable cohort within prison settings and that they would have a range of complex needs. Witnesses told the Committee that many of these women have experienced physical and sexual violence against them, have had their children taken into care and may be suffering from addiction or mental health issues as a result of these and other experiences.

While some witnesses highlighted that women receive a good level of medical services within a prison setting, others pointed out that there appears to be no interim model regarding mental health treatments.

Questions were raised as to whether there would be a better type of facility for female prisoners, which would lay an emphasis on the provision of relevant support services for these women, some of whom have an urgent need for appropriate mental health and health related services.

Some witnesses told the Committee that these women should not be in prison in the first instance and that rather, they are sent there because of a lack of other appropriate options available for them. In terms of other models or prison facilities for women, the Committee heard that there is a step-down facility in the centre of Dublin to help prepare women transition from living in prison to living in the community upon their release, however, the availability within this facility is not sufficient to meet current demand.

Witnesses recommended that, alongside the step-down facility, there should also be an interim step-up facility for female prisoners.

Measures for young offenders

Witnesses highlighted that there are several specific measures targeted towards young offenders within prisons. These include

- It was recommended that young offenders should be kept separate from other offenders.
- Prisoners that turn 18 while in Oberstown remain there until they turn 19. Those who must transfer from Oberstown to continue their prison sentence are sent to Wheatfield prison, which has a specific unit for young people.
- Staff within Wheatfield prison are trained to engage with these offenders and to try and build a positive relationship and engage with them.
- Psychology services provide an intensive programme to all prisoners up to the age of 25.
- The IPS engages with individuals up to the age of 25 who do not have post-release supervision, while the Probation Service engages with individuals up to the age of 25 who do.

Witnesses told the Committee that they are particularly aware of this age group and of the need to try and ensure that those within this age group do not become repeat offenders and continuously return to the prison system.

Witnesses highlighted the potential benefits of peer-to-peer mentoring schemes, where young offenders could be mentored by longer-serving prisoners who have engaged well in rehabilitation programmes and could encourage them to do the same.

7. Barriers to re-integrating into society upon release from prison

Members and witnesses discussed the challenges and barriers that individuals encounter when trying to re-integrate into society after being released from prison.

The Committee was informed that prisoners are entitled to several supports upon leaving prison. For example, prisoners receive a payment from the Department of Social Protection on the day that they are released and those who are released from prison after serving a sentence of six months or more will receive a medical card to ensure that they continue to receive essential medication.

However, witnesses underlined that prisoners still face challenges in securing accommodation, accessing addiction services and gaining employment upon their release and that these pose significant challenges to the successful re-integration of prisoners into society.

➤ Housing

Witnesses told the Committee that, while they have points of contact within each authority and within the Department of Housing, Local Government and Heritage, the vast majority of those within custody end up in short-term emergency accommodation upon their release. Witnesses highlighted that the difficulties sourcing accommodation for prisoners is reflective of the wider difficulties sourcing accommodation in Ireland.

Witnesses informed the Committee of the success of the Housing First criminal justice model, which has capacity to provide accommodation for 75 individuals who have left prison. These individuals, who often have complex needs including addiction or mental health issues, are provided with wraparound services alongside a key worker, who ensures that they will attend their probation officer and court appointments. Witnesses highlighted that 11 of the 14 individuals placed in permanent tenancies have maintained their tenancy and the Committee heard that there are plans to extend this model further outside of the Dublin area.

➤ **Employment**

The Committee heard that the stigma of being a prisoner can impact significantly on one's employment opportunities outside of prison. The Committee was told that there must be a greater commitment from employers and employer groups to hire individuals with a criminal record and witnesses argued that all relevant stakeholders should work together to identify solutions that would help improve the employment rates among prisoners. They pointed to a model in the UK, where Timpsons, a key-cutting and shoe repair company, implements a policy of employing 10% of its workforce from among ex-offenders and witnesses highlighted the success of this model.

➤ **Supports within the community**

Witnesses highlighted that prisoners are used to a routine while in prison and that they may have been availing of education and other services. However, when they leave prison, they can find themselves back in their communities with a lack of structure and lack of similar programmes to engage in, which can result in these individuals falling into their previous habits or company and result in them ending up back in prison and re-starting the cycle. To counter this pattern repeating for offenders, the Committee heard that it is essential that there be adequate supports within the community, including addiction services, to help prisoners effectively re-integrate into society.

Witnesses stressed that while prison has a certain role in helping prisoners to rehabilitate themselves, a significant part of rehabilitation should take place within the community. Witnesses argued that there must be greater awareness within the public of the crucial role that wider society must play in helping former prisoners adjust to life outside prison and that society must be supportive of and provide more opportunities to offenders upon their release. Witnesses told the Committee that without this support from society, then any of the work that is done to rehabilitate prisoners within prisons will unravel as soon as they leave prison.

8. Alternatives to the prison system

Members and witnesses discussed what alternative options are available to judges when deciding on sentencing, aside from sending people into the prison system.

The Committee heard that there can be a view among those involved with the criminal justice system that, where possible, it is better to avoid sending an individual to prison if they have not been sent to prison before. This is based on the belief that someone who enters prison may begin a pattern of continuously entering and leaving the prison system into the future.

Witnesses highlighted that it is difficult for the prison service to help rehabilitate prisoners that may have amassed a significant number of convictions but are repeatedly given short sentences, e.g. if they are only serving sentences of between 3-6 months. This is because the prison service does not have sufficient time to help prisoners address the underlying reasons that led to them committing crime in the first instance, such as mental health issues or addiction problems.

Members and witnesses discussed sentencing options and the length of prison sentences and welcomed the review of penal policy options undertaken by the Department of Justice. It was recommended that the Criminal Justice (Community Service) (Amendment) Act 2011 be reviewed as soon as possible, regarding the use of short sentences.

The Committee heard that international evidence has shown that community-based sanctions are more appropriate for those who have committed crimes but do not pose a significant risk to society, as the supports for mental health problems and addiction are better addressed in a community setting than within a prison setting. Witnesses highlighted that community sanctions are also cheaper to finance overall than prison sentences and that this should also be considered when re-evaluating alternative options to prison.

Witnesses recommended that there should be increased investment into community-based sanctions as alternative to prison and they recommended that the Criminal Justice (Community Sanctions) Bill 2014 should be progressed as soon as possible.

The Committee was told that a clear programme, trained staff and a significant investment of time and resources is necessary for any alternative rehabilitation option, in order to ensure its success.

9. Open prisons

Members and witnesses raised questions around the use of open prisons in Ireland. It was pointed out that only 6% of prisoners in Ireland are kept in open prisons, while in Finland, one third of prisoners are in open prisons. Members said that prisoners had told them they had encountered difficulties when requesting to be moved to an open prison and that many of them had to wait until almost half of their sentence was served before being moved.

Members underlined that open prisons have a valuable role in the rehabilitation process as they help prisoners to avoid institutionalisation, which can develop among those who have been incarcerated for a long period. In addition, it was suggested that open prisons may be a good option for prisoners who may be at risk of being exploited by drug gangs within prisons.

The Committee heard that prison policies have been revised and that low-risk prisoners can now be placed within an open centre from the beginning to the end of their sentence. A risk-based approach is adopted to help decide whether a prisoner is suitable to move to an open prison and this does not preclude those serving shorter sentences being moved there. However, witnesses encouraged a review of the assessment process and proposed research into systems used internationally. The Committee heard that there had been several instances where short-term sentence prisoners attempted to escape from open prisons, which caused security issues and risks.

Witnesses also said that they believe open prisons work better for those serving longer sentences. This allows for prisoners to adjust to being in prison and receive any initial supports they require e.g., drug addiction or mental health supports.

Long-term prisoners also receive more management around their sentence and around their plan for working towards rehabilitation, which helps them to benefit more from the transition to an open prison.

Witnesses also highlighted the potential for independent living facilities to be established, which would provide another transition step for those within open prisons who have a short period left in their sentence, in order to better prepare them for the reality of re-engaging with society upon their release. These facilities would allow prisoners greater independence and responsibility for doing their own shopping, cooking for themselves, living in their own accommodation and generally allowing them to work towards becoming more self-sufficient. The Committee heard that the potential for independent living facilities on existing prison sites was being evaluated as part of the prison capital strategy.

Witnesses also suggested that the public must be better educated around the reality of serving a prison sentence in an open prison. It was pointed out that some elements of the public perceive an open prison sentence to be 'easier' than a sentence in a closed prison, when in reality, these prisoners still live in a contained environment and have many of their basic rights restricted.

This perception can be particularly strong in cases which may have attracted significant media attention, for example a conviction for dangerous driving causing death and can result in negative commentary if decisions are made to allow this individual to be in an open prison, even when they have been identified as being at a low risk of re-offending.

It was recommended that the potential for the increased use of open prisons in Ireland be examined. It was also highlighted that while there are currently two open prisons in Ireland there is no open prison for female prisoners in Ireland and witnesses argued that such a facility is urgently needed [\(see Point 6\)](#).

CHAPTER 3 - Summary of Submissions

The Committee received submissions from the following stakeholders.

- Mr. Eddie Mullins, Governor of Mountjoy Prison.
- Ms. Ethel Gavin, former Governor at Irish Prison Service.
- Mr. Warren Graham, prisoner at Loughan House Open Centre.
- Irish Penal Reform Trust (IPRT).
- Irish Prison Service (IPS).

These submissions highlighted in particular: the provision of education and skills development within prisons, the provision of mental health services for prisoners, the barriers facing prisoners in re-adjusting to society upon release from prison; and the changes that society can make to help ensure the reintegration of prisoners into their communities post-release.

1. Rehabilitative opportunities within the prison system

The following points were outlined regarding rehabilitative opportunities available within prisons.

- Sufficient rehabilitative opportunities available – but accessing these is not straightforward for every prisoner.
- Insufficient places and resources allocated for these opportunities.
- Protected prisoners have their opportunities limited.
- Reducing prison numbers improves rehabilitative opportunities within prisons.

Rehabilitative services available in prisons include the following: mental and emotional health supports; drug and alcohol addiction services; welfare and spiritual services; education; and life skills (which are expanded on in further detail throughout this briefing).

Submissions highlighted that they believe there are sufficient rehabilitative opportunities in prisons, but that these may not be easily accessed by prisoners. In addition, a lack of resources can result in long waiting lists for prisoners engaging in medical services and a shortage of prisons officers can result in the closure of schools and in-reach centres.

Protected prisoners, e.g., sex offenders, are limited in the opportunities they can avail of, as they are segregated from the wider prison population. Structural barriers can inhibit progression in rehabilitative opportunities where, for examples, those who have committed certain crimes are not eligible for temporary release programmes and do not see the value in engaging in rehabilitation. Other factors that can impede prisoners from engaging with rehabilitative services include personal issues, such as learning difficulties or a lack of confidence in engaging in these opportunities.

Stakeholders pointed out that reducing the number of individuals in prison will improve rehabilitative opportunities within prisons, as less people results in more resources, better living conditions with prisons and assists rehabilitation.

2. Provision and uptake of education and skills development in prisons

The following points were outlined regarding the provision and uptake of education and skills development in prisons.

- Uptake of workshops and availability of places varies across prisons.
- Vocational training and workshops in prisons not linked to labour market skills demand.
- Lack of IT training for prisoners poses a serious disadvantage to them in seeking employment post-release.

Submissions highlighted that the majority of prisoners would be classified as early school leavers and pointed out the benefits of education services for prisoners, which can aid their personal development, can provide them with skills to re-engage with their community and improve their chances of gaining employment post-release. It was recommended that more resources be provided for education and training of prisoners, which has been proven to reduce offending rates.

Submissions stated that there are over 120 workshops and service activities across the prison estate with a current workstation capacity of 1,330. While some prisoners go on to sit State exams or undertake third level education while in prison, it was pointed out that only 5% of prisoners engage in this level of education.

Some stakeholders were concerned with the uptake and provision of education within the prison system. They highlighted that between March 2017 and November 2021 there was a decrease of 10.8% in the number of prisoners participating in education services within Irish prisons.

Submissions stated that educational programmes have a higher attendance than workshops, as they are open more consistently. Uptake of workshop varies across prisons, with submissions noting that engagement by members of the Travelling Community is often less than that of other prisoners and that prisoners on a restricted regime are further limited in the educational opportunities available to them. Stakeholders commented that training and workshops in prisons are not tailored to

current labour market demands and that the type of workshops available in prisons has remained largely static over the last number of years. They recommended there be a stronger emphasis on accredited training, which should mirror the demands of the workforce.

While they acknowledged the security risk posed by prisoner access to IT systems, stakeholders emphasised that the lack of IT, digital training and social media awareness skills for prisoners is a significant disadvantage in adequately equipping them with skills that are necessary in all modern workplaces. Stakeholders recommended that the Irish Prison Service (IPS) and Education and Trainings Board Ireland (ETBI) should follow through with commitments on the digitalisation of education and ensure that all prisoners have access to in-cell e-learning by the end of 2022, particularly those on restricted regimes.

Stakeholders also pointed out the expansion of Independent Living Skills Units (ILSUs) in prisons, which are areas within closed prisons where prisoners on longer term sentences can carry out 'normal' life activities. They recommended that the IPS should conduct a review on the effectiveness of these units within prisons and consider the potential to develop further ILSUs or 'normalisation' initiatives in prisons.

Some stakeholders, while commenting on the value of educational programmes for prisoners, highlighted that despite their education, prisoners can often be discriminated against when seeking employment. It was pointed out that due to their criminal history and time in prison, many ex-prisoners may feel limited to working in certain areas like prisoner peer support, or in working alongside the Prison or Probation Services, where they do not need to try and hide their criminal convictions ([see Point 5](#)).

3. Mental health services for prisoners

The following main points were raised in relation to mental health services for prisoners:

- Prevalence of prisoners with mental illness is four times higher than general population.
- Funding should be ringfenced for psychiatric and psychological supports for prisoners.
- Significant investment is needed in trauma-informed mental health services.

Stakeholders emphasised that the impact of mental health illnesses on prisoners is significant. It was highlighted that the prevalence of people in prison with a severe mental illness four times higher than that of the general population. It was pointed out that there is a consistently high number of prisoners on the waiting list for the Central Mental Hospital (CMH), however statistics demonstrated that 90% of prisoners on this list are released without being transferred to the CMH.

It was pointed out that the number of prisoners engaging in the Samaritan's Services increased by 400% in 2020 compared with 2019, however, stakeholders stressed that such services must be an additional mental health service rather than the main service. Prisoner participation in peer support roles was welcomed, as it can be beneficial alongside other mental health services.

Stakeholders recommended that the IPS should undertake a scoping exercise of the psychological, psychiatric and mental health supports available to people in prison to identify the areas where increased resources are needed. It was recommended that significant investment is needed in trauma-informed mental health services and that there should be a separate service to deal with trauma. Funding should also be ringfenced for psychological and psychiatric supports as stakeholders pointed out that there are currently only 1 psychologist per 257 inmates, against the recommended 1 per 150 inmates.

The IPS pointed out that all prisoners are medically assessed on committal to prison, including a mental health assessment, which can be utilised to develop an individual care plan for the inmate. Among the mental health services provided to prisoners, include psychological services from the Psychology Service, which provides both mental health needs and offence-related needs of people in custody and psychiatric services from the National Forensic Mental Health Service.

In addition, the Mental Health Taskforce was established in 2021 to consider the mental health and addiction challenges of persons interacting with the criminal justice system to identify actions to provide appropriate care for vulnerable persons. Its report is due in quarter two of 2022.

4. Speciality training for prison officers

The following points were outlined regarding speciality training provided for prison officers.

- Officer training includes human rights, mental health awareness, effects of addiction.
- Recent training focuses on applying a trauma informed approach to managing prisoners.
- Training is basic; severe cases of mental illness require professional psychiatric care.
- Lack of refresher or follow up training for prison officers.

Submissions detailed the training that prison officers receive, while also highlighting the areas where this training could be improved.

Prison officers receive training in areas such as: human rights in a custodial environment; equality and diversity; mental health awareness; effects of addiction; and learning styles and learning difficulties. Recruit Prison Officers have also been required, since 2007, to complete a 2-year Higher Certificate in Custodial Care, accredited by Waterford IT. This training intends to educate prison officers on the mental health and other healthcare challenges faced by prisoners.

Other recent training for prison officers has focused on applying a trauma informed approach in managing prisoners, reflecting the work of prison psychologists.

However, submissions acknowledged that this training is at a basic level and its main purpose is to help officers identify symptoms of trauma among prisoners, in order to refer them onto the relevant healthcare professionals for further treatment. Stakeholders acknowledged that this training is far inferior to the knowledge and skills of a psychiatric nurse and that any prisoners with more challenging and complex mental illnesses require dedicated professional psychiatric care.

Submissions outlined that there is a lack of refresher training or follow up training to help keep staff up to date on such matters. Some submissions recommended that staff

training on human rights and promoting reintegration should be embedded in Performance Management and Development Systems (PMDS), promotion and overall performance appraisal. In turn, submissions stated that training should be accompanied by mechanisms to ensure that prison staff feel supported by management when undertaking their duties.

5. Barriers facing prisoners when re-integrating into society

The main areas stakeholders highlighted regarding barriers prisoners face when re-integrating into society are as follows:

- Lack of appropriate workforce skills
- Drug addiction
- Lack of employment opportunities

Stakeholders outlined that addiction issues and mental health struggles are significant factors which impact on the ability of prisoners to re-integrate into society. A lack of follow-up supports post-release and feelings of being stigmatised and excluded from services in society like housing, employment and aspects of community involvement also hinder opportunities to re-adjust to society. Such barriers and untreated illnesses can perpetuate a cycle of re-offending and re-imprisonment and it was highlighted that links should be strengthened with community-based health services in order to help a prisoner transition to from life in prison to life in their community.

Socio-economic factors and disadvantage also impact, with prisoners being 25 times more likely to come from and return to an area of social deprivation. Stakeholders highlighted cutbacks in social inclusion programmes and austerity measures and urged the Government to re-invest in socially marginalised communities and fund vital services in these communities. It was also recommended that providing prisoners with the supports and opportunities to make a positive, active contribution to society would lower rates of recidivism and crime.

Other recommendations included, that prisoners would have access to sentence-management planning and a plan for release in place to help their re-adjustment to society. There should also be coordination between relevant Departments and agencies in communities to ensure that prisoners on release have access to essential services like housing, employment and mental health and addiction supports.

Stakeholders highlighted the significant detrimental impact that drug addiction has on a prisoner's chance of finding rehabilitation once released from prison. Nine out of ten participants interviewed for research by Mr. Eddie Mullins, Governor of Wheatfield Prison, stated that they struggled with addiction and that this was the main reason for them undertaking crime in the first place. It was recommended that addiction services in prison and communities be expanded, to facilitate relapse-prevention treatment and support.

Stakeholders emphasised that a lack of employment opportunities for prisoners upon release is a significant barrier against them re-integrating successfully into society. Employment provides ex-prisoners with financial independence and security; however, employers are reluctant to hire people with a criminal record and stakeholders stated there are no safeguards against this type of discrimination. A lack of employment is also compounded by prisoners not being trained in the necessary skills required in a modern workforce, such as IT or social media skills ([detailed in Point 2 above](#)).

Stakeholders highlighted the benefits of industries engaging with prisoners and offering them employment upon release. Such industries can avail of grants from the Government to facilitate this, but industries that engage can also discover that their perceptions of prisoners are wrong, and these individuals can help to fill gaps in their workforce. In this regard, the IPS highlighted the "The Irish Association for Social Inclusion Opportunities" (IASIO), which encourages prisoners to engage in training and work within prisons and identifies suitable work placements for prisoners on day-release; the 54 social enterprises across Ireland that hire over 100 ex-offenders and the intention to increase this number; and the new strategy by the Department of Justice 'Working to Change – social enterprise and employment strategy 2021- 2023'.

Among other factors outlined which can increase the likelihood of recidivism, include:

- Lack of suitable accommodation /risk of homelessness.

- Lack of positive family or peer support; returning to same environment which led to the offending behaviour in the first instance.
- Lack of IT skills can also inhibit prisoners from accessing basic public services such as application for a PPSN, application for a MyGovID, as many of these services.
- The lack of a nationally recognised photo identification is also a problem, as this is required to access a range of public services and to set-up utilities.
- Difficulties setting up a bank account can also deter prisoners from taking up employment upon release.

