

COMMUNITY RETURN: A UNIQUE OPPORTUNITY

A descriptive evaluation of the first twenty six months (2011 - 2013)



Foreword

The Community Return Programme is a unique and innovative initiative, developed and introduced in Ireland in 2011. No other jurisdiction, as yet, has an equivalent programme with the result that the Department of Justice and Equality, the Probation Service and the Irish Prison Service were working in uncharted waters in establishing the Community Return Programme.

There has been, for many years, acknowledgement of the positive experience and valuable learning in the operation of Community Service as a 'front door' sanction providing an alternative to a custodial sanction. However the application of similar principles and practices as a 'back door' measure to reduce time in custody, facilitate reparation to communities and support in resettlement had not emerged, until recently.

In developing the Community Return Programme, the Department of Justice and Equality, Probation Service and Irish Prison Service established a project team and harnessed shared resources to establish a robust, effective and focused initiative, with clear objectives, focused management and on-going evaluation. The development and success of the Community Return Programme is built on the integrated and co-ordinated working of the partner bodies involved, as well as the commitment and energy of staff, and local communities across the country. In addition, the deployment of dedicated staff in the co-located Irish Prison Service - Probation Service programme management unit in Probation Headquarters, has also been key.

This initial evaluation study of the Community Return Programme is part of the drive by the Department of Justice and Equality, the Probation Service and the Irish Prison Service to build data analysis, evaluation and an evidence base into all we do, to inform decisions and future policy and practice development. It is also consistent with the Government commitment to an evidence-led approach to policy development and service delivery.

This Community Return Programme study was managed by a cross-agency steering group. The findings mark an important contribution to criminological innovation and study in Ireland and internationally. The study highlights the positive impact on re-offending and resettlement of the Community Return Programme as a structured post custody resettlement, reparation and supervised release initiative.

We would like to thank the managers and staff of the Probation Service and the Irish Prison Service for their invaluable support, co-operation and contribution to this study and across the Community Return Programme. We wish to express our thanks and sincere appreciation to Paul Donoghue, the indefatigable researcher, and to the Community Return Study Group comprising Gerry McNally (PS), Andrew Brennan (IPS), Brian Dack (PS), Justin McCarthy (PS), Ann Reade (PS) and June Kelly (IPS) for their hard work in the completion of this important and ground-breaking study.

In particular, we wish to express our thanks to the Community Return Programme participants and their local communities for their co-operation and the significant part they play in making the Community Return Programme an impressive and successful initiative.



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Executive Summary

In October 2011, the Probation Service, in partnership with the Irish Prison Service, commenced a pilot Community Return Programme. The Community Return Programme is an incentivised early release scheme introduced in line with the recommendations of the Thornton Hall Project Review Group. All participants have demonstrated their willingness and ability to co-operate with the prison regime and to engage with the therapeutic services available.

Community Return is a novel and unique initiative combining unpaid work for the benefit of the community with early release and resettlement support. In its development, no equivalent or similar initiative could be identified anywhere in the world and none had been reported in academic reviews or criminal justice literature. In the Community Return Programme, qualifying prisoners may be released early from their custodial sentences, with a period of unpaid community work as a condition of their incentivised, structured and reviewable temporary release.

The Community Return Programme pilot, between October 2011 and April 2012, proved to be very successful in assessed compliance with the conditions of the release and behaviour, and in terms of the very low level of reconviction of participants. The success of the pilot led to the programme being mainstreamed.

The aim of this research study is to assess the operation, impact, and effectiveness of the Community Return programme through a piece of descriptive and evaluative research. The study cohort comprised all 761 Community Return Programme participants between October 2011 and December 31st 2013. A mixed methods approach was used in the study, as well as analysis of anonymised pre-existing data on participants held by the Irish Prison Service. Questionnaires were completed by relevant Irish Prison Service and Probation Service personnel.

The Community Return Programme participants were predominantly male, with females comprising approximately 6% of the population on the programme. 77% of the population were aged between 21 and 40, with the greatest concentration in both genders (43%) in the ten year age group between 21 and 30 years.

- 62% of Community Return Programme participants were from Leinster. 43% of all participants were from Dublin. Of the total population who commenced the Community Return Programme, approximately 53% were located in three major urban areas (Dublin, Cork and Limerick).
- Of the 761 offenders who commenced the Community Return Programme, (90%) were serving custodial sentences of less than six years. 45% were serving sentences of between two and four years imprisonment. The average sentence length was 3.2 years
- 40% of Community Return Programme participants had been convicted on drug offences. 16% had been convicted in respect of offences including assaults and related offending. 9% were convicted of offences including robbery and related offences.

- 38% of participants were released from open prisons, Shelton Abbey and Loughan House, while Mountjoy Prison was the closed prison with the highest release rate at 11%. The high percentage of prisoners released onto the Community Return programme from open prisons reflects the Irish Prison Service Incentivised Regime policy in practice and the pre-release role of open prisons.
- Of the 761 participants who had commenced the Community Return Programme between October 2011 and December 31st 2013, 548 had completed it and 108 were still in progress. 88, approximately 11%, breached conditions of the Community Return Programme and were returned to custody. Almost 89% had either successfully completed their Community Return Programme or were still working on the Programme. Of those participants (n =233) released during the first year of the programme, 91% had not been committed to prison on a new custodial sentence in the period up to the end of 2013.
- 9,580 weeks of Community Return Programme work, comprising 201,056 hours unpaid work, was completed by participants. Based on the national minimum wage in 2014 for an adult worker of €8.65 per hour, this represents €1,739,135 worth of unpaid work completed for the community by Community Return participants.
- The most common types of work undertaken by Community Return Programme participants were landscaping/gardening, painting/decorating and renovation, with participants preferring work which allowed them to see 'a job through from beginning to end rather than constant switching between jobs'. Supervisors reported that Community Return Programme participants performed positively in their work and displayed a positive attitude towards the work.
- Over 80% of community based Probation Officers attributed Community Return Programme participant compliance primarily to a desire to avoid returning to prison. In some cases this was complemented by secondary motivational factors such as participant enjoyment of the work experience, appreciation of their early release or, a sense of commitment to the Community Return contract.
- Access to social protection entitlements ('social welfare') was the single biggest difficulty faced by Community Return participants involved in this study following their release, affecting one third of participants. According to participant feedback, difficulties appear to have stemmed from an apparent lack of a shared understanding regarding access to income maintenance payments by Community Return participants.
- The Community Return Programme participants identified particular benefits in the Programme, including the structure and routine which aided re-integration, the work ethic and self-esteem developed, their positive profile in working in the community and the learning of work skills transferable to employment. Challenges included coping with the strictness and frequency of the signing-on conditions, difficulties accessing entitlements and payments, and time and costs in travelling to worksites.

- The Community Return Programme helped participants stay out of trouble according to some of them, by keeping them occupied, providing positive supports and a starting point to build on, particularly in the early stages after release, when, according to research here and abroad, newly released prisoners are particularly vulnerable to relapse to anti-social behaviour, companions and offending.

The Community Return Programme has potential for further expansion and detailed recommendations are outlined in Chapter 7.

Chapter 1 Introduction

1.1 BACKGROUND TO COMMUNITY RETURN

The Government Programme for National Recovery 2011-2014 (Government Publications, 2010) committed *“to review the proposal to build a new prison at Thornton Hall and to consider alternatives, if any, to avoid the costs yet to be incurred by the State in building such a new prison”* (Irish Prison Service, 2011b:1). The Minister for Justice and Equality established the Thornton Hall Review Group to carry out this review.

The Review Group Report, in July 2011, recommended reconsideration of plans for prison expansion together with an increased use of a range of alternative ‘front door’ and ‘back door’ community sanctions. The Report supported the introduction of a scheme for earned temporary release coupled with a requirement to do community service. (Department of Justice and Equality, 2011: 63).

1.2 COMMUNITY RETURN

In October 2011, the Probation Service, in partnership with the Irish Prison Service, commenced a pilot Community Return Programme. The Community Return Programme is an incentivised early release scheme introduced in line with the recommendations of the Thornton Hall Project Review Group.

Community Return is a novel and unique initiative combining unpaid work for the benefit of the community with early release and resettlement support. In its development no equivalent or similar initiative could be identified anywhere in the world and none had been reported in academic reviews or criminal justice literature.

In the Community Return Programme qualifying prisoners may be released early from custodial sentences of one to eight years, with a period of unpaid community work as a condition of their reviewable temporary release.

All prisoners who wish to progress through the prison system and gain early release through the Community Return Scheme must demonstrate their willingness and ability to co-operate with the prison regime and to engage with the therapeutic services available.

Those participating in the Community Return Programme are granted reviewable temporary release, having served at least 50% of their sentence and following an individual assessment process. Factors considered at the assessment process include progress during custodial sentence (behaviour while in prison and engagement with services); risk to the community (the nature of the offence and previous offending), and resettlement stability (accommodation status upon release, addiction issues and medical suitability).

The Community Return Programme provides for earned temporary release for persons from prison custody conditional on their engagement in supervised unpaid community work for a set number of weeks; usually three days per week. The number of weeks of unpaid work required in each case is calculated on the basis of number of weeks left in their sentence and will equate to half of their remaining time to serve. One week’s community service is thus substituted for every two weeks left

to serve in prison. So, for example, if someone has 20 weeks left to complete their sentence, they will be required to engage in unpaid community work for 10 weeks.

Although the Community Return Programme is generally applicable to suitably assessed prisoners who are serving sentences of between one and eight years, in a small number of instances persons serving longer sentences have been referred to the Scheme, following a recommendation to that effect from the Parole Board.

1.3 THE OBJECTIVES OF COMMUNITY RETURN AS A MEASURE

Community Return embodies many of the principles of Community Service. Community Service as a sanction for criminal offending has been available to the Courts in Ireland since the introduction of the Criminal Justice (Community Service) Act, 1983.

A Community Service Order (CSO) involves the performance of between 40 and 240 hours unpaid work in the community by a person who is 16 years or over, who has been convicted of an offence for which the alternative appropriate penalty would be a custodial sentence, who consents, and where appropriate work in the community is available.

