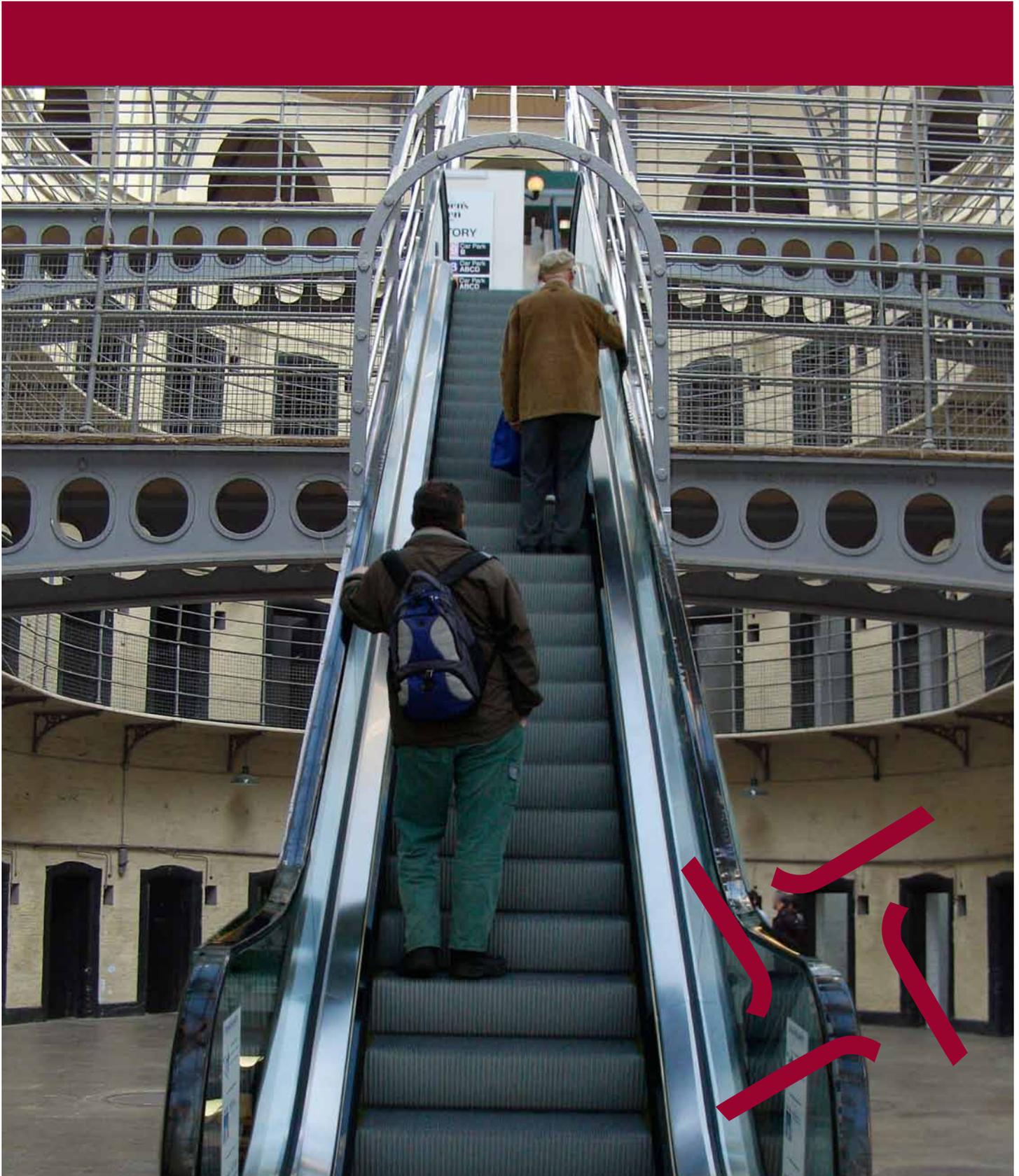




**IPRT**  
Irish Penal Reform Trust

Irish Penal Reform Trust  
**Annual Report 2010**



The Irish Penal Reform Trust (IPRT) is Ireland's leading non-governmental organisation campaigning for the rights of everyone in the penal system, with prison as a last resort. IPRT is committed to reducing imprisonment and the progressive reform of the penal system based on evidence-led policies. IPRT works to achieve its goals through research, raising awareness, building alliances and growing our organisation.

Through its work, IPRT seeks to stimulate public debate on issues relating to the use of imprisonment, including on sentencing law and practice in Ireland.

### **IPRT's Vision**

Respect for rights in the penal system with prison as a last resort.

### **IPRT's Mission Statement**

IPRT is committed to respecting the rights of everyone in the penal system and to reducing imprisonment. We are working towards progressive reform of the penal system based on evidence-led policies and on a commitment to combating social injustice. IPRT will achieve our goals through affecting changes in policy, in practice, in law and through influencing public opinion.

### **IPRT's Values**

Respect for human rights and a commitment to combating social injustice

Advocacy based on research and evidence-led policies

Working constructively with others in the penal system

## Message from IPRT Chairperson

The work of IPRT has never been more critical. The prison population continues to rise, many of our prisons are severely overcrowded and there remains a continuing and serious absence of adequate accountability structures. These are just a few areas of concern for IPRT, and we believe, they should be a priority not only for our policy-makers, but for all.

Crime and prison issues cannot be understood solely as ‘justice’ problems, but instead require the input and action of all areas of government. IPRT reiterates that the decision to imprison and the treatment of prisoners cannot be separated from the social context and the failures of social policy. IPRT seeks to articulate this understanding whenever imprisonment is at issue.

These positions have underpinned our activities in the past year. During 2010 the Board and staff of IPRT reviewed the operation of the organisation over the period 2008-2010. That analysis showed that IPRT had established itself as the authoritative voice on penal reform in Ireland, had produced high quality research, position and briefing papers, had established valuable relationships with other organisations and formed key alliances. Arising out of this process, IPRT developed a Strategic Plan for the period 2011-2015. This plan seeks to enable IPRT to build upon what it has achieved to date, but also to catalyse further activity, shifting emphasis in some areas and developing our expertise and activities in others.

