



IPRT Submission to the Office of the United Nations High Commissioner for Human Rights

for the preparation of a comprehensive study on human rights and the social reintegration of persons released from detention and persons subjected to non-custodial measures, pursuant to Human Rights Council resolution 57/9

21 March 2025

Irish Penal Reform Trust

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

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Introduction and general support for the development of Guiding Principles

1. IPRT welcomes the opportunity to make a submission to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in contribution to its preparation of a comprehensive study on human rights and the social reintegration of persons released from detention and persons subjected to non-custodial measures, pursuant to Human Rights Council resolution 57/9.
2. While not intended to be comprehensive, the purpose of this submission is to draw attention to research published by IPRT and other Irish organisations relating to human rights and the social reintegration of persons released from detention or subjected to non-custodial measures (herein known as 'Persons with Convictions', or PWCs), related areas of legislative reform, and other Irish programmes and initiatives.
3. Overall, IPRT **strongly supports the development of Guiding Principles for the social reintegration of people with convictions**. IPRT recognises that imprisonment for any length of time is harmful in and of itself, causing social dislocation which can have significant effects long after an individual is released. IPRT therefore agrees that the social reintegration of PWCs must be treated as a human rights issue. As such, there is a clear need for further guidance for states and state agencies to set common expectations and promote best-practice.

Examples of research on social reintegration in Ireland

4. IPRT has published several reports related to the social reintegration of PWCs. These include:
 - a. ***The Secondary Punishment: A Scoping Study on Employer Attitudes to Hiring People with Criminal Convictions*** (IPRT, 2024). This research, the first of its kind to be published in Ireland, explored employer attitudes to PWCs. The report made 10 key recommendations, falling into three distinct categories: a) creating a positive climate for the recruitment of PWCs, b) encouraging and supporting employers to recruit PWCs, and c) supporting PWCs to access meaningful employment.
 - b. ***Travellers in the Irish Prison System: A qualitative study*** (IPRT, 2014). This report highlighted the experiences and needs of Travellers¹ in Irish prisons, including issues and challenges when leaving prison such as estrangement and isolation, returning to a violent relationship, and finding somewhere to live.
 - c. ***"It's like stepping on a landmine..." – Reintegration of Prisoners in Ireland*** (IPRT, 2010).² This report assessed the provision of reintegration services and support for PWCs in Ireland before and after their release from prison. It highlighted a number of systemic failures and made 14 clear recommendations for improvement.

¹ Irish Travellers are an indigenous ethnic minority with a shared history, culture and traditions including, historically, a nomadic way of life on the island of Ireland.

² Selected findings from this research were also published in the Irish Probation Journal: see Martynowicz and Quigley (2010), 'Reintegration of Prisoners in Ireland: New Research Findings', *Irish Probation Journal*, vol 7. Available:

<[https://www.probation.ie/EN/PB/0/247F2B39C5F078D980258033002EF985/\\$File/IPJ2010MARTYNOWICZandQUIGLEY.pdf](https://www.probation.ie/EN/PB/0/247F2B39C5F078D980258033002EF985/$File/IPJ2010MARTYNOWICZandQUIGLEY.pdf)>

5. Alongside IPRT research reports, several other reports related to the social reintegration of PWCs in Ireland have been published, including:
 - a. ***Boxed Out: Higher Education, Criminal Convictions, and Perceptions of Risk*** (Garrihy and Bracken-Roche, 2024). This report, supported by IPRT, identified barriers, supports, and opportunities in the higher education sector for PWCs, and outlined 10 practical recommendations for improvement.
 - b. ***Prisoners Returning Home: Prisoners and Family Reintegration*** (Childhood Development Initiative, 2019). This research explored several different models to support families and children at the end of a parent's imprisonment, and recommended one of two different models be implemented in Ireland.
 - c. ***Equality of Access to Information and Services Enhances Personal Power: Exploring the subjective experience of prisoners in accessing information and assistance from outside state services and other vital services*** (South Leinster Citizens Information Service, 2022). This report highlighted the limited access to information and services for people whilst in prison, which, in turn, creates significant barriers to social reintegration and transition out of prison.

Examples of current legislative reform related to social reintegration in Ireland

Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 and the Criminal Justice (Rehabilitative Periods) Bill 2018

6. The **Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016** came into effect in April 2016. This Act means that certain minor convictions more than seven years old become 'spent', and therefore are excluded from a person's personal records and do not need to be declared. While IPRT maintains that no-one should experience discrimination because of a criminal conviction, an effective spent convictions scheme allows people who have stopped offending to move on with their lives. As such, IPRT welcomed the passing of this legislation as a historic step for Ireland.
7. Nevertheless, the Act is disappointingly narrow in who it applies to. As it stands, it is not of benefit to people who committed more than one offence previously (other than minor motoring and/or public order offences), no matter how long ago the offences were committed. It sets a blanket seven-year rehabilitation period, providing no relationship between the severity of the sentence and the rehabilitation period. Further, it does not consider the special position of young adults.
8. To address some of these issues, the **Criminal Justice (Rehabilitative Periods) Bill 2018** was introduced to amend and extend the Spent Convictions Act. The Bill broadens the range of convictions which may be regarded as spent, and provides for proportionality in determining the period before a conviction becomes spent. However, despite passing all stages in the Seanad,³ the Bill lapsed in November 2024 with the dissolution of the Dáil,⁴ and its future is uncertain.

