



OIFIG AN TÁNAISTE AGUS AIRE DLÍ AGUS CIRT AGUS COMHIONANNAIS  
OFFICE OF THE TÁNAISTE AND MINISTER FOR JUSTICE AND EQUALITY

# Oversight and Performance Agreement 2016 and 2017



AN ROINN DLÍ AGUS CIRT AGUS COMHIONANNAIS  
DEPARTMENT OF JUSTICE AND EQUALITY



seirbhís Phríosúin na hÉireann  
IRISH PRISON SERVICE

## Department of Justice and Equality and the Irish Prison Service

**Oversight & Performance Agreement 2016 and 2017**  
**Department of Justice and Equality and**  
**the Irish Prison Service**

**Objectives of this Agreement**

The objectives of the Irish Prison Service are aligned to the objectives of the Department in the provision of penal policy.

This Agreement documents an agreed level of service between the parties in order to facilitate improved effectiveness and efficiency of relevant public services.

The key objectives of this Agreement are:

- To define the Irish Prison Service's role in the Justice and Equality sector;
- To define the Department of Justice and Equality's expectations of the Irish Prison Service;
- To define the inputs, outputs and expected outcome of the Irish Prison Service's activities;
- To support the Irish Prison Service to carry out its functions; and
- To assess performance of those functions through monitoring of agreed targets, outputs and outcome indicators; and
- To improve the effectiveness and efficiency of public services.

**Role of the Irish Prison Service in the Justice and Equality Sector**

The Department of Justice and Equality has responsibility for the strategic development of penal policy in Ireland and for driving the implementation of penal reform. The aim of our penal policy is to make Ireland a safer and fairer place.

While punishment for those who commit crime is a central element of our justice system the rehabilitation and reintegration of offenders is at the core of our penal system. This is the best way to achieve a reduction in re-offending. To achieve this the Department works with key agencies involved which are the Irish Prison Service and the Probation Service.

Political responsibility for the Prison System in Ireland is vested in the Minister for Justice and Equality. The Irish Prison Service operates as an executive agency within the Department of Justice and Equality. It is headed by a Director General supported by 5 Directors (Care and Rehabilitation, Operations, Staff and Corporate Services, Estate Management and ICT, Finance).

The Irish Prison Service deals with male offenders who are 17 years of age or over and female offenders who are 18 years of age or over.

The Irish Prison Service is administered centrally with its headquarters located in Longford. Some of the headquarter functions also operate from their Phibsborough Office, Dublin.

The Irish Prison Service mission is to provide safe and secure custody, dignity of care and rehabilitation to prisoners for safer communities. The Irish Prison Service vision is for a safer community through excellence in a prison service built on respect for human dignity.

The Irish Prison Service is key to achieving the high level goal of implementing the recommendations of the Strategic Review of Penal Policy. It is the role of Prisons and Probation Policy Division within the Department to ensure a whole of Government approach in addressing offending behaviour including reducing reoffending.

### **Statutory Frameworks**

The Prison Service operates within a statutory framework comprising the:

- Prisons Acts, including the Prisons Act, 2007;
- relevant provisions in other statutes such as the Prisons (Visiting Committees) Act, 1925, the Criminal Justice Act, 1960, the Criminal Justice (Miscellaneous Provisions) Act, 1997, the Criminal Justice Act, 2007, other criminal justice acts and the Transfer of Sentenced Persons Acts, 1995 and 1997;
- Prison Rules, 2007, as amended;
- Irish Human Rights & Equality Act 2014 (section 42) and
- European Convention on Human Rights Act 2003.

For persons held on immigration related matters the main legislative provisions are the Immigration Acts 1999, 2003 and 2004, their associated regulations, the Illegal Immigrants Trafficking Act 2000 and the Refugee Act 1996.