Our vision, that is, our commitment to respect for rights in the penal system with prison as a last resort, remains the same. Our mission and values have been expanded to include reference to our desire for progressive reform of the penal system based on evidence-led policies and on a commitment to combating social injustice. This expansion has developed out of IPRT’s awareness of the futility of advocating for reform of the prison system without an accompanying focus on broader penal and social policies, which are so closely related to matters such as the use of prison and, in particular, inequality.

The Strategic Plan 2011-2015 sets out four priority areas of work for IPRT. In the plan we have consolidated our priorities under four headings: human rights within the prison system; imprisonment as a last resort; prison policy and social policy; and youth justice. IPRT continues to advocate nationally and before international human rights organisations in these areas.

The Board considers IPRT’s areas of activity: research and policy; awareness raising; effecting change through the law and building alliances and prisoner engagement to be suitable and that we are making good progress in each one. We continue to have a high public profile and consider engaging with public opinion to be crucial to penal reform. IPRT believes that it is through these actions, combined with the creation of considered and detailed proposals for reform, based on the best possible research evidence and conforming with our values that penal reform becomes achievable.

The past year has been another busy one for the organisation. It has been a time of continued difficulty for the prison system but there are also some signs of the potential to effect change, particularly with upcoming elections and through the work of the Inspector of Prisons. New opportunities are developing to provide solutions to the problems faced by our penal system. We strive to reshape understandings of imprisonment to take account of their social policy contexts and we are working to engage more directly with prisoners, legal professionals and our allies.

Overall, IPRT is optimistic that the present time offers significant possibilities to achieve our objectives in ways that may not have previously been possible. We are building on our previous activities to do everything possible to see our values translate into policy, practice, law and public opinion.

*Dr. Mary Rogan, Chairperson. Irish Penal Reform Trust*





## Message from IPRT Executive Director

The past twelve months have seen a further development of IPRT's work as we have strived to expand the range of our activities and also the breadth of issues with which we have engaged.

With political and legal developments, important new opportunities are opening up for us to effect change and reform, both in the prisons and in wider criminal justice policy. Over this period, it has become increasingly clear that we are now entering what could well be the most important phase in IPRT's work, with the very real possibility that some of our long standing campaign issues might finally be addressed. With strong commitment and energy from our staff, our interns and our board, we feel that we are now beginning to see real penal reform and we are fixed on continuing to step up our activities and output to make the very most of the new climate of opportunity that is emerging.

IPRT has begun to see real progress on our key policy goals, particularly in relation to imprisonment as a last resort. While the human rights situation within the prison system remains serious, IPRT has made significant strides in shaping the debate around the key issues of overcrowding and the State's duty of care to prisoners. By combining our legal work, our policy work and our engagement work we are also now starting to see real progress in prison litigation as a potential source of law reform. On human rights in prison it is now undisputed that prison conditions are unacceptable and that overcrowding is a chronic problem. This is a major achievement for IPRT as the primary advocate on prison conditions.

We are now shifting successfully from setting out our messages and building our profile and relationships to leveraging these resources to achieve real policy change. Our connections with Government and the Oireachtas are deepening and we have established effective strategies for maximising influence on policy from our limited resources.

Of course, the economic and political climate has changed dramatically in recent years, and to remain relevant to political debate, IPRT must articulate our policy objectives within the context of scarce public resources. We believe that the changing policy environment can be used by IPRT to advance an evidence-led case for penal moderation and for early intervention and diversion strategies. We will prioritise this area of our work in the months and years ahead.

We believe that the next two to three years could prove crucial to how the penal system will be shaped for the next generation, and we are confident that if we persist with our strategic and targeted programme of work, IPRT will make a real impact in advancing our agenda during this time.

