

Performance Agreement With the Probation Service 2016

Department of Justice and Equality

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1. Introduction

1.1 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.

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

1.3 Role of the Probation Service:

The Probation Service is an agency of the Department of Justice and Equality, committed to working for safer communities and fewer victims through offender rehabilitation. The Service is an organisation with a national remit whose role is to contribute to public safety through the management of community sanctions and measures. This is achieved through the effective assessment and management of offenders and by working closely with a wide range of statutory, community and voluntary organisations to deliver services. The Service also plays an important role in facilitating the re-integration of ex-offenders and in assisting them in breaking their cycle of offending behaviour through supervision and structured interventions.

1.4 The Probation Service contributes to a safer and fairer Ireland by:

- Ensuring Court ordered supervision is implemented
- Reducing the likelihood of reoffending and risk of harm to the public
- Making good the harm done by crime (reparation and restorative justice)

1.5 Statutory Framework:

The Probation of Offenders Act (1907) provides for statutory supervision of offenders in the community and is the foundation for probation work in Ireland. Probation Officers become involved in the criminal justice process between the trial and sanction/sentencing phases, often in cases where a court requires a pre-sanction assessment to assist in deciding on an appropriate sanction. In some cases, the court may be considering placing an offender on probation supervision or community service.

Other relevant legislation includes:-

- The Criminal Justice (Community Service) Act, 1983.
- The Criminal Justice Act, 1914.
- The Misuse of Drugs Act, 1977 and 1984.
- The Criminal Justice Act, 1993
- The Transfer of Persons Act, 1995 and 1997.
- The Children Act, 2001.
- The Sex Offenders Act, 2001.

- The Criminal Justice (Temporary Release of Prisoners) Act, 2003.
- The Criminal Justice Act, 2006
- The Criminal Justice (Community Service) (Amendment) Act, 2011
- The Fines Acts, 2010 and 2014.

In addition to the Constitution and relevant legislation our practice is guided by:-

- The United Nations Rules on Supervised Community Sanctions
- The Council of Europe European Rules on Community Sanctions and Measures.
- The United Nations Rules on the Supervision of Young Offenders
- The Code of Ethics of the Irish Association of Social Workers and International Federation of Social Workers
- Recommendation CM/Rec (2010) 1 of the Committee of Ministers to member states on the Council of Europe Probation Rules
- Framework Decision 2008/947/JHA on the mutual recognition of probation measures

2. Corporate Governance

- 2.1 The Probation Service has a strong management structure consisting of a Director who is supported by two Deputy Directors leading the Corporate Affairs Directorate and the Operations Directorate. These are aided by two Assistant Directors, as well as Regional Managers/Assistant Principals, an Accountant, and a Statistician who all form the Senior Management Team. There is also a well organised administrative and regional support structure.
- 2.2 The Director of the Probation Service is a member of the Department's Management Board.
- 2.3 The Corporate functions, i.e. HR, Finance, Estate Management and ICT are the responsibility of the Department and are managed collaboratively with the Probation Service personnel assigned to these areas.
- 2.4 The Probation Service produces a multi-year Strategy Statement (2015-2017) and has strategy documents, practice guidelines and protocols in place which are aligned to the Department's overall mission and good governance in public service delivery, e.g. the Probation Service and Irish Prison Service Joint Strategy.
- 2.5 The Director of the Probation Service produces an Annual Report each year which is presented to the Minister for Justice and Equality and published. The Probation Service Annual Report for 2014 was published on 18 May 2015 and laid before the Houses of the Oireachtas.
- 2.6 Risk Management is an integral part of the Corporate Governance structure. A risk management policy and a Probation Service risk register is in place in the organisation. Risks are incorporated into the Probation Service work plan which is reviewed on a quarterly basis

- 2.7 This Agreement and its reporting satisfies the requirements for compliance with Section 11 of the Code of Practice for the Governance of State Bodies in respect of Departmental Oversight and a Performance Framework.

3. Objectives of the Agreement

3.1 This Performance Service Agreement documents a mutually agreed level of service between the parties in order to facilitate the improved effectiveness and efficiency of relevant public services.

3.2 The objectives of this agreement for 2016 are:

- The Probation Service will achieve the stated priorities of the Probation Service Strategic Plan 2015 – 2017.
 - To progress the ongoing development of output measures for Probation Service expenditure.
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- To improve the effectiveness and efficiency of public services.
 - To define inputs, outputs and expected outcomes of the Probation Service activities.
 - To support the Department in the implementation of the relevant provisions of the Government's Programme for National Recovery.

4. Agreed Commitments

4.1 Both parties will:

- Be proactive and timely in communications, co-operation and information sharing on service delivery.
- Support the effective achievement of agreed targets.
- Promote partnership, responsiveness and mutual cooperation in our interactions.
- Provide prompt and timely responses to correspondence, information requests and related matters.
- Keep each other appraised and updated on all key issues.

4.2 The Department of Justice and Equality will provide the following supports to enable the Probation Service fulfill its mandate.

- Provide dedicated support from within the Prisons and Probation Policy Division.