6. Changes that society can make to help achieve the rehabilitation of prisoners

The following points were raised regarding what society can do to aid rehabilitation of prisoners:

- Conversations should discuss penal policy and societal responsibilities around the re-integration of prisoners into society.
- Public should inform themselves about issues which lead an individual to commit crime.
- Incarceration should be a measure of last resort.

Stakeholders emphasised that the public should make an effort to inform themselves about the underlying issues which lead to individual committing crime in the first instance, the impact of imprisonment on an individual's family and friends and the challenges facing prisoners when trying to re-integrate into society. Conversations should also discuss penal policy in general, re-integration of prisoners into society and societal responsibilities around this. Stakeholders pointed out that recidivism does not happen in prison and that society needs to accept that prisoners will return to their communities and that the Government can increase the funds and resources to address the issues that lead to re-offending.

Some stakeholders suggested that the 'moral' element of rehabilitation would promote an acceptance that an offender has paid their debt to society and restorative justice practices could be effective in this area. Others suggested that society should be informed of the benefits of introducing a more robust and expansive Spent Conviction Act, which would increase prisoner's motivation to engage in prison activities and reduce barriers on release for employment, housing and other areas.

Stakeholders underlined that the public's understanding of penal policy and prisoners can be shaped by the media's portrayal, which can be biased; can support a negative and unsympathetic view of prisoners; and often reports on and sensationalises the worst offences.

Stakeholders also pointed out their belief that incarceration should be a measure of last resort. Instead, they suggested that there should be more low security or open prisons for low-risk offenders, or these individuals should serve their sentence in the community under the supervision of probation. Committing people to prison for short offences does not provide sufficient time to address the factors that led to crime and can have negative impacts, through removing an individual from family supports, accommodation and employment.

APPENDICES

APPENDIX 1- ORDERS OF REFERENCE OF THE COMMITTEE

Standing Orders 94, 95 and 96 – scope of activity and powers of Select Committees and functions of Departmental Select Committees

Scope and context of activities of Select Committees.

94.(1) The Dáil may appoint a Select Committee to consider and, if so permitted, to take evidence upon any Bill, Estimate or matter, and to report its opinion for the information and assistance of the Dáil. Such motion shall specifically state the orders of reference of the Committee, define the powers devolved upon it, fix the number of members to serve on it, state the quorum, and may appoint a date upon which the Committee shall report back to the Dáil.

(2) It shall be an instruction to each Select Committee that—

(a) it may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;

(b) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil;

(c) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Order 125(1)¹; and

(d) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—

(i) a member of the Government or a Minister of State, or

(ii) the principal office-holder of a State body within the responsibility of a Government Department or

(iii) the principal office-holder of a non-State body which is partly funded by the State,

Provided that the Committee may appeal any such request made to the Ceann Comhairle, whose decision shall be final.

(3) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to

¹ Retained pending review of the Joint Committee on Public Petitions

consider a Bill on any given day, unless the Dáil, after due notice to the Business Committee by a Chairman of one of the Select Committees concerned, waives this instruction.

Functions of Departmental Select Committees.

95. (1) The Dáil may appoint a Departmental Select Committee to consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Dáil on any matter relating to—

(a) legislation, policy, governance, expenditure and administration of—

(i) a Government Department, and

(ii) State bodies within the responsibility of such Department, and

(b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.

(2) A Select Committee appointed pursuant to this Standing Order shall also consider such other matters which—

(a) stand referred to the Committee by virtue of these Standing Orders or statute law, or

(b) shall be referred to the Committee by order of the Dáil.

(3) The principal purpose of Committee consideration of matters of policy, governance, expenditure and administration under paragraph (1) shall be—

(a) for the accountability of the relevant Minister or Minister of State, and

(b) to assess the performance of the relevant Government Department or of a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.

(4) A Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—

(a) consents to such consideration, or

(b) has reported on such accounts or reports.

(5) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Dáil: provided that the Joint Committee shall not consider—

(a) the Committee Stage of a Bill,

(b) Estimates for Public Services, or

(c) a proposal contained in a motion for the approval of an international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.

(6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.

(7) The Chairman of the Select Committee appointed pursuant to this Standing Order shall also be Chairman of the Joint Committee.

(8) Where a Select Committee proposes to consider—

(a) EU draft legislative acts standing referred to the Select Committee under Standing Order 133, including the compliance of such acts with the principle of subsidiarity,

(b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,

(c) non-legislative documents published by any EU institution in relation to EU policy matters, or

(d) matters listed for consideration on the agenda for meetings of the relevant Council (of Ministers) of the European Union and the outcome of such meetings, the following may be notified accordingly and shall have the right to attend and take part in such consideration without having a right to move motions or amendments or the right to vote:

(i) members of the European Parliament elected from constituencies in Ireland,

(ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and

(iii) at the invitation of the Committee, other members of the European Parliament.

(9) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—

(a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and

(b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of

Standing Order 130 apply where the Select Committee has not considered the Ombudsman report, or a portion or portions thereof, within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas.²

² Retained pending review of the Joint Committee on Public Petitions.

Powers of Select Committees.

96. Unless the Dáil shall otherwise order, a Committee appointed pursuant to these Standing Orders shall have the following powers:

(1) power to invite and receive oral and written evidence and to print and publish from time to time—

(a) minutes of such evidence as was heard in public, and

(b) such evidence in writing as the Committee thinks fit;

(2) power to appoint sub-Committees and to refer to such sub-Committees any matter comprehended by its orders of reference and to delegate any of its powers to such sub-Committees, including power to report directly to the Dáil;

(3) power to draft recommendations for legislative change and for new legislation;

(4) in relation to any statutory instrument, including those laid or laid in draft before either or both Houses of the Oireachtas, power to—

(a) require any Government Department or other instrument-making authority concerned to—

(i) submit a memorandum to the Select Committee explaining the statutory

Instrument, or

(ii) attend a meeting of the Select Committee to explain any such statutory instrument: Provided that the authority concerned may decline to attend for reasons given in writing to the Select Committee, which may report thereon to the Dáil,

and

(b) recommend, where it considers that such action is warranted, that the instrument should be annulled or amended;

(5) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss—

(a) policy, or

(b) proposed primary or secondary legislation (prior to such legislation being published),

for which he or she is officially responsible: Provided that a member of the Government or Minister of State may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil: and provided further that a member of the Government or Minister of State may

request to attend a meeting of the Select Committee to enable him or her to discuss such policy or proposed legislation;

(6) power to require that a member of the Government or Minister of State shall attend before the Select Committee and provide, in private session if so requested by the attendee, oral briefings in advance of meetings of the relevant EC Council (of Ministers) of the European Union to enable the Select Committee to make known its views: Provided that the Committee may also require such attendance following such meetings;

(7) power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Select Committee to discuss his or her strategic priorities for the role;

(8) power to require that a member of the Government or Minister of State who is officially

responsible for the implementation of an Act shall attend before a Select Committee in relation to the consideration of a report under Standing Order 197;

(9) subject to any constraints otherwise prescribed by law, power to require that principal office-holders of a—

(a) State body within the responsibility of a Government Department or

(b) non-State body which is partly funded by the State, shall attend meetings of the Select Committee, as appropriate, to discuss issues for which they are officially responsible: Provided that such an office-holder may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil;

and

(10) power to—

(a) engage the services of persons with specialist or technical knowledge, to assist it or any of its sub-Committees in considering particular matters; and

(b) undertake travel;

Provided that the powers under this paragraph are subject to such recommendations as may be made by the Working Group of Committee Chairmen under Standing Order 120(4)(a).'

APPENDIX 2 - LIST OF STAKEHOLDERS AND SUBMISSIONS

The Committee received submissions from the following stakeholders

- Mr. Eddie Mullins, Governor, Mountjoy Prison.
- Ms. Ethel Gavin, Former Prison Governor, Midlands Prison.
- Mr. Warren Graham, Prisoner at Loughan House Open Centre.
- Irish Penal Reform Trust (IPRT).
- Irish Prison Service (IPS).

[Submissions are available in the online version of the Committee's Report, which will be accessible at <https://www.oireachtas.ie/en/committees/33/justice/>].

Opening statement

“On any given day in Ireland, prison doors open and men and women step out into the daylight. But what happens to them when those heavy doors close behind them? The bleak truth for a great number is that they have no home to go to and nobody to welcome them upon their release. Many will be back inside prison within a year.” (O’Mahony, 2000, p14).

My name is Eddie Mullins,

I currently hold the position of Governor 1 with responsibility for the management of Wheatfield prison.

I have been employed by the Irish Prison service for the last thirty years, during my career I have held a number of senior positions in seven of the states twelve prisons, I have been the Governor in charge of five different prisons. Throughout my career I have witnessed first-hand the impact of crime on victims, their families, perpetrators, their families and the wider community.

My submission to the Joint Committee on Justice is based on research I conducted recently into the barriers faced by people leaving prison when attempting to reintegrate back into society.

While being acutely aware of the anxiety and pain endured by victims of crime, I firmly believe providing prisoners with the supports and opportunities to make a positive contribution to society will lead to lower recidivism rates and, ultimately, fewer victims of crime. Prisoners have many complex needs and if we are to achieve improved outcomes for them all members of society need to play their part.

Throughout our lives we often take certain things for granted, access to good education, employment, relationships, healthcare and the ability to provide a home for our loved ones. For some who have spent time in prison, those expectations can be a million miles away.

A recent study by the Irish Small and Medium Enterprises Association (ISME) found that thirty-one percent of Ireland’s 245,000 SMEs were affected by crime in the last year, with an average direct cost of €6,570, a total of €499 million. Each of the 245,000 businesses, it found, spends an average of €5,428 on crime prevention measures annually, a total of €1.33 billion (Irish Small and Medium Enterprises, 2017).

Empirical evidence suggests that areas with high crime rates also discourage business investment, thereby contributing to further disadvantage. Without a comprehensive system of services and supports, people in marginalised communities may become more disengaged with the rest of society, leading to a further breakdown of community morale and continuation of the cycle of disaffection and disadvantage.

As far back as 1994 the National Development Plan identified crime prevention as a social inclusion issue, detailing how offenders are generally from disadvantaged groups in society, likely to re-offend and to be further marginalised as a result: *“Offenders experience multiple disadvantage which accumulates leading to economic and social exclusion and to an extreme form of marginalisation from the labour market.”* (National Development Plan, 1994, p. 194)

The section dealing with crime prevention acknowledges the complexity of the underlying causes of crime: *“Research into the causal factors of crime conclusively demonstrate that offenders, both male and female, generally come from the most disadvantaged groups in society and, typically, that they are unemployed, unqualified, addicted and likely to re-offend, the fact of having been in prison becomes a further layer of disadvantage in the community, as employers are less likely to employ someone who has been to prison. Offenders, therefore, experience multiple disadvantages which accumulate leading to economic and social exclusion and to an extreme form of marginalisation from the labour market”*

The IPS faces many challenges in its attempt to get the balance right between society’s demand for justice and the protection of its citizens and its desire to rehabilitate its prisoners and facilitate their reintegration into society.

Professor Mary Rogan (2011, p. 23) refers to media influence on penal policy and outlines how public understanding of crime and punishment is largely shaped by a biased media, and how most reportage of the prison system supports negative views of prisoners and unsympathetic responses to their needs. She highlights an important development in the formulation of public policies, *“the trend towards a more consultative approach to policy-making”* by increasing the level of involvement of local communities in the development of policies (Rogan, 2011, p. 37). Involvement can take many forms, from the simple provision of information through consultation, participation and joint decision-making / codetermination, each form building on the previous one. Therefore, there cannot be consultation without information, there cannot be participation without consultation and there cannot be joint decision-making without participation.

In 2017 over seventy percent of people committed to Prison in Ireland were unemployed; prisoners are twenty-five times more likely to come from and return to an area of social deprivation, a significant number of prisoners never completed a state exam and over fifty percent left school before the age of fifteen (IPRT2017)

Policy formation is a complex issue particularly in social policy areas, but more particularly so in criminal justice. On the one hand, there is consensus that prison should be a last resort, while on the other, there is strong support for tough penal policies and extensive use of prison sentences as a deterrent against crime

The IPS collaborates with many government departments, statutory agencies and voluntary groups to provide prisoners with the education, skills and support to facilitate their successful reintegration and reduce recidivism rates even further.

Previous research has highlighted socio-economic factors as being significant impediments to reintegration of ex-prisoners. Despite the improved economic outlook, empirical evidence suggests no apparent improvement in deprivation and marginalisation levels in communities most affected by crime. Recent cutbacks in social inclusion programmes such as CE schemes, education funding and general austerity measures have all impacted negatively on the most vulnerable in society.

Academics argue that approaches to rehabilitation have become too narrowly focused on supporting personal change, neglecting three other forms of rehabilitation – moral, social and judicial. The central argument here is that no amount of personal change can secure desistance if change is not recognised by the wider community, by the law and by the state. Without these forms of informal and formal recognition, legitimate opportunities, for example, participation in the labour market or in social life, will not become available and a return to offending may be made more likely. In some cases, for example, the failure of society to promote the need for moral rehabilitation, the acceptance that the offender has paid his debt to society, restorative justice may have something to offer.

In the re-entry process, the community can be both a major stumbling block and a major resource: post release adjustment can be inhibited by restrictions in employment and education opportunities and social exclusion, on the other hand re-entry can be enhanced in communities where employment and education opportunities are provided and strong social support is evident.

Most offenders do give up crime despite their many needs and the many obstacles they face; the challenge is to break the cycle of crime within families and communities, to avoid repetition within families. This can only be achieved through greater supports in education and training, employment opportunities, mental health and wellbeing and positive sports and recreation opportunities.

Academic research identifies eight principles that criminal justice practitioners and society can promote to assist offenders: **patience**, desistance doesn't happen overnight, relapse occurs frequently; **imprisonment as a last resort**, while custodial sentences serve a purpose and may be necessary, imprisonment may drag offenders further into the criminal world; **more use of informal controls**, a greater involvement of community structures and less use of law enforcement agencies may generate a greater understanding of cause and effect of criminal activity; **relationships** are important and may be key to promoting a crime free lifestyle; **society**, understanding and accepting that society has a role to play in the desistance process; **environment**, providing the services and structures required to assist with desistance; **positivity**, by creating a sense of hope and possibility; and **acknowledgement**, by accepting that a debt has been paid the offender deserves an opportunity to re-engage.

People often think of stereotypes such as low socioeconomic status and minority race when thinking of criminals. Being labelled as a stigmatised person has substantial effects on the way people think and feel about themselves, as well as how they expect to be treated by others in their environment. Widespread research identifies criminal offenders as a highly stigmatised group, marginalised by temporary and sometimes permanent restrictions on areas such as, right to housing, financial aid, employment, opportunity to vote and other aspects of community involvement.

Aspects of one's social identity, including group identification, closeness with the group, and attitudes toward the group may influence how one responds to being stigmatised. People with criminal convictions often experience exclusion and rejection and this can cause them to seek out the company of others in a similar position.

Additionally, hypotheses such as **homelessness**, **addiction issues**, **employment and training needs**, **social support** and **negative labelling** all emerged as significant factors that impeded successful reintegration

The relationship between drug use and criminal activity has also proved a complex area of research, but there is little doubt that they are linked. A recent study by the Garda Research Unit estimated

that sixty-six percent of all crime in Dublin and over eighty percent of burglaries and larcenies from the person and from unattended vehicles were drug-related

In my own experience together with commonly held views suggest that addiction issues pose one of the most significant challenges to reintegration for ex-offenders. Substance abuse treatment is one example of an intervention that not only has the potential to improve individual lives through recovery from addiction but also may generate significant economic benefits to society by reducing addiction-related crime. Again my experience with the prison service, spanning almost thirty one years, has created a set of assumptions and perceptions that, interestingly, were somewhat at odds with the lived experiences of some of the participants in my research. Statistical evidence suggests that substance abuse is widespread in the Irish prisons with over eighty percent of Irish prisoners having confessed to habitually using drugs while in prison (Irish Penal Reform Trust, 2015). Addiction was a major theme identified during the literature and qualitative phases of my research and nine out of the ten participants cited addiction as a major factor that contributed to their criminal behaviour.

As previously stated addiction issues is a significant problem for many people in prison. Nine out of the ten participants interviewed for my research disclosed having struggled with addiction and that their addiction was the primary reason for them engaging in criminal activity in the first place. The lack of a comprehensive addiction treatment programme spanning both prison and community was identified as an ongoing issue.

It is generally accepted that crime prevention programmes and initiatives fall into three broad categories (Pease *et al.*, 2002).

1. Primary Prevention, situational / opportunistic crime prevention, strong police presence and community involvement, which aims to reduce the opportunity to commit crime without reference to the criminal.
2. Secondary Prevention, social crime prevention, early intervention, which aims to prevent those who are vulnerable to or 'at risk' from embarking on a criminal career.
3. Tertiary Prevention, which deals with the treatment of known offenders and aims to prevent recidivism.

In 2011, the National Crime Council's policy paper, "Tackling Crime, A Partnership Approach", suggested reducing recidivism through the reintegration of young and adult offenders into the community in a structured and supportive way. Investment in training and education, skills development and personal support was identified as a critical factor.

It is essential in my view that barriers to reintegration, such as meaningful employment, relevant education and training opportunities, welcoming communities, improved therapeutic supports and adequate accommodation must all be addressed to improve reintegration prospects.

Key recommendation:

Providing appropriate interventions and supports through an interagency collaboration where knowledge, expertise and best practice are shared may be key to achieving the best possible outcome for those exiting the criminal justice system.

This may be achieved through:

- Greater collaboration between employers, employer representative bodies, nongovernment organisations, criminal justice sectors and local community organisations to examine issues, identify solutions and implement changes required to improve employment rates among ex-offenders.
- A significant expansion of addiction services spanning both prison and community to facilitate sustained relapse-prevention treatment and support.
- Greater understanding and further conversations around reintegration, societal responsibilities and penal policy.
- More resources, this is essential, towards both funding and assistance for education and training for prisoners. Education has been proven to reduce offending rates, rebuild confidence and provide vital skills to assist gaining employment.
- As the Irish economy continues to improve and grow, there is now an opportunity to re-invest in socially marginalised communities, to provide funding to expand vital services. However, there must be acknowledgement from Government and across all sectors to, in the first instance, recognise the need for this investment, and secondly, the willingness to implement changes in penal policy to eliminate the barriers associated with the successful reintegration of ex-prisoners, to allow them to make an active and valued contribution to society.

Cover note for Submission to the Joint Committee on Justice.

“An examination of rehabilitative opportunities within the Prison system”.

Your ref: JCJ/04/06/2022/X/01

Name : Ethel Gavin

Opening Statement.

My name is Ethel Gavin and I am a retired Irish Prison Service Governor. I retired in March, 2020 with thirty years prison service experience and 37 years public service experience.

My experience commenced as a basic grade prisoner officer in Mountjoy male prison in 1990. I served at various ranks over the following years including clerical grades, chief officer, assistant and deputy governor and retired at Governor 1 in charge of the largest prison in Ireland.

I served in Mountjoy male and female, Castlerea, Midlands, Portlaoise, the Prison service training college and Loughan House open centre.

When I joined the Irish Prison Service (IPS) in 1990 prison workshops were rarely closed due largely to the availability of overtime.

With the introduction of an annualised hours system of working, in 2005, the management of this system of working has unfortunately led to many workshop closures since its introduction at the cost of delivering an effective rehabilitative environment for prisoners. This has been further frustrated by the failure of the Prison Service Escort Corps to fully support prisons as originally designed to do. As a result prisons find themselves having to provide staff to support this independent unit to escort prisoners to and from court and to other scheduled and necessary engagements in the community. i.e. hospital appointments. The result is further workshop closures.