*Liam Herrick, Executive Director, Irish Penal Reform Trust*

## Irish Prisons in 2010 - at a glance

<b>January</b>	<ul style="list-style-type: none"> <li>• <b>4,000+</b> in prison custody</li> <li>• European Committee for the Prevention of Torture (CPT) visits nine of the 14 prisons in Ireland.</li> <li>• At the time of CPT visit, there are 14 sixteen year olds and 44 seventeen year olds in St Patrick's Institution.</li> <li>• In one cell in Cork Prison, the CPT finds three prisoners on protection accommodated together "do not possess a chamber pot and had to share a bottle for the purpose of urinating; if necessary, they defecate into a plastic bag."</li> </ul>
<b>February</b>	<ul style="list-style-type: none"> <li>• <b>4,132</b> in prison custody (1st Feb 2010)</li> <li>• Cabinet announces decision to increase use of Community Service Orders.</li> </ul>
<b>March</b>	<ul style="list-style-type: none"> <li>• Mountjoy committal figures reach 1,000 for the first three months of the year (800 for same period in 2009; 600 in 2008).</li> <li>• Fines Bill passes through both Houses of the Oireachtas.</li> </ul>
<b>April</b>	<ul style="list-style-type: none"> <li>• <b>4,162</b> in prison custody (14th April 2010)</li> <li>• Data Protection Commissioners call for Spent Convictions legislation on publication of <i>Annual Report</i>.</li> <li>• Kathleen McMahon, Governor of the Dóchas Centre, resigns over impact of overcrowding on regimes.</li> <li>• Fort Mitchell (Spike Island) officially handed over by the Irish Prison Service to Cork Co. Council.</li> </ul>
<b>May</b>	<ul style="list-style-type: none"> <li>• <b>4,214</b> in prison custody (10th May 2010)</li> <li>• John Lonergan, Governor of Mountjoy Prison announced his early retirement.</li> <li>• Minister Ahern announces expansion of Drug Treatment Courts.</li> </ul>
<b>June</b>	<ul style="list-style-type: none"> <li>• <b>4,317</b> in prison custody (25th June 2010)</li> <li>• Fines Act 2010 passes into law.</li> </ul>
<b>July</b>	<ul style="list-style-type: none"> <li>• <b>4,473</b> in prison custody (29th July 2010)</li> <li>• Mountjoy Prison holds <b>721</b> prisoners when it should hold no more than 517 (under the circumstances at that time), according to the Inspector of Prisons. (29th July 2010)</li> <li>• Mulligan v Governor of Portlaoise Prison: Court finds in this case slopping out not a breach of constitutional and human rights, but that the practice of slopping-out in overcrowded conditions could be assessed in a different way.</li> <li>• Inspector of Prisons: <i>The Irish Prison Population – An Examination of Duties and Obligations Owed to Prisoners</i>.</li> </ul>
<b>August</b>	<ul style="list-style-type: none"> <li>• Irish Prison Service <i>Annual Report 2009</i> reveals 63% increase in use of short sentences, 9.5% increase in daily average in prison, and an increase of 13.8% in prison committals.</li> <li>• Inspector of Prisons: <i>Report of an Investigation on the use of 'Special Cells' in Irish Prisons</i>.</li> <li>• Electronic tagging pilot programme commences.</li> </ul>
<b>September</b>	<ul style="list-style-type: none"> <li>• Completion of 14 re-commissioned cells in Limerick Female Prison.</li> <li>• Inspector of Prisons: <i>Guidance on Best Practice relating to Prisoners' Complaints and Prison Discipline</i>.</li> </ul>
<b>October</b>	<ul style="list-style-type: none"> <li>• Minister Ahern opens new block of 176 cells at Wheatfield Prison.</li> <li>• Serious riot involving up to 70 prisoners takes place in Mountjoy Prison.</li> <li>• Minister announces forthcoming legislation which will require judges to consider community service as alternative to imprisonment for minor offences.</li> <li>• Kilworth (Cork) prison project suspended pending clarification of capital funding position.</li> </ul>
<b>November</b>	<ul style="list-style-type: none"> <li>• <b>4,440</b> in prison custody (30th Nov 2010)</li> <li>• Work due to commence on converting administrative building on Dóchas site into a new accommodation block which will provide 70 spaces.</li> <li>• Irish Prison Chaplains' <i>Annual Report 2010</i> reveals overcrowding so serious that on one night during summer, 129 prisoners in Mountjoy had no beds to sleep in and some did not have a mattress to lie on.</li> </ul>
<b>December</b>	<ul style="list-style-type: none"> <li>• <b>4,347</b> in prison custody (10th Dec 2010) of which 1,003 have to slop out.</li> <li>• 841 prisoners (17%) on protection, including 339 on restricted regimes (31st December). There were 252 prisoners on 23-hour lock up on 7th Dec 2010.</li> <li>• Inspector of Prisons: <i>Guidance on Best Practice relating to the Investigation of Deaths in Prison Custody</i></li> <li>• Construction begins on new accommodation block at Midlands Prison of 179 cells, which will provide up to 300 spaces.</li> <li>• Budget 2011 reveals budget cuts to a range of services such as the budget for educational disadvantage (-60%), the Irish Youth Justice Service (-24%), the RAPID Programme (-44%) and sports in disadvantaged areas (funding removed).</li> </ul>

**Sources include:** Irish Prison Service *Annual Report 2009*; *Report to the Government of Ireland on the visit to Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 25 January to 5 February 2010*; Irish Prison Chaplains' *Annual Report 2010*; *The Irish Prison Population – An Examination of Duties and Obligations Owed to Prisoners*, Inspector of Prisons (July 2010); Dáil Questions and Debates (accessible at [www.oireachtas.ie](http://www.oireachtas.ie))

# Who we are



## IPRT Board of Directors

- Dr Ursula Kilkelly, Chair (to June 2010)
- Dr. Mary Rogan, Chair (from June 2010)
- Eddie D’Arcy, Vice-Chair (from June 2010)
- Tim McCarthy, Treasurer (to June 2010)
- Paddy Richardson, Treasurer (from June 2010)
- Claire O’Regan, Secretary
- Johnny Connolly
- Kathleen Leader (from June 2010)
- Christine Littlefield
- Ruaidhrí McAuliffe (to June 2010)



## IPRT Staff

- Liam Herrick, Executive Director
- Mary Gaffney, Office Manager
- Fiona Ní Chinnéide, Campaigns & Communications Officer
- Agnieszka Martynowicz, Research & policy Officer (to August 2010)
- Jane Mulcahy, Research & policy Officer (from October 2010)
- Lynsey Black, Conference Co-ordinator (September 2010)

## IPRT Interns

- Kate O’Hara (until June 2010)
- Lynsey Black (until June 2010)
- Leah Barry (July 2010)
- Paul McKeon (July 2010)
- Louise Brangan (August 2010)
- Judith McGimpsey (from Sept 2010)
- Stephen Moffatt (from Oct 2010)

## Imprisonment as a Last Resort

One of IPRT’s core goals is to have the principle of imprisonment as a last resort established at the centre of Government policy. 2010 saw good progress to this end.

By linking the prison overcrowding crisis to sentencing policy and practice, IPRT contributed to shifting Government thinking on this issue. This was reflected in a number of statements by the Minister for Justice and Law Reform during the period setting out Government policy with regard to less serious offenders. In 2010, we also saw the wider use of the phrase “imprisonment as a last resort” across all parties in framing statements on justice policy.

Building on these statements and growing momentum for a review of policy towards imprisonment generally, our Open Forum in June 2010 focussed on the links between the dramatic increase in prison population and the inappropriate use of short prison sentences. By involving State agencies, including the Garda Síochána and Probation, as well as leading criminologists, we made a significant contribution towards more connected planning in the criminal justice area, a critical step towards ensuring a policy of imprisonment as a last resort can be reflected in the practice of criminal justice agencies.

