



An Roinn Dlí agus Cirt  
Department of Justice



OIFIG AN CHIGIRE PRÍOSÚN  
OFFICE OF THE INSPECTOR OF PRISONS

## Department of Justice

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## Office of the Inspector of Prisons

## Performance Delivery Agreement 2022

## 1. Background and Context

### 1.1 Objectives of this Agreement

The purpose of this Agreement is to define, in the context of the resource inputs provided, the targets by which the performance of the Office of the Inspector of Prisons (OIP) will be measured in 2022. The ongoing supports that the Department of Justice will provide to the OIP in this regard, and the mechanisms for monitoring and appraising performance, form part of the overall governance arrangements between the two parties and as such are set out in the separate but complementary Oversight Agreement 2020-22.

### 1.2 Inputs

#### 1.2.1 Financial Inputs

The OIP's budget allocation for 2022 is as follows:

Pay	€ 1,342,000
Non-Pay	€ 1,006,000
<b>Total</b>	<b>€ 2,348,000</b>

#### 1.2.2 Staffing Resources

The following table shows the OIP's full-time equivalent staffing (authorised and actual) as at 1<sup>st</sup> June 2022.

<b>Staffing</b>	<b>Authorised</b>	<b>Actual</b>
Chief Inspector (Assistant Secretary equivalent grade)	1	1 (Interim)
Senior Inspector (Principal Officer equivalent grade)	3	3
Head of Corporate Services (Assistant Principal)	1	1
Inspector (Higher Executive Officer equivalent grade)	8	4
Data Analyst (Higher Executive Officer equivalent grade)	1	1
Office Manager (Higher Executive Officer)	1	1
Executive Officer	1	1
Clerical Officer	1	1
<b>Total</b>	<b>17</b>	<b>13</b>

## 2. Performance Targets

The following are the principal targets that shall be referenced in 2022 to assess the OIP's efficiency and productivity in using the resources allocated to it.

### 2.1 Quantitative targets

Output area or initiative	Metric	2022 Target	2021 Target	2021 Outturn	2020 Target	2020 Outturn	Associated strategic objective <sup>1</sup>
<i>Prison Inspection</i>	General Inspection Reports submitted to the Minister by end Q4	1*	1	0	1	0	1, 3
<i>Thematic/ Focused Inspections</i>	Thematic/Focused reports submitted to Minister by end Q3	2	1	12	2	2	1, 3
<i>Death-in-custody investigations</i>	Reports submitted to Minister relating to investigations into the circumstances surrounding the deaths of prisoners in custody and any person who died within one month of temporary release (pre-2022 cases)	20	----	14	----	----	4
<i>Letters received from prisoners under Rule 44 of the Prison Rules</i>	% of correspondence received from prisoners under Rule 44 acknowledged within five working days	100%	100%	48%	----	----	1
	% of final replies issued within 20 working days	90%	100%	41%	----	----	
<i>Review of Category A prisoner complaints</i>	% of Category A complaints reviewed within 20 days of receipt	100%	100%	91.3%	----	----	7

\* The OIP will also endeavour to have completed the draft report of a second general inspection by end 2022.

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

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

## 2.2 Other targets

Output area or initiative	Target and Timeframe	Associated strategic objective
Completion of a Training Needs Analysis (TNA) and the creation of a staff training plan	By Q3, to conduct a TNA that identifies the core training/skills needs for new and existing staff and develop a plan that addresses the training and CPD needs of staff.	All
Development of a new Case Management System (CMS)	Fully specified CMS requirements document drafted by Q4	All
Risk Management	Completion of a Strategic Threat and Risk Assessment by Q4	All

## 2.3 Main Risks to Achievement of Targets

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

Risk Description	Mitigation Measures
Failure to complete comprehensive Death in Custody investigations in the absence of accessing deceased prisoner's healthcare records	<p>As an interim arrangement since 2014, the IPS release such records with consent from Next of Kin (NoK). However, this inevitably leads in some instances to a failure to review healthcare/ medical records where a NoK does not consent or is unknown or uncontactable. It is intended, as soon as possible, to address the issue in legislation to allow for access to healthcare records.</p> <p>In instances where the OIP has not received healthcare records, appropriate commentary is inserted in the relevant Death in Custody report.</p>
Failure to carry out regular inspections (Prisons Act 2007, Section 31(1)) owing to loss of staff and absence of an Expert panel	An Inspector recruitment campaign has been initiated and expected to be conducted by the end of Q3. A business case has been submitted seeking approval for the appointment of an Expert Panel to support the conduct of investigations.
<p>Absence of a bespoke case management system could result in failure to:</p> <ul style="list-style-type: none"> <li>- Manage, access and report on information in relation to inspections, investigations and individual prisons</li> </ul>	<p>Conscious that the Strategy of the ICT Shared Service includes a move away from the Lotus Notes environment, work is in progress to end the use of Notes Databases and have them archived.</p> <p>Pending the acquisition and implementation of a bespoke case management system, records and</p>

<ul style="list-style-type: none"> <li>- Analyse Rule 57B (Prison Rules) complaint data in a timely and effective manner</li> <li>- Aggregate issues raised in prisoner correspondence to the OIP under Rule 44 (Prison Rules) to inform the inspection of prisons</li> </ul>	<p>documentation are being maintained in Excel Spreadsheets on a Shared Network Drive. This will make storage of information as logical and accessible as possible.</p>
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## 2.4 Amendment of Targets

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

## 3. Duration and Signatories to the Agreement

Doncha O’Sullivan, Assistant Secretary, Department of Justice, and Mark Toland, Acting Inspector of Prisons, affirm that this Agreement shall be in effect from the date hereunder until 31<sup>st</sup> December 2022.



*Doncha O’Sullivan  
Assistant Secretary  
Department of Justice*



*Mark Toland  
Interim Inspector of Prisons (Chief Inspector)  
Office of the Inspector of Prisons*

**Date: 16th June 2022**