Community Service is a ‘front door’ sanction imposed by a Court as an alternative prior to imprisonment. The *Value for Money and Policy Review of the Community Service Scheme* identified the strategic objectives of Community Service as:

- Reparation to the community
- Integration of offenders in the community
- Alternative to imprisonment (Department of Justice, Equality and Law Reform 2009: 30)

Similar objectives can be identified in the Community Return Programme, with the understanding that as a ‘back door’ measure, it functions as an alternative to ongoing imprisonment and as an aid to resettlement in the community.

The unpaid work undertaken in the Community Return Programme is intended to assist the community. It operates on a non-profit basis to provide benefit to the community and offer direct assistance to many charitable organisations and local groups.

1.4 ADJUSTMENT AND RESETTLEMENT SUPPORT

Adjustment and resettlement immediately following release from a custodial sentence is increasingly acknowledged as a critical period and process for people leaving prison. It is an important time in determining whether ex-prisoners can engage with their communities, establish a law-abiding lifestyle and make a positive contribution through their work and participation in society, or relapse to anti-social behaviours or offending.

Through a structured and supervised early release, engagement with dedicated support services and supported access to mainstream community services, the Community Return Programme aims to maximise opportunities to ensure that the adjustment to life in the community again and resettlement in a new and positive lifestyle and career is facilitated.

For participants on the Community Return Programme, appropriate arrangements for necessary social and rehabilitative supports are planned as part of the programme, with support services such as IASIO/Linkage, local addiction/drug services, local accommodation support services as well as on-going support from Probation Officers for those persons subject to Partially Suspended Sentence Supervision Orders, being provided.

As with Community Service, unpaid work on the Community Return Programme operates and is managed as closely as possible to a normal workplace practices. This enables Community Return to provide an introduction to regular workplace structure, discipline and social skill development as part of a 'normalisation' and resettlement process.

1.5 COMMUNITY RETURN WORK

The work involved takes place in a supervised group setting on one of the many Community Service work sites located throughout the State. The placements operate on a non-profit basis, provide benefit to the community and offer direct assistance to many charitable organisations and local groups.

Participants in the Community Return Programme are required to complete three days work each week. The working day is 9.30am to 4.30pm. Prisoners involved in the programme undertake the same type of work as people on court ordered Community Service. In many situations, the groups of offenders work side-by-side.

In some parts of the country, in some urban and rural areas, the work requirement may be varied depending on its availability, accessibility of Community Service sites and commitments by participants to rehabilitation interventions, addiction programmes, employment etc.

Each participant is subject to additional conditions while on the scheme, such as a requirement to report on a regular basis to the relevant prison and their local Garda station. The participants are also subject to a "two strike" rule whereby non-attendance or lateness on two separate occasions will result in their removal from the scheme and return to prison custody to serve the remainder of their sentence.

1.6 COMMUNITY RETURN PILOT PHASE

The Community Return Programme pilot, between October 2011 and April 2012, proved to be extremely successful in assessed compliance with the conditions of the release and behaviour. Initial feedback from the participants was positive, with many commenting on the supports and structure that it gives them on their release and how it assisted in their transition back into the community.

Following this initial pilot phase, the Community Return Programme was extended and expanded. One of the strategic actions contained in the Joint Irish Prison Service and Probation Service Strategic Plan 2013-2015 is the continued roll out of the Community Return Programme, with a target of 450 participants in 2014.

1.7 MANAGEMENT OF THE PROGRAMME

Community Return was managed in the initial pilot phase by a Steering Group comprised of representatives of the Department of Justice and Equality, the Irish Prison Service and the Probation Service. For the past two years, the initiative has been managed by a co-located unit, based in Probation Service Headquarters and made up of Prison and Probation personnel working together. The co-located unit reports to a high-level Probation and Prisons oversight committee, which now manages and co-ordinates implementation of the Probation Service – Prison Service Joint Strategy.

Putting in place the co-located interagency unit has been recognised in both the Irish Prison Service and the Probation Service as being one of the keys to the smooth running and general success of Community Return. The co-location of staff in this way has also been widely perceived as contributing significantly to improved interagency communication, including in other work streams, as well as Community Return itself.

Chapter 2: Literature Review:

A search across academic, research and other studies, reports and publications in criminal justice literature and, in particular, writings on release and resettlement of ex-prisoners, found that the Community Return Programme is an innovative and unique initiative. There is no known published account or report of a supervised release and resettlement scheme or programme for prisoners leaving custody with a condition of reparation in the form of unpaid community work as a condition of the release programme.

In the absence of directly comparable research or reports, this study includes a brief review of published research and evaluation reports on key elements in the Community Return programme: mandated unpaid community work, more commonly known as community service, the resettlement of ex-prisoners on release and unpaid community work in prisons. The review is necessarily brief but does provide a pointer to key research in those fields. It also supports the importance of further professional research and evaluation, in particular, on the Community Return Programme and any similar initiatives.

2.1 COMMUNITY SERVICE (UNPAID COMMUNITY WORK)

The Community Service literature provides analyses of the unpaid work sanction solely as a pre-custodial diversionary measure. The predominant themes relate to discussions about the flexible, multi-dimensional nature of community service and the qualities and features of the community service experience which can benefit participants, promote compliance and support desistance.

Community Service (unpaid work) has been described as possessing multi-dimensional potential as a penal measure (McIvor, 2010, Beyens 2010: 9, Gelsthorpe and Rex, 2004:230) including punishment, and rehabilitative, restorative and re-integrative capability. It has been suggested that the diverse range of stakeholders can lead to diverse opinion about the appropriate emphasis and actual experience of each of these dimensions (McCulloch 2010, Bazemore and Maloney 1994, Pease 1985).

McIvor (1992) was one of the first studies to significantly identify a relationship between the quality of offenders' experiences on community service placements and compliant attitudes and behaviour. She found that reconviction rates were lower for offenders undertaking community service who believed their community service to have been worthwhile, with more positive experiences being associated with placements characterised by high levels of contact with beneficiaries, opportunities to acquire new skills and work seen as having some intrinsic value for the recipients. Positive outcomes were demonstrated by both short and long-term compliance (improved completion rates and reduced recidivism). Community Service participants also highlighted the significance of positive relationship with supervisors (consistency, fairness, and mutual respect) as being critical for sustaining motivation.

McIvor (1998) further developed these ideas, finding that Community Service placements are most effective (in terms of reduced recidivism) when experienced by participants as rewarding (worthwhile) and are associated as re-integrative and as entailing a degree of reciprocity or

exchange. Contact with beneficiaries of Community Service work “promotes insight into other people and increased insight into themselves, the acquisition of skills had instilled greater confidence and self-esteem, and the experience of completing Community Service put them in a position where they could enjoy reciprocal relationships, gaining trust, confidence and appreciation of other people and having opportunity to give something back in return” (McIvor 1998:55-56).

Rex and Gelsthorpe (2002) maintain that participants perceiving community service as ‘fair’ increases their receptiveness to the restorative and re-integrative dimensions. McCulloch (2010:388) suggests that there is now “a significant body of knowledge/evidence indicating that Community Service has a legitimate contribution to make to the coveted outcomes associated with longer term compliant behaviour”.

2.2 RESETTLEMENT

The process of adjusting to release from a custodial sentence, predominantly referred to as ‘resettlement’ in the European and as ‘re-entry’ in the American literature, has become increasingly acknowledged as a critical period and process for people leaving prison (Losel 2012; Maruna 2011, 2006; Moore 2011; Munn, 2011; Nugent and Pitts 2010; Shinkfield and Graffam 2010; McGuire and Raynor 2006; Burnett and Maruna 2006).

Those leaving custody, particularly at the end of a sentence, face a range of issues that place them at risk of returning to prison. These include a general risk of re-offending associated with their lifestyle choices; accommodation issues; drug and alcohol misuse, and mental health issues; employment training and education deficits, a lack of community and family supports, and the general stigma associated with having been a former prisoner (Geiran 2012: 20).

Shinkfield and Graffam (2010) summarised the challenges confronting newly released prisoners as the competing demands in obtaining suitable employment and accommodation, re-establishing interpersonal relationships, achieving financial stability and dealing with substance misuse issues. They examined factors influencing emotional stability over the resettlement period and concluded that, while those on release from prison experience a higher than normal range of depression and anxiety, emotional support from significant others, better psychological health, higher age and higher levels of education were significant in predicting decreasing levels of emotional difficulties.

Munn (2011) examined the impact of longer term imprisonment on resettlement success in a Canadian study of former prisoners. She suggested several factors associated with resettlement adjustment difficulties, which highlight that the development of new social interaction skills is both an immediate and long term resettlement difficulty. Interactional styles developed in prison by prisoners can be detrimental to their resettlement and managing day to day life after prison routine was also found to be an arduous and often overwhelming challenge.

Arditti and Parkman (2011) found that the lack of rehabilitative programmes, and interventions aimed at building social capital, coincided with the crucial developmental resettlement period in terms of personal asset building and identity formation. Austin and Hardyman (2004:28) advocated the creation of new and innovative community reinvestment initiatives that would reverse socio-economic risk factors related to crime, together with mentoring programmes for long-term prisoners

that offer individualised assistance during the difficult transition from prison to the community. Bain and Parkinson (2010) discuss the importance of 'de-labelling' in successful resettlement, which, they suggest, is proportionate to the social inclusion of the individual (Bain and Parkinson, 2010:72).

Moore (2011) argues that the traditional conceptualisations of post-prison re-integration and resettlement are flawed, as they refer exclusively to the perceived assistance and support offered to and needed by ex-prisoners and largely ignore social re-integration and social acceptance. Moore (2011) proposed a three-phase resettlement scheme involving degrees of achieved social integration (settled experience for the first time) or re-integration (returning to a former level of settled living whether stable or unstable, pro-social or criminogenic).

In Moore's view, such a framework would facilitate a desistance approach to resettlement, a distinction between the objective events in an offender's life and the subjective meanings given to these events. Transition from prison as social integration (a new law abiding, pro-social trajectory) would follow from desistance processes typified in Bazemore and Stinchcombe's (2004) 'civic engagement model of re-entry' (Moore, 2011: 10).