Other work in this area during 2010 included the publication of the *IPRT Position Paper on Community Sanctions* (February 2010); the hosting of an IPRT Oireachtas Seminar on Community Sanctions (May 2010); and a presentation to the Judicial Studies Annual Seminar on the use of Community Service Orders (November 2010). IPRT also made submissions to all political parties advocating the inclusion of the principle of “last resort” in their manifestos. (The principle was ultimately included in several of the main parties’ election manifestoes published in early 2011.)

IPRT also made detailed submissions to Government and the Oireachtas around the Fines Bill 2009, including the publication of the *IPRT Briefing on the Fines Bill 2009* (March 2010). The enactment of this legislation in June 2010 is a significant step towards reducing imprisonment for fine defaulters.

IPRT continues to lobby and campaign for the full commencement of the Fines Act 2010, raising awareness of the continuing practice of imprisonment for default through the media, alongside our ongoing promotion of community service as an alternative to imprisonment.



IPRT Open Forum 2010: ‘Exploding Prisoner Numbers - Causes, Effects and Solutions’ at the Morrison Hotel, Dublin 7 on 28th June, 2010. L-R: Tom O’Malley, NUI Galway and ISIS; forum audience; Asst. Garda Commissioner Louis Harkin, Vivian Geiran, Director of Operations, Probation Service and Judge Michael Reilly, Inspector of Prisons. Photos: Derek Speirs.

## Youth Justice - Prevention, Early Intervention and Diversion

Crime cannot be viewed as a social problem in isolation from deeper social and economic issues. One of the new departures for IPRT in 2010 was our work in the area of prevention and early intervention, making clear the links between prison and crime policy and wider social policy around poverty, health, child protection, education and substance misuse.

The IPRT conference *Shifting Focus: From Criminal Justice to Social Justice*, which took place on 23rd Sept 2010, was a milestone in the organisation's development and represented a major step forward in expanding the range of our work into engagement with prevention and early intervention theory. Our policy work, and particularly two publications around the conference – a research paper entitled *From Justice to Welfare - The Case for Investment in Prevention and Early Intervention* and the IPRT/Barnardos/IAYPIC Position Paper *Shifting focus: From Criminal Justice to Social Justice* (Sept 2010) - provide a platform for wider engagement with all political parties around the budgetary process and evidence-led policy approaches.

Other activities during 2010 in this key area of campaigning for a shift in resources from punishment to prevention include the IPRT Submission to Budget 2011, *Spending Cuts and Crime Implications* (November 2011) and an Oireachtas Seminar on Smart Investment (2nd Dec 2010).

We remain committed to advocacy and activities around the youth justice system, and in particular around the continuing use of St. Patrick's Institution to detain children, working closely with the Children's Rights Alliance and the Ombudsman for Children. To this end, we published the *IPRT Briefing on the Detention of Children in St Patrick's Institution* in Sept 2010. We also are working to ensure that youth justice concerns are centrally placed in the next National Children's Strategy and have secured input in the National Children's Advisory Council to that end.

## Human Rights in Prison

IPRT advocates for the respect for human rights of everyone in the penal system through engagement with the political process, through engagement with the legal system, through public discourse and through engagement with national and international human rights monitoring processes.

In 2010, IPRT continued to promote respect for and awareness of human rights standards in the penal system, leading to higher levels of public debate around the core issues of overcrowding, prison violence and cell conditions, including the lack of in-cell sanitation in 28% of the prison estate. All of these issues have become more prominent as political priorities, which we hope will lead to real change. Alongside our general awareness-raising activities, the *IPRT Briefing on Overcrowding in Irish Prisons* was published in June, and IPRT hosted two Prison Law Seminars focusing on 'Irish Prison Law and the ECHR' (March 2010) and 'Litigating Prison Conditions' (13th July 2010).

IPRT engaged with the Council of Europe Committee for the Prevention of Torture and Inhuman and Degrading Treatment (CPT) in January 2010, meeting with the delegation during their visit and providing extensive information and support. During 2010 we also began our work on a joint submission with the Irish Council for Civil Liberties (ICCL) to the UN Committee Against Torture (which is to examine Ireland in May 2011); and we were also invited by ICCL to join the steering group of the Irish civic society organisations working together on the first Universal Periodic Review of Ireland's human rights record (to take place in October 2011).

During 2010, IPRT worked closely with the Office of the Inspector of Prisons, in particular supporting his work in developing human rights standards for the prison system. This work and the application of these standards to each of the 14 prisons through the publication *The Irish Prison Population – An Examination of Duties and Obligations Owed to Prisoners*, is a landmark for the development of human rights infrastructure in the Irish penal system.

In May 2010, IPRT published our extensive report into the provision of reintegration services and support, both before and after release, "*It's like stepping on a landmine...*" - *Reintegration of Prisoners in Ireland*. Ancillary activities included a well-attended launch of the report, an Oireachtas Seminar on the Reintegration of Offenders (June 2010), and the publication of the *IPRT Briefing on Reintegration of Prisoners in Ireland* (July 2010). The *IPRT Briefing Paper on Spent Convictions* was also published in May 2010.

Recognising that there remain acute and urgent human rights issues affecting the prison system, IPRT continues to campaign strongly to highlight inhumane and degrading prison conditions, and in particular the practice of "slopping out" and high levels of overcrowding.



*'It's like stepping on a landmine...': Reintegration of Prisoners in Ireland launch, 26th May 2010. L-R: Liam Herrick, Executive Director, IPRT; Lisa Cuthbert, Director, PACE; Pat Conway, Director of Services, NIACRO; Agnieszka Martynowicz, Research & Policy Officer, IPRT. Artwork is by participants on the Pathways project.*

## Research and Policy

IPRT's advocacy work is underscored by research and evidence-led policies. One of our key objectives for 2010 was to further develop our comprehensive base of research and policy documents to provide evidence-based responses to issues relating to penal reform and wider criminal justice issues.

