



Irish Penal Reform Trust Priority Proposals for General Election Manifestos

October 2024

Established in 1994, the **Irish Penal Reform Trust (IPRT)** is Ireland's principal independent nongovernmental organisation working for systemic penal reform. Our vision is a just, humane Ireland where prison is used as a last resort. Our mission is to advocate for a progressive criminal justice system that prioritises alternatives to prison, upholds human rights, and champions reintegration. We do this through research, campaigning and changing attitudes.

Introduction

Whichever party/parties form the next government face an immense task to tackle both chronic and acute problems in prisons and in the criminal justice system more widely to help more people to move on from offending. There are many issues in penal policy deserving of attention, but prison overcrowding is among the most pressing. This is where the focus of any new government needs to be in the immediate term.

Despite many positive developments in recent years led by the Department of Justice, the Irish Prison Service and others to place rehabilitation at the centre of the penal system, our overcrowded prison system is creaking at the seams. As a result, people's rights and needs are going unmet. This includes hundreds of people sleeping on floors, thousands of people sharing cells, limited recreational space and significant waiting lists to access nearly all vital services. ([Irish Independent, 2024](#); [Irish Prison Service, 2024](#); [Irish Examiner, 2024](#))

The Department of Justice-led cross-sectoral Prison Overcrowding Response Group recently identified both the scale of the issue and possible solutions. The Group's report to the Minister, released following a Freedom of Information (FOI) request in October 2024, includes many innovative and evidence-based proposals to tackle overcrowding. ([Department of Justice, 2024](#) [released under FOI]) This may offer a roadmap to reform for the next government.

Imprisonment itself causes serious personal and social harms and often fails to address the root causes of offending. Penal policy that relies on expanding the use of imprisonment will not make us safer. Some of the most effective actions that could be taken to reduce offending in communities lie in innovative policy approaches and investment outside of the criminal justice system. Currently, the State is spending increasing amounts of scarce resources with poor results, when comparatively modest investments in under-resourced communities – through youth work, affordable housing, healthcare and education – would have greater positive effects in reducing offending and producing wider social benefits by meeting people's basic needs. Against the backdrop of enormous and increasing expenditure on prisons, the case for shifting even a *proportion* of these resources towards combatting social disadvantage is undeniable.

In this document, IPRT outlines 10 commitments that parties should adopt to make the way in which we deal with people who offend more effective, humane, and less costly – financially and socially. This document gives a short overview of the issues, the context, and makes an argument for why these commitments are needed. Furthermore, IPRT provides concrete examples of specific actions – many implementable in the shorter term – that could be taken to realise these commitments.

IPRT’s proposals are a call to action. They demand a shift in thinking, real political investment in proven solutions, and a steadfast commitment to ending the cycles of disadvantage and harm faced by most people in contact with the criminal justice system. IPRT looks forward to working with the next Government of Ireland, and a strong Opposition, to implement meaningful solutions.

IPRT is calling on all parties to make the following overarching commitments in the area of criminal justice –

1. A commitment to the use of **imprisonment as a last resort**, both in sentencing and pre-trial detention.
2. A commitment to **halting prison expansion**.
3. A commitment to **proactive measures that will reduce the number of people in prison**.
4. A commitment to legislating, resourcing and supporting **alternative responses to prison for people who offend**.
5. A commitment to enhancing **proportionality and transparency in sentencing**, while protecting judicial independence.
6. A commitment to implementing **coherent, data-driven and evidence-informed penal policy and ensuring transparency in decision-making** related to the criminal justice system.
7. A commitment to the **swift ratification of the Optional Protocol to the Convention against Torture (OPCAT)** and establishment of a National Preventative Mechanism (NPM) without further delay.
8. A commitment to prioritising the roll-out of a long-overdue **revised prisoner complaints system**.
9. A commitment to developing a **whole-of-government strategy to support and promote rehabilitation and reintegration** and taking practical measures to remove barriers for people with a conviction.
10. A commitment to developing an **interdepartmental strategy to support children with a parent in prison**.