The Prison Service also takes due account of various international human rights treaties, declarations, standards and recommendations, including the:

- Universal Declaration of Human Rights;
- European Convention on Human Rights;
- United Nations Standard Minimum Rules for the Treatment of Prisoners;
- European Prison Rules 2006;
- United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;
- United Nations Covenant on Civil and Political Rights; and
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

The Prison Service also takes due account of the Reports of the Inspector of Prisons<sup>1</sup> and endeavours to implement the Inspector's recommendations.

### **Irish Prison Service Corporate Governance**

The Irish Prison Service is headed by a Director General supported by five Directors (Care and Rehabilitation, Operations, Staff and Corporate Services, Estate Management and ICT, Finance).

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<sup>1</sup> The Office of the Inspector of Prisons is a statutory, independent office established under the Prisons Act 2007. The key role assigned to the Inspector is to carry out regular inspections of the Prisons in the State.

## **Senior Management Structure**

The Irish Prison Service corporate governance and management structures are in four key layers, as follows:

### **IPS Executive Management Team**

This group comprises the Director General, all Directors and Campus Governors and acts as the strategic decision making body for the Service. All proposals coming before the EMT are critically analysed and challenged and all implications considered to ensure that decisions align with the strategic objectives of the organisation. Where necessary, on foot of decisions reached, resource re-alignment or re-allocation is also considered. The Executive Management Team considers the proposals emanating from the Strategy and Policy Group and are the ultimate decision making body in this regard. This ensures an integrated decision making process.

### **IPS Strategy and Policy Group**

The Strategy & Policy Group (comprising of Governors and Directors) provide a forum for considering (service wide issues) brainstorming, developing options, sharing information, coordinating resources, identifying dependencies, outlining concerns and a range of other functions.

### **IPS HQ Management Team**

At Headquarters level the management team – comprising all Directors, POs and AP representatives from each Directorate and Business area- meet on a monthly basis. The management team operates as an effective channel to disseminate IPS wide information, proposals and developments to senior HQ staff and acts as a conduit for channelling issues from HQ to the Strategy Policy Group for deliberation.

### **Prison Management Team**

Each institution has a Prison Management Team, which meets on at least a monthly basis. The group comprises the prison management team and functional heads (e.g. Head Teacher, Senior Psychologist, Chaplain, Senior Probation Officer). This group maintains an overview on the management and operation of the prison. The Governing Governor uses this forum to disseminate IPS wide information, developments, policy etc to the management team and the forum provides an opportunity to identify/consider issues which may warrant further consideration by the Strategy and Policy Group.

### **Reporting to the Minister**

Each year the Irish Prison Service reports to the Minister on the performance of its functions and on its activities during the preceding year. The Irish Prison Service Annual Report 2015 was published by the Minister on 27 June 2016 and copies in both Irish and English were laid before the Houses of the Oireachtas.

## **Implementation of Programme for Government**

As an executive agency of the Department of Justice and Equality, the Irish Prison Service supports the Department in the implementation of the relevant provisions of the Government's Programme for National Recovery, 2011 – 2016 and the Programme for A Partnership Government (April 2016) including commitments to:

- enhance safety in our communities;
- balance the needs of the community and those of victims of crime and the rights of those accused;
- deliver services in an economically viable manner/within budget;
- drive cross organisational co-operation and goal sharing between all justice and equality organisations within other Departments and agencies;
- contribute to effective cross-functional and joint agency collaboration, for example, in relation to social policy, children, substance misuse and other cross-Government issues;
- contribute to the Government’s “Open Government” reform initiative;
- contribute to improved organisational efficiency and effectiveness, knowledge management and service delivery; and
- continuously update criminal and civil law.

### Strategic Objectives

The Irish Prison Service Strategic Plan 2016 – 2018 *Creating a Better Environment*, Communications and Engagement Plan 2016 – 2018, Psychology Strategy 2016 – 2018, Joint IPS/ETBI Education Strategy 2016 – 2018 and Capital Strategy 2016 – 2021 were launched by the Minister on 27 June 2016.