Bazemore and Boba (2007) and Bazemore and Stinchcomb (2004) proposed a civic engagement model for prisoner re-entry. Civic community service, restorative justice decision making and reparation and democratic participation were proposed as practices to achieve resettlement through weakening community barriers to the development of pro-social identities for persons who have been in prison or subject to supervision, alter the community's image of such persons and mobilise and/or build community capacity to provide informal support and assistance (Bazemore and Boba, 2007: 27)

Bazemore and Boba (2007) set out a model for the 'civic engagement' resettlement by focusing on community service as a potentially powerfully generative and transformative process. Identity transformation, the understanding of how pro-social bonds are developed and maintained, social capital and community building) are presented as key components in bridging the often considerable resettlement gap between the offender and the community.

2.3 UNPAID COMMUNITY WORK IN PRISONS

To date, there has been very limited study on unpaid community work in prison or as a condition of supervised release of prisoners from custody. Working with prisoners in custody, Graham (2012) explored the use and impact of community service activities as a means of assisting desistance from crime prisoners in the custody of the Tasmania Prison Service. Graham's study examined the impact and benefits to individual prisoners, the agencies and stakeholders they are assisting, and assessed the efficacy of community service activities to promote desistance and reintegration. Graham found that community service activities had a positive impact on the staff and volunteers in the relevant agencies, the recipient communities and beneficiaries of community service activities and, ultimately, the prisoners who developed their 'social capital', and accessed real opportunities and supports for reintegration.

Community Return is, so far, a unique and innovative initiative combining supervised release with a condition of unpaid community work as part of the resettlement process after custody. As outlined, there is considerable supporting evidence for the benefits of planned and structured approaches in the successful integration of ex-prisoners after release from custody. Unpaid community work as

part of supervised release has not previously been considered or implemented in the form described in this study.

This study provides an initial examination of a promising initiative. As in Graham's study (Graham 2012) in Tasmania, the process and framework developed in the Irish context may have value and utility in other jurisdictions. This initial examination should be taken as a first step in the evaluation and study of unpaid community work as a condition of supervised early release from custody in prisoner resettlement and community integration. Further examination, evaluation and research will be of considerable value in refining and maximising any possible benefits in the successful settlement of ex-prisoners after custody and reducing re-offending.

Chapter 3: Methodology

3.1 RESEARCH METHODS

The aim of this research was to assess the operation, impact, and effectiveness of the Community Return programme through a piece of descriptive and evaluative research. In order to do this the research employed a mixed methods approach consisting of primary research conducted through quantitative surveys, and qualitative semi-structured interviews, as well secondary research involving the analysis of pre-existing data on programme participants collected by the Irish Prison Service.

Quantitative surveys were chosen as the most suitable method of collecting data from the Probation Officers, Irish Prison Service staff, Community Service Supervisors, and IASIO/Linkage Training and Employment Officers due to their involvement with programme participants across the country. These surveys covered each of the following areas of the programme; Assessment, Release, Induction, Work, Supports, and Programme Conclusion.

For Community Return participants, semi-structured interviews were chosen, as they enabled the researcher to question all participants on the same aspects of the programme but allowed them room to expand upon their individual experiences of the programme. This research method minimises any difficulty Community Return participants may have had in understanding the questions by allowing the researcher to rephrase the questions without altering their meaning.

3.2 ETHICAL CONSIDERATIONS

Ethical considerations were important in the implementation of this study. The study was guided by five accepted principles of social research, which featured to different degrees in each stage of the research. These are:

1. Identity Disclosure
2. Voluntary Participation.
3. Confidentiality.
4. Subject Well Being.
5. Appropriate Boundaries.

Initial mails to staff of the Probation Service, the Irish Prison Service, and IASIO/Linkage identified the researcher and the purpose of the study. The opening pages of each questionnaire contained an introductory section providing a comprehensive explanation of the aims of the study and instructions on questionnaire completion. Each questionnaire contained a consent form informing them that their participation was voluntary, recorded consent for the information to be used in this report and provided with contact details for the researcher should they need any clarification, or wish to reconsider or withdraw their consent. While the identity of each respondent was known to the researcher, all identifying details were removed to ensure the anonymity of participants.

At the interview stage of the study, particular care was taken to protect the anonymity of participants. Every effort was made to address any participant concerns and to make participants as comfortable as possible regarding involvement in the study.

Prior to each interview, participants were verbally informed of the purpose of the study, made aware that the researcher was independent, that anything said in the course of the interview was confidential, and that data used in the production of the study would have all identifying factors removed. No identifying questions apart from age, gender, and general location were recorded. Each set of interview questions included an introductory section, explaining the purpose of the study, recorded written consent, informed participants that their participation was voluntary and provided contact details for the researcher should they wish to withdraw their consent.

After the data was received in hard copy format, an online copy was produced. Both copies of the information were only available to the researcher, with the group data only being available to the research steering group after it had been anonymised. All copies of the data gathered were maintained in a secure location by the researcher, to be destroyed at the conclusion of the study.

3.3 RESEARCH SAMPLES

Three different sampling methods were used in the course of this study. The first involved non-probability purposive sampling of 48 Probation Officers, 24 IPS staff, 40 Community Service Supervisors, and 11 IASIO/Linkage Training and Employment Officers due to their engagement with the programme at each stage. The second involved non-probability availability sampling of 30 Community Return Participants. 14 of these were in the final week of the programme. 16 were at various stages of the programme ranging from 6 weeks into it, to 1 week post programme completion. The third (quantitative analysis) involved a complete sample of the population of Community Return participants between October 2011 and December 31st 2013.

3.4 COLLECTING THE DATA

The study was conducted sequentially in three stages. Stage 1 involved the distribution of quantitative surveys to 48 prison (22) and community (26) based Probation Officers, 24 staff members from the Irish Prison Service, 40 Community Service Supervisors, and 11 IASIO/Linkage Training and Education Officers. These surveys were constructed by the researcher and members of the research steering group in January 2014.

The survey questionnaire for Probation Officers was piloted with two Probation Officers and minor adjustments were made based on their experience. The questionnaires were then distributed by email to each group of respondents to self-administer. A return deadline was set for 10 days following the distribution of each survey. While most respondents adhered to these deadlines, they were extended by five days to maximise the number of returns and to allow for input from respondents who had been on leave during the original timeframe.

The surveys had a response rate of just below 100%, with each response being recorded electronically and coded upon its return. As the return deadline for each survey passed, the data was entered into the SAS computer programme for analysis.

For stage 2, the project researcher conducted 30 semi-structured interviews with Community Return participants between February 10th 2014 and April 17th 2014. Fifteen of these interviews were conducted at the Probation Service office, Smithfield, Dublin 7. A Probation Officer from the Dublin based Community Service team acted as a 'gatekeeper' for the researcher, identifying Community Return participants approaching the end of their time on the programme and facilitating their introduction to the project researcher, explaining the purpose of the research and ascertaining if they would be willing to participate in the project. Full information and consent was managed by the project researcher.

On agreement to participate, an interview was arranged, coinciding with a time when participants attended their work placement. They were granted a half day from the programme to attend for interview by the project researcher. In cases where the work site was located a long distance from the Probation Service office a full day off site was approved. Interviews lasted approximately 40 minutes and were not audio or video recorded. The interviewer made written notes of relevant information mentioned by participants and participants rating of aspects of the programme. Following the conclusion of each interview, an electronic copy of the written data was made.

A similar process was used for interviews at Probation Offices in Cork, Limerick, Portlaoise, and Tipperary, with local Probation Officers acting as 'gatekeepers' and organising interviews with participants. Participants in these locations were at various stages of the programme. When all data was collected, it was quantified, coded and analysed to identify findings and trends.

In stage 3, existing Irish Prison Service data on Community Return referrals, temporary release decisions, breach notifications, completions, assessment details, which are managed by the Community Return unit at the Probation Service headquarters on a daily basis, were collected and analysed using the SAS software programme. Analysis reported on the distribution of variables such as age, gender, location and offence amongst 761 participants on the Community Return programme.

Chapter 4: Data Analysis

4.1 INTRODUCTION

This chapter presents the findings from the data analysis stage of the research. For this stage, the entire population of Community Return participants between October 2011 and December 2013 was studied. Factors analysed include Age, Gender, Location, Programme Status, Sentence Length, Number of Weeks Worked, Offence Type, and the Prison of Release. The final section focuses on recidivism levels amongst the cohort of participants who commenced the programme during its first 12 months.

4.2 DISTRIBUTION OF COMMUNITY RETURN PARTICIPANTS BY AGE AND GENDER

As demonstrated in Table 1, Community Return Programme participants were predominantly male, with females comprising approximately one in every seventeen of the study population. This reflects the distribution of male and female offenders in the prison population of Ireland, as well as the lower rates of offending amongst females in the general population in comparison to males.

77% of the Community Return population studied were aged between 21 and 40, with approximately 5% aged 20 or under, and 18% aged over 40. The greatest concentration of offenders in both genders (43%) was in the ten year age group between 21 and 30 years. The age for participants peaked at 28 years for males (5%), and 24 years for females (10%).

Table 1: Community Return Participants

	Male	Female	Total
18 to < 21	39	1	40 (5%)
21 to < 25	130	12	142 (19%)
25 to < 30	178	8	186 (24%)
30 to < 40	243	12	255 (34%)
40 to < 50	106	7	113 (15%)
50 +	24	1	25 (3%)
Total	720 (95%)	41 (5%)	761 (100%)

Table 1: Community Return Participants

Table 2 overleaf presents the figures for the sentenced population on November 30th 2013 for comparative purposes. Prisoners released on the Community Return Programme are representative of the general prison population to within 3% at each of the age groups with the exception of the over 50 years age group.