Safely Reduce Overcrowding and Avoid Prison Expansion

Issue: The Irish prison population has *doubled* since 1997 with little or no impact on crime rates. The average number of people in prison has increased by more than 21 per cent since 2022. ([Irish Prison Service, 2023](#); [Irish Prison Service, 2024](#)) This rapid growth is unsustainable in light of chronic prison overcrowding and rising prison costs. **Government commitment to halt this increase and identify means to reduce our prison population is critical.**

Penal policy is a social and political choice. Increases in imprisonment are not inevitable. Prisons are a poor substitute for secure housing, social and community service services, mental health supports and addiction services. **IPRT believes that the critical question in analysing the current and future level of our prison population is not simply dependent on the total of prisoners but requires a deeper examination of whether we need to imprison all those who end up in custody.**

In comparative terms, Ireland has a reasonable daily average rate of imprisonment close to the European average. ([WPB, 2024](#)) However, despite changes in recent years designed to address this problem, Ireland has a high rate of committal, i.e., the number of people sent to prison each year, explained largely by a high use of short sentences (<12 months) and large numbers of people on pre-trial detention (remand). ([Irish Prison Service, 2023](#); [Irish Prison Service, 2024](#))

Building more prisons is not the solution; we cannot build our way out of prison overcrowding. Instead, smart and equitable penal and social policy could reduce the 'demand' for prison spaces.

What is needed:

1. **A commitment to the use of imprisonment as a last resort, both for sentencing and pre-trial detention.**
2. **A commitment to halting prison expansion.**

Putting the commitments into practice:

- **Prioritise progressing the revised [Criminal Justice \(Community Sanctions\) Bill 2014](#):** This would facilitate the effective and efficient use of community sanctions by the courts and ensure the availability of a wide range of appropriate options for dealing with persons who have committed minor offences. This long-awaited legislation should enshrine the principle of prison as a measure of last resort in legislation, as recommended by the Prison Overcrowding Response Group in its final report to the Minister for Justice. ([Department of Justice, 2024](#) [released under FOI])
- **Ensure the [Criminal Justice \(Community Service\) \(Amendment\) Act 2011](#) is operating as intended and make any necessary changes to encourage its use:** This Act introduced community service as a direct alternative to short prison sentences (less than 12 months), and as an alternative to prison for non-payment of a court-ordered fine. However, data indicate that it remains severely underutilised. IPRT understands that a review of this legislation is ongoing, including finalising commissioned research on judicial attitudes on the use of Community Service Orders versus short custodial sentences. The next government will need to address any barriers identified in this review in order to curtail the use of short custodial sentences that often serve to and exacerbate social and economic challenges for people in contact with the justice system and

their families. The Prison Overcrowding Response Group also proposed engaging with the Judiciary to encourage the use of community service over short sentences to address overcrowding. ([Department of Justice, 2024](#) [released under FOI])

- **Advance bail support schemes to support people to comply with bail conditions:** Sixteen per cent of people in Irish prisons are currently held solely on remand (pre-trial detention). ([Irish Prison Service, 2024](#)) This is a costly expense for a population that should be presumed innocent unless proven otherwise. Development of alternatives to custodial remand, such as bail support schemes, would improve compliance with bail conditions and better address some of the underlying causes of offending. This would follow the successes of the Bail Supervision Scheme for children in Ireland, and long-operating bail support schemes for adults internationally. ([Extern, 2024](#); [Scottish Government, 2024](#))

Keep Prisons at a Safe Capacity 🏠

Issue: Overcrowded prisons compromise safety and reduce the effectiveness of rehabilitation. Overcrowding also reduces the quality of living conditions and adversely impacts a prisoner’s privacy and mental health. ([European Parliament, 2017](#); [Mental Health Commission, 2021](#)) as well as posing a risk to prison staff working in these conditions. ([Department of Justice, 2024](#))

According to the Council of Europe (CoE), capacity levels above 90 per cent should be treated as ‘high risk’. ([CoE, 2016](#)) However, in 2024, the number of people in prison reached 5,000 for the first time. The prison system is now regularly operating at 110 per cent capacity or above, and has been regularly operating at unsafe occupancy levels since mid-2022. ([IPS, 2022-2024](#)) The Prison Overcrowding Response Group noted the considerable negative impact of this on the safety and functioning of prisons, with impacts not only on violence in prison and prison safety, but the disruption to vital services ultimately increasing the threat to public safety. ([Department of Justice, 2024](#)) The Office of the Inspector of Prisons has branded the record levels of overcrowding as “deplorable”. ([Irish Examiner, 2024](#)) The forthcoming report of the Council of Europe’s Committee for the Prevention of Torture (CPT) expected in 2025, following its official visit to a number of Ireland’s prisons in May of this year, is likely to criticise the State’s response to overcrowding, given its recommendations to Ireland following previous visits. ([CPT, 2020](#))

IPRT believes that there are people in the prison system who could be safely and efficiently released from custody if there were resources and services in the community to meet their needs, thus reducing pressure on prisons. Efficient use of parole, combined with structured reintegration supports, can safely reduce the number of people in prison, allowing more resources to be targeted at those for whom imprisonment is a more appropriate response.