**The Irish Prison Service Strategic Plan 2016 – 2018 *Creating a Better Environment***  
‘Creating a Better Environment’ sets out the key strategic actions the Service will take, in partnership with stakeholders, over the next three years by developing and progressing four key Strategic actions;

#### *Staff Support -*

**We will promote open, respectful, competent, supportive, fair and inclusive behaviour at all levels of the organisation to ensure our staff feel engaged, supported, valued and appreciated**

#### *Prisoner Support -*

**We will place renewed emphasis on prisoner rehabilitation by further developing and re-engineering services designed to address the factors that contribute to offending. Through the more effective management of sentences we will encourage and support prisoners to live law abiding and purposeful lives. We will build on the success of the enhanced collaborative arrangements with the Probation Service and foster enhanced formal links with other key statutory and community services to facilitate the effective and safe transition of prisoners from custody to community. We will ensure that prisoners are detained in accordance with the law, including our international Human Rights Law obligations and in compliance with the Prison Rules 2007 and other statutory provisions. We will maximise safe and secure custody through the maintenance of good order and discipline.**

#### *Victim Support -*

**To engage openly and meaningfully with registered victims of crime, in line with the EU Victims Directive, recognising their concerns and right to be understood and treated with respect and dignity.**

### *Enhancing Organisational Capacity –*

**In order to achieve these Strategic Plan objectives, the Irish Prison Service must have the necessary organisational capability and capacity to do so. We will ensure that the Irish Prison Service has the systems, structures, processes, procedures and culture in place to support a just, proportionate and humane penal system which will contribute to the overall goal of reducing offending.**

In building this Strategy the Irish Prison Service have been cognisant of the recommendations for cultural change set out by the Inspector of Prisons in his Report “Culture and Organisation in the Irish Prison Service – A Road Map for the Future”.

As an executive agency of the Department of Justice and Equality, and as a key element of the criminal justice system, the Irish Prison Service will continue to support the Department in delivering on the goals contained in its Strategy Statement; to build an organisation that meets the visions set out in the Civil Service Renewal Plan and in the Report of the Independent Review Group on the Department of Justice and Equality (Toland Report).

To support this cultural change, the Strategy has been underpinned by the adoption of 5 new organisational values namely Team Work, Integrity, Potential, Safety and Support. These values will inform the implementation of the Strategic Plan and ensure the Irish Prison Service is:

- An open, inclusive, diverse and proud organisation which focuses on teamwork and collaboration and encourages supportive and positive relationships.
- An ethical and accountable organisation where the highest standards are expected, promoted and adhered to and which is open to external scrutiny and adheres to human rights.
- A competent organisation where staff are equipped with the necessary skills and competencies to reach their potential, behave appropriately and have a clear understanding of their role in the organisation.
- A supportive organisation which promotes the safety, physical and mental health of all staff, where staff are valued and recognised and there is a focus on “those that do” rather than “those that don’t”.
- A rehabilitative organisation which supports positive change, improved resettlement and reintegration opportunities for prisoners through targeted action and interagency collaboration and support.
- A more aware organisation where the rights and needs of the citizen, especially victims, are always supported, recognised and listened to.

On a practical level, these objectives will be achieved by the Service taking a number of specific actions which are published in yearly implementation plans. The IPS Strategic Plan Year 1 Implementation 2016 (appendix 1) sets out key deliverables and seeks to ensure that the Service delivers on its fundamental responsibilities as a key element of the criminal justice system and provides key deliverables on progress made.

## **The Joint Irish Prison Service and Probation Service Strategic Plan 2015 – 2017**

The Joint Irish Prison Service and Probation Service Strategic Plan 2015 – 2017 sets out their strategic objectives in line with the commitment in the Programme for Government to develop a multi-agency approach to offender management and rehabilitation from pre to post imprisonment in order to reduce reoffending and improve prison outcomes.

