



An tSeirbhís Phromhaidh
The Probation Service

A Review of Integrated Community Service

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Executive Summary

Introduction

The Community Service Order (CSO) in Ireland is undergoing a period of significant review and transition, reflecting its growing importance as an alternative to short-term custodial sentences. This shift aligns with broader policy and research advocating for community service as a more effective and rehabilitative response to offending than custodial sentences. Accordingly, the Probation Service commissioned two key studies in recent years, examining both the policy framework and operational dimensions of the CSO, the findings from which it is currently advancing. The present review was initiated in response to a specific recommendation for an evaluation of the Integrated Community Service (ICS) scheme, to determine whether it is operating as intended and achieving its full potential.

ICS was introduced in 2017 with the general aim of enhancing the rehabilitative potential of the CSO. The scheme enables a person to opt-in to spend a portion of their community service hours in an educational, treatment or training programme. While ICS holds potential through its close alignment with the goals of the Probation Service and criminological research on desistance and best practices, very little is known about how it operates. Given its capacity to enhance desistance from crime, it is critical to evaluate whether the scheme is effectively achieving this goal through its current application.

This review aims to establish a solid evidence base, aligned with the tripartite framework for community service and broader criminal justice goals, to enable the Probation Service and key stakeholders to enhance ICS. By clarifying its overarching aim and corresponding objectives, conducting an initial assessment of the scheme against these criteria, identifying obstacles to its successful operation, proposing practical reforms, and setting out a framework for ongoing evaluation, this report seeks to address existing gaps and provide a foundation for the continued improvement of ICS.

The study employed a mixed-methods approach, including a literature review and documentary analysis, interviews with Probation Officers and Probation Assistants, a survey of clients, and a management questionnaire.

Refining the purpose of ICS

Establishing a comprehensive definition of the purpose of ICS forms the foundation for developing a systematic monitoring and evaluation strategy, helping to identify successes, areas for improvement, and opportunities for targeted reforms to enhance impact.

Chapter 2 presents a refined overarching aim and corresponding set of objectives for ICS, informed by existing policy frameworks, official documentation, and insights from Probation Service management, frontline staff and clients. The overarching aim of ICS is defined as supporting the long-term desistance from crime, underpinned by three core objectives: the development of human capital, the cultivation of pro-social capital, and the delivery of justice capital. Human capital focuses on building skills, competencies, and the ability to apply them, particularly in addressing personal challenges such as mental health issues and addiction. From this foundation, pro-social capital emphasises the importance of reinforcing positive social relationships and networks that aid reintegration. Together, these elements are supported by justice capital which underscores the role of the Probation Service and its staff in enabling access to both human and pro-social capital, ensuring individuals are supported in their desistance efforts. This refined statement establishes a clear basis for a preliminary review of ICS based on our empirical research.

Key findings and recommendations

Chapter 3 presents the findings from an initial assessment of ICS based on practitioner and client perspectives. It reveals that ICS can achieve its goals, with evidence of success in some instances. However, the extent of its effectiveness nationwide remains unquantified, and unquantifiable, until such time as data recording and collection issues are addressed. Chapter 3 also identifies a range of practical, operational and policy barriers hindering ICS from achieving its overarching aim and objectives. To respond to the challenges emerging from these findings, we propose targeted reforms across key areas.

On operational and practical improvements, we recommend developing clear rules, procedures and guidance for ICS operation, ensuring consistency while allowing for necessary discretion. This includes monitoring the issue of staff capacity to ensure that it is conducive to effectively supporting ICS as the sanction evolves, strengthening partnerships in rural areas to expand access to education and training programmes, and establishing a live, region-specific directory of ICS activities and services. Additionally, we recommend improving the recording and tracking of ICS hours and usage to enhance transparency and accountability.

From a policy perspective, we propose formalising ICS as an integral component of CSOs within internal policies and decision-making processes. This includes enhancing communication with the judiciary and legal professionals to promote awareness and understanding of the scheme.

Enhanced monitoring and evaluation strategy

Chapter 4 proposes a comprehensive monitoring and evaluation strategy to enable the Probation Service to assess ICS against its overarching aim and objectives, in the short, medium and long term. To support this goal, we recommend a phased, mixed-methods approach to measure and evaluate ICS outcomes, ensuring a thorough and evidence-based assessment of its effectiveness.