The introduction of a regime management plan which is designed to ensure that only as a last resort are services to prisoners cut/closed, this in my experience works very well. Unfortunately, the reality in many prisons is as follows:

“In practice, however in many institutions, Chief officers in charge of work training described the work and training function as secondary to the Discipline function and the Prison School. It was reported that while essential services (i.e. catering, laundry, industrial cleaning and waste management) have been largely prioritised, the non-essential workshops were routinely closed and resources diverted elsewhere. This was the reported to be the case both during and before the Covid-19 pandemic. Routine workshop closures were described as contributing to a lack of motivation among Work and Training staff, disengagement of prisoners and an impediment to accreditation” (1*)

The Incentivised Regimes Programme in prisons provides for a differentiation of privileges between prisoners according to their level of engagement with services and quality of behaviour. The objective is to provide tangible incentives to prisoners to participate in structured activities and to encourage and reward good behaviour, leading to a safer and more secure environment. This has added to a more positive rehabilitative environment within prisons.

In 2020, costs associated with work and training, including staffing costs, gratuities and consumables, accounted for €23.85 million, or 5.8% of the IPS budget.

(1) Review of the Programme of Work and Training in the Irish Prison Service(October 2021) p.32

1. In your opinion, are there sufficient rehabilitative opportunities in the Prison system?

Opportunities are available, but there are insufficient places available, insufficient resources allocated, and the provision of services are often based on traditional skills which don't reflect the skills required for a modern workforce e.g. a fabric shop.

Drug counsellors are available in prisons, but when I retired in 2020 there were 2 counsellors available for a population in excess of 800 prisoners. There is also a chronic shortage of psychologists to deal with mental health, anger, addiction and sexual offending behaviours.

Prisons have schools and workshops with a wide diversity of subjects, however, capacity is generally insufficient to meet demand and any prisoners who are on protection, or sex offenders, will find their opportunities even more restricted as they cannot mix with the general prison population for safety reasons.

Many prisoners leave the system without engagement with services.

There is little research into the outputs of the prison system. At most we only hear of recidivism rates. The persons who are in receipt of prison services are not followed up in the community unless in the limited circumstances of Probation supervision. The State would benefit from comprehensive research into the quality of life of ex-prisoners after release measured over periods of time.

Further to this, the establishment of a statutory agency to engage with former prisoners with a view to supporting them, offering alternatives to crime and assisting public safety is worthy of consideration. The reality of prison is that the majority of prisoners are from the lowest socio-economic category of society with little prospect of leading crime free lives and being able to raise their families similarly.

2. What are the barriers for people in prison when they first arrive?

People are fearful for their general safety. They will initially share a cell with one, two or three other prisoners (all of whom will most likely be strangers), where they all share in cell services such as toilet facilities. They may not know other people in prison and could become victims of bullies demanding medication, money from family or friends for 'protection'; or be forced to smuggle contraband into the prison. The more vulnerable they are the more likely they are to be 'targeted'.

Unfamiliarity with prison rules, and 'prison-yard' rules may leave them vulnerable. Non English speaking prisoners are dependent on other prisoners who speak their language for day to day assistance. While interpreters will be brought into the prison for any legal consultations, and occasional medical or other professional services, there is not a translation service available on demand for basic interactions with prison staff.

Prisoner with disabilities, or elderly, may struggle in an environment which is predominantly young and able bodied. There is often separation anxiety as prisoners are separated from friends and family, which is amplified by having any visits with them supervised by staff in an environment shared with many other prisoners and their families.

Most of all, is the total lack of privacy. There is no privacy in prison. Even those in single cells have officers checking in on them at very regular intervals. Prison life for a new prisoner is a hugely threatening and challenging event.

3. Do they provide the relevant skills for prisoners to re-engage in society upon release?

Partially. Some skills like literacy, or workshop technologies are available and have a significant impact on some prisoners, and indeed, some prisoners will go on to do state exams or even third level education. However, the number of prisoners in a prison engaging to this extent is under 5%.

The biggest challenge is in the area of IT. Prisoners are, for security reasons, restricted from access to the internet and smartphones.

Today's society revolves around technology e.g. online banking, contactless payments in shops, travel bookings, emails and in particular, social media etc. Future employments will inevitably require IT skills which would be considered basic. Those who cannot access basic internet options, even at a training level, due to being in custody for a number of years are by default, disadvantaged.

The internal report Review of the Programme of Work and Training in the Irish Prison Service (October 2021) states:

"There is no formal process for aligning vocational training in prisons to labour market demand on a regular basis. The workshops available across the prison service have been largely static for many years, and often based on the historical skillset of staff that delivered the workshops. Some of the workshops available, particularly around metalwork, woodwork and construction skills, broadly align to current demand in the construction sector, though there is a lack of focus on specific skills deficits within that sector. While conversations with stakeholders indicate that efforts are made on an ad hoc basis to provide training relative to labour market demand, for example barbering skills, barista skills, or a CPC certificate".

4. What is the uptake of education or skills development by people in prison?

"According to Work Training returns issued to the Care and Rehabilitation directorate monthly, around 30% of the prison population were engaged in work and training at any given time from 2016 to 2020.

The proportion of people engaged in work and training has remained fairly steady despite the shortfall in Work and Training staff over recent years. However, as outlined above, prison officer grades can be assigned to workshops, particularly essential services, to ensure minimum agreed resourcing requirements". (2)

The above analysis does not highlight the wide disparity across prisons whereby some prisons rarely if ever have workshops open and while returns of attendance are recorded, anecdotal evidence suggests that returns are often inflated and therefore do not reflect the actual attendance in workshops. In addition, workshops will have the same trusted prisoners attending daily.

Educational programmes have a higher attendance than workshops as they are more consistently open than workshops in many prisons. Prisoners belonging to the Traveller community, from my experience obtain very little from prison educational and work training services.

5. What other supports and resources would a person need while in the prison system to reduce recidivism?

IT and social media awareness and skills. These are essential for people in a modern world. Education in rapidly growing employment sectors such as media, communications or IT. There are security risks with IT, but almost all employment after prison requires some ability to use technology and those who leave prison, particularly those who have served five years or more, would find themselves disadvantaged without it.

Lack of literacy and numeracy skills within the prison population has been highlighted throughout penal history and yet we rely on education services to provide same. Prisons need to look at providing this service either in a dedicated workshop by way of external/internal provision.

A stronger emphasis on accredited training which mirrors the needs of the modern workforce is essential. When life sentence or long term sentenced prisoners are transferred to open centres they need psychology throughcare in order to support them with this transition.

(2) *Review of the Programme of Work and Training in the Irish Prison Service(October 2021) p.15

6. In your opinion, what are the barriers for somebody upon release?

Employment. Employers are very reluctant to hire people with a criminal record. Most prisoners also return to the very same environment which led them to their offending behaviour in the first place.

Prisoners suffering with addiction or mental health issues at the time of their release are also most likely to continue to suffer once they return to the community. Access to mental health services in the community is limited.

Further to my point at Q1 above, the proposed statutory agency would be responsible for the integration of ex-prisoners into the workforce and assistance would be provided to employers in this regard. This benefits society as a whole, less crime, less harm caused and smaller prisoner numbers.

7. Are there benefits to industries/sectors engaging with the prison system in terms of training and employment on release from prison?

The answer is simply , yes. Industries who engage with prisons can avail of grants from the government. External agencies/industries who engage with prisoners will quickly realise that the perception of prisoners is not correct. Prisoners given the relevant training can provide a dedicated and reliable workforce to industries who are struggling to fill workforce gaps.

8. Are there adequate mental and emotional health supports in the prison system?

In general , mental health provision is extremely limited. The waiting list for admittance to the Central mental Hospital can often be in excess of twenty with the chances of 90% on this list being released without ever being transferred to the CMH. The building of the new Central Mental Hospital will not improve the service to prisons.

Most prisons have engaged the services of the Samaritans which has supported the deficit of mental and emotional services.

I am greatly concerned that the treatment of mentally ill prisoners in prisons does not stand up to scrutiny. I would recommend that you visit D2 in Cloverhill or C1 left in Midlands to see first-hand the situation that is in existence. Simply put, mentally ill persons are imprisoned. The CPT report of November 2020 stated the fundamental principle that “mentally ill persons should not be held in prisons and should instead be transferred to an appropriate health care facility where they can receive treatment”. There should be properly resourced ,dedicated high support units in all prisons.

9. Is there speciality training that prisoner officers receive to support them in their work? Especially in understanding complex issues, like trauma, addiction and mental health issues.

Yes, but this is extremely basic and is focused on helping staff identify the signs or symptoms of trauma, in order to bring their concerns to the attention of the healthcare professionals. There is also a lack of refresher or follow up training to keep staff current.

10. From a human rights perspective is there anything in your professional opinion that we as a society need to address to ensure the Irish Prison System achieves its mission in terms of rehabilitation.

Society should be more informed about issues prisoners face which lead them to being incarcerated in the first instance, the challenges they face upon release and the impact imprisonment has upon the family and friends of those in custody.

Media attention tends to focus on the sensationalism of the worst offences which in turn paints all prisoners with the same brush.

Prisoners have the basic human right to try to build a better life for themselves, but the stigma of having been in prison is a constant barrier.

Employment law prevents discrimination on a number of grounds including; gender, race, religion, sexuality etc. however, former prisoners are discriminated against for having a criminal record, despite possibly being suitable in every other respect, yet there is no safeguard in place to prevent this happening.

In particular, informing society of the benefit to considering a more robust spent conviction Act will greatly enhance prisoners motivation to engage while in prison and reduce the barriers on release for employment, education, housing, insurance etc.

11. From your perspective is there any policies or procedure that impede on your ability to carry out your functions effectively and to the best of your ability?

Occasionally, it can be difficult to get finance for some low cost projects as there is often disagreement over which budget the money should come from or which directorate. There are always competing demands, especially for capital projects of any size. This can delay much needed infrastructure or upgrades which delays the implementation of new projects or initiatives.

Ambiguity in other areas, particularly in HR, can sometimes make staff issues more complicated and difficult to deal with.

The work training role once defined in a prison does not allow for flexibility where a new innovative and more appropriate skill set can be introduced.

Introduction

Rehabilitation is such a complex concept within the prison service and amongst prisoners'. For the administration, the therapeutic services and legislators it is considered as the reform of an individual who, through committing a criminal offence, has deviated from the norms of society and is in need of intervention. It is in my view, a process that cannot be forced on an individual through policy or practice as it needs the full commitment and engagement from those at whom it aims to ameliorate. For some prisoners rehabilitation is a fallacy, they do not believe that they are in need of 'fixing' or that what they have done is abnormal, for them and where they come from it was normalised, crime was ubiquitous, stealing cars, taking drugs and violence were daily activities. So to tell them after they have committed crimes that they are broken is shameful, especially when a number of people from their area are going to follow in their footsteps irrespective of the consequences. Rehabilitation does not deter future criminals, nor does prison. The best thing that we can do is early intervention, to assist the communities on the margins and address the inequalities that are prevalent in society.

As a life sentenced prisoner it is mandatory for me to engage with the psychology and probation services to address my offending behaviour in order to get reports done for Parole hearings. So for me and many like me it is necessary to engage and commit to the process of rehabilitation, fortunately I found the perfect route. Education became my sole objective, I started school early to take up music and over a decade later I have amassed over thirty certificates ranging from QQI to a first class honours degree in Social Sciences. I have reshaped my future through the transformative power of education. I have been held as an ambassador for prison education and have been granted temporary release to attend Universities and share my story with fellow students. I was selected to sit on a panel for a European conference on prison education and was a member on the steering group for the Mountjoy Prison Maynooth University Partnership.

It is evidenced above that I have used my time in prison to help myself, education has greatly aided my transformation taking me from a seat of ignorance to a position of knowledge. Though this knowledge comes at a cost, I may be reformed though through this knowledge and information I have to look on and watch the plight of my peers, my family and my neighbours. It is no coincidence that the majority of prisoners come from areas like mine, under-privileged, disadvantaged and forgotten. So when the concept of rehabilitation is employed by the prison service and advocated by society, it is in my view a call to correct the people from these areas. Though rehabilitation is not just a job for the prison service, it requires commitment from all of us to support those who come out of prison, to welcome them back into society and to engage with them, assisting them in their needs.

As I am still in the custody of the Irish Prison Service, I will attempt to answer the following questions to the best of my ability. Some of the questions are not related to my experience so I will omit them completely. It is also important to note that the answers are based on my experience and observations of the prison system, they are opine and open to debate.

Q1. In your opinion, are there sufficient rehabilitative opportunities in the Prison System?

As noted above, education is a very important tool in the process of rehabilitation and I can personally attest to the transformation that it incurs. So in my opinion I would state that there are sufficient opportunities for rehabilitation in the prison system. However, access to these opportunities is not straight forward for every prisoner and can be stressful, regressive and unattainable for some prisoners. There are a number of reasons for this, they are as follows.

1. The restricted regime or protection prisoners have limited access to educational opportunities as the segregation and separation of this cohort of prisoners restricts the opportunities that they can access.
2. The incentivised regime and the criteria involved in attaining and remaining at the top end of this is problematic to the progression of prisoners. The regime is split into three components, basic, standard and enhanced. In my view this model gives way to a 'carrot and stick' method. A disciplinary P19 can result in ones' enhance status been reduced to basic which in turn takes a number of months to ascend through standard back up to enhanced. Moreover, to engage in some rehabilitative processes and to work within the prison, one must be an enhanced prisoner.
3. Structural barriers can impede a prisoner's progression or deter them completely from engaging with the services. For instance, some prisoners as a result of their crimes, cannot qualify for temporary release programmes. Thus, they see no advantage to engaging in rehabilitation.
4. Personal barriers such as learning difficulties, an inability to articulate and a lack of confidence can restrict or suppress an individual's desire to educate themselves, or confront their past under the observation of psychology or probation.
5. The preceding reputation and/or crimes of an individual can have a negative impact on rehabilitation, in dealing with the services and in terms of fairness with regard to access to opportunities.
6. Lastly, a lack of resources in the prison system has resulted in long waiting lists for prisoners who wish to engage with the therapeutic services. A shortage of prison officers can result in the closure of the school and the in-reach centre where the therapeutic services are situated. This can have a regressive impact on rehabilitation.

Rehabilitation is at times a difficult process for all involved. It requires a lot of effort from prisoners, staff, management and the services. It is precarious in its nature and is not suitable or applicable to everyone who enters the prison system. In order to progress the prison system in a more rehabilitative manner there needs to be a joint multi-departmental approach and effort, and an increase in resources to meet the needs of prisoner rehabilitation.

Q2. What are the barriers for people in prison when they first arrive?

There are a number of issues that arise for new committals to prison, some of the biggest issues are the questions pertaining to affiliation or alliances to current prisoners and criminal gangs, also the question of protection. These questions are an important part of the admission process to prison though they can have unintended consequences for the prisoners' and the opportunities they will have for rehabilitation. It is my assumption that a number of protection prisoners' are there unnecessarily out of fear. This fear derives from the unknown and is particularly pertinent to new committals. As I alluded to previously, the protection regime is restrictive and offers limited opportunities for rehabilitation.

Another factor is ethnicity status, a high number of travellers seek protection in prison often with the plan to be transferred to a prison which houses a high number of travelling men. Again I believe this is out of fear, there is a notion of strength in numbers in prison and this is evident in the aforementioned prison as well as other jails which house a high number of people from the same areas or surrounding areas. If upon your arrival you get settled in with a particular group, you tend to adhere to the routines of that group, thus if that group does not engage in rehabilitative courses or practices, it is safe to assume that one will also avoid them.

There is a staggering number of prisoners on protection in Irish prisons, some prisons are even viewed by prisoners as protection prisons. I have personally seen some men deteriorate on the protection wings of the jail that I spent most of my time in. Thankfully though, times are changing and in my time I have seen the out of cell time for protection prisoners' increase, given them more access to school and the services, though this is contingent on the resources available to prison management.

Q3. Do they provide the relevant skills for prisoners to re-engage in society upon release?

Yes I believe that they do, I would strongly state that I am empathic, engaging and employable. I decided some time ago that I would be a voice for the voiceless and that social and criminal justice would be the areas I would focus my employment aspirations on. That been said, it is unfortunate that I am probably only employable in areas such as addiction, prisoner peer support etc. because of my upbringing, my criminal history and prison experience. Some former prisoners had little choice in their employment, they were coerced or compelled to work alongside the Prison or Probation services because they did not have to conceal their criminal convictions from these employers. That is the sad reality for some former prisoners and people with criminal convictions.

Q5. What other supports and resources would a person need while in the prison system to reduce recidivism?

I have heard it said that prison is a microcosm of society, no truer words have been spoken. The plight of society, the health, housing and homeless crises are all evident in the prison system, addiction issues and mental health struggles are all factors in recidivism. So I will attempt to answer this question but when I look at the perennial struggles of those outside, I can't help but wonder are we all doomed inside? The truth is that people do not want to hear about the struggles of prisoners when law abiding people are suffering in their homes with rent, bills, inflation and the global pandemic.

This is evident through the silence of the majority during the pandemic, only once in two years did I hear prisons mentioned on a topical debate show. It felt to me as though nobody would dare to mention the people in prison, I watched every Government address, restrictions tightening and easing, and never once were we or our families mentioned in this national struggle. We spent more time in harsher restrictions that are still in place today, weeks after they were lifted outside, our families who committed no crimes have had to endure non-physical contact for two years and men here have to decide which of their children should come visit them. We have rarely complained, yet ironically had we complained we would have been mentioned.

So the answer to this question is simple, recidivism does not happen in prison. Society needs to accept that prisoners will return to their communities and then the Government and the Irish Prison Service can increase resources and funds to address the issues that lead to re-offending. Furthermore, we need to be given the opportunity to advance ourselves beyond the prison walls, equal opportunities of employment and access to the relevant support services.

Q6. In your opinion, what are the barriers for somebody upon release?

I have yet to be released so I have no experience of any barriers. Though I surmise that the issues I alluded to thus far will all present as barriers. Employment opportunities, access to resources and the stigma of been an ex prisoner. Further barriers for released prisoners, particularly those who serve long sentences, are the advancements in technology and their lack of knowledge in this evolving trend. Lifers' and long term prisoners are in the system for so long that they nearly always walk out to a changed environment, the use of technology has advanced rapidly throughout my time in prison yet I have little knowledge on its use and application to daily life.

Q7. Are there benefits to industries/sectors engaging with the prison system in terms of training and employment upon release?

There are a number of workshops in the prison system such as fabric shops, welding, woodwork and printing to name a few. I am unsure if all or any are accredited but I do know that they are reliant on staff numbers to keep them opened. External industries/sectors that I have witnessed in prison include safe pass, forklift license and manual handling, barista and barbering courses, FAI football coaching and the Irish Red Cross community based health and first aid. All of them offer certificates that can aid employment opportunities and there is generally a big uptake in these courses, though I am not sure of the criteria involved for selection. So yes there are benefits to engaging with external industries, there should be more engagement and more invitations to all sectors.

Q8. Are there adequate mental and emotional health supports in the prison system?

In my opinion, there is not enough mental health support in our communities and prison is but an extension of the community. So no, I do not believe that there are adequate supports in place for our emotional and mental health. Moreover, I believe that the services we do have are primarily focused on the assessment and management of risk which in my view affects the honesty of those who engage with them. I know that the Prison Service will have anecdotes on positive prisoner participation in psychology courses, I have seen the research, but it is conflicting with the anecdotes that I have heard. My view is that everything we say to psychology is assessed in terms of risk and can have lasting consequences to our progression in the prison system.

I have enquired with my peers in relation to this notion, I also have experience as a listener and a peer mentor, both of which puts me in a position of dealing with the struggles of prisoners, mentally and emotionally. There is a consensus amongst prisoners that the so-called therapeutic services are overly focused on offending behaviour and the risk we pose. This is evident by the substantial increase in prisoner calls to the Samaritan service, according to statistics over 12.000 calls from prisoners were made to the Samaritans in 2020, a 400% increase on the calls in 2019, this indicates to me that the prisoners, having access to psychologists during the first year of the pandemic, chose instead to call anonymously the Samaritan service which primarily deals with emotional and mental health support. The Listeners' (prisoner Samaritans) had up to 800 contact visits totalling 400 hours with prisoners*. I propose that we continue to support prisoner participation in peer support roles within our prisons as well as having other services to deal solely with the emotional and mental health of prisoners.

* 2020 statistics released by the Irish Prison Service to Samaritans Ireland.

Q10. From a human rights perspective is there anything in your professional opinion that we as a society need to address to ensure the Irish Prison System achieves its mission in terms of rehabilitation?