Both organisations share the primary goal of maintaining public safety through the reduction of offending by those in their care. By adopting a multi-agency approach to effectively plan the release of offenders and to oversee their transition back into the community, as set out in this Strategy, they will be better placed to achieve this goal.

The integrated working between the Irish Prison Service and the Probation Service aims to deliver more effective offender management. The rationale for the Strategic Plan is to protect public safety by ensuring better co-ordination between both services in implementing policies to reduce re-offending. The Joint Strategy sets out how the two organisations will develop and co-ordinate their activities, to further improve outcomes and to help create a safer and fairer Ireland.

Over the lifetime of the proposed Strategy for 2015 – 2017, the Irish Prison and Probation Service will continue to build on the progress it has made. The strategy contains 8 Actions designed to achieve the stated objective:

1. Assisting the rehabilitation and reintegration of sentenced prisoners
2. Building on the Community Return Scheme
3. Providing support for short sentenced prisoners
4. Engaging with service users to reduce the risk of re-offending
5. Enhance pre-release planning for prisoners
6. Promote social inclusion
7. Promote integrated responses to crime
8. Respond to victims.

## **The Irish Prison Service Communications and Engagement Strategy 2016 – 2018**

The Irish Prison Service are committed to creating a work environment that is centred on open, two-way communications.

- All management and staff have a common understanding of the purpose of their job
- All staff aware of and engaged with significant change and development in policy
- All staff have access to the information needed to do their job effectively
- All staff are willing to give their opinion and voice recommendations for change
- Increased confidence and commitment among staff.

## **The Irish Prison Service Psychology Strategy 2016 – 2018**

The Irish Prison Service and Psychology Service are committed to empowering people in custody to fulfil their potential through identifying their strengths, risks and needs, and intervening in a consistent and pro-active manner in conjunction with other IPS and community partners to contribute to safer communities. The Strategy key objectives are to:

- Reduce levels of recidivism through psychological intervention.

- Respond and positively impact on the mental health of people in custody.
- Support and develop staff within the Service, and build partnerships with all services involved in working with people in custody.
- Make a positive contribution to safer custody.
- Provide an evidence informed psychological perspective to the management of prisons and their culture.

### **Joint IPS/ETBI Education Strategy 2016 – 2018**

Prison Education in Ireland is delivered in partnership between the Irish Prison Service (IPS) and Education and Training Boards (ETBs). A joint strategy statement has been agreed which details how the IPS and ETBs will work together to ensure the effective and efficient delivery of education within Irish prisons. The provision of a broad-based, flexible, relevant education service is designed to cater for the complex educational needs of persons in custody, covering a wide spectrum from Basic Education to Third Level programmes. The agreed mission is the provision of a programme that is quality assured, learner-centred and that facilitates life-long learning while helping persons in custody respond to their sentence through personal development and positive renewal.

### **The IPS Capital Strategy 2016 – 2021**

The IPS has the following long-term strategic vision for the prison estate: A prison estate that provides safe, secure and humane custody that upholds the dignity of all users, and that reflects and supports a modern and progressive penal policy.

The core principles espoused in the vision are as follows:

- **Safety:** ensuring and safeguarding the personal safety of prisoners, staff members, visitors, and all other persons that visit or use prison facilities is a fundamental objective of the IPS, of prisons, and of prison infrastructure;
- **Security:** the secure custody of prisoners is the paramount function of prisons and one at the core of all infrastructural considerations;
- **Humane:** the prison estate must give expression to and reflect the principles of fairness, equality, and the human rights of prisoners, which are cornerstones of the public service role of the IPS as well as its organisational values;
- **Dignity of All Users:** as well as of prisoners, the prison estate must provide standards of infrastructure, accommodation and facilities that overtly respect and value the dignity of staff, of visitors, and of all users;
- **Penal Policy:** the prison estate must facilitate delivery and fulfilment of the core principles of Ireland’s penal policy, including the co-equal status of incarceration and rehabilitation as policy objectives, the imperative to minimise the negative effects of imprisonment, and the overriding principle that penal sanction should be just, proportionate and humane.