Key recommendations include collaborating with other criminal justice agencies to advocate for an upgrade to the criminal justice data collection infrastructure, improving internal data collection systems and procedures within the Probation Service to standardise practices across regions and ensure consistency, and conducting bespoke research studies to address critical knowledge gaps. In particular, we recommend progressing with a proposed longitudinal study to track reductions in offending severity and improvements in client outcomes.

The chapter also sets out a detailed implementation plan, providing a clear roadmap for the Probation Service to begin monitoring and evaluating ICS in line with the proposed framework. This plan serves as a starting point for ensuring ICS operates to its full potential and achieves its intended goals.

Conclusion

Recent studies highlight that more work is needed to promote the CSO as a viable alternative to short-term custodial sentences, and to address concerns about the ability of the sanction to meet the complex needs of many who are sentenced to imprisonment. Our findings reinforce the role that ICS plays in embedding core rehabilitative practices into the CSO, reshaping it as a responsive sanction capable of addressing the criminogenic needs of this demographic. This progress is a testament to the dedication and innovation of Probation Service staff in operating ICS under challenging conditions.

Our recommendations provide a clear and actionable pathway to overcoming the barriers identified in this report. By implementing these proposals, the Probation Service can build on its achievements, establishing a credible, nationwide alternative to imprisonment - one that improves outcomes for clients and society alike by supporting the long-term desistance from crime. A critical opportunity now exists to effect meaningful and lasting change by resourcing and refining community service and ensuring it fulfils its potential as an effective alternative to imprisonment.

1. Introduction

1.1 Background and context

This research project was commissioned by the Probation Service to evaluate the operation of Integrated Community Service (ICS) in Ireland. The project aims to explore the current functioning of ICS throughout the country and to develop evidence-based recommendations for the model, with the goal of enhancing community service as a robust and impactful sanction.

The Community Service Order (CSO) was first introduced in Ireland under the Criminal Justice (Community Service) Act 1983, enabling judges to impose between 40 and 240 hours of unpaid work in the community as a direct alternative to prison. The sanction was originally designed to punish those who offend through the deprivation of their leisure time and to provide symbolic reparation through the performance of unpaid work of benefit to the 'community' (Guilfoyle, 2017). A key criticism of CSOs in recent times has been that, while it was hoped that those who complete the order would benefit from doing so, the sanction was not originally designed with rehabilitation as a primary goal. The CSO framework did not focus on identifying or addressing the criminogenic needs of individuals. This position shifted with the introduction of ICS.

ICS was piloted by the Probation Service in 2016, following a 2014 recommendation from the Penal Policy Review Group (2014). In its final report, the Review Group proposed exploring the feasibility of an integrated CSO model, where community service could be imposed with additional conditions such as drug addiction treatment or restriction on movement orders (Penal Policy Review Group, 2014: 49). This approach, widely used in many other jurisdictions, including England and Wales ('Community Order'), and Scotland ('Community Payback Order'), aimed to combine a rehabilitative component with an order for unpaid work. Acting on the recommendation, the Probation Service developed the ICS model and launched a pilot programme across Dublin, Cork and Limerick. The pilot scheme initiated, however, differed significantly from the Review Group's recommendation. Rather than allowing a judge to attach additional conditions to a CSO, the ICS model allowed individuals sentenced to a CSO to opt-in to spending up to one-third of their CSO hours in an education, training or treatment programme.

Under the agreed protocol for the ICS scheme, Probation Officers were tasked with assessing the criminogenic needs and risks of individuals already sentenced to a CSO. If deemed suitable, these individuals would be offered the option to incorporate an integrated element into their order (Probation Service, 2017). This opportunity was typically presented during the initial induction meeting, though it could also be introduced later if a Probation Officer considered it appropriate. The integrated element,

which could not exceed one-third of the total CSO hours,¹ would only be credited upon the completion of the unpaid work component of the order.

The pilot scheme ran for 12 months before it was subject to an internal review. The review found that responses to ICS from both clients and staff, had been ‘universally positive’:

‘It is seen to give offenders the incentive to continue attendance on their programmes and indeed opens up new experiences. Probation Officers are positive that they have discretion in the constitution of the order Probation Officers have an element of control of the process subject to the ongoing motivation of the client and are not subject to the direction of the court in this regard’ (Probation Service, 2017:12).