Again I would highlight the perennial plight of society, inequalities, racism, discrimination and poverty. Everything that proves to be problematic to an effective functioning society, proves to be problematic to an effective functioning prison. Our country and our prisons are so diverse now, we need to support the needs of all people inside and out. Equality and fair treatment in the criminal justice system and the prison system is essential to rehabilitation and progression. Fair treatment and equal access to school is vital to the rehabilitation of prisoners. The restricted regime in my view, does not offer enough access to education as the safety and security of these prisoners precludes it. A possible solution to this is the use of technology for in cell learning. This has been proposed by the teachers in some of our prisons and I believe that the pandemic provided the perfect opportunity to trial this initiative.

Q11. From your perspective is there any policies or procedures that impede on your ability to carry out your functions effectively and to the best of your ability?

Yes there is but it is the complex and essential procedure that is security. Security gets in the way of everything, the number of staff required to open the schools, workshops or gyms all comes down to security. The separation and segregation of protection prisoners and the necessity of actuarial science in our therapeutic services is security. Everything that happens in prison is measured in risk because security is paramount to the safety and wellbeing of everybody in there. I am not sure that this could ever be changed and my view is that I would not like to be the one who has to manage this, it is a tough job. The one viable option I can think of is a categorised system similar to that in the UK.

A prison system such as ours has not worked, we have too many medium security prisons which in my view house a lot of low risk offenders. Our low security open centres have not got enough capacity to suit the number of eligible prisoners so they remain in medium security prisons. I have seen over many years a lot of men who should not be in prison, men who made one mistake and could have been dealt with by the courts in a different manner if not for our tough on crime policies. The Irish Penal Reform Trust have long been calling for prison to be a last resort yet still we are sending too many first time offenders to prison for short term sentences. Filling up our jails with people who in my view should be serving their time in the community under the supervision of probation.

Thus I say again, I am glad I am not in charge. The administration and management can only work with what they have, that is the people they are sent, the places they can put

them and the services or opportunities they can provide for them. It is surely a tough position to balance all of this when as noted above, the resources are stretched the prisons are full and society remains quiet and apathetic.

Recommendations to the committee:

- Prisoners should be able to see a future in employment in a society free of stigma and structural barriers. Amending legislation and supporting the Criminal Justice (Rehabilitative Periods) Bill 2018 will encourage prisoners to engage in rehabilitation if they see an opportunity to restart their lives free of convictions.
- A review of the restricted regime process and to consider introducing technological devices to aid the learning and engagement of prisoners who have limited access to education.
- A review on the efficacy of the Travellers in Prison Initiative and correspondingly the introduction of culturally appropriate initiatives for other ethnic minorities within the prison system
- A health-based approach in mental health services with the inclusion of a separate service for dealing with trauma, separate to the actuaries already in place.
- Increase and ring-fence funding and resources for psychological and psychiatric supports. Central Mental Hospital (CMH) is sometimes the only available facility to treat prisoners with mental health disorders. CMH is constantly running at capacity with long waiting lists.
- Strengthening links with community based mental health services is critical in managing a person's transition from custody to the community. Barriers after prison can perpetuate a cycle of reoffending and imprisonment linked with untreated illness, addiction and homelessness.
- Increase and widen the scope of work training activities that are externally accredited by diverse sectors. This will positively increase employment outcomes for prisoners.
- Significant investment needed for trauma-informed mental health services.
- Publication of data on the following:
 - Number of people in prison awaiting access to in-house mental health services
 - Number of people waiting for a transfer to the Central Mental Hospital
 - The lengths of time in prison awaiting transfer and the conditions in which they are held



**IPRT Submission to the Joint Committee on Justice on the topic of
“An examination of rehabilitative opportunities within the prison
system”**

4th March 2022

About IPRT

Established in 1994, the Irish Penal Reform Trust (IPRT) is Ireland’s leading non-governmental organisation campaigning for the rights of everyone in the penal system and the progressive reform of Irish penal policy, with prison as a sanction of last resort. IPRT publishes a wide range of evidence-informed policy positions and research documents; we campaign across a wide range of penal policy issues; and we have established IPRT as the leading independent voice in public debate on the Irish penal system.

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Executive Summary

This brief submission draws upon IPRT's research and expertise on the issues blocking rehabilitative opportunities within the prison system and upon release from prison. In particular, it draws on IPRT's annual flagship report, *Progress in the Penal System (PIPS)*. These series of reports (2017-2021) address and track progress on many key issues relating to rehabilitation in prisons. IPRT would be happy to send copies of the reports to the Committee if it would further assist.

It is key to note, as a preliminary and overarching point, that reducing prison numbers will itself assist in improving rehabilitative opportunities within the prison system. This is for the simple reason that less people means more resources and better living conditions within prison, which in turn assists rehabilitation. The Committee is asked to keep this point in mind when considering the topic of rehabilitation in Irish prisons.

The following key rehabilitative supports, services and resources are discussed in this submission: Mental and Emotional Health Supports (pp.4-6); Drug and Alcohol Addiction Services (pp.6-7); Living Conditions (pp.7-9); Education (pp.9-10); Life Skills (pp.10-11); and Staff Training and Culture (pp.11-12). The submission goes on to briefly address Post-Release Barriers and Opportunities (pp.12-14) and Obstacles to IPRT's Work (pp.14-15).

A total of 13 recommendations are made (summarised at pp.15-17). Most of these recommendations are directed towards the Irish Prison Service or Department of Justice, but it is important to note that resourcing is key to the ability of the prison system to respond effectively to the challenges mentioned in this submission and provide meaningful rehabilitative opportunities within prison.

In terms of specific legislative actions that may be of interest to the Committee, Recommendation 11 references the potential for inserting into legislation a positive statutory obligation on all relevant agencies to cooperate around prisoner release and Recommendation 12 discusses the Criminal Justice (Rehabilitative Periods) Bill 2018 and the need to progress this without further delay (in its current form, as amended at Committee).

Finally, the overarching Recommendation 13, relating to an overhaul of all data collection and publication processes within the criminal justice sector, is a matter that stretches across many agencies and departments, and accordingly must be addressed at the most senior levels.

Introduction

1. IPRT welcomes the opportunity to make a submission to the Joint Committee on Justice on the topic of ‘an examination of rehabilitative opportunities within the prison system’ and welcomes the Committee’s focus on this important issue.
2. It is important to note at the outset that many people who end up in prison have experienced issues with mental health or addiction,¹ homelessness,² disadvantage,³ low educational attainment and unemployment.⁴ The justice system is often left to “*pick up all of the pieces*” of these problems,⁵ but prison itself cannot address the broader societal issues that often lead to offending. That said, when people do end up in prison, it is crucial that they are supported in ways that will encourage their desistance and reintegration.
3. The Irish Prison Service (IPS) core mission is to provide “*safe and secure custody, dignity of care and **rehabilitation to prisoners for safer communities***” (emphasis added).⁶ IPRT welcomes this focus upon rehabilitation and recognises the significant efforts made by the IPS to offer rehabilitative opportunities to those detained in our prisons.⁷
4. There are, however, numerous areas that can be improved within the prison system so as to support the rehabilitative purpose. While many of these areas are examined in comprehensive detail in IPRT’s annual flagship report, *Progress in the Penal System (PIPS)*,⁸ this submission will address only a few of the key supports, services and resources that could help improve the rehabilitative opportunities offered in Irish prisons.

¹ Gulati G, Keating N, O’Neill A, Delaunois I, Meagher D, Dunne CP (2019) The prevalence of major mental illness, substance misuse and homelessness in Irish prisoners: systematic review and meta-analyses. *Irish Journal of Psychological Medicine*: 36(1): 35- 45.

² Martynowicz, A. and Quigley M. (2010). “*It’s like stepping on a landmine . . .*” - *Reintegration of prisoners in Ireland*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/6189/its_like_stepping_on_a_landmine_reintegration_of_prisoners_in_ireland_embargoed_to_0000_tuesday_25_may_2010.pdf. [02 March 2022].

³ O’Donnell I., Teljeur C., Hughes N., Baumer E.P. and Kelly, A. (2007). ‘*When prisoners go home: punishment, social deprivation and the geography of reintegration*’. 17(4) *Irish Criminal Law Journal*: 3-9.

⁴ Central Statistics Office (CSO), (2020). *Offenders 2016: Employment, Education and Other Outcomes, 2016-2019*. [Online]. Available from:

<https://www.cso.ie/en/releasesandpublications/fg/poffo/offenders2016employmenteducationandotheroutcomes2016-2019/>. [02 March 2022].

⁵ See comments of former Director General Michael Donnellan, Houses of Oireachtas (2017). *Committee of Public Accounts Debate 2 February 2017*. [Online]. Available from: https://www.oireachtas.ie/en/debates/debate/committee_of_public_accounts/2017-02-02/5/.

⁶ Irish Prison Service (IPS), (2021). *Irish Prison Service Annual Report 2020*. [Online]. IPRT. Available from: https://www.irishprisons.ie/wp-content/uploads/documents_pdf/IPS-Annual-Report-web-FINAL.pdf. [02 March 2022]. P.5

⁷ *Examples of rehabilitative initiatives within prison include e.g. education, vocational training, healthcare, psychiatric, psychological, addiction counselling, welfare and spiritual services*, see Department of Justice, Parliamentary Questions, PQ 314, 25 November 2021 (2021), available at: <https://www.justice.ie/en/JELR/Pages/PQ-25-11-2021-314> [03 March 2022].

⁸ Irish Penal Reform Trust (IPRT), (2017-2021). *Progress in the Penal System (PIPS)*. Online. IPRT. Available from: <https://pips.iprt.ie/>. [02 March 2022].

5. As a further and overarching preliminary point, IPRT emphasises that a reduced prison population, achieved through the diversion of people away from prison wherever possible, is crucial to ensuring that prisons can focus on rehabilitation and reintegration. All of the issues discussed within this submission are adversely impacted by increased numbers within prison, for the simple reason that increased numbers stretch the resources available and have a knock-on impact on living conditions and services within the prison.⁹ This is accordingly an important part of the picture that should be considered in any discussion of rehabilitation within prisons.

Key Rehabilitative Supports and Services within the Prison System

Mental and Emotional Health Supports in the Prison System

6. The Irish prison population is characterised by issues with mental health. Recent data suggests that the prevalence of people in prison with severe mental illness is four times that of the general population.¹⁰ This is further evidenced by the consistently high numbers of people in prison on the waiting list for the Central Mental Hospital (CMH), with a persistent waiting list of between 18 and 34 people awaiting transfer from 2017-2020,¹¹ and lengthy waiting times for in-prison psychology services (e.g. as of 13th July 2021 nearly a third of the prison population were on a waiting list for psychology assessment or intervention).¹²
7. While IPRT is clear that people with mental health difficulties should not be sent to prison in the first place,¹³ it is important that there are sufficient mental and emotional health supports provided for those who do end up in prison. This unfortunately is not the case within our prison system, with several problems arising in respect of both the quantity and quality of

⁹ You can find more information on safe custody limits and issues of overcrowding in Standards 3 and 4 of the PIPS reports.

¹⁰ Gulati, G., Cusack, A., Kelly, BD., Murphy, VE., Kilcommins, S., & Dunne, CP. (2021). Trans-institutionalisation in Ireland: New and Emerging Congregated Settings for People with Disabilities. [Online]. *Health and Human Rights Journal*. Available online: <https://www.hhrjournal.org/2021/08/trans-institutionalisation-in-ireland-new-and-emerging-congregatedsettings-for-people-with-disabilities/>. [02 March 2022].

¹¹ From 2017 to 2020, there was a constant waiting list of between 18 and 34 people awaiting transfer to the CMH see, Irish Prison Service response to requests for PIPS 2020, 7 August 2020. See, Irish Penal Reform Trust (IPRT), (2020). *Progress in the Penal System: Assessing Progress in a Pandemic*. [Online]. IPRT.

Available from: <https://pips.iprt.ie/site/assets/files/Progress-in-the-Penal-System-2020.pdf>. [03 March 2022]. P.83

¹² Department of Justice, Parliamentary Questions, PQ 579, 13 July 2021 (2021), available at: <https://www.justice.ie/en/JELR/Pages/PQ-13-07-2021-579>. In IPRT's most recent *PIPS 2021* report, it was noted that as of 23rd November 2021, the range of wait times for assessment/intervention by the IPS Psychology Service was between 0 (for psychological first aid) and 1,732 days (4 years) (for the *Pathways to Change Group*), see information obtained by the Irish Prison Service on 18th November 2021, Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The need for transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. P.15.

¹³ This also appears to be a goal of the recently established High Level Task Force on the mental health and addiction challenges of persons interacting with the criminal justice system, see, Department of Justice (DoJ), (2021). *Establishment of a High-Level Taskforce to consider the mental health and addiction challenges of persons interacting with the criminal justice system*. [Online]. DoJ. Available from: <https://www.justice.ie/en/JELR/Pages/PR21000071>. [02 March 2022]. See also IPRT's presentation to the HLTF in July 2021, IPRT, (2021). *IPRT presentation to High Level Task Force on mental health and addiction*. [Online]. IPRT. Available from: <https://www.iprt.ie/latest-news/iprt-to-present-to-high-level-task-force-on-mental-health-and-addiction/> [03 March 2022].

mental health supports in prison. For example, in addition to the lengthy waiting lists mentioned above:

- a. There are only two High Support Units (HSUs) available to people in prison in Ireland, one in Cloverhill and one in Mountjoy, with an additional Vulnerable Prisoners Unit in Cork Prison.¹⁴ Concerns as to the quality of the existing HSUs was pointed out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) in their 2014¹⁵ and 2019¹⁶ visits to Ireland.
- b. Ireland is nowhere near the recommended standard of 1 psychologist per 150 prisoners,¹⁷ with only 1 psychologist per 257 prison beds reported in November 2021.¹⁸
- c. There remains a lack of critical data on the lengths of time people are spending in Safety Observation Cells (special cells designed to accommodate prisoners who pose “an immediate threat of serious harm to him/herself and/or others arising from a health care condition (i.e. as a medical measure)”).¹⁹ This is despite repeated recommendations from IPRT to publish this information²⁰ and a 2017 commitment by the IPS to do so.²¹

Recommendation 1. The IPS should carry out a mapping exercise of all psychological, psychiatric and other mental health supports available to people in prison, with a view to identifying the areas where increased resourcing is needed.

¹⁴ There are only two operational HSUs in the estate, see, Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: Transparency in the Penal System*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. P.34.

¹⁵ CPT found that High Support Units were not resourced properly and observed a lack of meaningful engagement and structured activities for mentally ill prisoners housed in HSUs. See, Council of Europe (CoE), (2015). *Report to the Government of Ireland on the visit to Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 16 to 26 September 2014*. [Online]. CoE. Available from: <https://rm.coe.int/pdf%201680727e23>. [02 March 2022].

¹⁶ CPT noted that in Cloverhill, vulnerable prisoners in the “overflowing” HSU were, on occasion, sleeping on mattresses. See, Council of Europe (CoE), (2020). *Report to the Government of Ireland on the visit to Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 23 September to 4 October 2019*. [Online]. CoE. Available from: <https://rm.coe.int/1680a078cf>. [02 March 2022].

¹⁷ Porporino, F. (2015), “New Connections” *Embedding Psychology Services and Practice in the Irish Prison Service*. [Online]. IPS. Available from: http://www.irishprisons.ie/wp-content/uploads/documents_pdf/porporino_report.pdf. [02 March 2022]. P.28.

¹⁸ Information Received by the IPS on 18th November 2021, see Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: Transparency in the Penal System*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. P.15.

¹⁹ Council of Europe (CoE), (2020). *Report to the Government of Ireland on the visit to Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 23 September to 4 October 2019*. [Online]. CoE. Available from: <https://rm.coe.int/1680a078cf>. [02 March 2022]. P.57.

²⁰ These repeated recommendations have been made by IPRT in successive editions of PIPS, and particularly in 2017, 2018, 2019 and 2021, see *Standard 13 – Mental Healthcare*, in Irish Penal Reform Trust (IPRT), (2017-2019). *Progress in the Penal System: A Framework for Penal Reform*. [Online]. [IPRT]. Available from: <https://pips.iprt.ie/>. [02 March 2022]; and Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022].

²¹ UN Web TV, (2017). *Consideration of Ireland (Cont'd)-1551st Meeting 61st Session Committee Against Torture*. at 12.29-12.38. [Online]. Available from: <https://media.un.org/en/asset/k1x/k1xjaqg18m>. [02 March 2022].

Recommendation 2. The IPS should regularly publish the average, minimum and maximum lengths of time individuals are kept in Safety Observation Cells.

Drug and Alcohol Addiction Services in the Prison System

8. While there is a lack of up-to-date information on the prevalence of addiction among the Irish prison population, a 2019 study estimated that one in every two prisoners presented with substance misuse / dependence issues.²² However, these figures are based on incomplete data. Alongside this lack of information on addiction in prisons, there is a dearth of information available around drug and alcohol treatment services within the prison system.²³
9. That said, the information that is available does not paint an overly positive picture. For example:
 - a. As of 1st March 2021, 531 prisoners (13.9% of the prison population) were waiting to access addiction counselling services.²⁴ The lack of addiction counselling services has previously been highlighted by Prison Visiting Committees.²⁵
 - b. While people in prison who wish to avail of drug treatment services have access to counselling, treatment and training, there appear to be limited harm reduction options available (with no access to needle exchange facilities or naloxone provided (except on release from prison and in emergency situations)).²⁶
10. As well as significant issues around data on drug use and treatment options in prisons, the IPS drugs policy, *Keeping Drugs Out of Prison*, is considerably outdated having been published in 2006.²⁷ This policy sets a zero-tolerance approach to drugs in prison under principle 1, which arguably contradicts the *National Drugs Strategy 2017-2025* focus on “reducing harm, supporting recovery”.²⁸ IPRT is of the view that the IPS policy on drugs should be updated so

²² G. Gulati, N. Keating, A. O’Neill, I. Delaunois, D. Meagher, and C. P. Dunne, “The prevalence of major mental illness, substance misuse and homelessness in Irish prisoners: systematic review and meta-analyses”, *Irish Journal of Psychological Medicine*, 36/1 (2019), pp. 35–45

²³ Most of the information publicly available on drug/alcohol addiction services comes from answers to Parliamentary Questions.

²⁴ Department of Justice (DoJ). (2021). Parliamentary Question 181, 11 March 2021. [Online]. DOJ. Available from: <https://www.justice.ie/en/JELR/Pages/PQ-11-03-2021-181>. Percentage calculated on basis of total number of people in prison on 1 March 2021, see IPS. (2021). *Prisoner Population on Monday 1 March 2021*. [Online]. IPS. Available from: https://www.irishprisons.ie/wp-content/uploads/documents_pdf/01-March-2021.pdf.

²⁵ Department of Justice (DoJ). (2019). *Annual Report 2017 from Cloverhill visiting Committee to the Minister for Justice Charles Flanagan* [Online]. Department of Justice. Available from: [https://www.justice.ie/en/JELR/Cloverhill Prison Visiting Committee Annual Report 2017.pdf/Files/Cloverhill Prison Visiting Committee Annual Report 2017.pdf](https://www.justice.ie/en/JELR/Cloverhill%20Prison%20Visiting%20Committee%20Annual%20Report%202017.pdf/Files/Cloverhill%20Prison%20Visiting%20Committee%20Annual%20Report%202017.pdf). [03 March 2022]. P.8.

²⁶ Kildare Street, (2021). Written answers: Thursday, 25 November 2021 - Department of Justice and Equality Prison Service. [Online]. Kildare Street. Available from: <https://www.kildarestreet.com/wrans/?id=2021-11-25a.818>. [03 March 2022].

²⁷ Irish Prison Service (IPS), (2006). *Keeping Drugs Out of Prisons: Drugs Policy & Strategy*. [Online]. IPS. Available from: <http://www.irishprisons.ie/wp-content/uploads/documents/drugspolicy.pdf>. [02 March 2022].

²⁸ Department of Health, (2017). *Reducing Harm, Supporting Recovery: A health-led response to drug and alcohol use in Ireland 2017-2025*. [Online]. Government of Ireland. Available from: <https://www.gov.ie/pdf/?file=https://assets.gov.ie/14571/c22d1dd1756440f8946717a80ad2ffc3.pdf#page=1>. [02 March 2022].

as to focus efforts on addressing demand through targeted drug treatment programmes (rather than focusing simply on supply). This would in turn place greater emphasis on making Irish prisons a more rehabilitative environment and closer align with the national response to drug and alcohol use.²⁹

Recommendation 3. The IPS should publish an updated drugs policy, that takes a health-led approach to drug use within prisons, without delay.