### Research Papers

- *"It's like stepping on a landmine...": Re-integration of Prisoners in Ireland*, published May 2010, focused on analysis of international and domestic practice of post-release support for adults leaving prison.
- *From Justice to Welfare: The Case for Investment in Prevention and Early Intervention*, jointly commissioned by IPRT, Barnardos and the Irish Association of Young People in Care, was published electronically in September 2010; a shorter Policy Paper was also published in print form by the three organisations also in advance of the conference.

### Position Papers and Briefings

- *IPRT Position Paper 8: Community Sanctions* was published in February 2010.
- *IPRT Briefing on the Fines Bill 2009* was published in March 2010, and distributed to all TDs and Senators in preparation for the respective debates. A number of amendments suggested by IPRT were tabled by the various TDs and Senators during the debates, and one amendment was the subject of a vote (defeated).
- *IPRT Briefing on Spent Convictions* (May 2010) was issued as part of our campaign to bring the Spent Convictions Bill 2007 back onto the political agenda, with recommendations for improvement of the legislation.
- *IPRT Briefing on Overcrowding in Irish Prisons* was published in June to outline in bald facts the seriousness of this issue within the prison system.

## (Position Papers and Briefings)

- *IPRT Briefing on the Reintegration of Offenders* was published in July 2010 to complement the longer research paper.
- *IPRT Briefing on the Detention of Children in St. Patrick's Institution*, on which IPRT worked with the Children's Rights Alliance, was published in September 2010.

## Policy Submissions and Policy Fora

- IPRT made a series of submissions to the Department of Justice and Law Reform's Consultation Process towards a White Paper on Crime (2 - Criminal Sanctions and 3 - Organised and White Collar Crime), including participation in a panel discussion May 2010.
- IPRT made a separate submission to the process on the imprisonment of women offenders as part of our campaign with the Women in Prison Reform Alliance.
- IPRT met with officials of the Department in relation to the Spent Convictions Bill in Sept 2010, and made a further submission to the Department in relation to the Committee Stage of that Bill in November.
- IPRT made a submission to Budget 2011, Spending Cuts and Crime Implications, outlining the smarter economic policy of shifting resources from criminal justice to social justice. We also engaged directly with all of the main political parties on the need to consider the principles articulated in Spending cuts and Crime Implications when drafting their election manifestoes

## International

In January 2010, IPRT provided written briefings and a verbal briefing to the European Committee for the Prevention of Torture (CPT) on their visit to Ireland. This followed extensive contact with the CPT over the preceding two years, where we submitted a comprehensive range of information about human rights issues in specific prisons and across the prisons system more generally.



## Communications

**Our public profile continues to grow as our communications work develops. Through the combined use of all available channels – media, ebulletin, website, Facebook and Twitter – IPRT extends the reach of our message, and fosters increased interaction with the issues at stake.**

### Media

IPRT has now firmly established itself as a helpful, informative and authoritative resource for the media. IPRT is regularly contacted for comment on relevant news items by the three main daily broadsheets, along with other dailies and Sunday newspapers. IPRT also appears regularly on high profile radio news and talk-shows, on national and regional stations, and national television news and current affairs programmes, including Six One News and Prime Time.

Other outlets include *Emergency Services Ireland*, whose audience includes prison officers, gives in-depth coverage to IPRT events, including the reintegration report launch (May 2010), Open Forum event (June 2010) and the Shifting Focus conference (Sept 2010). Similarly, coverage in both the *Irish Medical Times* and the *Medical Independent* reaches key audiences working in the area of prisons health.

A significant success has been a discernible move away from the assumption that prison is the best response to crime. Through offering a consistent and considered opinion, backed up with sound evidence and common sense, IPRT has nurtured a wider understanding across the media of the damaging consequences of imprisonment in terms of social and economic cost. A corollary aspect has been the shift in some media away from the punitive/deterrent aspect of imprisonment, towards a greater understanding of rehabilitation possibilities and challenges, something which we will be pushing further in the coming years. There remains much more work to be done, especially in terms of working towards a more compassionate understanding of more serious offenders.

Other prominent issues covered during the period include overcrowding, sentencing, alternatives to custody, the imprisonment of fine defaulters and the detention of women offenders.

Media work around the launch of *“It’s like stepping on a landmine...” - Reintegration of Prisoners in Ireland* in May 2010 provided a much-needed platform for increasing public awareness around the profile and needs of prisoners in terms of homelessness, addictions, mental health issues, education disadvantage, and more.

The management and release of sex offenders received intense media scrutiny in 2010, peaking with the release of a high-profile sex offender in August 2010. IPRT played a very necessary and rational role in the debate, one of very few voices speaking out against the demonization of serious offenders and speaking in support of those agencies tasked to manage such offenders.

Significant features included a series of articles on women in detention in the *Evening Echo*, an excellent article on the children of prisoners in the 'Parenting' section of *The Irish Times*, and a series of articles on aspects of youth justice in the *Irish Examiner*. Other prominent issues covered during the period include 'slopping out', overcrowding, sentencing and community sanctions, the social and economic costs of imprisonment and penal expansionism, and the imprisonment of fine defaulters.

## Website & Online Presence

### **www.iprt.ie**

The IPRT website is now well-established as the first port of call for media, researchers, political parties, organisations and others. We continue to ensure that the website is up to date not only with IPRT news, activities and publications, but also international news and initiatives with the goal of stimulating informed and lively debate on penal reform issues.

### **www.twitter.com/iprt**

IPRT uses Twitter to send our alerts of latest news, publications, and broadcast appearances, but also as an information resource of international reports and initiatives. It has proven especially useful in terms of raising our profile internationally.

### **www.facebook.com/irishpenalreformtrust**

IPRT uses Facebook to stimulate debate among those interested in the area of penal reform; we use this platform to share developments, both positive and negative, around the world. We place particular emphasis on sharing good practice examples in the area of youth justice. Of particular interest perhaps are the former prisoners and their family members who are engaging with IPRT on Facebook, adding an extremely important voice to the debate.