- Liaise with the Department of Public Expenditure and Reform to ensure, as far as possible, timely sanction for expenditure and staffing in line with public financial procedures and public service numbers policies.
- Provide a Human Resource Management Service not limited to recruitment involving employee relations, workforce development and performance management and liaison with HR Shared Services.
- Liaise with the Probation Service in relation to Public Service Reform initiatives.
- Liaise with the Probation Service in relation to agreed policy objectives.
- Provide guidance and direction on procurement when required via the Department's Procurement Strategy Group.
- Provide invoice processing and other accounting services through the Department's Financial Shared Services Centre.
- Provide for the integration of Probation Service IT into the Department's Managed Service through the provision of a Project Management Team, support, resources and budget.
- Provide for and resource the annual budget for the Probation Service which forms part of the Estimates of the Department of Justice and Equality Vote (24).

5. Inputs

5.1 The Probation Service is funded from the Justice Vote (24) and has an overall budget in 2016 of €38.963m. Of this its operational budget is €26.109 (salaries and running costs). €10.732 is allocated for services to offenders and €2.122 to running the Community Service Scheme. The Probation Service has no capital budget.

| Subhead | Description | 2015 Budget Provision €000 | 2016 Budget Provision €000 |
|----------------|------------------------------------|---|---|
| B10 – | Salaries, Wages & Allowances | 22.252 | 22.834 |
| B11 – | Operational Expenses | 3.275 | 3.275 |
| B12 – | Services to | 10.732 | 10.732 |

| | | | |
|-------|--------------------------------------|--------|--------|
| | Offenders | | |
| B13 – | Community Service Order Scheme | 2.067 | 2.122 |
| | | 38.326 | 38.963 |

| | | | |
|---------|--|--------|--------|
| Pay | | 24.088 | 24.725 |
| Non Pay | | 14.238 | 14.238 |

5.2 To deliver services and meet its objectives it is essential that the management structure and staffing levels of critical posts within the Probation Service are maintained. The Probation Service staffing operates within the Employment Control Framework cap assigned to the Department of Justice and Equality for 2016

5.3 The Probation Service has close to 400 staff, 55% are Probation Officers, 85% of whom work in courts and communities across the country, and 11% Community Service Supervisors.

| Grade | FTEs at April 2015 | FTEs at April 2016 |
|----------------------------------|-----------------------|-----------------------|
| Director | 1 | 1 |
| Deputy Director | 2 | 2 |
| Assistant Director | 2 | 2 |
| Regional Manager | 7 | 7 |
| Senior Probation Officer | 47.53 | 44.53 |
| Probation Officer | 219.8 | 205.6 |
| Professional Accountant | 1 | 1 |
| AP | 2 | 2 |
| HEO | 4.6 | 4.6 |
| EO | 11.1 | 10.9 |
| CO | 53.5 | 49.4 |
| SVO | 2 | 2 |
| Community Service Supervisors | 42.4 | 40 |
| TOTAL | 395.93 | 372.03 |

6. Service Levels and Performance Measurement

6.1 The Probation Service Strategic Plan 2015 – 2017 sets out the strategic goals which provide a high level framework for the annual workplans for this period. Performance and service delivery can be measured against the five strategic goals..

1. Promotion and Delivery of Community Sanctions and Offender Rehabilitation.
2. Strengthen our Service to the Courts.
3. Collaboration with our Criminal Justice Partners.
4. Developing a more Victim-Sensitive Response.
5. Engaging with the Community.

6.2 Specifically, in respect of the year 2016 and this Agreement the following actions under the five strategic goals will be delivered.

- i. Pilot integrated offender management programme in collaboration with IPS and AGS targeting prolific adult offenders at 3 Dublin locations:

Continue to deliver integrated offender management pilot programme in collaboration with IPS and AGS targeting prolific adult offenders at 3 Dublin locations, targeting offenders and developing specific initiatives to address their recidivist behaviour.

Extend the pilot to 3 additional sites outside Dublin.

Develop of E-JARC, electronic shared information system to support the effective case management and information sharing.

- ii. Deliver on priorities identified in joint IPS/PS strategy for 2016

Finalise the Review of the Drug and Alcohol Treatment Services and develop an action plan arising from the recommendations.

With The IPS commission a research study as part of the Joint Women's Strategy.

Expand the PS/IPS Co-located Unit.

- iii. Implement Restorative Justice Strategy 2016 actions.

The delivery of Victim–Offender Mediation for the Victims of Sexual Crime Pilot

Continue with the implementation of Circles of Support and Accountability Pilot

iv. Develop a Communications Strategy to maximise communications internally and externally, strengthening our engagement with key stakeholders and partners.

6.3 There will be engagement on amending targets where necessary with flexibility on both sides.

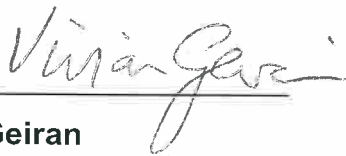
6.4 The Probation Service Annual Report provides information on achievements for the previous year and statistical measurements

7. Monitoring Arrangements

7.1 The Director of the Probation Service will meet with the Department twice yearly or more frequently if required to provide an update on developments and achievement of targets as set out in this agreement.

8. Duration and Signatories

8.1 The Director of the Probation Service Mr. Vivian Geiran and Mr. James Martin of the Department of Justice and Equality agree that the arrangements as set out in this agreement will apply with effect from the date signed until 31 December, 2016.



Vivian Geiran
Director
Probation Service



James Martin
Assistant Secretary
Department of Justice and
Equality

Date: 1 June 2016

Date: 1 June 2016