Table 2: Irish Prison Population Under Sentence¹

	Male	Female	Total
18 to < 21	204	8	212 (6%)
21 to < 25	529	14	543 (16%)
25 to < 30	725	27	752 (21%)
30 to < 40	1049	41	1090 (31%)
40 to < 50	504	23	527 (15%)
50 +	334	8	342 (10%)
Total	3345 (96%)	121 (4%)	3466 (100%)

Table 2: Irish Prison Population Under Sentence**4.3 DISTRIBUTION OF PARTICIPANTS BY POST RELEASE ADDRESS**

473 (62%) participants were located in Leinster. 329 (43% of the total) of these were in Dublin. Dublin 24, Dublin 22, and Dublin 11 respectively were the postal districts in which Community Return participants were most heavily concentrated. These districts accounted for 142 (43%) of Community Return participants in Dublin. In Munster, Cork and Limerick accounted for 155 Community Return cases. 80 were located in either Cork city or Limerick city. Of the total population who commenced the Community Return Programme, approximately 53% were located in 3 major urban areas (Dublin, Cork and Limerick).

Table 3: Community Return Population

Dublin	329	43%
Munster	245	32%
Rest of Leinster	144	19%
Connacht/Ulster	43	6%
Total	761	100%

Table 3: Community Return Population**Table 4: Sentenced Prison Population²**

Dublin	1252	40%
Munster	839	27%
Rest of Leinster	669	21%
Connacht/Ulster	363	12%
Total	3123	100%

Table 4: Sentenced Prison Population¹ On November 30th 2013² On April 30th 2014

Table 3 presents the distribution of Community Return Programme participants based on their post release address, while Table 4 presents the figures for the sentenced prison population on April 30th 2014 for comparison. (Table 4 excludes 174 prisoners who had provided no address when committed to custody.)

4.4 DISTRIBUTION OF PARTICIPANTS BY STATUS

Table 5: Distribution of participants by status

Total Referred for Assessment	967	100%
Did not progress	206	21%
Commenced the programme	761	79%

Table 5: Distribution of participants by status

The total number of prisoners referred for assessment for the Community Return Programme between October 2011 and December 2013 was 967. 761 of these were assessed as suitable and subsequently released on reviewable Temporary Release onto the programme. 206 did not progress beyond various stages in the assessment process due to the reasons outlined in Table 6.

Table 6: Reasons the remaining 206 referred for assessment did not progress

Public Safety issues highlighted at assessment	38
Resettlement vulnerability issues	69
Conduct or disciplinary issues or opted out of Community Return programme	55
Alternative release plans implemented	31
Change in sentence, circumstances or local arrangements etc.	13

Table 6: Reasons the remaining 206 referred for assessment did not progress

Table 7: Distribution of participants who successfully progressed onto the Community Return Programme between October 2011 to December 31st 2013

Successfully completed the Community Return Programme	548
Currently on Community Return Programme	108
No longer suitable	17
In Breach	88
Total	761

Table 7: Distribution of participants who successfully progressed onto the Community Return Programme between October 2011 to December 31st 2013

Of the 761 prisoners released onto the Community Return Programme between October 2011 and December 2013, 548 successfully completed the programme by completing their community work obligation. 108 remained active participants as of December 2013. 105 were removed from the programme prior to completing their allocated Community Service, 88 of these for having been deemed to have breached the conditions of the Community Return Programme. The remaining 17 were no longer suitable due to issues such as change in medical circumstances, or a change to their resettlement circumstances. Participants who breached the conditions of the programme account for approximately 11% of all Community Return Programme participants.

4.5 DISTRIBUTION OF PARTICIPANTS BY SENTENCE LENGTH

Table 8: Distribution of participants by sentence length

Less than 2 years	158	21%
Between 2 -4 years	343	45%
Between 4 – 6 years	181	24%
Between 6 – 8 years	62	8%
Between 8 – 10 years	15	2%
10 years and over	2	0%
Total	761	100%

Table 8: Distribution of participants by sentence length

Of the 761 offenders who commenced the programme, 682 (90%) were serving custodial sentences of less than six years. 45% of Community Return Programme participants were serving sentences of between two and four years imprisonment. The average sentence length being served was 3.2 years.

4.6 DISTRIBUTION OF COMMUNITY RETURN PARTICIPANTS BY WEEKS WORKED ON THE PROGRAMME

Figure 1: Distribution of weeks worked by Community Return participants

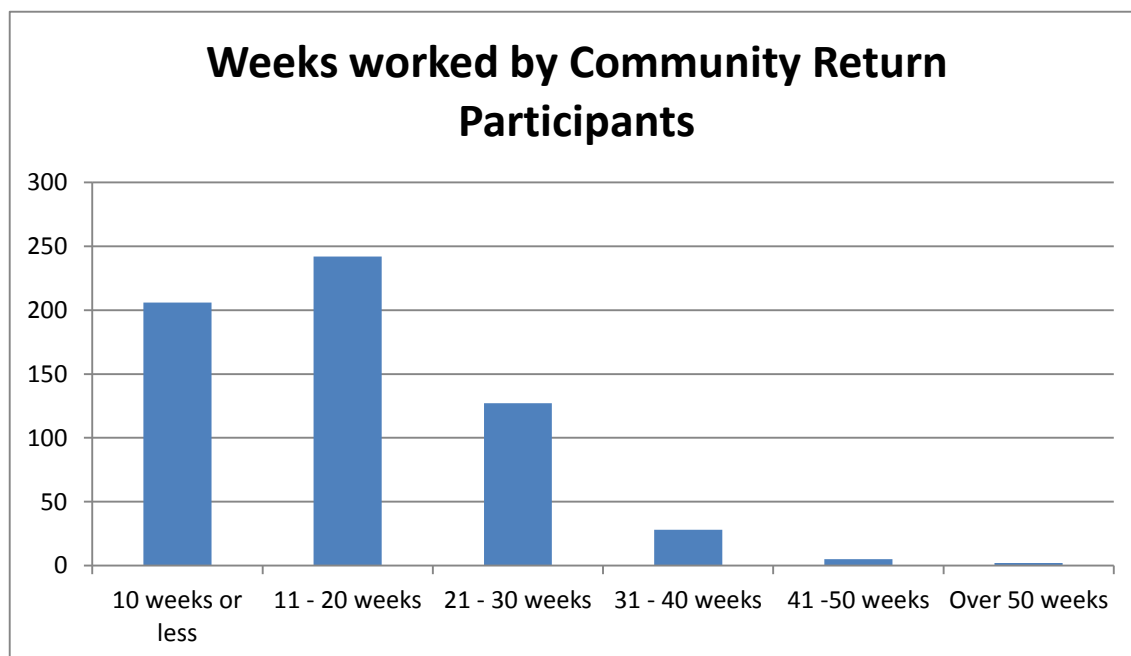


Figure 1: Distribution of weeks worked by Community Return participants

Figure 1 outlines the amount of weeks to be worked by the study population.

The number of weeks community work required to be done in any case is calculated on the basis of the length of remaining sentence at the point of release, with half the number of weeks remaining required to undertake work. For example, if a participant is released onto the programme with 20 weeks of their sentence remaining, they are required to engage in community service work for 10 weeks. In some parts of the country, particularly in rural areas, the requirement may be reduced to 2 days a week depending on availability and accessibility of community service work placements. In these cases participants are required to work the same number of weeks as they would be, if 3 days' work per week were available.

By the time they complete the programme, 448 (59% of the study population) participants will have completed 20 weeks or less of unpaid work, with 310 of these completing twenty four hours of work each week.

The estimated number of weeks worked by participants, up to the conclusion of this study, is 9,580 representing 201,056 hours of unpaid work. Based on the national minimum wage in 2014 for an adult worker of €8.65 per hour, this represents a projected value of this unpaid work, to local communities as €1,739,135.

4.7 DISTRIBUTION OF COMMUNITY RETURN PARTICIPANTS BY OFFENCE CATEGORY

Table 9: Distribution of participants by offence

Controlled drug offences	302
Attempts/Threats to murder, assaults, harassments	119
Theft and related offences	76
Robbery, extortion, and hijacking	72
Burglary, and related offences	61
Public order, and other social code offences	29
Fraud, deception, and related offences	27
Damage to property and the environment	24
Weapons and explosives offences	19
Dangerous or negligent acts	12
Kidnapping and related offences	7
Road and traffic offences	7
Offences against Government, justice procedures, and organised crime	4
Homicide offences	2
Sexual offences	0
Offences not elsewhere classified	0
Total	761

Table 9: Distribution of participants by offence

Table 9 represents the offences for which Community Return participants had been convicted as set out by the Central Statistics Office (CSO) in their Irish Crime Classification System (ICCS) (see Appendix 1). The five most prevalent offence categories are outlined below in figure 2.

Figure 2: Offence types of Community Return participants

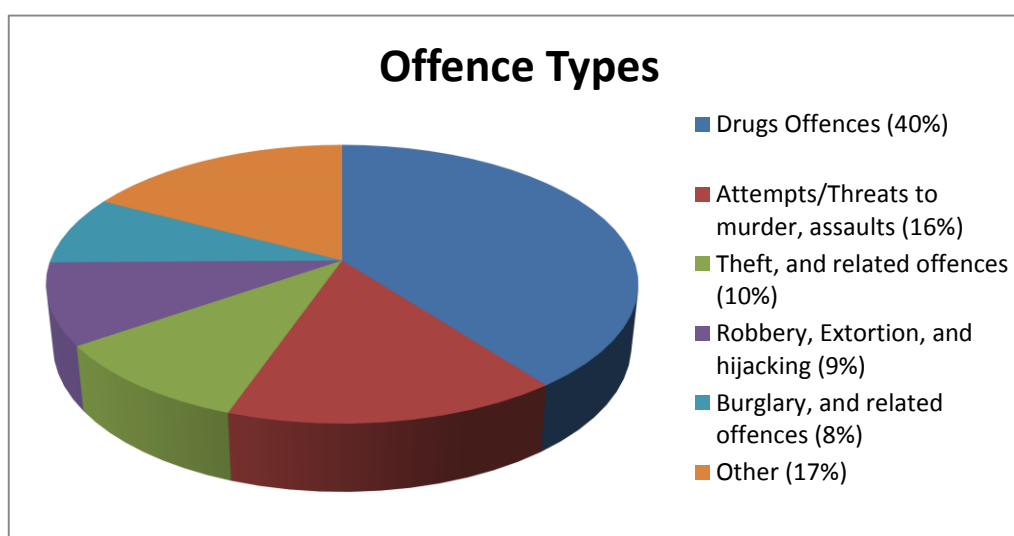


Figure 2: Offence types of Community Return participants

- 302 (40%) of participants had been convicted of offences in the 'Controlled drug offences' category,
- 119 (16%) of participants had been convicted of an offence within the 'Attempts or threats to murder, assaults, harassments, and related offences' category; of which 114 of these had been convicted of assault,
- 72 (9%) were convicted of offences within the 'Robbery, extortion, and hijacking offences' category,
- 61 (8%) were convicted of offences within the 'Burglary and related offences' category,
- The remaining 131 (17%) of participants were convicted of offences from other categories including; fraud, dangerous driving, public order offences, and road traffic offences.