## E-bulletins

Eight ebulletins were issued to members and stakeholders in 2010.





## Seminars & Events

### Launch of IPRT Reintegration Report

*"It's like stepping on a landmine..."*: *Re-integration of Prisoners in Ireland* was launched on 25th May, 2011 in the Macro Building, Dublin 7. A number of speakers addressed a packed audience, which included those working in the area of prisoner reintegration and clients availing of such services.

Agnieszka Martynowicz, co-author of the report with Martin Quigley, outlined its findings; Pat Conway of NIACRO spoke on the human rights approach to reintegration; Lisa Cuthbert of PACE emphasized the need to maintain levels of rehabilitative services in a time of cutbacks, also identifying that investing in prevention and early intervention will lead to a reduced need for resources in prison, and consequently services post-release; and a former prisoner, now engaged with the BITCI's Linkage service, spoke about the difficulties of adjusting to the pace of life outside, and about the necessity of supports and services post-release to prevent a return to prison.

The report and its launch received incisive media attention; it is available for download from the IPRT website: [www.iprt.ie](http://www.iprt.ie)

### Open Forum: Exploding Prisoner Numbers - Causes, Effects and Solutions

On 28th June, the 2010 IPRT Open Forum took place at the Morrison Hotel in Dublin. The event explored what is driving the continuing rise in prison numbers in Ireland, seeking to identify practical solutions.

Chaired by Judge Michael Reilly, Inspector of Prisons, the forum heard from: Dr Mary Rogan, Chairperson of the Irish Penal Reform Trust on 'Current Trends in the Prison Population'; Tom O'Malley, NUI Galway and the Irish Sentencing Information System on 'An Overview of Sentencing Patterns'; Vivian Geiran, Director of Operations, The Probation Service spoke on 'The Use of Supervised Community Sanctions' and Louis Harkin, Assistant Commissioner, An Garda Síochána spoke on 'Crime Rates and Crime Detection'.

Contributions from the floor included: Senator Ivana Bacik; Paul Mackay, former member of the Mountjoy Prison Visiting Committee; John Clinton, Irish Prison Officers Association; and Tina Roche, Chief Executive of Business in the Community Ireland, among others.



### Oireachtas All-Party Penal Reform Seminars

IPRT held three Oireachtas Seminars for the All Party Penal Reform Group at Leinster House in 2010:

- **Community Sanctions** with Dr Mairead Seymour and Prof Ian O'Donnell (31st March 2010).
- **Reintegration of Offenders** with Lisa Cuthbert, Director of PACE and Tina Roche of Business in the Community Ireland (2nd June 2010).
- **Smart Spending (Budget 2011)** with Prof. Tony Fahey of UCD School of Applied Social Science and Dr. John Canavan of NUI Galway (2nd December 2010).

We also established an email bulletin for legislators, and have established strong links with the group to provide briefings and updates on topical penal policy matters.

### Prison Law Seminar Series

IPRT co-hosts the Prison Law Seminar Series with the Dublin Solicitors Bar Association and the Irish Criminal Bar Association. In 2010 we hosted the fifth and sixth seminars in this series, both of which enjoyed high attendances.

- **Irish Prison Law and the ECHR** with presentations by Anna Austin from the European Court of Human Rights and James MacGuill, Solicitor (22nd March 2010)
- **Litigating Prison Conditions** with presentations from Paul O'Higgins SC, Michael Lynn BL and Des Hogan, Irish Human Rights Commission (13th July 2010)

### Conference on Prevention and Early Intervention: Shifting Focus

IPRT hosted a conference on prevention and early intervention theory and practice at the Gresham Hotel in Dublin on 23rd September, 2011. Over 150 people attended the 1-day event, which had a packed programme including more than 8 main presentations, 3 workshops focusing on 8 best practice projects, 1 film screening and 1 fun experiential activity created and delivered by Youth Justice in Action.

The afternoon session included a political panel made up of Sen. Dan Boyle (Green Party), Mary O'Rourke TD (Fianna Fáil), Aengus Ó Snodaigh TD (Sinn Féin) and Pat Rabbitte TD (Labour).

The conference was a huge success with which received very positive feedback. The Conference Programme, Position Paper, presentations and photos are available at:

<http://www.iprt.ie/shifting-focus>



**Shifting Focus: From Criminal Justice to Social Justice Conference, 23rd September 2010.** L-R: Prof Nick Frost (Leeds Metropolitan University), Dr Dermot Stokes (Youthreach), Marian Quinn (CDI, Tallaght West) and Geraldine Ring (Matt Talbot Adolescent Services) - Conference Delegates - Prof Lesley McAra (University of Edinburgh). Photos: Derek Speirs

# What we do

## Alliances

As a small non-governmental organisation, IPRT can better advance our policy agenda by working in close alliances with other peer organisations and by developing productive working relationships with key stakeholders in the penal system. During 2010, some of the key bodies with which we deepened our working relationship include the Probation Service, the Inspector of Prisons, the Irish Human Rights Commission, the Office of the Ombudsman, and the Office of the Ombudsman for Children. We have also worked closely with the Irish Prison Officers Association and a wide range of non-governmental organisations, including networks such as the Women in Prison Reform Alliance, the Network of Ex-Offender Voluntary Agencies and the Network for Prevention and Early Intervention.

## Oireachtas

By establishing an Oireachtas Penal Reform Group, we have created a cross-party structure for advancing penal reform work. We hosted two expert seminars for the group in 2010. Through extensive contact with all of the opposition parties, IPRT is now making significant contributions to the development of penal policy in these parties – which we hope will ensure that our core principles of imprisonment as a last resort, respect for human rights and the promotion of diversion and early intervention will be at the heart of all party manifestos in the lead up to the General Election 2011. We contributed directly to the development of a Labour Party penal policy document.