Living Conditions in the Prison System

11. The European Prison Rules set out the principle that *“life in prison shall approximate as closely as possible the positive aspects of life in the community”*.³⁰ Living conditions cover many different areas of prison life such as cell-sharing and out-of-cell time, as well as the physical environment of the prison. Such conditions underpin the ability of the prison system to promote its rehabilitative purposes, insofar as safe, stable and comfortable accommodation is essential to allowing prisoners the space to engage with relevant services.
12. IPRT has identified various concerns in regards the living conditions within Irish prisons, but this brief submission focuses on just two aspects: single-cell accommodation and out-of-cell time.
13. Single-cell accommodation facilitates both the dignity and privacy of prisoners and can reduce the risk of violence (insofar as it avoids people being crowded together in small, cramped cells).³¹ Despite numerous human rights instruments emphasising the importance of single-cell accommodation,³² only 54% of people in Irish prisons are accommodated in single cells (as of January 2022) and the IPS does not have a designated policy on cell-sharing.³³

²⁹ Further discussion of the impact of drugs on the prison environment is set out in the *PIPS 2021* report, Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from:

https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. Pp.37-41.

³⁰ ³⁰ Council of Europe (CoE), (2020). Revised European Prison Rules. [Online]. CoE. Available from:

https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016809ee581. [02 March 2022]. Basic Principle 5.

³¹ Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from:

https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. P.52.

³² See: United Nations Office on Drugs and Crime, (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. [Online].

UNODC. Available from: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-Ebook.pdf. [02 March 2022]. P.5,

Rule 12.1.; and Council of Europe (CoE), (2020). Revised European Prison Rules. [Online]. CoE. Available from:

https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016809ee581. [02 March 2022]. Rule 18.6.

³³ Irish Prison Service (IPS), (2022). *Census Prison Population January 2022 – Cell occupancy – In-Cell Sanitation*. [Online]. IPS. Available from:

https://www.irishprisons.ie/wp-content/uploads/documents_pdf/January-2022-In-Cell.pdf. [02 March 2022]. See also Irish Penal Reform Trust

(IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from:

https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. P.16.

14. Adequate out-of-cell time, which allows prisoners time for routine activities (such as showering and phone calls) as well as purposeful activity (such as exercise, education, work and opportunities to engage with others), is vitally important for the rehabilitation and reintegration of people post-release.³⁴ IPRT believes that every prisoner should receive a minimum of 12 hours per day out of their cell, which should include a minimum of five hours structured and meaningful activity over five days per week.³⁵ This echoes similar calls by the Penal Policy Review Group (PPRG) in 2014³⁶ and the Whitaker Report as far back as 1985.³⁷
15. Unfortunately, the most recent *PIPS 2021* report has recorded a regress on this important issue, with the number of hours out-of-cell time that prisoners receive reducing from eight hours in 2018³⁸ to six hours in 2021.³⁹ This is just one hour more out-of-cell time than people on a ‘restricted regime’ (a restricted regime being where a prisoner spends 19+ hours a day locked in their cell).⁴⁰
16. The situation in regards people on restricted regime is further alarming insofar as IPRT has identified a 79% increase in the number of people held in such conditions between 2017 and 2021.⁴¹ This figure increased again in January 2022, with 25.6% (982) of the prison population (3,835) being held on restricted regime.⁴² It is widely accepted that spending such a significant portion of the day locked in a cell is damaging to the health and wellbeing of the restricted individual.⁴³ While these increased numbers on lengthy lock-up is partially a result of COVID-19, it is crucial that efforts are now made to address these concerning figures and trends.

³⁴ This is reflected across a number of human rights standards, see: United Nations Office on Drugs and Crime (UNODC), (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. [Online]. UNODC. Available from: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf. [02 March 2022]. Rules 5 & 23; Council of Europe (CoE), (2020). *Recommendation Rec(2006)2-rev of the Committee of Ministers to member States on the European Prison Rules (Adopted by the Committee of Ministers on 11 January 2006, at the 952nd meeting of the Ministers’ Deputies and revised and amended by the Committee of Ministers on 1 July 2020 at the 1380th meeting of the Ministers’ Deputies)*. [Online]. CoE. Available from: <https://rm.coe.int/09000016809ee581>. [02 March 2022]. Rule 25.

³⁵ This is set out in Standard 16 of *PIPS*, see <https://pips.iprt.ie/progress-in-the-penal-system-pips-2020/part-2-measuring-progress-against-the-standards/2-prison-conditions-and-regimes/16-out-of-cell-time/>. [Online]. [03 March 2022].

³⁶ Department of Justice (DoJ), (2014). *Strategic Review of Penal Policy*. [Online]. DOJ. Available from: <http://www.justice.ie/en/JELR/Strategic%20Review%20of%20Penal%20Policy.pdf/Files/Strategic%20Review%20of%20Penal%20Policy.pdf> [02 March 2022]. “Lower security prisons permit greater out-of-cell time, or no ‘locked cell’ time in the case of an open prison. This is a particular advantage in the rehabilitation and reintegration of an offender as it resembles more closely a normal day to day existence.” P.59.

³⁷ Committee of Inquiry into the Penal System. (1985). *Report of the Committee of Inquiry into the Penal System*. Dublin: Stationery Office.

³⁸ Houses of the Oireachtas, (2018). Prison Service Data, Parliamentary Question 551, 17th April 2018. [Online]. Houses of the Oireachtas. Available from: <https://www.oireachtas.ie/en/debates/question/2018-04-17/section/465/>. [02 March 2022].

³⁹ This is based on information provided by the IPS in November 2021, see Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. P.56.

⁴⁰ There are several prison rules under which a prisoner can be placed on restricted regime in Ireland, see e.g. Irish Prison Service, (2007). *Irish Prison Rules 2007*. [Online]. IPS. Available from: <http://www.irishprisons.ie/images/pdf/prisonrules.pdf>. [03 March 2022]. Rules 62, 63, 64, 67 (and section 13 of the Prisons Act 2007).

⁴¹ Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System (PIPS): The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. P.56.

⁴² See Irish Prison Service (IPS). *Census of Restricted Regime Prisoners January 2022*. [Online]. IPS. Available from: https://www.irishprisons.ie/wp-content/uploads/documents_pdf/January-2022-Restriction.pdf. [02 March 2022].

⁴³ See e.g. Department of Justice (DoJ), (2014). *Strategic Review of Penal Policy*. [Online]. DOJ. Available from: <https://www.justice.ie/en/JELR/Pages/PB14000244> [03 March 2022]. Recommendation 17, P.10.

17. The above factors, alongside other basic living conditions, play a major role in determining the rehabilitative outcomes for people in prison and must be addressed alongside specific rehabilitative initiatives.

Recommendation 4. The IPS should carry out a review of the use of single-cell accommodation across the Irish prison estate before the end of 2022 and consider developing and publishing a designated policy on cell-sharing.

Recommendation 5. The IPS should publish a dedicated strategy for reducing the use of restricted regimes across the prison estate (as promised in 2016),⁴⁴ as well as its plans for moving out of the emergency phase of the COVID-19 pandemic.⁴⁵

Education in the Prison System

18. Education in prison is important to the personal development of prisoners and has the potential to reduce the pains of, and damage caused by, imprisonment. It can further provide individuals with the skills needed to re-engage with their communities and enhance people's employability post-release.⁴⁶ While there have been some positive initiatives in recent years, including the Mountjoy Prison-Maynooth University Partnership,⁴⁷ IPRT remains concerned by the level of education provision and participation within the prison system.

19. For example, there was a regress in participation rates in education in Irish prisons between 2017 and 2021, from 42% in March 2017⁴⁸ to 31.2% in November 2021.⁴⁹ There has also been significant regress in the efforts to address access to education for people on restricted regime

⁴⁴ This commitment was made in the IPS Strategic Plan 2016-2018, see Irish Prison Service (IPS), (2016). *Irish Prison Service Strategic Plan, 2016-2018*. [Online]. IPS. Available from: http://www.irishprisons.ie/wp-content/uploads/documents_pdf/strategic_plan_2016.pdf [16 November 2021]. Goal 4.4, P.36.

⁴⁵ This might be done e.g. by publishing the *Framework for Unwinding Prison Restrictions* as promised in June 2021 (but which has not yet been done), see Department of Justice, Parliamentary Questions, PQ 394, 17 June 2021 (2021), available at: <https://www.justice.ie/en/JELR/Pages/PQ-17-06-2021-394> [03 March 2022].

⁴⁶ See e.g. Behan, C., (2014). Learning to Escape: Prison Education, Rehabilitation, and the Potential for Transformation. *Journal of Prison Education and Re-entry*, 1(1): 20-31; United Nations Office on Drugs and Crime, (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. [Online]. UNODC. Available from: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf. [02 March 2022]. (See Rules 4, 40, 92, 102 & 104); and Houses of the Oireachtas Joint Committee on Education and Skills, (2019). *Joint Committee on Education and Skills Report on Education Inequality & Disadvantage and Barriers to Education* [Online]. Houses of the Oireachtas Joint Committee on Education and Skills. Available from:

https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint_committee_on_education_and_skills/reports/2019/2019-06-05_report-on-education-inequality-disadvantage-and-barriers-to-education_en.pdf. [02 March 2022]. The Joint Committee on Education and Skills has recommended that education programmes in prisons be "developed and expanded" as it is necessary for reintegration to society on release.,

⁴⁷ See Maynooth University, (2021). *Mountjoy Prison – Maynooth University Partnership*. [Online]. MU. Available from: <https://www.maynoothuniversity.ie/access-office/mountjoy-mu-partnership>. [03 March 2022].

⁴⁸ Kildare Street, (2017). *Written answers Tuesday, 11 July 2017 - Educational Services for Prisoners*. [Online]. Kildare Street. Available from: <https://www.kildarestreet.com/wrans/?id=2017-07-11a.731>. [02 March 2022].

⁴⁹ Information received by the Irish Prison Service on 18 November 2021.

as well as a consistent lack of information on participation rates in education among this cohort of prisoners.⁵⁰ There is similarly a lack of information on participation rates in Open University courses for people in prison, with no information on this topic made available to IPRT since 2018.⁵¹ In addition to these issues, IPRT is concerned by the recent impact of COVID-19 on prison education e.g. schools were closed for lengthy periods of time in 2020 and 2021 due to the pandemic⁵² as well as for reasons of staff shortages across the prison estate.⁵³

Recommendation 6. The IPS and Education & Trainings Board Ireland (ETBI) should follow through on commitments to the digitalisation of education⁵⁴ and ensure that all prisoners, particularly those on restricted regimes, have access to in-cell e-learning by the end of 2022.

Life Skills in the Prison System

20. The development of life skills in prison can help to promote reintegration and minimise the risk of reoffending.⁵⁵ Life skills is a broad concept and can refer to many things, from structured courses to carrying out everyday activities such as preparing meals, eating communally, and cleaning / maintaining a living space.
21. *PIPS 2021* explains that there is a mixed picture in regards the progress in encouraging and facilitating prisoners to develop their life skills. For example:
- a. There was a regress in regards communal dining (with fewer than 200 people across the whole prison estate having access to communal dining facilities in 2021).⁵⁶
 - b. There has been, however, some improvement in the provision of Independent Living Skills Units (ILSUs) in Irish prisons. ILSUs are specific areas within closed prisons where

⁵⁰ Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. See P. 78.

⁵¹ Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. See P.78.

⁵² Schools were closed in prison from approx. mid-March to early June 2020 and again from January to mid-April 2021. This is based on information received by the Irish Prison Service on 14th January 2022, see Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. See P.77.

⁵³ For example, schools were closed in Limerick and Mountjoy prisons due to staff shortages, see information received by the Irish Prison Service on 14th January 2022, Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. See P.19.

⁵⁴ See Irish Prison Service (IPS) & Education and Training Boards Ireland (ETB), (2016). *Joint Irish Prison Service/ Education and Training Boards Ireland – Prison Education Strategy 2016-2018*. [Online]. IPS. Available from: https://www.irishprisons.ie/wp-content/uploads/documents_pdf/education_strategy_2016.pdf [03 March 2022]. P.7; and Irish Prison Service (IPS) & Education and Training Boards Ireland (ETB), (2019). *Joint Irish Prison Service/ Education and Training Boards Ireland – Prison Education Strategy 2019-2022*. [Online]. IPS. Available from: https://www.irishprisons.ie/wp-content/uploads/documents_pdf/Irish-Prison-Service-Joint-Education-Strategy_PRINT-final.pdf [03 March 2022]. Pp.5-6.

⁵⁵ Eikeland, O., Asbjørnsen, T.M.A., (2009) *Education in Nordic Prisons Prisoners' Educational Backgrounds, Preferences and Motivation*. [Online]. Norden. Available from: <https://www.diva-portal.org/smash/get/diva2:702625/FULLTEXT01.pdf>. [02 March 2022].

⁵⁶ Information obtained from the Irish Prison Service on 18 November 2021, see Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. See P.18.

prisoners (specifically those on longer sentences) can carry out “normal” life activities in so far as possible within the prison regime. There are currently two ILSUs (in Wheatfield and Midlands) with another due to open in Mountjoy at the end of 2018 (although that does not yet appear to have happened).⁵⁷

Recommendation 7. The IPS should conduct and publish a review on the role and effectiveness of ILSUs in the prison system and consider the potential for further development of ILSUs or other “normalisation” initiatives across the estate.

Staff Training and Culture in the Prison System

22. The careful selection, recruitment and training of prison staff, as well as the overall culture of the prison system, is essential to ensuring that Irish prisons remain focused on rehabilitation and promoting desistance and reintegration.⁵⁸ Good working relationships both between and among staff and prisoners can help ensure a positive prison environment, which in turn supports the rehabilitative purpose of prison.⁵⁹

23. As it stands, current prison staff and new recruits receive training on a range of topics including: human rights in a custodial environment; equality and diversity; mental health awareness; effects of addiction; and learning styles and learning difficulties.⁶⁰ It is important, however, that this training is complemented by robust mechanisms that ensure staff feel supported by management in the fulfilment of their duties.

24. ‘Measuring the quality of prison life’ (MQPL) surveys is an additional tool that can assist in assessing those ‘hard to measure’ aspects of prison life and quality.⁶¹ While the IPS has previously carried out these types of surveys internally, it does not appear that they have been published.⁶²

⁵⁷ Information provided by the Irish Prison Service on an IPRT visit to the Progression Unit, Mountjoy Prison, 18th May 2018 in Irish Penal Reform Trust (IPRT), (2017). *Progress in the Penal System: A Framework for Penal Reform in Ireland*. [Online]. IPRT. Available from:

https://www.iprt.ie/site/assets/files/6431/progress_in_the_penal_system_compressed.pdf. [03 March 2022]. See also Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from:

https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. See P.74.

⁵⁸ See e.g. United Nations Office on Drugs and Crime, (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. [Online]. UNODC. Available from: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-book.pdf [02 March 2022]. P.22, Rule 74.1.; and Council of Europe (CoE), (2020). *Revised European Prison Rules*. [Online]. CoE. Available from: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016809ee581. [02 March 2022]. Rule 8.

⁵⁹ See e.g. Standard 30 of *PIPS*, Irish Penal Reform Trust (IPRT), (2019). *Progress in the Penal System: A framework for penal reform*. [Online]. IPRT. Available from: <https://pips.iprt.ie/site/assets/files/Progress-in-the-Penal-System-2019.pdf> [02 March 2022]. P.101.

⁶⁰ Irish Prison Service (IPS), (2021). *Irish Prison Service Annual Report 2020*. [Online]. IPRT. Available from: <https://www.irishprisons.ie/wp-content/uploads/documents/pdf/IPS-Annual-Report-web-FINAL.pdf>. [02 March 2022]. P.17.

⁶¹ See Council of Europe, (2014). *Prison quality, moral performance and outcomes – Alison Liebling*. [Online]. CoE. Available from: <https://rm.coe.int/16806f4613>. [03 March 2022]. P.1.

⁶² Irish Penal Reform Trust (IPRT), (2019). *Progress in the Penal System: A framework for penal reform*. [Online]. IPRT. Available from: <https://pips.iprt.ie/site/assets/files/Progress-in-the-Penal-System-2019.pdf> [02 March 2022]. P.101.

25. Finally, IPRT is unclear as to whether previous commitments to introduce a new prison governance structure, including a committee to look at culture, have yet been met.⁶³ These commitments were made in 2019 in response to a report of the Inspector of Prisons into allegations of wrongdoing in the IPS. The most recent IPS Annual Report 2020 does not specifically reference the status of such measures, mentioning only that governance is a “key pillar” in the IPS Strategic Plan 2019-2022 and that “[w]ork is ongoing by the Department of Justice and the Irish Prison Service to design an enhanced governance framework for the Prison Service which will strengthen governance, compliance and accountability”.⁶⁴

Recommendation 8. The IPS should embed staff training on human rights and promoting reintegration by including such training in Performance Management and Development Systems (PMDS), promotion and overall performance appraisal.

Recommendation 9. The IPS should conduct and publish independent MQPL surveys across the prison estate on a periodic basis.

Recommendation 10. The Department of Justice / IPS should provide an update on progress of a new prison governance structure as per the commitments made in 2019.

Post-Release Barriers and Opportunities

26. There are huge barriers facing people upon their release from prison, and this particular period can be one of the most challenging for people. Even when prison life is managed effectively and successful programmes are in place in prison, challenges to reintegration remain. This is often due to a lack of follow-up and support post-release,⁶⁵ not to mention access to stable accommodation, employment and other aspects of normal life. Special attention must accordingly be given to supporting people on release from prison as part of the wider goal of preventing re-offending.

⁶³ Department of Justice, (2019). Statement by Minister for Justice and Equality, Charlie Flanagan TD, accompanying the publication of the report by Inspector of Prisons pursuant to section 31(2) of the Prisons Act 2007 into allegations of wrongdoing in the Irish Prison Service. [Online]. DoJ. Available from: <https://www.gov.ie/en/press-release/70f9f0-statement-by-minister-for-justice-and-equality-mr-charlie-flanagan-t/> [03 March 2022].

⁶⁴ Irish Prison Service (IPS), (2021). *Irish Prison Service Annual Report 2020*. [Online]. IPRT. Available from: https://www.irishprisons.ie/wp-content/uploads/documents_pdf/IPS-Annual-Report-web-FINAL.pdf. [02 March 2022]. P.14.

⁶⁵ United Nations Office on Drugs and Crime (UNODC), (2018). *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders – Criminal Justice Handbook Series*. [Online]. UNODC. Available from: https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf [03 March 2022].

27. There are many aspects to this, but IPRT emphasises three key areas where efforts might particularly be focused:

- a. Sentence-management and planning. It is crucial that all prisoners have access to effective sentence-management and a comprehensive plan for release in place, with such preparations starting at the beginning of the person's sentence.⁶⁶
- b. Interagency coordination around release. There should be robust interagency working and coordination between prisons and other relevant departments / agencies in the community so as to ensure people, upon release, have access to essential services such as housing, education, employment, family support and – if needed – mental health and addiction supports.⁶⁷
- c. Spent convictions. The importance of a more expansive and effective spent convictions regime cannot be overstated. Such measures would ensure people who have convictions are not unduly challenged in accessing important elements of everyday life, such as employment, education and travel.⁶⁸

28. There has been some progress on these issues, with the Interagency Group for a Fairer and Safer Ireland established in 2018 to take forward recommendations on enhancing cross-government and interagency co-operation in the management and rehabilitation of offenders⁶⁹ and the Criminal Justice (Rehabilitative Periods) Bill 2018 passing through the Seanad with Government support in June 2021.⁷⁰ In its current form (as amended at Committee stage) this Bill will benefit thousands who have been held back by their historic conviction(s), and communities across Ireland will benefit from the education and employment of people who were previously excluded based on their convictions history.⁷¹

29. On the question of industries / sectors engaging with the prison system on training and employment, IPRT agrees that there may be benefits to such initiatives and we are supportive

⁶⁶ See e.g. the Mandela Rules, United Nations Office on Drugs and Crime, (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. [Online]. UNODC. Available from: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-Ebook.pdf. [02 March 2022]. Rules 4, 87 and 88.