³ The Upper House of the Oireachtas / Irish Parliament.

⁴ The Lower House of the Oireachtas / Irish Parliament.

The Equal Status Acts 2000-2018 and the Employment Equality Acts 1998-2015

9. A review of Ireland's equality legislation, including the **Equal Status Acts 2000** and the **Employment Equality Acts 1998** (known collectively as the Equality Acts) commenced in 2021 and remains underway. At present, the legislation fails to provide any protections against discrimination on the basis of a criminal conviction.
10. Both [IPRT](#) and the [Irish Human Rights and Equality Commission](#) have recommended that the Equality Acts be amended to include a broad prohibition on discrimination on the ground of criminal conviction. Given the barriers faced by PWCs in accessing, *inter alia*, employment, education and training, housing, insurance, and volunteering opportunities, IPRT maintains that the creation of a new ground of discrimination on the basis of a criminal conviction is an important safeguard to the rights of PWCs.

Irish Prison Service Bill 2023

11. A key challenge in facilitating the social reintegration of PWCs is the number of services and agencies involved in providing support, which can lead to ambiguity in where responsibility lies. The **Irish Prison Service Bill 2023** is intended to make the Irish Prison Service (IPS) its own statutory entity, and, in doing so, would clearly define in law its roles and responsibilities in facilitating the social reintegration of PWCs, thereby increasing transparency and accountability. Pre-legislative scrutiny by the parliamentary Justice Committee was completed in December 2023, and work is ongoing.

Examples of ongoing initiatives related to social integration in Ireland

12. Alongside the legislative reforms discussed above, a number of programmes and initiatives exist in Ireland to support the reintegration of PWCs and promote their basic rights. Examples of such initiatives include:
 - a. The Department of Justice's [Building Pathways Together: Criminal Justice Reintegration Through Employment Strategy 2025-2027](#), which "seeks to provide effective interventions to ensure that those who have ceased offending, and those who are looking for stability to move away from a life which involves offending, have the appropriate supports and opportunities open to them to make the success of their endeavours more likely".⁵
 - b. The [Irish Association for Social Inclusion Opportunities](#) provides a wide range of social inclusion supports to marginalised groups – including PWCs – such as access to employment, training, education, social welfare and housing. It does so in partnership with a number of state agencies, including the IPS and Probation service in both the community and prisons.
 - c. **Focus Ireland's Women's Outlook Programme**. Focus Ireland works to address homelessness by providing services, supported housing, research and advocacy. The Women's Outlook Programme, established in 2019, is a collaboration between the IPS, Probation service and Focus Ireland which aims to "improve opportunities for the reintegration of women following prison, and prevent women entering

⁵ Department of Justice, [Building Pathways Together: Criminal Justice Reintegration Through Employment Strategy 2025-2027](#) (accessed 21 March 2025). Available: <<https://www.gov.ie/en/publication/b5a91-building-pathways-together-criminal-justice-reintegration-through-employment-strategy-2025-2027/>>

homelessness upon release from prison”⁶ by providing opportunities for women to complete their sentences in supported, short-term housing in a community setting. In June 2024, *An Evaluation of the Focus Ireland Women’s Outlook Programme* comprehensively assessed the programme’s strengths and areas for development.

- d. **Solas Project’s Compass Prison Programme.** Solas Project supports children and young people at risk of being marginalised by society, and advocates for societal change to tackle inequalities that result in young people growing up at a disadvantage. The Compass Prison Programme “provide[s] a seamless, structured post-release plan delivering emotional support and practical assistance for young people involved in offending”.⁷
- e. **Spéire Nua – New Horizon** is an initiative assisting PWCs with reintegration using an approach based on Recognition of Prior Learning, helping individuals get certified recognition for unaccredited and experiential learning. Spéire Nua also helps PWCs obtain a ‘Certificate of Commitment to Change’, designed as a strengths-based model of disclosure of conviction by reflecting the positive transformations that an individual has made.

Conclusion

13. This submission has highlighted several examples of research, ongoing legislative reform, and programmes and initiative related to the social reintegration of persons with convictions in Ireland. While this submission is not exhaustive, a list of organisations providing supports and programmes for persons with convictions can be found on IPRT’s [website](#).
14. IPRT thanks OHCHR for the opportunity to provide this submission and hopes that it is helpful in the preparation of the report for the Human Rights Council.

⁶ Focus Ireland, *Annual Report 2023* (accessed 21 March 2025). Available: <https://www.focusireland.ie/wp-content/uploads/2024/09/Focus-Ireland-Annual-Report-2023-Medium-res.pdf>

⁷ Solas Project, *Compass Prison Programme* (accessed 21 March 2025). Available: <https://solasproject.com/prison-programme>