### **Agreed Commitments**

Both parties commit to proactive and timely communications, cooperation and information sharing on service delivery.





Figures end September 2016	
Prison Grades Total	3111.280
Non Prison Grades Total	45.73
HQ Total	107.43
Total end Aug 2016 (WTE)	3264.44

## **Service Levels and Performance Measurement**

### **High Level Objectives and Deliverables**

The Irish Prison Service Strategic Plan 2016 to 2018 sets out the strategic goals which will provide a high level framework for the annual work plans for this period. The Irish Prison Service Annual Reports 2016 and 2017 will provide information on statistical measurements and also include progress and activity in respect of the high level objectives and deliverables for the previous year.

The IPS Strategy Implementation Plan Year 1, 2016 (appendix 1) outlines key objectives and deliverables by end 2016 and also provides an ongoing progress report update for the following;

- Irish Prison Service Strategic Plan 2016 – 2018 Creating a Better Environment,
- Communications and Engagement Plan 2016 – 2018,
- Psychology Strategy 2016 – 2018,
- Joint IPS/ETBI Education Strategy 2016 – 2018 and
- Capital Strategy 2016 – 2021.

The IPS Strategy Implementation Plan Year 2, 2017 which will outline key objectives and deliverables, will be agreed in January 2017.

### **Key Performance Outputs**

#### **Providing Safe and Secure custody**

- Provide Safe and Secure custody for 3,800 to 4,000 prisoners in custody
- Management of approximately 16,000/17000 committals to custody
- Continue to align prison capacity with the Inspector of Prisons recommended bed capacity
- Number of assaults prisoner on prisoner and prisoner on staff
- Number of escapes from closed prison
- Number of absconders from Open Centres
- Commencement of the construction of the main development in Limerick Prison and new maximum security block in Portlaoise prison
- Number of prisoners in cells without in-cell sanitation.
- Recruitment of 120 Recruit Prison Officers in 2017
- Average cost per prisoner (2015 was €68,628).

#### **Rehabilitation and Integration**

- Drug addiction treatment programmes available for prisoners

- The number of prisoners participating on the Community Return Programme, Community Support Scheme
- The number of prisoners on structured and supported temporary release.
- The number of referrals to Resettlement service 2016
- The number of referrals to the GATE training and Employment Officer Service
- Work and Training participation rates
- Education participation rates

#### Monitoring Arrangements

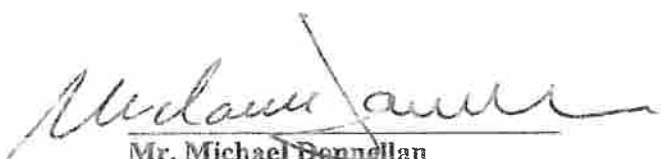
In accordance with the Department's policy on the monitoring of governance arrangements in relation to the agencies within its remit, the Director General of the Irish Prison Service will meet with the Department twice yearly, or more frequently if required by the Department, to provide an update on developments and achievement of high level objectives, deliverables and key performance outputs as set out in this Agreement.

#### Flexibility and Amendment of Targets

Where amendments become necessary, the Irish Prison Service shall engage with the Department of Justice and Equality to agree on amended targets.

#### Duration and Signatories of the Agreement

Mr. Michael Donnellan, Director General, Irish Prison Service and Mr. James Martin, Assistant Secretary, Department of Justice and Equality, agree that the arrangements as set out in this Agreement will apply with effect from the date signed hereunder until 31<sup>st</sup> December 2017.



Mr. Michael Donnellan  
Director General  
Irish Prison Service



Mr. James Martin  
Assistant Secretary  
Department of Justice & Equality

Date: 21 NOVEMBER 2016

Date: 16 November 2016