4.8 DISTRIBUTION OF COMMUNITY RETURN PARTICIPANTS BY PRISON OF RELEASE

Figure 3: Release of Community Return participants by prison.

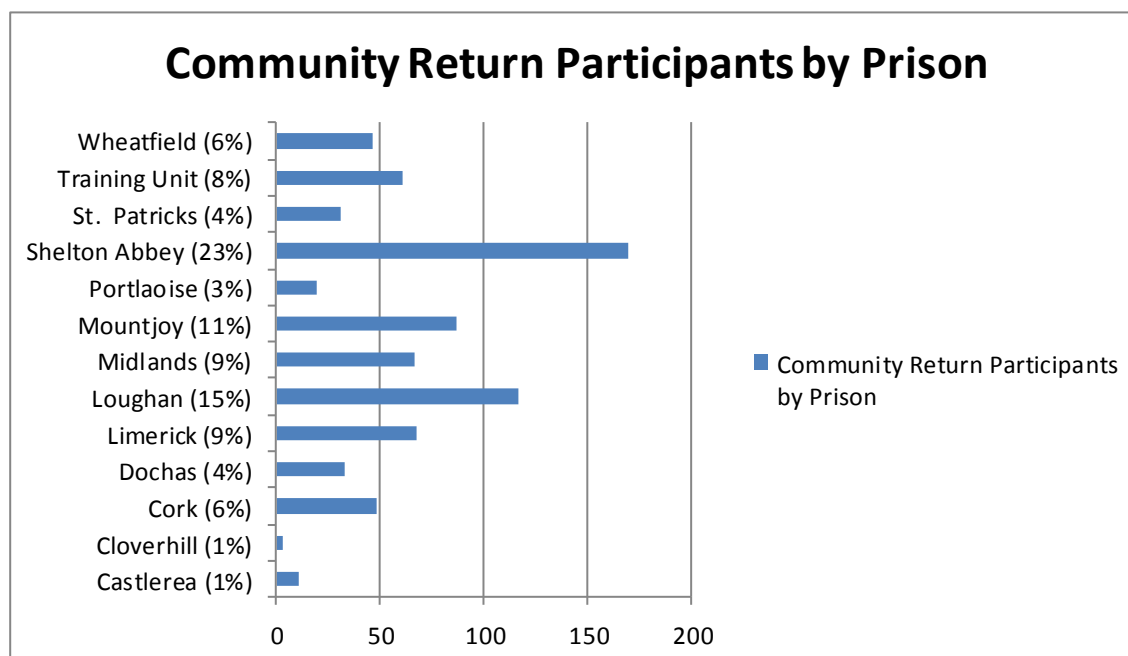


Figure 3: Release of Community Return participants by prison

Figure 3 illustrates the percentage of prisoners on the Community Return Programme released from each participating prison. 287 (38%) of participants were released from open prisons Shelton Abbey and Loughan House, while Mountjoy Prison was the closed prison with the highest release rate (11%). 4% of participants were released from St. Patricks Institution and 4% were released from the Dochás Centre. Of the prisons participating in the programme, Cloverhill, as primarily a remand prison, had the fewest releases.

The high percentage of prisoners released onto the Community Return programme from open prisons arises from the Irish Prison Service Incentivised Regime policy. Under this policy, prisoners who wish to progress through the system and gain early release through the Community Return Scheme, must demonstrate their willingness and ability to co-operate with the prison regime and to engage with the therapeutic, educational, and vocational services available. This progress and demonstration of a desire to address the issues that led to imprisonment will in turn result in increased incentives such as extra visits, phone calls etc., while in custody. Where appropriate this may then result in progression to lower security facilities with increased employment opportunities through qualifying for consideration for placement in an Open Centre by attaining Enhanced Regime level.

In general, assuming a prisoner engages in approved structured activities and is of good behaviour, the following Progression Chart outlines the basic principles of the Irish Prison Service's individual Sentence Management Plan approach.

(1) Committal to Prison

(2) Progress through Incentivised Regimes (Basic, Standard and Enhanced levels)

(3) Attain Enhanced Regime level

(4) Progress to Wheatfield Place of Detention, The Training Unit or one of the Open Centres (Loughan House or Shelton Abbey)

(5) Structured pre-release programmes leading to early release through the Community Return Scheme

It is a strategic goal of the Irish Prison Service that the percentage of total releases to Community Return from open centres will continue to operate at a high proportion when compared to releases from closed prisons.

4.9 RECIDIVISM

In order to estimate levels of recidivism amongst participants of the Community Return programme, a review was conducted of the 233 persons who commenced work during the first year of the programme and who completed the programme. Using this cut off point allowed for the following 14 month period to be observed, and to identify if any participants had been recommitted to prison on a new charge since their release. This review revealed that 20 (9%) of these persons had returned to prison custody on a new sentence between the time of their release and December 31st 2013. Six of these 20 were committed to custody for non-payment of a Court imposed fine. The issue of longer term desistance from offending by Community Return participants requires more detailed follow – up research.

Chapter 5: Quantitative and Qualitative Research Findings.

5.1 INTRODUCTION

This section of the report focuses on findings from survey questionnaires distributed to Probation Officers, Irish Prison Service staff, Community Service Supervisors and IASIO/Linkage Training and Employment Officers, as well as the qualitative interviews with Community Return participants. The findings are categorised chronologically under the various stages of the programme.

5.2 INFORMATION AND REFERRAL

57% of staff located in prisons identified official information as the main source of information on the programme for prisoners. However, 71% stated that official information was regularly complemented by information from other sources, most notably fellow prisoners. Additional sources of information included teachers, chaplains, and facilitators of various prison-based programmes. Some Probation Officers raised the concern that these multiple sources of information could result in inconsistent information being provided to prisoners.

The 30 programme participants interviewed cited the following as their initial source of information on the programme: fellow prisoners (11), referral to the programme by Irish Prison Service staff (8), official information (4) and other sources (7). 12 participants reported they were satisfied with the quality of the information they had received about the programme prior to their release.

Overall, this indicates that prisoners receive their information from a variety of sources. It highlights a priority that official information should be most readily available and accessible as the primary source to minimise misinformation and ensure that prisoners receive accurate information about the programme prior to their release. Where prisoners are made aware of the programme through professionals working in the prison system, the information provided needs to be up-to-date, accurate and consistent.

5.3 ASSESSMENT AND ELIGIBILITY

High numbers of prison based Probation Officers and IPS staff said they were well informed on the assessment process and felt it was consistent with the original objectives of the programme and rewarded prisoners who had engaged constructively with the supports available to them during their sentence.

One third of prison based Probation Officers identified prisoners who had declined to participate in the programme following successful assessment. Explanations for withdrawal included prisoners not wanting to comply with the conditions of the programme (such as daily/weekly signing on obligations) and prisoners believing that with little of their sentences remaining, that the conditional early release programme had little incentive for them. One prisoner wished to continue to study for a qualification in custody rather than take a place on the programme.

Despite the majority of prison-based Probation Officers and IPS staff believing the assessment process was adequate in determining participants' suitability, there were suggestions for improvement. These included making the assessment more rigorous, particularly in relation to the suitability of prisoners' proposed resettlement accommodation, introduction of clear protocols for each stage of the process for all staff and taking prisoners previous compliance with Community Service, where applicable, into account as part of their assessment.

5.4 RELEASE AND INDUCTION

In the experience of most community-based Probation Officers, during their induction the majority of Community Return participants demonstrated a good understanding of the major aspects of the programme such as, the number of days work required each week, the number of weeks they were required to complete and the nature of the work to be conducted.

All 30 participants interviewed stated that their primary reason for applying for the programme, or accepting a place, was to be granted early release. For 25 participants there were secondary reasons. These reasons were mostly family related including family members being diagnosed with serious illness, impending family events or a desire to be reunited with family members.

Seventeen of the 30 participants reported some degree of difficulty adjusting to life outside prison following their release. These difficulties included financial issues, difficulty adjusting to socialising with other people outside of a prison setting and, in some cases, a breakdown in family relationships.

Accommodation, social protection/welfare entitlements, health concerns, family reintegration issues, peer involvement in crime, and substance misuse were identified through the literature as possible risk issues for programme participants during their resettlement, and each of the groups sampled were surveyed for their views on these issues.

5.4.1 ACCOMMODATION

High percentages of prison-based Probation Officers (85%) and community-based Probation Officers (80%) said participants had suitable accommodation upon their release. However, maintaining this stable accommodation during the initial resettlement period was identified as one of the biggest challenges participants faced according to prison-based Probation Officers, community based Probation Officers and IPS staff.

Of the 30 participants interviewed, 7 faced accommodation difficulties following their release. These difficulties included accessing affordable private rented sector accommodation, finding landlords who would accept rent allowance payments, being unable to change address due to the temporary release conditions being linked to a current address, having to leave an address due to relationship breakdown, temporary nature of accommodation after assessment stage and not having secure accommodation at the time of release.

While only a small number of participants experienced difficulty with accommodation at the time of release, the issues outlined above suggest that, in some cases, the accommodation cited by participants as their post release address was not always suitable to their longer term resettlement needs. The assessment process should include a more thorough

inspection and evaluation of the short term and longer term suitability of proposed accommodation. Where possible, involvement of the community accommodation and homeless services should be incorporated into pre-release preparation in prison.