What is needed:

3. **A commitment to proactive measures that will reduce the number of people in prison.**

Putting the commitments into practice:

- **Introduce a maximum capacity of the number of people who can be safely held in prison:** Overcrowded prisons compromise safety and reduce the effectiveness of rehabilitation. A

legislative cap on the number of people that can be safely held in each prison would ensure that the use of prison is reserved only for cases where it is more suitable, with the emphasis on non-custodial options where appropriate.

- Revisit remission rates:** Following a 2023 review of remission by the Department of Justice, a decision was made to retain current rates of standard remission where people can earn up to a quarter off their whole sentence through good behaviour and enhanced remission which is a third off their sentence. ([The Irish Times, 2024](#)) A new government should reconsider the decision to retain the current rates of remission, and ensure that people have fair access to enhanced remission given fewer people have been granted it in recent years. ([The Irish Times, 2024](#)). This is a measure that can be implemented in the short term to offer immediate respite to people in custody, prison staff and management.
- Strengthen the statutory Parole Board and implement the [Parole Act 2019](#) in full:** This includes the introduction of the long-awaited ministerial regulations under section 24 of the Act to empower the Parole Board to consider applications by people serving long-term determinate sentences. It is vital that sufficient resources are in place to allow the Parole Board to effectively discharge all of its functions.
- Repeal the statutory bar on temporary release for people serving presumptive minimum sentences:** Individuals convicted of certain drug and firearms offences who receive a presumptive minimum sentence and cannot become eligible for temporary release or parole. The Department of Justice, in a recent review of legislation providing for the imposition of minimum sentences, questioned the inconsistent and unfair nature of the enactments where someone is ineligible for a “progressive process to facilitate reintegration and decrease the likelihood of recidivism”. The review recommended the repeal of all enactments relating to the ineligibility of people handed down presumptive minimum sentences to be considered for temporary release and parole. ([Department of Justice, 2024](#)) This was echoed by the Prison Overcrowding Response Group. ([Department of Justice, 2024](#) [released under FOI])

Investment in Alternative Responses to Offending

Issue: Prison is just one form of criminal justice sanction. However, cheaper non-custodial sanctions have been shown to be more effective in meeting people’s needs and addressing less serious offending.

Community-based alternatives to prison are effective in reducing recidivism, cost the State significantly less than imprisonment and hold people accountable for their offending behaviour in ways that better serve public safety while keeping prison populations manageable.

There is a growing body of evidence that short terms of imprisonment are less effective in terms of reducing recidivism than community service. ([Department of Justice, 2020](#)) They are also much more expensive to administer. The average annual cost of an available, staffed prison space during 2022 was €84,067. ([IPS, 2023](#)) In comparison, the cost of supervision by the Probation Service is less than 10 per cent of the cost of prison. ([Probation Service, 2024](#)) Not only are Community Service Orders much more cost effective to administer, but the work conducted in one year can equate to almost €2 million of unpaid work for the benefit of communities nationwide. ([Probation Service, 2024](#))

Additionally, those subject to probation supervision have lower recorded reoffending rates within one year of release compared to those sentenced to prison. While some caution is advised in comparing these datasets, this holds true even when comparing the same offence categories in both cohorts. ([CSO 2023](#); [CSO 2024](#))

However, many people end up in prison owing to the lack of access to appropriate community services. For many, the experiences that precede imprisonment are often marked by multiple vulnerabilities including adversity, trauma, abuse, violence, addiction, experiences of care, poverty and homelessness. State-led bodies, State-commissioned reviews, international human rights experts and prison inspection bodies have all identified the need for and recommended more comprehensive mental health diversion in the Irish criminal justice system. ([Department of Justice, 2016](#); [Department of Justice and Department of Health, 2022](#); [CPT, 2019](#); [OIP, 2023](#))

What is needed:

4. **A commitment to legislating, resourcing and supporting alternative responses to prison for people who offend.**

Putting the commitments into practice:

- **Target increased investment in the Probation Service:** The work of the Probation Service in providing a range of services – completing court assessment reports; supervising people in the community through probation orders, community service, community return; working with people in prisons; working with young people; delivering restorative justice and working with victims – is far-reaching. Placing renewed focus on probation sanctions and in supporting the Probation Service to effectively deliver its work is essential.
- **Create and support diversion options for people with mental health issues at all stages of the criminal justice system:** Deliver and adequately resource the recommendations of the High Level Task Force to consider the mental health and addiction challenges of those who come into contact with the criminal justice sector. ([Department of Health and Department of Justice, 2022](#)) Legislate for mental health diversion at different stages of the criminal justice system as a priority.
- **Restorative justice:** Despite the 2020 Programme for Government commitment to “build capacity to deliver restorative justice, safely and effectively” ([Government of Ireland, 2020](#)) and the Department of Justice’s 2023 Policy Paper on restorative justice, ([Department of Justice, 2023](#)) Ireland is falling behind other European countries in terms of using restorative justice. The next government should introduce a legal requirement to refer cases to restorative justice at different points in the criminal justice process to meet the needs of victims and provide the person charged or convicted with an opportunity to repair the harm done instead of receiving a more punitive sanction, depending on the case.
- **Extend the Garda Youth Diversion programme to 18–24-year-olds:** Young adults are more responsive to rehabilitative measures than older adults, but the wrong interventions can limit opportunities and deepen offending behaviour. Significant work has been completed by the Department of Justice and other key stakeholders to explore the expansion of the successful Youth Diversion programme to young adults. ([Department of Justice, 2024](#)) It is within the gift of the next government to deliver on this.

- **Explore the model of detention houses:** Across Europe, there’s a growing movement exploring the use of small-scale detention houses as an alternative to the traditional model of large, institutional imprisonment. EU Council Conclusions on small-scale detention were published in June 2024. ([Council of the European Union, 2024](#)) Given both Ireland’s upcoming hosting of the Presidency of the Council of the European Union in the latter half of 2026, and the recent appointment of an Irish Commissioner for Justice, Ireland’s support for this development would be particularly timely. ([Council of the European Union, 2016](#); [Department of the Taoiseach, 2024](#))

Enhance Consistency, Proportionality and Transparency in Sentencing

Issue: Currently, sentences in Ireland can vary for similar offences, often leading to perceptions of unfairness and inequality. This inconsistency, real or perceived, undermines public confidence in the justice system and can result in unjust outcomes. It is in everyone’s interest that any inconsistencies in sentencing practice are addressed and/or better understood to ensure confidence in the judiciary. Sentencing guidelines and data will be essential to this.

Transparency is essential for maintaining public trust and ensuring that the justice system is accountable. Without robust public sentencing data, no independent analysis, informed debate, or oversight is possible. IPRT believes that sentencing should be guided by clear, evidence-based principles to ensure fairness, proportionality, and transparency.

Additionally, decades of research generally suggest that increasing sentences does not deter offending, ([Crime and Justice, 2003](#); [Sentencing Council, 2022](#)) yet this argument still features prominently in political discourse ([TheJournal.ie, 2019](#); [Department of Justice, 2024](#)). This is despite polling commissioned by the Department of Justice where, in a nationally representative sample, only 11 per cent of people said that sentences should be longer when asked which aspects of the criminal justice system were most in need of improvement, ([Department of Justice, 2023](#)) indicating that harsher sentences are not a priority for the public at large.

Decades of evidence paints a clear picture: crime and violence emerge from social problems, best tackled through prevention and investment in communities.

What is needed:

5. **A commitment to enhancing proportionality and transparency in sentencing, while protecting judicial independence.**

Putting the commitments into practice:

- **Adequately resource the Judicial Council’s Sentencing Guidelines and Information Committee to further the creation of sentencing guidelines:** The Council was established in 2020 with its stated functions including the preparing draft guidelines and amendments, monitoring the operation of adopted guidelines, and collating and disseminating information on sentencing in Ireland. ([Judicial Council, 2024](#)) The Committee should be consulted on what resources it requires to urgently deliver relevant sentencing guidelines that are underpinned by clear sentencing principles.