⁶⁷ Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. P.86.

⁶⁸ Houses of the Oireachtas, (2018). *Joint Committee on Justice and Equality Report on Penal Reform and Sentencing*. [Online]. Houses of the Oireachtas. Available from: https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint_committee_on_justice_and_equality/reports/2018/2018-05-10_report-on-penal-reform-and-sentencing_en.pdf [03 March 2022]

⁶⁹ Department of Justice (DoJ), (2020). *Annual Report of the Interagency Group for a Fairer and Safer Ireland, 2019*. [Online]. DoJ. Available from: https://www.justice.ie/en/JELR/Pages/Penal_Policy_Review [03 March 2022]. P. 2.

⁷⁰ Houses of the Oireachtas, (2018). *Criminal Justice (Rehabilitative Periods) Bill 2018*. [Online]. Houses of the Oireachtas. Available from: <https://www.oireachtas.ie/en/bills/bill/2018/141/> [03 March 2022].

⁷¹ Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. P.89.

of the recent efforts that have been made by the Department of Justice in this regard (through e.g. the *Working to Change - Social Enterprise & Employment Strategy 2021-2023* launched in November 2020).⁷²

Recommendation 11. The Department of Justice, by the end of 2022, should develop a strategy which identifies the key stakeholders responsible for ensuring the successful reintegration of people post-release and the potential for inserting into legislation a positive statutory obligation on all relevant agencies to cooperate around prisoner release.

Recommendation 12. The Government should progress the Criminal Justice (Rehabilitative Periods) Bill 2018 through the Dáil without further delay, and without removing the progressive amendments made at Committee Stage.

Obstacles to IPRT's Work

30. The last question posed by the Committee asks if there are any policies or procedures which impede on IPRT's ability to carry out our functions effectively and to the best of our ability. A key challenge arising for IPRT is the difficulty we have in accessing data on key aspects of the Irish criminal justice and penal system. A system for publishing routine, up-to-date and comprehensive data simply does not exist at present. Without such data and information, IPRT struggles to assess Ireland's prison system across a range of important issues, including many of those mentioned in this submission. This difficulty in obtaining data is the reason that the overarching theme of *PIPS 2021* was 'the need for transparency'.⁷³

31. As stated by Chief Commissioner Sinéad Gibney at the launch of this year's *PIPS 2021* report, "*what we cannot measure, we cannot change*".⁷⁴ **Underpinning all of the above recommendations is accordingly an overarching and urgent recommendation for all relevant agencies, across the criminal justice sector, to introduce systemised, comprehensive and routine data collection and data publication processes.**⁷⁵ The importance of access to such information cannot be overstated. Without it, we are left

⁷² Visit the Working to Change website for more information, available from: <https://www.workingtochange.ie/>.

⁷³ See Irish Penal Reform Trust (IPRT), (2021). *Progress in the Penal System: The Need for Transparency*. [Online]. IPRT. Available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022]. Pp.11-13.

⁷⁴ You can watch the Chief Commissioner's remarks back here: <https://www.youtube.com/watch?v=REXvFaDMw68> (at 24.14-40.31).

⁷⁵ More information on specific data / information gaps and requirements is set out in comprehensive detail throughout *PIPS 2021*, available from: https://www.iprt.ie/site/assets/files/7052/progress_in_the_penal_system_2021_-_final.pdf. [02 March 2022].

knowing very little about what is happening in our prisons and are hampered in our ability to fully advocate for the rights and wellbeing of some of the most marginalised people in our society.

Recommendation 13. The Government and Department of Justice should lead on an overhaul of all data collection and publication processes within the criminal justice sector, so as to provide for the systematic, comprehensive and routine collection and publication of relevant data.

Conclusion and Summary of Recommendations

32. The above information is a brief overview of some key aspects of promoting and improving rehabilitative opportunities within the prison system. IPRT would very much welcome the opportunity to meet with the Committee to discuss this important topic further and is happy to answer any questions that might arise.

Recommendation 1. The IPS should carry out a mapping exercise of all psychological, psychiatric and other mental health supports available to people in prison, with a view to identifying the areas where increased resourcing is needed.

Recommendation 2. The IPS should regularly publish the average, minimum and maximum lengths of time individuals are kept in Safety Observation Cells.

Recommendation 3. The IPS should publish an updated drugs policy, that takes a health-led approach to drug use within prisons, without delay.

Recommendation 4. The IPS should carry out a review of the use of single-cell accommodation across the Irish prison estate before the end of 2022 and consider developing and publishing a designated policy on cell-sharing.

Recommendation 5. The IPS should publish a dedicated strategy for reducing the use of restricted regimes across the prison estate (as promised in 2016),⁷⁶ as well as its plans for moving out of the emergency phase of the COVID-19 pandemic.⁷⁷

Recommendation 6. The IPS and Education & Trainings Board Ireland (ETBI) should follow through on commitments to the digitalisation of education⁷⁸ and ensure that all prisoners, particularly those on restricted regimes, have access to in-cell e-learning by the end of 2022.

Recommendation 7. The IPS should conduct and publish a review on the role and effectiveness of ILSUs in the prison system, and consider the potential for further development of ILSUs or other “normalisation” initiatives across the estate.

Recommendation 8. The IPS should embed staff training on human rights and promoting reintegration by including such training in Performance Management and Development Systems (PMDS), promotion and overall performance appraisal.

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Recommendation 10. The Department of Justice / IPS should provide an update on progress of a new prison governance structure as per the commitments made in 2019.

Recommendation 11. The Department of Justice, by the end of 2022, should develop a strategy which identifies the key stakeholders responsible for ensuring the successful reintegration of people post-release and the potential for inserting into legislation a positive statutory obligation on all relevant agencies to cooperate around prisoner release.

⁷⁶ This commitment was made in the IPS Strategic Plan 2016-2018, see Irish Prison Service (IPS), (2016). *Irish Prison Service Strategic Plan, 2016-2018*. [Online]. IPS. Available from: http://www.irishprisons.ie/wp-content/uploads/documents_pdf/strategic_plan_2016.pdf. [02 March 2022]. Goal 4.4, P.36.

⁷⁷ This might be done e.g. by publishing the *Framework for Unwinding Prison Restrictions* as promised in June 2021 (but which has not yet been done), see Department of Justice, Parliamentary Questions, PQ 394, 17 June 2021 (2021), available at: <https://www.justice.ie/en/JELR/Pages/PQ-17-06-2021-394> [03 March 2022].

⁷⁸ See Irish Prison Service (IPS) & Education and Training Boards Ireland (ETB), (2016). Joint Irish Prison Service/ Education and Training Boards Ireland – Prison Education Strategy 2016-2018. [Online]. IPS. Available from: http://www.irishprisons.ie/wp-content/uploads/documents_pdf/education_strategy_2016.pdf [02 March 2022]. P.7.

Recommendation 12. The Government should progress the Criminal Justice (Rehabilitative Periods) Bill 2018 through the Dáil without further delay, and without removing the progressive amendments made at Committee Stage.

Recommendation 13. The Government and Department of Justice should lead on an overhaul of all data collection and publication processes within the criminal justice sector, so as to provide for the systematic, comprehensive and routine collection and publication of relevant data.



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Irish Prison Service

Submission to the Joint Committee on Justice

“An Examination of Rehabilitative Opportunities within the Prison System”

7th March, 2022

1. In your opinion, are there sufficient rehabilitative opportunities in the Prison system?

The Irish Prison Service has a range of supports available for prisoners to support them during their time in custody and allow them to address the factors that led to their offending behaviour. These services range from the development of education and skills, healthcare including psychological and mental health services, addiction services and additional support services to assist with gaining access to additional public services on release such as links to employment and accommodation services.

1.1 Integrated Sentence Management

The Irish Prison Service has appointed a total of 24 dedicated Integrated Sentence Management (ISM) Coordinators which are operational in all prisons and open centres. The 24 prison-based ISM Coordinators are further supported by prison management and the prison-based multi-disciplinary team, which includes the Psychology Service, the Education Service, the Work Training Service, the Chaplaincy Service, the Probation Service, the Training & Employment Service, the Resettlement Service, the Healthcare & Addiction Service, who work together with operational staff to deliver effective sentence management and prisoner care.

The ISM process is a prisoner-centred, multi-disciplinary approach to working with prisoners, with provision for initial assessment, goal-setting and periodic review to measure progress, with an emphasis on prisoners taking greater personal responsibility for their own development through active engagement with both specialist and non-specialist services in the prisons. Important issues such as accommodation, employment and education are addressed to help the prisoner plan towards improved resettlement into the community on release and reduce the risk of re-offending.

In July 2021, the Irish Prison Service introduced a new central management ICT platform on the Prisoner Information Management System (PIMS) to capture and monitor the work of ISM Coordinators and members of the multi-disciplinary team. Since July 2021, prisoner sentence plans agreed by the prison-based multi-disciplinary team are now printed and shared with the prisoner to guide the prisoner's ownership of their sentence management. This centralised information-sharing resource also assists prison-based services to improve the transition from custody to the community for offenders, with the overall aim of reducing risk to the individual and reducing risk of recidivism, while improving accountability and transparency. Between 5 July 2021 1 March 2022 4,078 ISM interviews were conducted face-to-face with prisoners and 1731 prisoner multi-disciplinary sentence plans have been agreed (these figures do not include additional prisoners released in the time period). Work on multi-disciplinary sentence plans is resource intensive but work is progressing in each prison to develop an individual multi-disciplinary sentence plan for all ISM-eligible prisoners on a gradual basis. Once the initial plan is agreed for the prisoner the new ICT system records the need for the plan to be reviewed a minimum of once-per-year but the plan can be reviewed and updated at any time under the direction of the Governor.

In Budget 2022, the Irish Prison Service has secured additional amount of funding to continue to enhance and support the implementation of ISM in keeping with the goals of the IPS strategic plan. This funding will allow for the recruitment of two additional ISM Officers and facilitate an increase in the number of ISM Coordinators in certain locations where the demand for ISM is high. Newly proposed Parole Board procedures will greatly impact the resources available for ISM and will require future funding to increase capacity.

A project has commenced to work towards using mobile devices for the interview process for ISM Coordinators to improve prisoner-contact time and introduce efficiencies while maintaining a high standard of record management. Budget 2022 has provided some initial start-up funding to commence the test-and-learn phase of this project which will require a large investment by the IPS to cable prisons to adequately support the prisoner record applications on a Wi-Fi basis.

1.2 The Education Service

The Department of Education provides an allocation of 220 whole time teacher equivalents to the Irish Prison Service through the Education and Training Boards. Education in prisons is delivered in partnership between the Education and Training Boards and the Irish Prison Service with a focus on providing education which is quality assured, student-centered and which facilitates lifelong learning. In general education programmes are adapted to take account of the diversity of the prisoner population and the complex nature of prison life, including segregation requirements and high levels of prisoner turnover. The partnership endeavours to meet the needs of prisoners through helping them cope with their sentence, achieve personal development and prepare for life after release.

The state second-level (Junior and Leaving Certificate) courses and third level Open University courses are made available but increasing numbers of people in custody require a more flexible curriculum which has multiple entry and exit points that take account of prior educational attainment. Quality & Qualifications Ireland (QQI) replaced the Further Education and Training Awards Council (FETAC) accreditation and is widely used in prison education with assessment by portfolio compilation. All prison Education Centres meet the Quality Assurance standards demanded by QQI.

The Joint Irish Prison Service/Education & Training Boards Ireland Prison Education Strategy 2019 to 2022 is currently in place. Strategic actions currently being progressed as part of this Strategy include Supporting the Prison Education Service; Making effective use of digital systems for teaching and learning; Supporting the provision of broad based Education; Supporting Integration and Sentence Planning; Supporting the delivery of Library Services in prisons; Progressing Quality Assurance and Reviews; and Ensuring Compliance with legislation including GDPR and Health And Safety.

Prison schools, like schools in the community, were impacted by reduced capacity to allow social distancing and also the temporary closure of schools during Covid-19. Red Cross volunteers and Chaplains were very helpful in bringing educational and library books and resources to people in their cells during Covid while the schools were closed. The IPS harnessed new technologies and methods for the delivery of educational content during the pandemic. Arising from this we can now ensure that prisoners can continue their learning beyond scheduled classes and extend the delivery of education to harder to reach people who may not be able to attend prison school due to restrictions on their regime. One particular area for development that the IPS has identified for growth is the area of technology access and digital literacy growth which is not without its security challenges.

A new TV Channel has been developed and is available in all prisons, which allowed us to provide important Covid-19 healthcare information and prison information and advice during the pandemic. The TV Channel will be part of a Blended Learning project which is to be implemented, where courses have been developed and will be shown on the TV Channel and educational booklets will be developed and printed by Midlands Prison Print Workshop and distributed to people in their cells so that they can continue their courses in the evenings and at weekends.

Initiatives available in the community such as Gaisce - the President's Award are available in the Prisons and were very successful in progressing Gaisce participation during Covid. Arts workshops run in co-operation with Arts Council Schemes, are in general a gateway into education, sometimes people are interested in art initially but then enjoy coming to prison schools and take on other courses as well. Creative Writing classes are also offered to students in prison, the IPS received the results of the Listowel Writers Competition in Prisons and in 2021 three of the prize winners came from Arbour Hill prison. Entries for the Listowel Writers competition for 2022 are currently in train.

60 learners have enrolled on OU courses in the 2021/2022 academic year.

There has been ongoing engagement with SOLAS on the Building Bridges project which should witness additional resources including additional Career Guidance Teachers in Prison Education Centres to support post-release liaison with the 16 ETBs nationally. The overall purpose of the project is to improve the outcomes for learners who engage with Further Education and Training (FET) while in custody or through transition from custody, and to raise awareness of available pathways and options in FET.

The IPS Budget for prison education is €1,265,000 for 2022. This budget excludes teacher's salaries, which are met by the Education and Training Boards. Annually approximately 35% of the total prison population attend prison education centres with over 1,500 (circa 42%) prisoners participating in education on a daily basis. However participation in education was impacted by the pandemic (see question 4 below for further details).

1.3 The Work and Training Service

Work and Training is designed to provide purpose activity during time spend in custody and provide valuable skills which will assist the offender in getting gainful employment on release.

The guiding principles which underpin the prisons' work and training service are to make available, work, work-training and other purposeful activities to all those in custody. There are over 120 workshops and service activities across the prison estate with a current work station capacity of 1,376. Training activities are chosen to give as much variety as possible and also to give opportunities for those in prison to acquire practical skills which will help them secure employment on release.

Work and Training has an authorised staffing allocation of approximately 378 prison officers. Work Training Officers have been appointed and assigned to areas such as catering, laundry, industrial cleaning, industrial skills and gym.

A wide range of training workshops operate within the institutions e.g. printing, computers, braille, woodwork, metalwork, construction, industrial cleaning, crafts and horticulture. The Work Training function, which is staffed by IPS Work Training Officers also comprises such essential services as catering and laundry services. The Work Training service is also involved in providing materials and products for charitable organisations.

The Irish Prison Service has been seeking to expand the number of accredited courses and opportunities available to prisoners in Work Training in recent years. Enhanced partnership arrangements with accrediting bodies such as City and Guilds, the Scottish Qualifications Authority (SQA), and the Guild of Launderers and Cleaners and the centralising of coordination and quality assurance arrangements have enabled us to extend the number of available courses and activities with certification.

The Irish Prison Service completed significant reviews of work and training in 2021. The reports recognise the benefits in providing vocational training across the Irish Prison Service estate. They also recognise that the current system of Work & Training extends itself too far in trying to provide all services at all prisons regardless of location or prisoner suitability. The dynamic and changing prisoner profile at some locations is cited as the greatest barrier to efficiently and effectively operating the work training areas. Implementation of the recommendations from the Work Training Reviews will commence later this year in conjunction with a new Prisoner Progression Plan.

In 2020, costs associated with Work and Training, including staffing costs, gratuities and consumables, accounted for €23.85 million, or 5.8% of the IPS budget. Over 1,100 or 30% of the prison population take part in Work and Training at any given time.

1.4 The Prison Healthcare Service

The prison healthcare service seeks to provide prisoners with access to the same range and quality of healthcare services as that available under the Medical Card scheme in the community. A wide range of general healthcare services are provided which include:

1.4.1 Primary Care

The prison healthcare service is responsible for the primary medical care of all prisoners including:

- The health and medical assessment of all new prisoners on committal
- The ongoing general medical care of prisoners
- Prescribing an appropriate course of treatment and monitoring that treatment for its duration
- Referral for specialist opinion, where appropriate. No in-patient care is provided within Irish prisons. Secondary care provided in prisons may include treatment and care by psychiatrists, specialists in substance abuse and specialists in STI, while all other secondary care is provided by acute hospitals in the Irish Health Service. If a prison doctor refers a prisoner to an external secondary service, the prisoner will be placed on the public waiting list and once he/she is called for the appointment, his/her escort to the appointment will be facilitated by the IPS
- Liaison with other professionals involved in the overall care and well-being of the prisoners
- Screening prisoners for relevant diseases
- Ensuring the provision of vaccination programmes for prisoners

Each prison has a minimum of one prison doctor who attends the prison across Monday to Friday and also provides an out of hours on call service. The times of attendance of each doctor varies between prisons. Nurses provide 24 hour cover in all closed prisons. The doctor and nurses are the first point of contact for prisoners seeking medical treatment and provide services similar to those available in a GP practice in the community. Prisoners can request to see the doctor or nurses at any time. In 2021, 7 full time Prison Doctors were recruited to the IPS. A further 3 doctors will be recruited in 2022.

1.4.2 Pharmacy Services

The IPS Healthcare Standards include standards for the use of medicines and require the Irish Prison Service to provide, as minimum, pharmaceutical services that are efficient, cost effective, meet legal and professional requirements and reflect good professional practice.

Professional general pharmacy services are provided in all prisons on the basis of a contract with a local community pharmacy and both the technical (supply) and professional (pharmaceutical care) elements of pharmacy service provision are now provided as part of agreed contracts. This ensures that an up-to-date, patient centred pharmacy service which complies with all professional and ethical standards is provided to all prisons.

While ensuring that all prescriptions are now monitored and checked by a pharmacist, and dispensed on an individual patient-basis, the provision of professional pharmacy services also supports more effective through-care, as each prisoner's dispensed medicines are available to be sent with him/her on transfer to another prison, thus ensuring continuity of essential treatment. Similarly, where appropriate, a prisoner's dispensed medicines can be given to him/her on full or temporary release thereby supporting the continuity of necessary treatment until the prisoner can engage with the community healthcare services.

The IPS has agreed a protocol with the HSE/Primary Care Reimbursement Service (PCRS), whereby eligible persons, serving a sentence in custody, can apply for an emergency medical card prior to release. If approved, this card, which is valid for 6 months, is available on release to facilitate necessary attendance at community healthcare services, including GP visits and access to prescribed medication. Eligibility for this card is reviewed by the PCRS after 3 months. This is a crucial practice to ensure continuity of care in the immediate period following release and an important protective factor contributing to positive resettlement.

1.4.3 Drug Treatment Services

The IPS continues to seek to construct a range of programmes, support services and through-care options for prisoners demonstrating a commitment to addressing their substance misuse. In line with Reducing Harm Supporting Recovery, the National Drug Strategy, IPS has an agreed protocol with the HSE for the seamless transition of prisoners established on drug treatment into community drug treatment settings.

Clinical Addiction Services are provided by Consultant Psychiatrists, Addiction Specialist GPs and Addiction Pharmacists. There are currently 22 WTE addiction counsellors employed across the prison estate.

Number of prisoners received drug treatment (methadone)

Year	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total Patients	2176	1922	1886	1865	1793	1773	2128	2024	1293
% of Committals	-	-	-	-	-	19%	26%	22%	20%

Note: The total patients for 2020 was impacted by a reduction in the number of committals to custody during the year and the restrictions and/or measures put in place to combat the spread of Covid 19. However, the total number of patients remained at approximately 20% of the total number of committals for that year.

Moreover during the pandemic, notifications to the Central Treatment List (CTL) of all patients on methadone in prison were not completed. The IPS are currently remedying this with the CTL at the Drug Treatment Boards.