5.4.2 SOCIAL PROTECTION

Accessing social protection ('welfare') entitlements was identified as a bigger challenge by professionals who engaged with participants following their release than those who met them prior to their release. 35% of community-based Probation Officers reported accessing social protection payments as the biggest challenge participants faced, while 90% of Community Service Supervisors said that in their experience many participants have some degree of difficulty accessing social protection entitlements.

Of the 30 Community Return Programme participants interviewed, 10 had experienced difficulties obtaining their social protection entitlements and payments on release. The majority of these difficulties involved participants not having the correct information either about their entitlement to a payment or about which payment they were entitled to. This lack of information resulted in participants receiving different payments and levels of payment from the Department of Social Protection and/or their local Community Welfare Officer at the time of their interview.

The majority of participants experienced a delay of at least two weeks between submitting their application and receiving their initial payment. Two participants reported that this delay was difficult and resulted in them considering re-offending as an option to get money to live on.

There also appeared to be a lack of a shared understanding about the conditions and obligations of the Community Return Programme, vis-a-vis the requirements of participants to be available for and genuinely seeking paid work after release. As with Community Service, the Community Return Programme primarily seeks to engage participants during their free time, outside any time spent in paid employment, training or education. Participation in Community Service or the Community Return Programme should not be an obstacle to seeking or maintaining commitments in paid employment, nor in accessing training or education.

Access to social protection entitlements was the biggest single difficulty faced by Community Return participants involved in this study following their release, affecting one third of participants. The Probation Service and the Irish Prison Service should engage further with the Department of Social Protection (DSP) to ensure provision of adequate information on the Community Return Programme for relevant DSP personnel. The Prison and Probation Services and the DSP should also work more together to provide improved information for prisoners, where appropriate to ensure any avoidable difficulties do not arise, particularly during the crucial time stage immediately post-release from custody.

5.4.3 HEALTH

At the time of interview, 17 of the 30 Community Return Programme participants had been granted medical cards and one other participant's case was under review. The majority received their cards with minimal delay, 2 had experienced delays of 3 weeks and 6 weeks respectively, and one had only received his card a few days prior to the interview. Most of those who did not have a medical card had not submitted an application for one, while one participant had only done so in the days prior to the interview.

Four participants had significant health difficulties following their release onto the Community Return Programme. For two participants, these were on-going minor issues which resulted in occasional missed days at work. One had difficulty visiting his doctor as he had no medical card, which resulted in financial problems in affording the cost of getting a medical certificate to explain his absences. For two other prisoners the health difficulties were long-term and had affected them in prison as well as continuing during their time on the Community Return Programme.

Most released prisoners will, due to their limited resources and earnings, be entitled to a medical card on their return to the community after prison. Some applications for medical cards are completed prior to release. Application for a medical card, as well as clarification of DSP entitlements, should be a key part of preparation for release for all prisoners. Access to health services and to appropriate financial and other supports are important in stable resettlement and avoiding relapse in addiction, health problems or offending behaviour.

The Probation Service and the Irish Prison Service should engage with the relevant authorities in order to expedite these applications, decisions and engagement with services, as part of pre-release preparation.

5.4.4 FAMILY RE-INTEGRATION

Family re-integration presented difficulties for 7 of the 30 participants interviewed. These difficulties included readjusting to life at home following long periods in prison, particularly in families with children, managing relationships with family members who the participant believed to be a negative influence on their behaviour, negotiating access to children, and disruption caused by signing on and work requirements of the Community Return Programme.

Family re-integration was not identified by Probation Officers as one of the main risk issues for Community Return Programme participants. The majority of Community Service Supervisors said that while participants under their supervision had experienced family difficulties, it was an infrequent occurrence.

Disrupted personal, social and family relationships can often be among the unanticipated consequences of lengthy prison sentences. Prisoners, following release, as well as families, are not always best equipped to cope with and manage changes in relevant circumstances and the resulting pressure on relationships.

As well as inclusion in preparation for release, such family issues will also increase the need for the people involved to have access to appropriate services in the community including counselling, accommodation and other supports. The availability of post-custody advice, Linkage/IASIO Training and Employment Officers (TEOs) and referral to other services should be highlighted and promoted for all Community Return Programme participants.

5.4.5 PEERS INVOLVED IN CRIMINAL ACTIVITY

Renewing association with peers involved in criminal activity following their release was seen as the main challenge for Community Return Programme participants by Probation Officers and IPS staff.

Two of the 30 participants interviewed said they had had difficulty with peers involved in criminal activity following their release onto the programme but in both cases this was said to no longer be an issue. Both participants attributed their offending to peer influence. In many of the cases, participants reported that they did not re-engage with the same peer group following their release, citing their partner and other relationships as a positive alternative influence.

If the low level of reported difficulty with criminally involved peers by participants is true, Community Return Programme participants have been exceptionally successful in this regard. Experience suggests that a significant factor in re-offending by ex-prisoners is due to engagement with former criminal associates. This is a factor that merits on-going attention where the participant is subject to continued Probation Service supervision, as well as for those completing their Community Return Programme successfully.

5.4.6 DRUG USE

Relapse to drug and alcohol misuse was a difficulty for 5 of the 30 Community Return Programme participants following their release from custody. Drugs used by the participants included alcohol (1), cannabis (2), heroin (1) and benzodiazepine (valium) (1). Participants' explanations for their relapse included pressure and anxiety surrounding their release, deteriorating personal relationships and difficult personal and family circumstances. At the time of interview, three participants were attending treatment/counselling to address addiction related issues.

Drug use was identified as the main challenge faced by participants during their resettlement by 40% of the prison based Probation Officers, and 28% of community based Probation Officers. 21% of Community Service Supervisors said that, in their experience, participants did not have difficulty with substance misuse. 65% reported that when it did arise among participants, it was not a frequent occurrence.

While relapse to drug and/or alcohol misuse is recognised as a serious risk factor for prisoners with a misuse history prior to custody or in custody, timely engagement with services and treatment can mitigate the risks and minimise harm. Where possible, participants with drug or alcohol misuse issues are engaged with treatment services. Where risks are significant, or engagement with services breaks down, participants are returned to custody.

5.4.7 RESETTLEMENT SUPPORTS

As a condition of their release, a minimum of two meetings are arranged for Community Return Programme participants with Linkage/IASIO Training and Employment Officers (TEOs) to discuss and provide support during their resettlement after prison. In TEOs' experience, the resettlement supports provided to Community Return Programme participants in order of frequency are:

1. Social Protection entitlement and payment assistance
2. Medical card applications and follow up
3. Accommodation support
4. Addiction and Drug rehabilitation advice, referral and support
5. Other general resettlement issues such as transport, financial planning and management, family adjustment, employment and training, re-integration and literacy and numeracy issues.

The level of Community Return Programme participants engaging with these supports varied across the country, with 46% of community based Probation Officers overall stating that 'most' of the Community Return Programme participants they engaged with availed of Linkage/IASIO resettlement support.

5.5 WORK PLACEMENT

Almost 75% of community based Probation Officers believed there was capacity to increase Community Return Programme participation in their region. In instances where community-based Probation Officers encountered difficulties securing a work placement for a participant, these difficulties were attributed to a lack of Community Service sites in their specific area, a lack of places on a Community Service work site due to a high number of Community Service Orders (Court-mandated participants) in the area or travel distance and associated costs for participants required to use public transport, particularly in rural areas.

In some limited instances, it was a challenge for Probation Officers and Community Service Supervisors to ensure Community Service site workers (both Community Return Programme and Community Service Orders) with histories of mutual conflict or dispute were not placed together or put at risk.

The majority of Community Return Programme participants interviewed had a good overall experience on their worksite. Fifteen had experienced some difficulty on site such as getting to and from the worksite due the distance from their residence and the associated costs and the differing attitudes towards work among those on Court-ordered Community Service and those on the Community Return Programme. Community Return Programme participants were reported to be generally better motivated and focused in their work tasks.

All 30 Community Return Programme participants interviewed were satisfied with their supervisor on site. Several highlighted the positive role-modelling by the Community Service Supervisor as an authority figure during the work and the help they provided Community Return Programme participants in accessing available support services.

Overall, experience on the Community Return Programme work projects was positive and beneficial. The work completed was valued and appreciated.

5.5.1 ATTENDANCE AND COMPLIANCE

Over half of community based Probation Officers had issued at least one formal written warning due to a participant absence. 69% had notified the Irish Prison Service of a formal breach of temporary release conditions by a Community Return Programme participant for reasons including non-attendance, drug use/relapse, participant coming to adverse attention of An Garda Síochána, reoffending, or a significant deterioration in resettlement stability.

Two thirds of community-based Probation Officers had submitted applications to the Irish Prison Service to amend the Community Return Programme conditions for participants in order to facilitate employment, engagement with drug treatment/rehabilitation, change of address, participation in formal vocational training and appropriate travel arrangements.

Over 80% of community-based Probation Officers attributed Community Return Programme participant compliance primarily to a desire to avoid returning to prison. In some cases this was complemented by secondary motivational factors such as participant enjoyment of the work experience, appreciation of their early release or, a sense of commitment to the Community Return contract.

Of the 30 Community Return Programme participants interviewed, 11 reported not wanting to return to prison as the sole reason behind their compliance. Seven participants complied because they enjoyed the work/atmosphere on the work site, had a desire to contribute to society, or had a sense of duty following their signing of the Community Return Programme contract. The remaining 12 participants displayed a mixture of not wanting to return to prison and other factors as the reason behind their compliance with varying degrees of emphasis on each.

5.5.2 PERFORMANCE

The most common types of work available for Community Return Programme participants identified by community based Probation Officers were landscaping/gardening and painting/decorating, with participants preferring indoor work and work which allowed them to see 'a job through from beginning to end rather than constant switching between jobs'.

Almost all Community Service Supervisors reported that Community Return Programme participants performed positively in the work tasks they were assigned, displayed a positive attitude towards the work, and compared well to those on Community Service Orders in these areas.