- **Avoid increasing sentences without robust evidence of necessity or effectiveness:** Evidence suggests that increasing sentence lengths does not necessarily deter offending. Indeed, for some offences, longer prison terms can increase the odds of further offending. ([Roberts and Frase, via Sentencing Council, 2022](#)) Instead, punitive sentencing increases prison populations, exacerbates overcrowding, and imposes additional costs on the State without clear benefits for public safety.
- **Enhance publicly available data on sentencing practices:** Not only does this require the collection and analysis of data, but it also requires integrated systems of data collection that can reliably be used to shape innovative responses.
- **Require all sentencing decisions to be accompanied by a written explanation detailing the rationale behind the sentence:** This should include how the sentence aligns with established guidelines and the factors considered in determining the final outcome, including where a community-based sanction is considered. Additionally, sentencing data should be made publicly accessible to allow for transparency, independent analysis and oversight.

Champion Evidence-Based Criminal Justice Policy

Issue: To ensure the best system for everyone, justice decisions should be guided by analysis of evidence, data and statistics, and should not engage in knee-jerk policy responses. Ireland needs a long-term, strategic vision for penal policy that is grounded in evidence, fosters public trust, and enhances community safety.

Despite some positive advancements in recent years, Ireland's criminal justice policy is susceptible to influence based on the issues of the day. Even when criminal justice policy has been evidence-informed and based on available data, for example in both the *Review of Policy Options for Prison and Penal Reform 2022-2024*, and the *Final Report of the Prison Overcrowding Response Group*, ([Department of Justice, 2022](#); [Department of Justice, 2024](#) [released under FOI]) there has been a distinct lack of implementation at the political level. **A clear commitment to evidence-informed policy and transparent decision-making, grounded in data and evidence, which is then implemented, is key. Policymaking and delivery should not be driven by political expediency.**

In public attitudes polling commissioned by IPRT in October 2024, four out of five people in a nationally representative independent sample (n = 1,006) stated that it is important for them that the next government prioritises alternatives to imprisonment in response to non-violent offending (81 per cent).ⁱ Furthermore, when asked how they would spend a budget of €10 million to tackle crime, out of a list of seven options, building 119 additional prison places ranked fifth with only seven per cent opting for this measure.ⁱⁱ These findings suggest that the general public is significantly less punitive than current criminal justice practices.

It is in everyone's best interest for criminal justice policies to be designed in a way that enhances public safety. With thoughtful governmental engagement, our justice policies can be both grounded in evidence and widely supported by the public. We need the next government to take a forward-thinking approach to justice policy and make rational and well-informed decisions rather than responding to crises.

What is needed:

6. **A commitment to implementing coherent, data-driven and evidence-informed penal policy and ensuring transparency in decision-making related to the criminal justice system.**

Putting the commitments into practice:

- Establish the Penal Policy Consultative Council:** The Council's role would be to offer independent advice to the Minister to support a consistent approach to penal policy and should include people with lived experience of the criminal justice system. The Council's non-political nature would serve to insulate penal policy from populist pressures. This Council has been recommended since 2014, first in the *Strategic Review of Penal Policy* and was committed to in both the 2020 Programme for Government and the 2022 *Review of Policy Options for Prison and Penal Reform*. ([Department of Justice, 2014](#); [Government of Ireland, 2020](#); [Department of Justice, 2022](#))
- Assign 'Criminal Justice Reform' to the portfolio of a Minister of State at the Department of Justice:** This would help secure the cross-government buy-in required to promote policies and initiatives, within and outside of the justice sector, aimed at reducing reoffending, addressing the root causes of offending, and supporting people reintegrate into society. It would demonstrate a clear commitment to addressing issues with our prison system and prioritising rehabilitation by taking a proactive stance on reducing crime by addressing its root causes, not just punishing its symptoms.
- Publish reviews and reports in a timely manner:** It is imperative that all reviews, reports, and data related to criminal justice and penal policy are published in a timely and transparent manner. This includes reports commissioned or completed by government departments, reviews of legislative reforms, and reports from statutory bodies.
- Complete rigorous scrutiny of all proposals impacting the criminal justice system:** This is particularly needed for proposals related to sentencing, prison conditions, and alternatives to custody, including analysis of their likely impact on prison populations, costs, and reoffending rates.
- Foster and support a meaningful national dialogue on criminal justice and penal policy issues:** Public understanding of and faith in the criminal justice system could be bolstered and further developed through convening a criminal justice forum to engage and consult the public in a meaningful, evidence-based discussion on Ireland's penal system. It could explore key issues including prison overcrowding, rehabilitation, sentencing reform, and alternatives to custody with input from experts, civil society, and people directly impacted by the criminal justice system.