## Government/Statutory

During 2010, IPRT has become more deeply engaged with a number of Government policy development process, including acting as a consultee to the Department of Justice and Law Reform on specific legislation; on its prison policy; and in its wider White Paper on Crime process. Liam's nomination as an alternate member of the National Children Advisory Council was a further significant development. IPRT also continues to engage closely with the Inspector of Prisons, the Ombudsman for Children, and the Irish Human Rights Commission (IHRC).

## Irish Prison Service

IPRT has worked towards establishing a regular and structured line of communication with the IPS across a range of issues, including operations, prison health and the press office. Issues raised directly with the IPS during 2010 included procedures for transfers; protection prisoners and access to meaningful regimes; provision of healthcare in prisons; provision of information to prisoners and possible co-operation with IPS on distribution of information; information sharing between IPS and IPRT in relation to positive initiatives undertaken by IPS in prisons. The IPS also facilitated a number of prison visits for IPRT staff during 2010, including visits to Mountjoy and Cork Prisons.

## NGO Cooperation

- IPRT continues to lead the Women in Prison Reform Alliance, which made a formal proposal to the Minister for Justice for a comprehensive review of law and policy towards female offenders.
- During 2010, IPRT deepened relationships and widened our networks with service providers working with offenders in the community, including the Network of Ex-Offender Voluntary Associations.
- IPRT developed links with partner NGOs in key policy areas such as sexual crime (Rape Crisis Network and One in Four) and drug policy (Merchants Quay, RADE and CityWide).
- Strong links have also been made with many allies within civic society around prevention and early intervention, including Start Strong, Youth Work Ireland (YWI), and Catholic Youth Care (CYC), along with project partners Barnardos and IAYPIC.
- In co-operation with Youth Justice in Action (Y Care International), we took part in an event with 50 young people (many with experience of the criminal justice system) in April.
- IPRT became a member of the Association for Criminal Justice Research and Development Working Group on reintegration of offenders.
- IPRT has continuing involvement with the Equality and Rights Alliance.
- Our work with the Children’s Rights Alliance (CRA) during 2010 had particular focus on the continuing use of St. Patrick’s Institution and mental health provision for young people in the criminal justice system.
- We participated in the Public Interest Law Alliance conference in April and are in direct contact with PILA about identifying specific areas for potential cooperation. This area of work will be of key significance for IPRT’s initiative with regard to prisoner engagement.

## Academic Institutions

- IPRT co-managed a joint research project with DIT in June. This community-based learning project involves law students working closely with IPRT to a research brief designed around the research needs of the organisation. In 2010, students examined the use of alternatives to custody for those under 18 available under the Children act 2001.
- Liam gave guest lectures at a number of universities (UCC, UCD, TCD, NUI Maynooth, DIT, Griffith College and Carlow IT), including participation in a debate at UCC with Ger Colleran, editor of the Irish Daily Star on the issue of mandatory sentencing in Sept 2010.

## Northern Ireland

The primary focus of IPRT in developing our North-South work is in building our links with the main civic society actors in the North, including the Committee on the Administration of Justice. In 2010, IPRT was represented at meetings facilitated by the Regulation and Quality Information Authority regarding the regime of inspection of healthcare facilities in prisons, and participated in a Department of Foreign Affairs forum on North-South cooperation in civil society. We continue to identify opportunities to engage with statutory cross-border initiatives.



**Shifting Focus: From Criminal Justice to Social Justice Conference, 23rd September 2010.** L-R: Susan McKay (National Women’s Council of Ireland) - John Clinton (Irish Prison Officers Association) - Clairein de Buis (Start Strong). Photos: Derek Speirs

## Engagement with Prisoners and their Families

IPRT has increased our engagement with prisoners in recent years, not only through the number of prisoners, ex-prisoners and their families who have become members of IPRT, but also through provision of information on a proactive basis.

IPRT uses our policy and legal expertise to provide support and resources to agencies working directly with prisoners and to creating structures and opportunities for former prisoners, family members and relevant key service providers to regularly feed into IPRT's work.

While IPRT does not have a 'case-work' function (we do not provide individual legal advice), during 2010, IPRT received an increasing number of queries from prisoners and prisoners' families across a number of issues including: procedures within IPS for transfer between prisons; physical conditions of detention; provision of meaningful activities for prisoners on protection regime; mental health care in prison. It is clear that there is significant unmet demand for an independent complaints mechanism and advocacy services for prisoners.

A system for handling prisoner enquiries was put in place during 2010 to provide a structured way of working that respects the confidentiality of prisoners and their families. This protocol also allows IPRT to monitor cases that are brought to our attention for systemic issues, which in turn informs our research and policy, as well as campaigning work.

## Effecting Change through the Law

A central element of our strategy in the period 2008-2010 has been to stimulate and support prison litigation, primarily through our Prison Law Seminar Series, but also through exploring other means of deepening IPRT's relationships with the legal professions.

During 2010, there has been a steady increase in both solicitors and barristers approaching IPRT for advice or expertise on a variety of cases. Activities undertaken by IPRT include providing legal research, providing information on prison procedures, and acting as a liaison with prison agencies.

This work has begun to bear fruit with an increase in prison litigation generally and direct approaches to IPRT by lawyers involved in leading prison cases. Specifically IPRT provided research support to litigators in key challenges to stopping out, solitary confinement regimes, and extradition cases relating to prison conditions in Poland and Moldova.

We have also held a number of meetings with the Public Interest Law Alliance to explore possibilities to integrate IPRT's growing work in this area with wider processes to develop public interest law. Most importantly, we are identifying key areas of prison law with potential for landmark legal actions and are confident that IPRT can contribute to law reform through litigation in the near future.

## Strategy & Governance

### Board of Directors

At the IPRT AGM in June 2010, Ursula Kilkelly stood down after three years as IPRT chairperson. Ursula has made an enormous contribution to all areas of IPRT's work and has been centrally involved in all of our achievements during that time. Ursula is succeeded by Dr. Mary Rogan, previous Vice-Chair.