- A snapshot figure for 1 March 2022 indicates 550 persons were prescribed methadone.
- The number of addiction counselling sessions provided in 2019, 2020 and 2021 was 18,696, 14,207 and 12,135 respectively.

Based on 2018 data, approximately 15% of those treated for addiction issues nationally were treated in prison.

Drug Detox Programme

The Irish Prison Service also operates a Drug Treatment Programme (DTP), which is a nine week programme with 9 places per programme. There are up to 6 sessions of this programme being facilitated in the Medical Unit of Mountjoy Prison on an annual basis. Unfortunately the DTP programmes were significantly curtailed in 2020 as a result of mitigation measures related to Covid.

The IPS has established a Steering Group to review the current DTP and, if necessary, propose a revised programme to ensure the programme is contemporaneous and in line with the goals of the National Drugs Strategy Reducing Harm, Supporting Recovery 2017-2025, by way of the provision of treatment, rehabilitation, recovery, education, information and support, so that those affected by substance misuse are empowered to improve their health, wellbeing and quality of life. It is expected that this work will be completed by May 2022, so that the DTP can resume shortly thereafter.

Other services available include Slow Detox and Stabilisation and Relapse Programmes.

1.4.4 Health Needs Assessment

The Irish Prison Service continues to work to enhance and improve its level of medical service delivery to prisoners. The Service embarked on a comprehensive Health Needs Analysis (HNA) to examine the broad range of health care services that are provided across the entire prison estate.

Crowe (Ireland) were contracted to deliver the HNA on behalf of the Service. As part of their analysis they visited each prison and spoke to all relevant stakeholders. The Report is in final draft form and is being reviewed and discussed by relevant stakeholders. The report outlines the health status of prisoners, the need and demand for all healthcare services, and establishes the current level of healthcare service provision in prisons. The report also outlines current and future health needs and has made a number of recommendations, based on best international practice.

1.4.5 Mental Health Services

All prisoners are medically assessed on committal to prison. This includes a mental health assessment, which can be employed to develop an individual care plan. Where clinically indicated, the prisoner is referred to a forensic clinician who, subject to his/her findings, may make certain recommendations to the Governor for the care of the prisoner.

Information on the level of mental health conditions in the prison population is derived from studies done in 2003 and 2005 which reported that for all mental illnesses combined, rates ranged from 16% of male committals to 27% of sentenced men, while in women committed to prison the rate was 41%, with 60% of sentenced women having a mental illness. For the more severe mental illnesses, rates of psychosis were 3.9% amongst men committed to prison, 7.6% amongst men on remand and 2.7% amongst sentenced men. Women prisoners had psychosis in 5.4%.

Mental health supports to prisoner are provided by the Irish Prison Service Psychology Service, which places an emphasis on mental health and personality disorder presentations, risk presentations (self and others), and trauma-informed approaches and via the National Forensic Mental Health Services who provide in-reach mental health services in all closed prisons.

The Irish Prison Service also has access to a limited number of beds in the Central Mental Hospital who employ a waiting list for prisoners suffering from a severe mental illness and who require residential mental health treatment. A waiting list for the admission of prisoners to the CMH is operated by the NFMHS and is reviewed on a weekly basis.

1.4.6 The Psychology Service

The Psychology Service is the largest body of mental health professionals employed by the IPS. The IPS Psychology Service's model of care dovetails with that of Sharing the Vision (2020), and the HSE, in being bio-psycho-social, strengths-based, and organising services in a layered care model. The Service is integrated in nature in that it provides both for the mental health need and criminogenic or offence-related need of people in custody (in some jurisdictions, these roles are separated and two distinct teams of Psychologists carry out assessment and intervention for mental health need and criminogenic need).

Over 50% of referrals to the Psychology Service are specifically in relation to the mental health of people in custody. These referrals include: Mood and Anxiety Disorders, Disorders of Personality and Behaviour, Post Traumatic Stress Disorder (PTSD) including, complex PTSD, Self-Harm and Suicidal Behaviour, Eating Disorders, Psychosis and Schizophrenia and Addiction, In addition, the Service works with people presenting with Autistic Spectrum Disorders, intellectual difficulties, Attention Deficit Hyperactivity Disorder, cognitive decline and traumatic brain injuries.

IPS Psychologists provide each layer of assessment and intervention intensity to meet the needs of people with mental health difficulties i.e. primary, secondary and tertiary care.

Just under 50% of referrals to the Psychology Service are 'targeted' or 'proactive referrals' by Integrated Sentence Management Co-ordinators. These referrals are made on committal in relation to people who are deemed at potentially high criminogenic (offence related) need on account of their young age, length of sentence and conviction. Many of these also present with mental health and emotional difficulties. Various programmes are available through the Psychology Service in relation to criminogenic need including group programmes for violence and sexual violence. Where appropriate, for example, where the client has particular needs, such programmes are provided on an individual basis.

People convicted of a violent offence with a sentence of two years or more who do not have post release supervision with the Probation Service are proactively engaged with for assessment and intervention. The Psychology Service complete approximately 50% of all violence risk assessments and associated Statutory Parole Board reports for people serving life sentences. In addition, the Psychology and Probation Services have a joint protocol for early engagement with people serving life sentences. The Psychology Service also proactively engage with young people aged 18 – 24 years old who are serving a sentence of one year or more and who do not have post release supervision with the Probation Service.

At any one time approximately 1820 or 47.4% of the total prison population are currently engaging with or waiting to see a Psychologist in the IPS. The average ratio of Psychologist to prison population is 1:230 – 1:250. The Psychology Service has been provided with additional funding for Psychologists in the 2022 Budget. This funding is specifically in relation to the mental health needs and criminogenic (sexual violence) risks and needs of people in prison. Decisions regarding allocation of Psychologists will be made based on clinical need across the prison estate. Agreement has also been reached to fund Psychologist training to support recruitment and retention of staff.

IPS Psychologists have regular contact with community agencies involved in the support and resettlement of people leaving custody. They also work with the families and carers of those in custody. Where clinically appropriate, Psychologists provide time-limited community intervention(s) to support the transition of clients from custody to community.

1.4.7 National Forensic Mental Health Service

The IPS works with the Health Service Executive/National Forensic Mental Health Service (NFMHS) to ensure the appropriate provision of Psychiatric services to those in custody with mental health needs in all closed prisons.

In-reach mental health services are available in all Dublin prisons and in the Portlaoise Campus through collaboration with the NFMHS to provide forensic mental health sessions weekly in these prisons. Consultant Psychiatrist led services are provided to those in custody in Limerick and Cork prisons, by way of an agreement with the HSE. Since August 2019, a consultant psychiatrist has provided a mental health service in Castlerea prison.

The IPS, in collaboration with the NFMHS, has established two dedicated areas where high support is provided to vulnerable prisoners with mental illness – D2 wing in Cloverhill Prison (for remand prisoners) and the High Support Unit in Mountjoy (for sentenced prisoners). Both units provide a dedicated area within the prison where mentally ill and vulnerable prisoners, who present with a risk of harm to self or to others, can be separated from the general prison population and are closely monitored in a safer environment. The High Support Units have managed vulnerable and mentally ill prisoners in a more effective and humanitarian environment and have resulted in greater access to care and regular reviews by the prison in-reach team. With the increased resource allocation from the HSE/NFMHS, the establishment of other HSU's is under consideration.

The NFMHS also provide an assessment and liaison service for all other prisons. Clinicians in other prisons (outside of the CMH catchment area) arrange transfers to NFMHS services, mainly in Cloverhill (D2 wing) for remand prisoners, or to the HSU in Mountjoy (sentenced prisoners) where a prisoner requires a forensic assessment or access to an admission bed in the CMH.

D2 in Cloverhill has 22 cells including two Safety Observation Cells (SOCs). The maximum capacity of D2 landing is 27 prisoners and can accommodate those presenting with vulnerability to those with severe mental illness.

The NFMHS currently provide consultant led psychiatric in-reach teams to all of the prisons as listed in the table below. In all of the prisons the NFMHS provide the equivalent of primary care based psychiatry / mental health clinics, multi-agency meetings (NFMHS, IPS Primary Care, Probation, Chaplaincy, Governor and staff) and links with addictions services, community primary care, community mental health teams, housing and benefits workers.

Please note that not all of the posts listed below are filled at all times due to recruitment and related issues. However, all the psychiatric posts are filled at present.

NFMHS in-reach	Consultant psychiatrists	Psychiatric trainee doctors	Forensic community mental health nurses	Social work and social care / housing officers
Arbour Hill	0.2	0	0.2	0
Castlerea	0.8	0	1.0	1.0
Cloverhill	1.5	2.0	2.0	1.0 (housing)
Cork	1.0 (HSE)	0	1.0	1.0
Dochas Women's Prison	0.4	0.2	1.0	1.0
Midlands	1.0	0	2.0	0
Mountjoy	0.5	0	1.0	1.0
Portlaoise	0.2	0	0	0
Limerick	0.5 (HSE)		unknown	
Wheatfield	0.2	0	0.2	0
Open prisons	Cover from other centres when required			

1.5.7 Central Mental Hospital

The IPS has access to a limited number of beds in the Central Mental Hospital (CMH) for prisoners suffering from a severe mental illness who require residential mental health treatment. There is currently an average of 20 to 30 persons in custody (clinically assessed as requiring admission to the CMH by NFMHS Consultant Forensic Psychiatrists) each week awaiting transfer to the CMH.

A waiting list for the admission of prisoners to the CMH is operated by the NFMHS and is reviewed on a weekly basis. Over the last nine years, the number of prisoners on the waiting list has generally fluctuated between 5 and 33 prisoners. It should be noted that all prisoners placed by NFMHS consultants on the waiting list have been clinically assessed as warranting admission to the CMH, which is a tertiary care facility.

The growth in the waiting list numbers represents an increasing risk for the IPS in safely managing prisoners suffering from a severe mental illness. At present, these prisoners are managed within the prison estate, however, this care is not comparable to what is provided in the CMH and represents a significant patient safety issue.

The absence of appropriate access to admission beds in the CMH exacerbates risk for the IPS in managing prisoners with serious mental illness, which for a small number is likely to be a prominent influence in offending. The low level of CMH admissions will likely witness a further increase in the IPS waiting list beyond 30 which will place additional strain on IPS healthcare and in-reach NFMHS services.

The opening of the new CMH in Portrane is a positive development and will yield 6 additional male beds for IPS and 10 beds for women.

The current waiting list is set out in the table below:

	CMH waiting list	PICLS Diversion*
Arbour Hill	0	0
Castlerea	0	0
Cloverhill	5	5
Cork	1	0
Dochas Women's Prison	1	0
Midlands	2	1
Mountjoy	3	0
Portlaoise	0	0
Limerick	1	0
Wheatfield	2	0
Total	15	6

* The Psychiatric In-reach and Court Liaison Service (PICLS) - is delivered by the HSE/CMH at Cloverhill Prison and assesses all committals to Cloverhill and other patients transferred from other prisons for psychiatric assessment. The Service prepares Reports for Courts and aims to ensure that as far as possible people on remand and presenting before the Courts, where the crime is a reflection of an underlying mental illness, are referred to local psychiatric facilities and treated appropriately.

1.5.8 Mental Health Taskforce

The Mental Health Task Force was established by both the Minister for Justice and the Minister for Health in 2021 to consider the mental health and addiction challenges of persons interacting with the criminal justice system. The task force involves relevant departments and public bodies working collectively and collaboratively to identify and implement the actions required to provide appropriate care for vulnerable persons.

The Task Force has three subgroups and the Irish Prison Service Executive Clinical Lead chairs the "Irish Prison Service/CMH capacity sub group". In addition the Irish Prison Service Head of Nursing is a member of the "Diversion sub-group" and is also a member of the "Community and Release sub-group".

The Mental Health Task Force report is due to be completed in Q2 2022. A recommendation of one of the subgroups is for the Irish Prison Service to establish a group to explore options to provide care in an intoxicant free and violence free environment.

1.6 The prison-based Probation Service

Probation Officers are assigned by The Probation Service to work in all prisons and places of detention in Ireland in keeping with the Prison Rules, 2007. Their work in prisons includes advising and assisting certain cohorts of prisoners with issues which have led to their offending behaviour in order to help them avoid reoffending. This work involves:

- Motivating prisoners to use the period of imprisonment to address their offending behaviour;
- Contributing to the through-care process, where the offender will be subject to supervision by the Probation Service post-release;
- Contributing to multi-disciplinary working in prisons, for effective sentence management and delivery of rehabilitation for Probation Service clients;
- Helping prisoners under probation supervision, their families and other social supports in preparing for positive re-settlement in the community;
- Providing assessments and reports to the Department of Justice and Equality, Irish Prison Service, Parole Board and other appropriate bodies as required;

- Helping to co-ordinate and assist community-based bodies in the provision of services to prisoners, their families and communities, aimed at reducing offending and assisting prisoners' resettlement within the community.

In 2007, the Probation Service restructured their work in prisons to concentrate service delivery on working primarily with prisoners who are subject to court-ordered probation supervision on release from prison. This led to a move away from the role of the Probation Service in prisons as one to primarily provide a welfare service to prisoners.

The work of the Probation Service in prisons is mainly directed towards working with prisoners subject to court ordered supervision on release from prison i.e. prisoners subject to Part Suspended Sentence Supervision Orders (PSSSOs), post-release supervision under the Sex Offender Act, 2001 (PRSOs), the preparation of assessment reports for the Parole Board, the preparation of assessments for the Community Return Scheme, pre-sanction reports on prisoners before the District Court, work with Life Sentenced prisoners with specific interventions for female prisoners and young people.

The Probation Service is not extended to all prisoners and this can lead to a less effective method of post-release case management planning. Roughly 50% of prison releases in recent years were subject to Probation supervision post-release.

1.7 The Chaplaincy Service

Chaplaincy is provided for under the Prison Rules 2007. The Irish Prison Service (IPS) has in place a prison-based Chaplain Service which plays a crucial role in the provision of pastoral and spiritual care to the entire prison community and seeks to meet the needs of prisoners of all denominations and none. Chaplains work with all external religious leaders respectful of different religions so as to establish and maintain sound working relations with religious denominations. There are 21 FTE chaplains in place in all prison locations.

The IPS Chaplain Service has a significant contribution to make as part of the multi-disciplinary team in a prison, addressing the physical, social and spiritual needs of prisoners in a holistic way. Prisons are difficult environments in which to live and prisoners face many personal challenges in their daily lives and at particular times of crisis, for example, at times of family bereavement, health problems or loss of a court appeal, and in settling into prison upon committal or preparing for release. Prison chaplains offer a comforting and supportive presence that is independent and professional, working as part of the prison multidisciplinary team reporting to the Governor.

1.8 Resettlement Service provided by *Irish Association for Social Inclusion Opportunities (IASIO)*

The Irish Prison Service currently holds a Service Level Agreement with the Irish Association for Social Inclusion Opportunities (IASIO) to provide Training & Employment Officers (TEOs) and Resettlement Coordinators (RCs) to the Irish Prison Service. These TEOs and RCs are designated members of the prison-based multi-disciplinary team and active contributors to Integrated Sentence Management.

There are currently 6.2 Whole Time Equivalent (WTE) TEOs across 7 prisons (Wheatfield, Castlerea, Mountjoy Male & Female, Midlands, Portlaoise, Shelton Abbey). There are currently 11 WTE Resettlement Coordinators providing a service to all closed prisons and on a part-time outreach service to Loughan House. There is currently no Resettlement Service provided to Shelton Abbey, the resettlement duties are managed by the WTO-ISM Coordinator there. There is 1 additional IASIO staff member who acts as the Community Support Scheme Coordinator for Castlerea Prison. This CSS post is funded under a separate Service Level Agreement with the Co-Located Unit.

The IPS-funded IASIO "Gaining Access to Training & Employment (GATE)" TEOs work directly with offenders in prison to identify barriers to further training and employment for these clients and how best to overcome these obstacles. The TEOs offer guidance blocks, group work, CV preparation and job-search support to prisoners. The TEOs liaise with employers in the community to encourage the hiring of prisoners. The TEOs coordinate employment for prisoners who leave open centres on day release to participate in gainful employment with the ultimate aim of improving employability on release from prison.

It is anticipated that these TEOs will manage referrals of prisoners to enhanced progression pathways to further education, training and apprenticeships post-release to be put in place by Solas and the 16 ETBs nationally, arising from the implementation of the 'Building Bridges' initiative.

1.8 Additional In-reach services

The Irish Prison Service facilitates the provision of in-reach services by a wide range of community-based organisations across all places of detention. The following are just some of the services that have been made available although not all services are available in all locations:

- Community-based health and first aid programme (CBHFA) provided by the Irish Red Cross
- Samaritans Listeners Scheme
- Prison Visitor Centres – St Vincent de Paul, Bedford Row (Limerick Prison), St. Nicholas Trust (Cork Prison)
- Alternatives to Violence Programme (AVP)
- Travellers in Prison Initiative and Peer Support Programmes
- Solas Compass Prison Programme (Wheatfield & Mountjoy)
- Resettlement and GATE Service provided by the Irish Association for Social Inclusion Opportunities (IASIO)
- Citizens Information Services
- Merchants Quay Ireland – Addiction Counselling Services
- Dental Services
- Optical Support
- Chiropody
- Physiotherapy

The provision of all services and programmes set out above is only possible through the availability of prison staff to oversee the administrative arrangements and to supervise the movement of prisoners to take part in the programmes offered.

There is always room for further development of opportunities and we continue to review and learn from other jurisdictions. Staffing and infrastructure resources are a dominating factor to successfully and consistently maintain access to existing services and developing new services and supports.

For some of our services, particularly the Resettlement Service/IASIO, there is a need for resources to be expanded to the point where it is possible to develop a meaningful, rehabilitative relationship with the person, time enough to develop a relationship that supports resettlement or re-integrative planning, which involves coaching the person to think about themselves in a way that supports successful outcomes, and not only supporting the person to complete basic applications for community services.

2. What are the barriers for people in prison when they first arrive?

Being committed to prison is a significant life altering occurrence for any person, most especially for those who are committed to custody for the first time. For many people their understanding of prison may be based on media portrayals, which do not accurately reflect the Irish Prison System. Prisons are seen by many as places of punishment rather than institutions of opportunity.

In addition, being imprisoned can have an immediate and long lasting impact on a person's life including family relationship, housing and accommodation, and employment status.

The most common challenges post committal are:

- Separation for parents from their children or families;
- Adjusting to monitored contact with family via calls & visits;
- Lack of physical access to family members with particular reference to non-Irish prisoners

- Lack of privacy including the requirement to share a cell;
- Addiction
- Fear of unknown, trauma, anxiety, disorientation;
- Adjusting to regime and environment;
- Language barriers;
- Lack of identification documentation e.g. Photo ID or PPSN to access certain services outside the prison;
- Issues with mixing with people from whom they feel under threat;
- Mental Health illnesses that would be more suitably managed in a hospital setting;
- Presenting to prison from rough-sleeping or homelessness.

The Irish Prison Service recognises the challenges facing those committed to custody and seeks to address these challenges and direct them to the rehabilitative opportunities that exist. Prison staff are very aware of the need to build trust with prisoners and act as key change makers providing encouragement and support to those who wish to address the factors that led to their imprisonment.

3. Do they provide the relevant skills for prisoners to re-engage in society upon release?

There are many factors that lead to a person being committed to prison. Poor educational achievement, lack of employment opportunity, addiction, mental health and poverty are all factors which can lead to persons coming into contact with the criminal justice system and ultimately lead to imprisonment.

Prisoner Services are designed to address many of these issues so that when a person is released from custody they have a better opportunity to reintegrate with their community and live a more crime free life. The potential for prisoners to engage with the services available to them is very much dependent on the length of their sentence. Those sentenced to longer sentences are better able to fully engage with the services available to them, while those sentenced to shorter sentences have no real opportunity to engage to any real and meaningful extent.

Recidivism data published by the Central Statistics Office reports higher levels of recidivism for those imprisoned for offences that generally lead to shorter sentences such as public order, road traffic offences or thefts.

Through the Integrated Sentence Management process set out in Section 1.1 the Irish Prison Service develops personal plans to support prisoners to address the factors that led to their imprisonment. The implementation of such a plan can only be achieved by those serving sentences of in excess of 12 months in order to engage in a positive and meaningful way.