Strengthen Accountability Behind Closed Doors

Issue: Public confidence in the effectiveness of the prison system demands transparency and accountability. Independent oversight is crucial to ensuring human rights abuses do not occur out of sight behind prison walls, and the safety of prisoners and staff is strengthened through trusted complaint mechanisms, which reduce tension on prison landings. This is all the more important in the context of unprecedented overcrowding.

External independent monitoring of all places where people can be deprived of their liberty in Ireland needs to be strengthened. Ireland is an outlier. We are now the last country in the European Union still to

ratify the [Optional Protocol to the Convention against Torture \(OPCAT\)](#), ([APT, 2024](#)) despite commitments from successive governments ever since Ireland signed the treaty in 2007.

OPCAT requires the establishment of independent bodies to conduct regular, unannounced inspections of places where people are deprived of their liberty, including prisons, to prevent torture and ill-treatment. Such inspections act as a preventive mechanism, helping to identify and address potential issues before they escalate into human rights violations. This applies indiscriminately to all places where people are deprived of their liberty – psychiatric units, immigration detention, garda stations etc – but given prison overcrowding, the need in prisons is increasingly acute. **Ratification would represent an historic opportunity to strengthen the culture of human rights within Irish detention facilities and put in place safeguards to ensure that some of the most vulnerable people in our society are protected.**

Central to accountability and redress for ill-treatment is a robust prisoner complaints system. However, the Office of the Inspector of Prisons (OIP), the European CPT, and the Irish Human Rights and Equality Commission (IHREC) have all criticised the current system. ([OIP, 2023](#); [CPT, 2020](#); [IHREC, 2024](#))

What is needed:

- 7. A commitment to the swift ratification of the Optional Protocol to the Convention against Torture (OPCAT) and establishment of a National Preventative Mechanism (NPM) without further delay.**
- 8. A commitment to prioritising the roll-out of a long-overdue revised prisoner complaints system.**

Putting the commitments into practice:

- **Progress the Inspection of Places of Detention Bill as a matter of urgency, in order to ratify OPCAT:** The updated legislation should reflect the recommendations of the Joint Committee on Justice following its pre-legislative scrutiny process. ([Houses of the Oireachtas, 2023](#)). However, we urge any new government to ratify OPCAT immediately and make a declaration postponing the implementation of their obligations, as allowed under Article 24 of the Protocol. This would provide a clear timeline for ensuring the legislation is implemented within the lifetime of the new government and would signal a real commitment to accountability.
- **Engage with and resource the Irish Human Rights and Equality Commission (IHREC) as the upcoming National Preventative Mechanism coordinating body:** IPRT understands that IHREC will require resourcing in order to allocate appropriate staffing levels and budget for this new function. It is vitally important that IHREC is given sufficient powers to fulfil this role. Further funding will be required in subsequent years following ratification for necessary infrastructure, to further enhance staffing, and for ongoing engagement.
- **Guarantee the independence of the Office of the Inspectorate of Places of Detention and provide it with the necessary powers and resources to ensure it can effectively fulfil its mandate:** The new inspectorate, as designated under the legislation to ratify OPCAT, should have complete financial and operational autonomy in order to comply with the principles of OPCAT. This should include, for example, ensuring that the appointment process of the Chief Inspector is

removed from ministerial control, the inspectorate has its own budget line and delegating powers for the inspectorate to lay all of its reports directly before the Oireachtas. ([IPRT, 2022](#))

- **Ensure access to the Ombudsman for people in prison:** Plans for the Ombudsman to provide an oversight role in prisoner complaints have been promised since 2016. ([Houses of the Oireachtas, 2016](#)) While there is work ongoing in this space by the OIP, the Irish Prison Service and the Department of Justice, there has been no change on the ground for people in prison. The next government could make significant progress and improvements in prison by completing the ongoing review of the Prison Rules 2007 and finalising the prisoner complaints process.

Focus on Rehabilitation and Reintegration

Issue: Successful reintegration of people leaving prison is essential for reducing reoffending and ensuring that people can rebuild their lives in the community. **It is in everybody's interest that rehabilitation services and supports are prioritised and adequately resourced.**

However, the current supports for reintegration, including access to housing, employment, mental health care, and addiction treatment, are inadequate, and people often face significant barriers to full participation in society after serving their sentence. These barriers include homelessness, social stigma, and the long-term impacts of criminal records, which can hinder access to employment and education. ([IPRT, 2023](#); [Government of Ireland, 2005](#)) Inter-agency co-operation between prisons, probation, health, mental health, housing and social welfare services is key to the safe and successful reintegration of people back into the community. Reintegration should begin on the first day of imprisonment, with a continuum of support that extends well beyond release.