Over half of participants interviewed found the work they engaged in to be satisfying, meaningful, and recognised both personal benefits and external beneficiaries. The personal benefits included learning practical skills which would be transferable to future employment, feeling they were contributing to the community in a positive manner and developing a sense of pride in the work they were doing.

Community Service and Community Return Programme participants generally worked well together and, in many instances, the Community Return Programme participants were identified as good role models in work and behaviour for their Community Service co-workers.

5.6 OUTCOMES AND COMPLETIONS

Community-based Probation Officers identified benefits of the Community Return Programme for the community, and Community Return Programme participants. The biggest identified benefit to the community was that the work done by Community Return Programme participants helped worthy causes within the community. The biggest reported benefit to Community Return Programme participants was that they were provided with a better alternative to completing a custodial sentence and were assisted in their resettlement.

The possibility of a destabilising effect on Community Return Programme participants' resettlement on the conclusion of the Community Return Programme work obligations and supports was acknowledged by 68% of community-based Probation Officers. Supports were identified as being in place to minimise the possibility of this arising including on-going support by IASIO/Linkage, local addiction and accommodation support services and on-going support from Probation Officers for those subject to Partially Suspended Sentence Supervision Orders.

In the experiences of community-based Probation Officers most Community Return Programme participants pursued full-time employment following their completion of the programme but other choices included participation in Community Employment Schemes, FETAC courses and 3rd level education.

Aspects of the Community Return Programme contributed to helping Community Return Programme participants stay out of trouble according to 12 of the 30 interviewed by keeping them occupied and providing a starting point for them to build upon, particularly in early stages of post-release, where research such as the Irish Prison Service Recidivism Study (2013) has indicated particular vulnerability.

The Community Return Programme participants identified numerous benefits and challenges in the Community Return Programme. Benefits included the provision of a structure and routine, which aids re-integration, helps build a work ethic and the self-esteem of participants, and gives them a better profile in the community, as well as teaching participants work skills transferable to employment, releasing deserving prisoners and reducing the financial costs to the State. The challenges included the strictness and frequency of the signing-on conditions, difficulties accessing entitlements and income maintenance payments, costs associated with travelling to the worksite and the actual distance to some work sites (particularly in rural areas).

Chapter 6: Discussion

6.1 BENEFITS AND RESETTLEMENT POTENTIAL

The re-integrative benefits and resettlement potential of community Service have been identified by Gill Mclvor in her work in Scotland (Mclvor, 2010). Community Service in Scotland was intended to fulfil a number of sentencing aims including *rehabilitation* (through the positive effects of helping others) and *reparation* (by undertaking work of benefit to usually disadvantaged sections of the community). The *re-integrative* potential of community service was to be achieved through the offender being enabled to remain in the community (Mclvor, 2010: 42). Many of the benefits can similarly be attributed to Community Return as a 'back door' measure.

Most participants in this study identified value in the supervised Community Return programme, as opposed to general release from prison, in aiding their resettlement. Community Return provided a structure and routine, helped build a work ethic and develop the self-esteem of participants and taught new work skills transferable to paid employment. Some believed that aspects of the Community Return programme helped them to stay out of trouble. Participation contributed to the participants' enhanced 'social capital' and engagement with their communities.

Probation Officers recognised benefits in incentivising participants' activities and work in prison, providing a planned and structured release, assistance during the critical early period in their resettlement, providing skills which can be used for employment, and connecting participants to local support services. Probation Officers also acknowledged the programme's role in promoting participant responsibility, self-confidence, and self-esteem.

6.2 REPARATION

It can be suggested that unpaid community work by the offender can be a contribution to make good the loss suffered by the victim, even where the benefit is indirect. It is a valid question whether the community in general is a victim, and if so, whether the unpaid work can actually make good community losses or harm. It can possibly be said the community suffers psychological injury from the fear of crime, and more tangible injuries, such as rising insurance costs.

It can also be argued that the harms suffered by the community as a result of crime are too intangible to calculate, and consequently the benefit of unpaid community work is arbitrary. Community Return does not seek to be direct restitution to identified victims nevertheless, the unpaid work completed by participants on Community Return is visible, does make a positive difference and can be viewed as a reparative opportunity. It can facilitate a symbolic demonstration of reintegration or restoration to citizenship.

Community Return work is done in a wide variety of local community organisations, including charities, local sports clubs (boxing, soccer, GAA, and rugby etc.), primary and secondary schools, voluntary sector homeless accommodation services and so on. Tasks also included litter picking, recycling projects, and graffiti removal on behalf of local authorities and other bodies.

Probation Officers identified direct and indirect benefits to the community, and programme participants. The work done by participants benefited worthy causes within the community, was visible and this represented reparation for the harm of offending in the community in general. There may be opportunities for direct reparation in communities in the future. The hosting communities acknowledged prisoners making a positive contribution and participants were made more aware, in many work tasks, of the impact of criminal and anti-social behaviour on a local community.

6.3 PRO-SOCIAL MODELLING

One of the key tasks of Community Service Supervisors is to 'lead by example' in their management and working on Community Service and Community Return work projects. Supervisors model good behaviour in their work ethic, respectful manner, problem solving and general behaviour. Community Return participants responded particularly well at work where their performance was acknowledged by Supervisors and host organisations.

The Oireachtas Sub-Committee on Penal Reform in 2012 found that 'having people coming out of prison working side-by-side with court ordered community service offenders has had a positive impact. The prisoners have been good role models for the people sent by the courts to do community service' (Oireachtas Sub-Committee on Penal Reform, 2012).

6.4 MULTI-AGENCY WORKING AND CO-OPERATION

There is evidence in research on resettlement and in this study, that to succeed in reconnecting offenders back to their communities, it is best that state, community and voluntary agencies work in partnership to bring about real change in the individual lives of offenders. Joined-up services and co-operation should not mean duplication of actions, doing each other's job or blurring roles and responsibilities. It does mean greater co-ordination, mutual support and communication among providers, to ensure that appropriate service provision, interventions, monitoring and communication are co-ordinated, efficient, effective and timely.

6.5 MAINSTREAM SERVICES

There has long been an identified risk that ex-prisoners can be marginalised and excluded, either as a result of their behaviours or fears or concerns about them. This has led, in some instances, to exclusion from mainstream services such as accommodation, employment support and health services and the growth of specialised and separate provision, which may in fact contribute to increased marginalisation.

Some Scandinavian countries have recognised this potential for further exclusion and the risks attached in relapse to offending, personal breakdown and risk to the community. 'Community guarantee' is a term used to describe statutory provisions in Denmark and Norway, which stipulates responsibilities of state and municipal authorities to arrange services to released prisoners in the community, according to their needs. Through this provision, released prisoners access mainstream services as other citizens can, enhancing their local and social engagement.

6.6 RESEARCH AND EVALUATION

Preparation for this Community Return study and an examination of criminal justice research, highlighted the uniqueness of Community Return in combining unpaid community work and supervised early release from custody in an innovative 'back door' initiative. There appears not to have been any similar programmes previously anywhere in the world and, as a consequence, little research evidence on which to base the development. Such innovation presents real challenges.

As outlined in the literature review, there are studies that support elements of the initiative, but none that encompass the full breadth of Community Return. There is, in such circumstances, a need for calculated risk-taking to develop a new initiative or project. Considerable review and oversight processes were built into the Community Return programme to monitor the development, evaluate actions and respond to any unforeseen issues.

Evaluation, of which the present study is an example, is critical in the development and successful implementation of any new initiative and in Community Return, in particular, in view of potential risks to public safety and the community. It is essential that there be further and continued evaluation and independent research on the Community Return Programme, not only to strengthen its evidence base but also to further strengthen and develop its benefits for the participants, the criminal justice system and the wider community.

6.7 EXPANSION OF COMMUNITY RETURN

The success of the Community Return Programme can be seen in the findings of this study. Feedback indicates this can be attributed to factors including the selection process identifying eligible prisoners, engaging with the therapeutic services and being committed to a crime-free lifestyle, supports provided to those leaving custody and the speedy enforcement regarding non-compliance.

The Programme is viewed in a positive light among the prison population as it is seen as "fair" in the manner in which early release candidates are selected. The current compliance rates demonstrate reliability in the selection process.

At present there are a significant number of prisoners on temporary release separate from the Community Return Programme. The number on unstructured temporary release could be further reduced and the numbers on Community Return increased through a revision of the qualification time for Community Return from the 50% of total sentence stage to 50% of remitted stage for cases serving sentences of under three years.

In a sentence of one year this would allow consideration at the 4.5 month stage rather than at the current 6 month stage. In a three year sentence this change would allow for referral at the 13.5 month stage rather than at the current 18 month stage. There is capacity available at present on supervised Community Service sites that could be used to accommodate extra prisoners on the Community Return Programme.

Chapter 7: Recommendations:

7.1 INFORMATION

There is a clear need for additional information and briefing on the Community Return programme within participating prisons to improve prisoners' awareness of the programme, as well as understanding of the opportunities, potential benefits and obligations in participation. The official information and briefing materials should be readily available and be the primary source of information on the programme for prisoners.

Where prisoners are made aware of the programme through Irish Prison Services staff, or other professionals working in the prison, the information should be up-to-date and in line with official information and briefing. This will require that all IPS staff and other professionals working in the prison have access to information on the programme, be fully briefed and understand the criteria for and obligations of the Community Return programme.

Following a positive decision on participation in the Community Return programme, and at least five days prior to release, an information pack should be provided to each prisoner with details of the conditions and requirements of temporary release, including reporting requirements, of the Community Return programme. This includes obligations regarding unpaid community work conditions, as well as information on IASIO mentoring support and other relevant services, supports and contact details. Prisoners should, in particular, have an early meeting after release with their IASIO Training and Employment Officer to explore opportunities and support available in the community.

7.2 ASSESSMENT

Guidelines and protocols for the assessment process should be further developed, with an increased emphasis on clarity and transparency and these must be implemented consistently by staff from all organisations involved in the Community Return programme.

