



## INVITATION TO TENDER

### ***Access to rights for people detained in secure forensic mental health facilities in Ireland***

#### **ABOUT IPRT AND OUR WORK**

The Irish Penal Reform Trust is Ireland's leading independent charity campaigning for a penal system that is just and humane; protects and promotes human rights, equality and social justice; and uses prison as a last resort. Established in 1994, IPRT has a well-established role as an independent voice in public debate on the Irish penal system. Our goal is to shift the focus of Ireland's penal system towards approaches based on prevention, early intervention, diversion, and the integration of criminal justice policy with wider social policy.

#### **CONTEXT**

The interconnections between imprisonment, mental illness, and psychiatric detention are well established. The treatment of prisoners with mental illness has been described as one of the "*most pressing issues within Irish prisons*" by the European Committee for the Prevention of Torture (CPT)<sup>1</sup> and hundreds of prisoners on the caseload of the National Forensic Mental Health Service (NFMHS) team are deemed to be suffering from a severe mental illness.<sup>2</sup> The *Criminal Law (Insanity) Act 2006* provides for transfers of prisoners with psychosocial disabilities to a designated centre (the Central Mental Hospital) for the purpose of receiving care or treatment. There are consistently 20-30 prisoners on the waiting list for transfer to the Central Mental Hospital (CMH) with an average waiting time of over 120 days.<sup>3</sup>

Despite this recognised continuum, there has been little examination of how the human rights of prisoners/patients are being met before, during and after a period in secure forensic mental health facilities.<sup>4</sup> There is also little known about the experience of professionals who support prisoners/patients during their transition between prisons and designated centres, and the specific challenges they come up against. IPRT is now seeking to address this gap by commissioning a scoping study to identify the applicable rights frameworks and sectoral duties and establish whether further research and advocacy is needed in this area.

<sup>1</sup> Council of Europe, *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*, 2020, at para.63, <https://rm.coe.int/1680a078cf>.

<sup>2</sup> Houses of Oireachtas, *Joint Committee on Future of Mental Health Care* debate, 23 May 2018, Presentation of the Director General of the Irish Prison Service, <https://www.oireachtas.ie/en/debates/debate/joint-committee-on-future-of-mental-health-care/2018-05-23/3/>.

<sup>3</sup> IPRT (2019) *Progress in the Penal System: 2019*, p. 59: <https://pips.iprt.ie/site/assets/files/Progress-in-the-Penal-System-2019.pdf>

<sup>4</sup> Research commissioned by IPRT in 2020 on the rights and experiences of people with disabilities in prison identified a number of potential areas of concern and recommended further research on the experiences of people detained in forensic psychiatric settings. See IPRT (2020) *Making Rights Real for People with Disabilities in Prison*: <https://www.iprt.ie/site/assets/files/6565/people-with-disabilities-in-detention-single-pages.pdf>

## **PROJECT OUTLINE**

IPRT has been awarded funding from the Irish Human Rights and Equality Commission (IHREC) to undertake a scoping study entitled ‘Access to rights for people detained in secure forensic mental health facilities in Ireland’. Funded under the ‘Progressing the Rights of People with Disabilities’ strand of the Human Rights & Equality Grant Scheme 2021-22, the study will build on the findings of IPRT’s *Making Rights Real for People with Disabilities in Prison* (2020) report. It will be informed by the UN CRPD framework and engage with the views of advocacy groups, rights monitors, and other stakeholders. It is intended that the scoping study will provide the basis for future research, collaboration, capacity-building training and support in this area. It is envisaged that the study will take the form of a rapid review, based on desk-top research and interviews with a small number of stakeholders.

## **TENDER OUTLINE**

IPRT now wishes to commission an expert researcher(s) to conduct a scoping study on access to rights for people detained in forensic mental health settings in Ireland. Our proposal envisages the basic model set out below. We are open to considering adapted models of delivery (with the agreement of the project funders) within the budget and time constraints of the project.

The research should do the following:

- Identify relevant areas of international and national human rights standards and legislation as they apply to secure forensic mental health settings;
- Identify key areas of potential rights breaches and concern (law, policy, practice, oversight);
- Identify any current gaps in governance and monitoring, as well as policy development;
- Include interviews with a small number of key stakeholders;
- Identify areas for future research;
- Make recommendations on the potential for a national policy advocacy strategy focused on the rights and empowerment of people detained in secure forensic health facilities.

## **PROJECT DELIVERABLES**

The successful tender will be expected to produce the following outputs, with exact timelines to be agreed:

1. Agree parameters of research (December 2021)
2. Draft summary of international and national human rights standards and legislation (January 2021)
3. Interviews with rights holders and stakeholders (Feb/March 2021)
4. Initial draft findings (March 2022)
5. Submission of final report (max. 10k words) (April 2021)

## **REQUIREMENTS**

- Primary or postgraduate degree in a relevant discipline;
- Demonstrated knowledge of the Irish criminal justice system and/or disability and other human rights frameworks in Ireland;
- Experience in a range of research methods, both quantitative and qualitative (incl. identification of research participants, conducting interviews, data analysis, undertaking desk-based research);
- Commitment to the highest standard of research ethics;
- Ability to liaise with relevant key stakeholders involved in the Irish criminal justice system;
- Experience in producing high-quality documents to agreed deadlines, within strict word-counts to publication standard;
- First-rate drafting abilities, exceptional writing skills, attention to detail, and ability to adhere to budgetary requirements.

## TENDER PROCESS

Tendering individuals or organisations must submit a tender document of no more than three pages. Each tender should include:

- A profile or CV of the individual(s) making the proposal;
- Details of previous relevant work in this area;
- Two samples of written work (these may be URLs to work published online);
- The methodology you propose to adopt in order to achieve the key deliverables;
- Costing and timeline with respect to the proposed work expressed within the overall budget for research of €4,200 (incl. VAT if applicable);
- Estimated number of days for completing the work.

### Assessment of Tender:

Each tender received will be assessed on the basis of:

CRITERIA	SCORE
Demonstrated knowledge and understanding of the brief	30
Track record in relevant work	20
Approach/methodology	20
Value for money	20
Availability to carry out the project within the stated timeframe	10
<b>Total</b>	<b>100</b>

### Note:

- Valid tax clearance certificates will be sought from the successful tender.
- Additional information may be sought at the assessment phase.
- Before the final decision, a number of the most competitive tenders may be invited for further discussions on their proposals for elaboration, clarification, and/or aiding mutual understanding.
- IPRT shall not be liable for any costs and/or expenses incurred in respect of the preparation or the submission of any tender documents or associated material.

**Lowest price tender is not a guarantee of success.**

**Tenders should be submitted by e-mail to [tenders@iprt.ie](mailto:tenders@iprt.ie) by noon on 26<sup>th</sup> November 2021 at the latest.**

**Queries should be directed to Senior Policy & Research Officer Sarahjane McCreery at  
[sjmccreery@iprt.ie](mailto:sjmccreery@iprt.ie)**



Coimisiún na hÉireann  
um Chearta an Duine  
agus Comhionannas  
Irish Human Rights and  
Equality Commission

This project is supported  
under the Irish Human  
Rights and Equality  
Commission Grant Scheme