While engagement with prisoner services provides a wide range of skills and targets the main factors that led to imprisonment, it is essential that those released from custody can continue to access and engage with similar levels of services in the community. The Irish Prison Service has committed its successive Strategic Plan to enhancing rehabilitative support for prisoners ensuring that they can continue to engage with rehabilitative services post release.

Significant action continues to be taken to build effective partnerships with both statutory and non-statutory agencies to aid the transition from custody to the community. This includes better access to healthcare services (including mental health), drug treatment services; accommodation, education and employment.

The fact remains that if the appropriate supports are not available post release, much of the positive work done by prisoners in custody can be undone resulting in a return to engaging in activities that led to imprisonment.

4. What is the uptake of education or skills development by people in prison?

The majority of persons in custody are defined as early school leavers. School are in operation in all prisons and educational programmes are adapted to take account of the diversity of the prisoner population and the complex nature of prison life, including segregation requirements and high levels of prisoner turnover.

In addition, there are over 120 workshops and service activities across the prison estate with a current work station capacity of 1,330.

The IPS has been expanding the number of accredited courses and opportunities available to prisoners in Work Training in recent years. Enhanced partnership arrangements with accrediting bodies such as City and Guilds, the Scottish Qualifications Authority (SQA), and the Guild of Launderers and Cleaners and the centralising of coordination and quality assurance arrangements have enabled us to extend the number of available courses and activities with certification.

Participation rates in education and work and training are set out in the following table. Participation rates in 2021 were impacted by the Covid-19 pandemic.

Description		2021	2020	2019	2018	2017
Work and Training Participation Rates		19%	29%	21%	23%	24%
Education Participation Rates		27.97%	35.55%	38.33%	38.4%	36.01%

5. What other supports and resources would a person need while in the prison system to reduce recidivism?

In the experience of the Irish Prison Service, the structured and supported temporary release schemes where a keyworker and Probation Service support the person to reintegrate have a high success rate with preventing reoffending. Research published by the Central Statistics Office indicates that people that are subject to post-release supervision of the Probation Service are less likely to re-offend in the timeframe that was observed.

International research highlights homelessness on release as the biggest risk and possible contributor to recidivism. Gaining employment and the structure that goes with it is the most positive preventative factor and persons who achieve this are least likely to return to prison custody.

In order to help reduce recidivism rates, the Irish Prison Service is working towards the objective of ensuring that all prisoners released early from custody are placed on an appropriately structured programme of temporary release.

In this regard the Community Return and Community Support Scheme have been introduced to reduce recidivism rates of short term prisoners by arranging for additional support structures post release and also providing for a more structured form of temporary release.

The Community Return Scheme is an initiative whereby carefully selected prisoners, serving sentences between 1 year and 8 years, can be granted reviewable temporary release coupled with a requirement to do community service work such as painting, gardening or graffiti removal in a supervised group setting under the supervision of the Probation Service. The type of work involved is intended to assist the community and the scheme is involved with a large number of charitable organisations and local community groups.

The total releases to Community return for the past 5 years is set out in the following table.

Year	Total Releases
2016	301
2017	221
2018	218
2019	206
2020	287
2021	218
Total	1,192

The Community Support Scheme is an initiative whereby carefully selected prisoners, serving sentences between 3 and 12 months can be granted reviewable temporary release with additional support structures post release thereby providing a more structured form of temporary release.

Previous CSO examinations on recidivism have highlighted a number of other issues including the fact that short-term sentenced prisoners are the most likely to reoffend and that those involved in burglary are also the most likely to reoffend. This is part of the rationale for the establishment of the Community Support Scheme.

The Outlook Programme is to promote the rehabilitation and re-integration of women leaving prison and those who have accommodation needs requiring support in the community. The Programme which is run in joint partnership with the Probation Service and managed by Focus Ireland, supports women serving sentences of imprisonment who pose a low risk to society to gradually re-integrate into the community. The women the programme caters for are required to be drug free and have, in general, been convicted of one-off offences.

The Joint Agency Response to Crime (JARC) project was introduced to reduce reoffending. It is in operation since 2016 and involves an intense and highly collaborative approach led by An Garda Síochána, the Probation Service and the Irish Prison Service, with the active support and engagement of

the Department of Justice. It involves the supervision and rehabilitation of prolific offenders in particular areas of Dublin and beyond.

There is a need for a more coherent and consistent response across Government to meet the primary care needs of prisoners on exit from prison including, shelter, health and income support, and this work needs to be developed further to address these issues with careful planning prior to the release date in order to reduce recidivism. This can only be achieved with the continued support of our partners in Housing, Social Protection and Health.

6. In your opinion, what are the barriers for somebody upon release?

As stated earlier the Irish Prison Services continues to enhance and develop effective partnerships to ensure an effective transition from custody to the community for those being release from prison. There are a number of significant challenges (or barriers) facing those on release from prison including:

- Lack of suitable accommodation placement is a primary inhibitor to resettlement and stabilisation on release. The Government 'Housing for All' Policy commits to ending homelessness by 2030, and confirms the Government commitment as signatory to the Lisbon Declaration (June 2021). The Lisbon Declaration includes a specific reference that all parties commit to ensuring that: "no one is discharged from any institution (e.g. prison, hospital, care facility without an offer of appropriate housing". While, the 'Housing for All' Strategy does not contain a specific commitment to supporting the transition from prison to community, it does contain the agreement to extend the Criminal Justice Housing First project, which is an excellent programme for certain cohorts of prisoners who meet the criteria.
 - The IPS in partnership with the Irish Association for Social Inclusion Opportunities (IASIO) (See section 1.8) provides a resettlement service to sentenced prisoners to assist those at risk of homelessness to make contact with the relevant Local Authority for a Housing Needs Assessment in advance of their release from prison. Every effort is made to encourage the prisoner to declare their risk of homelessness earlier in their sentence so that more time can be given to assessment and planning.
 - Despite this intervention, and largely due to the ongoing housing crisis for single people: between March 2020 and February 2022, 509 persons that were assisted by IPS resettlement service to apply for housing support in advance of their release date and were advised by Local Authority to present to public housing desk on date of release with no suitable placement identified in advance. This last-minute identification of accommodation placement makes it very difficult to agree arrangements for other support services in advance of release, e.g. addiction counsellor, G.P. In this same time period, an additional 262 persons were assisted in this time period by the IPS resettlement service to apply for housing support in advance of release and were released to take-up a placement arranged with the Local Authority at least one day prior to release.
- The Criminal Justice Housing First Project currently operational in the Dublin region only provides a very positive and effective model for the management and support of homeless prisoners with additional medical needs leaving prison custody. Prisoners participating in this project are offered long-term accommodation placements with wrap-around therapeutic supports designed to address the medical, mental health, addiction and tenancy sustainment needs of the individual as they arise. The Housing for All strategy commits to extending this project nationwide but the Irish Prison Service recommends that the extension of the service should include specific targets for each Local Authority in respect of people with an offending background. The IPS further recommends that the extension of the Criminal Justice Housing First Project should remove exclusion categories such as people with a conviction for a sexual offence, as it is exactly this model of wrap-around multi-disciplinary support for people with high-risk and high-need profiles that will lead to safer communities.

- The Local Authority procedure that confers eligibility for social housing only in an area where a person can prove an existing connection can reduce the ability of a person who has moved into a desistance space to get away from the negative peer influences in their place of origin and diminish their opportunity for reform on release.
- Ongoing addiction issues. For example leaving custody to attend night-by-night homeless hostel accommodation while also attending an addiction treatment centre;
- Lack of positive family or peer support;
- Personal disorganisation and lack of independent living skills; and
- Poverty;
- Lack of meaningful employment opportunities that recognise the qualifications and work experience gained while in prison custody.
- Lack of incentives for employers provide an opportunity to a person with a criminal conviction.
- An increasing barrier for people in prison custody is the number of public services that have moved their services to an online format as the vast majority of prisoners cannot access the internet from prison. Most public services require people to complete applications online e.g. Application for PPSN, Application for MyGovID. This presents a barrier to prisoners with literacy and digital literacy issues and requires the Irish Prison Service to provide advocacy services to work with the prisoner to access services they should have ready-access to as a citizen. When the IPS put in place an advocacy service there are barriers from a data protection perspective.
- A distinct barrier that occurs with regularity for prisoners is the lack of a nationally recognised photo identification which is required on release to access a range of public services and to set-up utilities. A large number of prisoners are committed to prison from transient or homeless accommodation and do not have in their possession their birth certificate, Public Services Card or Passport. The cost of a passport and lack of birth certificate can make it difficult for a prisoner to apply for a passport from a prison setting. The procedures required under new arrangements to apply for a driver's licence pose a number of barriers for a prisoner to apply for a driver's licence from prison which in turn becomes a barrier to accessing employment on release. Current arrangements with the Department of Social Protection mean that a person can only apply for a Public Services Card in-person in an INTREO office on the day of release.
- It is very difficult for a prisoner to set-up a bank account from prison which can also be a barrier to taking up employment.
- Lack of supports for families who experience imprisonment and who need support to help children cope with the period of imprisonment and help the family navigate the return of their family member from prison.
- Lack of suitable placement in appropriate accommodation for people leaving prison custody with severe mental illness who are also homeless.

7. Are there benefits to industries/sectors engaging with the prison system in terms of training and employment on release from prison?

Access to employment improves social integration opportunities and provides financial independence and stability.

The Irish Prison Service engage Training & Employment Officers from the third sector organisation “The Irish Association for Social Inclusion Opportunities” (IASIO) in some prison locations. This service is not available in all prison locations and demand can exceed capacity at some locations.

The Training & Employment Service offers desistance focussed coaching and life guidance. Using psychometric and standardised testing the prison-based Training & Employment Officer identifies the client’s distance from the labour market. The Training & Employment works with the prisoner to encourage their participation in training and work opportunities within the prison and the steps necessary to help move that person closer to training and employment opportunities. The Training & Employment Officer works with a network of open employers to identify suitable work placements for prisoners on day-release and links to further opportunities for training and education on release. The Training & Employment Officer also helps with CV preparation and interview skills.

Employers working with prisoners placed by the IASIO Training & Employment Service have indicated that they are reassured by the support of the IASIO service when employing an ex-prisoner, that they know more about the people that are referred for employment via the IASIO Training & Employment Service, that the employees are grateful for the chance they have been given and that they are loyal employees as result. People with convictions represent an untapped supply of labour for employers who are willing to understand their circumstances and their recovery path. Incentives or additional supports for employers who engage people with a criminal conviction could assist in this area.

In the UK and across Europe some private employers operate training academies within prisons and channel trained and skilled workers into their businesses in the community, e.g. Timpson.

7.1 Social Enterprise

In 2017 a joint Steering Committee was established with the Probation Service to develop and implement a strategy to increase employment opportunities for ex-offenders in social enterprises. A joint strategy was launched by the Tánaiste and Minister for Justice in 2017 and a Project Manager has been employed to drive the delivery of the strategy. There are now 54 social enterprises across Ireland who employ over 100 ex-offenders in total and it is aimed to increase this number arising from the implementation of the strategy. A €300,000 kickstart fund was awarded to 14 social enterprises in 2019 and a further €1.125m has been made available by the Dormant Accounts Fund and awarded in 2020.

7.2 ‘Working to Change – Social Enterprise and Employment Strategy 2021- 2023’

In November 2020 the Department of Justice launched a new strategy, *‘Working to Change – social enterprise and employment strategy 2021- 2023’* which sets out the Department’s direction for supporting employment options for people with convictions by simultaneously working to remove the systemic barriers that make progression challenging. It shows a recognition from the Department, the Irish Prison Service and the Probation Service that things can be done differently while making a clear statement on their commitment to bring about positive change.

The 3 year strategy introduces a whole-systems approach to increasing employment options for people with past convictions that recognises their skills and capabilities leading to active citizenship, safer communities, fewer victims and supporting desistance. It aims to develop and implement a world class, innovative and ambitious Social Enterprise and Employment Strategy that is:

- Co-designed by those it will impact on most
- Driven by the Irish Prison Service & Probation Service
- Developed and supported cross-departmentally
- Enables progress by removing barriers

- Maximises employment & enterprise opportunities
- Continues to support the development of the social enterprise sector as a whole
- Is responsive to the changing needs and demands of all stakeholders
- Meaningfully consults and engages employers continuously

Progress made on Working to Change strategic actions throughout 2021 – Year 1 of implementation:

- Implementing a co-design approach to all actions – engaging the end user in every stage of solution development and rollout;
- Completion of four significant pieces of research to support the future direction of the strategy and of the executive agencies, IPS & the Probation Service:
 - Attitudes, behaviours & perceived barriers to taking up employment – a survey of people with lived experience of the criminal justice sector
 - Needs Analysis of social enterprises employing people with past convictions
 - Needs Analysis of Department of Social Protection employment intervention staff both core and contract
 - Attitudes & Behaviours of employers towards employing people with criminal convictions
- Incentivise employment of talented people with convictions in the social enterprise sector through the creation of a dedicated KickStart Fund - €1m annually
- Creation of a new role to support the safe and fair recruitment of people with convictions into the social enterprise sector: Employer Liaison
- Establishment of an Employers' Forum designed to influence the nature & type of training provided in criminal justice agencies – engagement with employers will increase the employability of people with convictions as their training reflects identified skills shortages in the labour market.
 - Example: IPS, Sisk Construction company and SOLAS are working to ensure that all construction related training offered throughout the prison estate is up to industry standard and meets the skills deficits identified throughout the labour market. It is hoped that a traineeship and/or a pre-Apprenticeship programme will be developed that allows people trained in the prison workshops to progress seamlessly into a post release apprenticeship in Sisk's joinery facility;
- Whole of government support of sustainable employment for people with criminal records through the inclusion of social clauses in their procurement contracts – ensuring that every euro spent of public money brings about added social value:
 - IPS have successfully completed Request for Quote tender processes that included social award criterion. Two social enterprises were successful in this process and are now removing and recycling all prison mattresses. These regional contracts have resulted in the immediate cessation of discarded prison mattresses going to buried landfill, a cost saving to the IPS as well as the creation of up to four full-time positions for people with criminal records;
 - The Irish Prison Service Canteen operator tender, advertised in November 2021 includes social award criterion to train and/or employ people with criminal convictions.
- Creation of a dedicated Scholarship Scheme (€100,000) to assist people with past convictions to access Third Level education – this scheme is intended to increase the number of people with past convictions in higher paid, professional industries

- Dedicated Entrepreneurship Scheme (€100,000) to support self-employment as an option.
- “Unlocking Potential: A Fair Approach to Higher Education Applicants with Criminal Records” was launched on 17th January 2022. Unlocking Potential (UP) is a collaborative project that aims to make higher education more accessible for applicants who have criminal records. UP is led by the Maynooth University Access Programme (MAP) and the Maynooth University School of Law and Criminology, in collaboration with the Maynooth Innovation Lab (Mi:Lab), the Irish Prison Service, the Probation Service, the Pathways Centre (City of Dublin Education and Training Board), and the Irish Penal Reform Trust. This enables:
- the Fair Admissions Toolkit, a collection of resources hosted on a new website, including a Fair Admissions Policy Template for higher education institutions, a set of Fair Admissions Principles, and a video and podcast series exploring the project’s aims and celebrating the achievements of graduates with convictions;
- Launch of the Scholarships, which MAP administer on behalf of the Probation Service; and, provides a platform for a range of speakers who speak about the importance of fair admissions and access to education for individuals with convictions.

8. Are there adequate mental and emotional health supports in the prison system?

Please see Healthcare Service & Psychology Service details above.

9. Is there speciality training that prisoner officers receive to support them in their work? Especially in understanding complex issues, like trauma, addiction and mental health issues.

Since 2007, all Recruit Prison Officers are required to complete a 2 year Higher Certificate in Custodial Care, which is accredited by a third level provider (currently Waterford IT and previously IT Sligo). This programme provides significant education and training to prison officers in developing their understanding of mental health and other healthcare challenges faced by prisoners in their custody. Much of this training is delivered by the Irish Prison Service Psychological Service, drawing on their significant professional knowledge and practical experience in this area.

More recently prison officer training has focused on the application of a trauma informed approach in managing prisoners, which compliments the work of prison psychologists. Officers are keenly aware of the impact of trauma, particularly if experienced in childhood and adolescent years, and its influence on the life choices of prisoners towards addiction and criminality. Perhaps most importantly, prison officers are made aware of the significant international research highlighting the significant role which they can play in prisoner desistance and rehabilitation, in influencing prisoners to address their offending behaviour and in motivating prisoners to live a life free from crime, upon completion of their sentence.

The majority of staff who have not undertaken the Higher Certificate in Custodial Care have completed one day of mental health training which focuses on achieving similar learning outcomes. However, it must also be stated that despite the quality of this training in supporting officers to perform their roles, it is far inferior to the knowledge and skills of a psychiatric nurse and largely inadequate in managing prisoners with more challenging and complex mental illnesses who require dedicated professional psychiatric care.

10. From a human rights perspective is there anything in your professional opinion that we as a society need to address to ensure the Irish Prison System achieves its mission in terms of rehabilitation.
11. From your perspective is there any policies or procedure that impede on your ability to carry out your functions effectively and to the best of your ability?

While achieving safe secure custody is a key component of the Irish Prison Service mission statement it is by providing rehabilitative opportunities for prisoners that we truly make our communities safer. The values of the Irish Prison Service are built on the principles of dignity and respect and the belief that everyone has potential for change and the Service actively provides all those in custody with the opportunities to realise and achieve this.

Imprisonment as a sanction of last resort

Ensuring that imprisonment is reserved for those who pose the greatest threat to public safety and that those who commit low level crimes or come into contact with the criminal justice system due to mental illness are diverted to alternative and appropriate systems for sanction and treatment to address their needs or behaviour is essential.

In late 2020 a Working Group was established in the Department of Justice to develop a number of guiding principles to inform penal policy going forward, and the Group has recently concluded its work.

The resulting review of policy options for prisons and penal reform has been finalised and will be submitted to the Minister for approval in the near future. Ensuring that imprisonment is used as a sanction of last resort for those who pose the least risk is at the core of that review.

Committing people to prison for very short sentences does not provide the prison system with the appropriate time to address criminogenic factors, and can result in potentially negative impacts on the offender through the removal of family support, potential loss of accommodation and loss of employment, all key factors in the reducing of recidivism. Allowing the Irish Prison Service to work more intensively with those in custody, who pose the greatest risk to public safety, will ultimately lead to better outcomes for prisoners and in turn make communities safer for all.

The Irish Prison Services provides a range of opportunities for prisoners to address the factors that led to their imprisonment however meaningful engagement over a significant period of time is required in order to provide the appropriate skills and coping mechanisms to reduce the potential for reoffending.

Providing Appropriate Care for those with Mental Illness

In 2021, the Ministers for Health and Justice announced the establishment of an Interdepartmental Taskforce to examine the mental health and addiction challenges of persons interacting with the criminal justice system. The task force involves relevant departments and public bodies working collectively and collaboratively to identify and implement the actions required to provide appropriate care for vulnerable persons.

The Irish Prison Service has accepted that prison is not the appropriate setting for the treatment of persons with severe and enduring mental illness and is committed to working with our partners to ensure that people who come into contact with the criminal justice system with mental illness receive the appropriate level of care, within an appropriate care setting.

Tackling Addiction

It is the case that over 70% of all those committed to prison have in the past had experienced drug or alcohol addiction. Addiction is a societal problem and a major contributing factor in criminality.

Drugs are an ongoing concern in Irish prisons and as long as people in the community continue to abuse illegal substances, people in prison will continue their drug seeking behaviour.

Moreover, prisons are a very important component of the overall response to drug problems in Irish society. There is often a lack of recognition of other services in the community of the scale of the activity and commitment of prison staff and other in reach service providers in tackling this issue. The prison environment provides a unique opportunity to support individuals to address addiction and in this regard it is essential that the range of treatment and intervention options available, ensure the best possibility of a positive outcome.

There is a critical requirement for a collaborative approach with HSE Addiction Services in the area of addiction in prison, which would mirror the collaboration which exists (with the National Forensic Mental Health Service) in addressing mental health in prisons. The Irish Prison Service will publish its reviews Drugs Strategy in 2022 setting out action to be taken to further address the demand and supply of drugs in prisons.

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