Tim McCarthy stood down following three years on the board in June. As Treasurer and member of the HR Committee, Tim was central to the development of our governance and financial management structures.

Paddy Richardson of Business in the Community Ireland and Kathleen Leader BL joined the board at the AGM to address identified gaps in our expertise.

### Patrons

In 2010, poet and playwright Paula Meehan, author and director Peter Sheridan and Senator Ivana Bacik agreed to become patrons of IPRT.

### Evaluation

An external evaluation report of IPRT was completed by Pamela Montgomery in June 2010. The report concluded that IPRT made a number of very significant achievements over the period 2008-2010, and implemented all of its planned target activities.

It found that over the last two years, IPRT has implemented robust governance arrangements, implemented its first strategic plan, managed the appointment of a new staff team, prepared and disseminated a wide range of quality publications, implemented an effective communications strategy and built relationships, including with key stakeholders.

It also found that IPRT has established itself as the 'go to' NGO for penal reform issues, and is perceived as being a highly credible, well respected, professional body. It is regarded as a highly effective NGO and has maximised its impact through working collaboratively with other NGOs.

It concluded that IPRT's main impact to date has been in raising awareness of penal reform issues and in injecting a different discourse into traditional debates.

The report made a number of recommendations for improving our structures and work practices for the future, all of which are reflected in our Strategic Plan 2011-2015.

### Strategic Plan 2011-2015

Based on the findings of the Evaluation Report and the experience of operating our Strategic Plan 2008-2010, IPRT worked on a new Strategic Plan to cover the period 2011-2015. Pamela Montgomery again facilitated the process, and the plan was approved by the Board at the beginning of October 2010.

While the organisation's vision and mission have not changed, policy objectives have expanded to include a focus on the relationship between crime policy and social policy. Areas of activity have also expanded to reflect the potential identified for increasing our work in the area of effecting change through the law.

## **Staff and Internships**

In July 2010, IPRT's Research and Policy Officer Agnieszka Martynowicz left the organisation due to personal circumstances. Agnieszka made a huge contribution to IPRT's work in her time with us and she continues to work for human rights and penal reform in Northern Ireland. Jane Mulcahy took up the position in October 2010.

Our work in 2010 was greatly supported by interns Kate O'Hara and Lynsey Black who worked with us until June 2010; Leah Barry, Paul McKeon and Louise Brangan who worked on summer placements; and Stephen Moffat and Judith McGimpsey who began work with IPRT in autumn 2010. IPRT continues to attract very skilled and knowledgeable individuals to the internship programme.

## **Finance**

The Finance Committee of the IPRT Board meets quarterly to review the periodic accounts. Audited accounts for 2009 prepared by Garland McDonald & Sons were approved at IPRT's AGM in June 2010, and submitted to the Companies Registration Office. See appendix.

## **Fundraising/Sustainability**

IPRT is fortunate to have the financial and other support of two main funders, The Atlantic Philanthropies and Joseph Rowntree Charitable Trust.

IPRT was successful in applying to the Atlantic Philanthropies in 2010 for a grant for a further three year period, up to 2013. This is of major significance for IPRT and allows us to maintain our current level of operation, expand some of our activities and ensure the sustainability of the organisation in the medium term.

We continue to be grateful to Joseph Rowntree Charitable Trust for their longstanding support of the organisation. In July 2010, Joseph Rowntree also agreed to continue to support IPRT for another two years to July 2012. We also secured grant funding from the St. Stephen's Green Trust, Community Foundation Ireland, and the Irish Research Council for the Humanities and Social Sciences (joint project with DIT) over this period.

## **Members**

At the end of 2010, IPRT had 137 members of which 9 were organisations. In 2010, we grew our level of donations and gifts from supporters slightly and we are optimistic that this area can develop further in the years ahead. We hope that the significant increase in our Facebook members and followers on Twitter, as well as our growing prison law supporters group, will help us meet targets.

## **Other Activities**

- Legal Reports: In 2010, IPRT provided expert reports to the Courts with respect to two legal cases in the UK, where extradition to Ireland is being challenged.
- Lectures: IPRT continues to attract a small but growing level of income from paid public speaking events, lectures and media interventions, as well as from consultancy support for other NGOs and income from our lawyers' seminar series.
- In June 2010 a group from IPRT (staff, interns and one board member) did the 2010 Flora Women's Mini Marathon in aid of the IPRT prisoners' information project.

**Irish Penal Reform Trust Limited**  
**(A Company Limited by Guarantee and not having a Share Capital)**

**Detailed trading profit and loss account  
and expenses schedule  
for the year ended 31st December 2010**

	2010		2009	
	€	€	€	€
<b>Sales</b>				
Grants		288,526		285,000
Membership & donations		4,718		5,249
Deposit Interest		267		812
		<u>293,511</u>		<u>291,061</u>
<b>Administrative expenses</b>				
Wages and salaries	220,998		195,388	
Staff pension costs	3,130		2,817	
Publication & reports	8,845		17,591	
Rent payable	25,625		26,542	
Insurance	1,354		655	
Computer costs	381		1,309	
Light and heat	1,670		2,136	
Repairs and maintenance	905		3,751	
Printing & Stationery	3,764		3,597	
Advertising	-		1,925	
Website	369		142	
Telephone	4,435		5,544	
Public Events	13,249		3,679	
Travel	2,087		1,559	
Courier costs	254		267	
Research Costs	1,833		4,250	
Legal and professional	-		1,278	
Consultancy fees	19,473		-	
Audit	3,630		2,500	
Bank charges	291		207	
Post	402		534	
Training costs	-		494	
General expenses	610		49	
Charitable donations - other	100		-	
Depreciation on website costs	2,313		2,313	
Depreciation on Equipment	2,380		2,380	
		<u>318,098</u>		<u>280,907</u>
<b>Operating (loss)/profit</b>	8%	<u>(24,587)</u>	3%	<u>10,154</u>