The State's own commissioned research on recidivism provides evidence on how to reduce offending: provide employment opportunities, provide treatment for substance misuse, ensure procedural fairness for those in contact with the justice system, and prioritise community sanctions over short prison sentences. ([Department of Justice, 2020](#))

If the State is to genuinely address recidivism and promote public safety, it must focus on holistic, evidence-based approaches to rehabilitation that address not only the needs of the individual but also their families and communities.

What is needed:

9. **A commitment to developing a whole-of-government strategy to support and promote rehabilitation and reintegration and taking practical measures to remove barriers for people with a conviction.**
10. **A commitment to developing an interdepartmental strategy to support children with a parent in prison.**

Putting the commitments into practice:

- **Extend spent convictions legislation to support fairer access to employment and remove barriers for people who have moved on from offending behaviour:** The current spent convictions regime enacted in 2017, while a welcome first step, is far too narrow. A commitment

to broadening this was contained in the 2020 Programme for Government, and a public consultation was completed in 2020. ([Government of Ireland, 2020](#); [Department of Justice, 2020](#)). However, the legislation remains unchanged. Senator Ruane's [Criminal Justice \(Rehabilitative Periods\) Bill 2018](#) offers a vehicle for progress that has been supported in principle by the current government and could be advanced relatively quickly by the next government.

- **Address homelessness and housing instability for people leaving prison:** Stable accommodation is a significant protective factor in preventing reoffending. Ensuring that people leaving prison have secure housing is a critical step in breaking cycles of recidivism. The 2020 Programme for Government contained a commitment to ensure aftercare and transition plans were in place for people at risk of homelessness leaving prison. ([Government of Ireland, 2020](#)) However, while more recent data aren't publicly available, 113 people presented to emergency homeless services on the day of their release from prison in the first five months of 2022. ([The Irish Times, 2022](#)) The Irish Prison Service has more recently stated that 'there are a high number of prisoners in prison custody who would otherwise be released if it were not for their homeless status'. ([Department of Justice, 2024](#) [released under FOI])
- **Convert existing prison spaces into open, lower security and step-down settings:** Having access to less restrictive security settings in prison supports the principle of 'normalisation' and reduces the risk of institutionalisation. ([CoE, 2003](#)) In particular, the absence of an open prison for women currently poses an issue of equality of access that could be addressed by the next government.
- **Develop an inter-departmental strategy to support children with a parent in prison:** Children with a parent in prison were recognised in national policy for the first time in *Young Ireland: The National Policy Framework for Children and Young People*. ([DCEDIY, 2023](#)) While reliable estimates on the number of children with a parent in prison are not available, research has shown that they are at increased risk of low educational attainment, poor mental and physical health. ([Families Outside, 2016](#)) Maintaining familial relationships is one of the strongest protective factors against future offending for people in prison. ([Ministry of Justice \(UK\), 2017](#)) The next government could demonstrate leadership and prioritise this issue by developing an inter-departmental strategy for supporting children with a parent in prison.

ⁱ Of a base of 1,006 people who were asked "In your opinion, how important is it for the next Irish government to prioritise alternatives to imprisonment (e.g. community service, rehabilitation programs) when dealing with non-violent offenders in the next programme for government?": 40 per cent stated this is 'Very important' to them; 41 per cent said this is 'Somewhat important' to them; 9 per cent stated this is 'Not very important' to them; 5 per cent said this is 'Not at all important' to them, and 5 per cent of respondents stated that they 'Don't know'. Research commissioned by IPRT from RED C, fielded 3-9 October 2024. Publication of the results of this polling is forthcoming.

ⁱⁱ Of a base of 1,006 people who were asked "If you had an annual budget of €10 million to spend on tackling crime, which one of these initiatives do you think would be the best way to spend that €10 million": 41 per cent said 350 additional gardaí, 21 per cent said 732 drug treatment places, 10 per cent said 255 youth workers, 8 per cent said 370 local CCTV schemes, 7 per cent said 119 additional prison places, 6 per cent said 1430 probation places for offenders, and 6 per cent said 37 consultant psychologists. Research commissioned by IPRT from RED C, fielded 3-9 October 2024. Publication of the results of this polling is forthcoming.