While overall the assessment process was found to be adequate in assessing suitability for the Community Return Programme, further attention should be focused on the following areas: assessment of short and longer term post-release accommodation proposed by prisoners, assessment of prisoners' drug status and risks, assessment of the health status of prisoners in preparation for release and, where applicable, a review of their previous compliance with Community Service.

7.3 RELEASE AND INDUCTION

Prisoners on release on the Community Return programme are available for paid employment where such opportunities arise. There is flexibility and capacity in the Community Return Programme to manage unpaid community work requirements separately from employment or other training obligations. As with Community Service, a person's obligation to complete unpaid work on the Community Return programme is not an obstacle to taking up full or part-time paid employment.

The Probation Service and Irish Prison Service should engage with the Department of Social Protection to review current practices and decision-making and to ensure there is a fair and consistent procedure in place in custody (prior to release) and in the community (post-release) nationwide to enable prisoners participating in the Community Return programme to access and avail of the Department of Social Protection payments and other supports.

Where participants demonstrate compliance with the conditions of the Community Return Programme, and it is merited by their general performance and circumstances, consideration should be given, where appropriate, to reviewing and revising conditions such as frequency of signing on at their local Garda station at an appropriate stage.

7.4 WORK PLACEMENT

While there are some cases where factors prevent Community Return participants being placed on the work site closest to their residence, every effort should be made to facilitate this where possible. The work placement should also strive to provide an experience that enhances reparation, re-integration, pro-social modelling and contact with community beneficiaries of the programme.

7.5 MULTI-AGENCY WORKING AND CO-OPERATION

There is evidence in research on resettlement and in this study, that to succeed in reconnecting offenders back to their communities, it is best that state, community and voluntary agencies work in partnership to bring about real change in the lives of individual offenders. There should be increased direct and indirect co-operation between government and non-governmental bodies to maximise resettlement and integration of ex-prisoners on their return to the community.

Information-sharing protocols and joint-working among state bodies, criminal justice agencies, in particular, should be extended while respecting the individual roles and responsibilities of each.

7.6 IN-REACH SERVICES

Where practicable, state and non-governmental agencies in the community should begin engagement with prisoners preparing for release while they are still in custody. This will require in-reach services which will support and enhance post-custody engagement with and impact of those services.

In particular, accommodation, health and income maintenance service and support providers should have pre-release in-reach services and clinics to minimise the number of prisoners leaving custody without appropriate accommodation, health services or financial supports in place.

7.7 MAINSTREAM SERVICES

Ex-prisoners should, as far as practicable, be enabled and supported to access and avail of mainstream support, resources and services in communities rather than separate 'ex-prisoner only' services, to maximise their community engagement and integration. For this to be effective, in-reach services and targeted pre-release 'clinics' in prisons should be developed by the community based mainstream services with the co-operation of the Irish Prison Service and prison-based services.

At the same time, it is recognised that there are, in particular circumstances, need for some dedicated and specialised service provision, which should also be co-ordinated in prison, on release and in the community in the same way as with the mainstream services.

7.8 EXPANSION OF THE COMMUNITY RETURN PROGRAMME

The number of prisoners on unstructured temporary release, separate from the Community Return Programme, could be further reduced and replaced by an increase in persons on the Community Return Programme through a revision of the qualification time for the Community Return Programme from the half of total sentence stage to half of remitted time stage for prisoners serving sentences of three years and under. There is capacity available at present on supervised Community Service sites that could be used to accommodate extra prisoners on the Community Return Programme.

It is recommended that the Community Return Programme selection process be reviewed and revised as appropriate to, as outlined, expand the Community Return Programme, enhance supervised resettlement and reduce the prison population.

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Appendix

Irish Crime Classification System Offence Groups (Central Statistics Office)

<p>01 Homicide offences</p> <ul style="list-style-type: none"> • Murder • Manslaughter • Infanticide • Manslaughter (traffic fatality) • Dangerous driving causing death 	<p>02 Sexual offences</p> <ul style="list-style-type: none"> • Rape of a male or female • Rape Section 4 • Unlawful carnal knowledge / Criminal law (Sexual Offences Act) 2006 • Buggery • Sexual offence involving mentally impaired person • Aggravated sexual assault • Sexual assault • Incest • Child pornography offences • Child pornography – obstruction of warrant • Gross indecency
<p>03 Attempts or threats to murder, assaults, harassments and related offences</p> <ul style="list-style-type: none"> • Murder-attempt • Murder-threat • Assault causing harm • Poisoning • Assault or obstruction of Garda/official, resisting arrest • Minor assault • Coercion • Harassment, stalking, threats • Demanding payment of debt causing alarm • Housing Act • Menacing phone calls • Incitement to hatred offences 	<p>04 Dangerous or Negligent acts</p> <ul style="list-style-type: none"> • Dangerous driving causing serious bodily harm • Driving/In charge of a vehicle while over legal alcohol limit • Driving/In charge of a vehicle under the influence of drugs • Endangerment with potential for serious harm or death • Abandoning a child, child neglect and cruelty • Unseaworthy/dangerous use of boat or ship • False alarm/interference with aircraft or air transport facilities • Endangering traffic offences
<p>05 Kidnapping and related offences</p> <ul style="list-style-type: none"> • False imprisonment • Abduction of person under 16 years of age • Human trafficking offences 	<p>06 Robbery, extortion and hijacking offences</p> <ul style="list-style-type: none"> • Robbery of an establishment or institution • Robbery of cash or goods in transit • Robbery from the person • Blackmail or extortion • Carjacking, hijacking/unlawful seizure of aircraft/vessel

<p>07 Burglary and related offences</p> <ul style="list-style-type: none"> • Aggravated burglary • Burglary (not aggravated) • Possession of an article (with intent to burgle, steal, demand) • Central Statistics Office Probation Recidivism 	<p>08 Theft and related offences</p> <ul style="list-style-type: none"> • Theft/Unauthorised taking of vehicle • Interfering with vehicle (with intent to steal item or vehicle) • Theft from person • Theft from shop • Theft from vehicle • Theft/ Unauthorised taking of a pedal cycle • Theft of, or interference with, mail • Handling or possession of stolen property • Theft of other property
<p>09 Fraud, deception and related offences</p> <ul style="list-style-type: none"> • Fraud, deception, false pretence offences • Forging an instrument to defraud • Possession of an article for use in fraud, deception or extortion • Falsification of accounts • Offences under the Companies Act • Offences under the Investment Intermediaries Act • Offences under the Stock Exchange Act • Money laundering • Embezzlement • Fraud against the European Union • Importation/Sale/Supply of tobacco • Counterfeiting notes and coins • Counterfeiting of goods • Bad debts criminal (Debtors Ireland) • Corruption (involving public office holder) 	<p>10 Controlled drug offences</p> <ul style="list-style-type: none"> • Importation of drugs • Cultivation or manufacture of drugs • Possession of drugs for sale or supply • Possession of drugs for personal use • Forged or altered prescription offences • Obstruction under the Drugs Act
<p>11 Weapons and explosives offences</p> <ul style="list-style-type: none"> • Causing an explosion • Making of explosives • Possession of explosives • Chemical weapons offences • Discharging a firearm • Possession of a firearm • Possession of offensive weapons (not firearms) • Fireworks offences (for sale, igniting etc.) 	<p>12 Damage to property and the environment</p> <ul style="list-style-type: none"> • Arson • Criminal damage (not arson) • Litter offences

13 Public order and other social code offences

- Affray/Riot/Violent disorder
- Public order offences
- Drunkenness offences
- Air rage-disruptive or drunken behaviour on aircraft
- Forcible entry and occupation (not burglary)
- Trespass on lands or enclosed areas
- Liquor licensing offences
- Registered clubs offences
- Special restaurant offences
- Provision of intoxicating liquor to under 18 year olds
- Purchase or consumption of alcohol by under 18 year olds
- Sale of intoxicating liquor to under 18 year olds
- Brothel keeping
- Organisation of prostitution
- Prostitution, including soliciting etc.
- Offences under the Betting Acts
- Collecting money without permit, unauthorised collection
- Offences under Gaming and Lotteries Acts
- Permit/License offences for casual/street trading
- Allowing a child (under 16 years) to beg
- Bigamy
- Bestiality
- Indecency
- Begging

14 Road and traffic offences (NEC)

- Driving licence-failure to have, produce, etc.
- Insurance-failure to have, produce, display, etc.
- No tax, non-display of tax, unregistered vehicle etc.
- Misuse of Trade Licence
- Misuse of trailers, weight and other offences
- Obstruction under road traffic acts
- Other road offences
- Road transport - carriage of goods offences
- Public service vehicle offences
- Light rail offences (Luas)

15 Offences against Government, justice procedures and organisation of crime

- Treason,
- Breaches of Offences Against the State Acts
- Breaches of Official Secrets Act
- Impersonating member of An Garda Síochána
- Electoral offences including personation
- Public mischief-annoying phone calls, wasting police time
- Criminal Assets Bureau offences
- Non-compliance with Garda direction
- Criminal organisation offences (organised crime)
- Conspiracy to commit a crime
- Perjury
- Interfering with a jury (embracery)
- Assisting offenders
- Public mischief, pervert course of justice, conceal offence
- Escape or help to escape from custody
- Prison offences
- Breach of Domestic Violence Order (protection, safety, barring)
- Breach of order under Family Law Act
- Breach of bail
- Failure to comply under Sex Offenders Act
- Other failure to comply with court order, jury summons, warrant etc.

16 Offences not elsewhere classified

- Illegal importation of animals
- Control of horses offences
- Dog ownership offences (licence, control etc.)
- Offences against animals
- Breaches of EU fishing quota and related EU regulation
- Merchant shipping / Maritime safety offences
- Unauthorised accessing of data
- Recording, possession or distribution of counterfeit material
- Unauthorised broadcasting and illegal signal reception
- Abortion
- Procuring or assisting in abortion
- Concealment of birth
- Destroying / Disposing of a dead body
- Pawnbroking offences
- Offences in connection with rail travel
- Employment permit offences (relating to non-Irish national)
- Immigration offences /carrier liability
- Private security services act 2004

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