The 2017 review also identified a number of practical challenges. First, it highlighted inconsistencies in the implementation of ICS. Notably, the key protocol requiring that integrated hours can only be credited after the completion of the unpaid work element was not adhered to uniformly. Second, there were discrepancies in the number of hours allocated for various educational, training or treatment activities. Third, confidentiality restrictions imposed by some agencies providing the integrated hours posed difficulties for Probation Officers. While clients initially agreed to establish reporting and verification mechanisms for these hours, some failed to follow through, leaving Probation Officers without reliable means to monitor clients’ progress on certain programmes. As a result, some Probation Officers felt that these confidentiality constraints hindered their ability to contact referral agencies and to take a more proactive role in overseeing clients’ activities (Probation Service, 2017:13).

Despite these challenges, the review concluded by recommending the nationwide rollout of ICS on an incremental basis. This recommendation was subsequently implemented, and ICS is now available across the country.

1.2 Focus of the review

There is a notable lack of documentation relating to ICS prior to its pilot phase and subsequent nationwide rollout. Records detailing the original concept, objectives and rationale for introducing ICS are scarce or non-existent, and key decisions regarding its initial design and implementation are undocumented. While a review of the pilot scheme was conducted in 2017, it had significant limitations, notably, the absence of an assessment against specific, predefined objectives. Since its nationwide implementation, there have been no further evaluations or reviews of ICS, leaving gaps

¹ For women, this can now be up to one-half of the CSO.

in understanding regarding its operation, effectiveness and impact. For this reason, the Probation Service commissioned the present review.

At first glance, the idea of ICS as outlined in the pilot review appears to align closely with key principles of desistance, such as empowering clients to opt-in and have a say in their personal development activities. It also appears to incorporate elements of restorative justice, facilitating client reintegration and fostering community reparation, as well as social justice, by encouraging wider community participation. These aspects align with the Probation Service's tripartite strategy for community service (Kennefick and Guilfoyle, 2022; Probation Service, 2025). Furthermore, ICS addresses a major criticism of the traditional CSO, in terms of its failure to incorporate rehabilitation into the sanction in a meaningful way. Given these features, one might reasonably anticipate that ICS would generate a range of positive outcomes for individuals and communities alike.

However, the scarcity of information about ICS poses significant challenges in evaluating its effectiveness and determining whether it is achieving positive outcomes. Currently, basic information – such as how frequently ICS is used and whether its initial operating procedures are being consistently applied – is either not easily accessible or not available at all. In other words, there is no clear understanding of how often ICS is implemented or how it functions across different regions. Furthermore, the absence of clearly defined objectives means there is no assessment framework or benchmarks to evaluate whether ICS is operating as intended or reaching its full potential. This lack of clarity means that it is not possible to draw evidence-based conclusions about ICS: to identify which aspects of the model are working well or which are falling short, to determine whether the operational issues highlighted in the pilot review have been resolved, to recognise any successes it may be achieving, or to develop informed, evidence-driven reforms to improve its operation and outcomes.

1.3 Research targets

This research project is designed to: establish a clear aim and corresponding set of objectives for ICS, conduct an initial assessment of its current operation, identify barriers to its success, and propose practical reforms to enhance its operation, outcomes and impact. In addition, the project proposes a framework for the ongoing monitoring and evaluation of ICS, ensuring its continued effectiveness and alignment with its intended goals.

1.3.1 Clarify the aim, objectives, and necessary conditions for ICS success

Using the Theory of Change approach, the project identifies and articulates the overall aim and objectives of ICS, as well as the conditions required to achieve them. Employing

this approach involves establishing both short- and long-term objectives for ICS and working backward to determine the necessary conditions needed to reach these outcomes (Koleros *et al*, 2024). While this process is ideally conducted during the initial design and implementation phase, it can also be applied retrospectively. This strategy facilitates a clear understanding of how ICS (the intervention) can lead to the desired objectives/outcomes (theory of change) and provide a framework for measuring progress.

1.3.2 Conduct a high-level review of ICS operation

The project undertakes an initial assessment of the current operation of ICS, guided by its refined aim and objectives. It draws on empirical research, including interviews with Probation Officers and Probation Assistants, as well as a survey of clients and a management questionnaire. These methods provide insights into key stakeholder perspectives on the operation and outcomes of ICS, offering a foundational understanding of its strengths and weaknesses.

1.3.3 Identify barriers and propose evidence-based reforms

Using our empirical research, the project identifies any practical or policy-related barriers that hinder ICS from operating in line with its theory of change. Where barriers are identified, evidenced-based reform suggestions are developed to address these challenges, enabling ICS to operate more effectively and achieve its stated aim and objectives.

1.3.4 Propose future and ongoing monitoring and evaluation procedures

Given the limitations of existing data and the specific scope of this project, it is not possible to conduct an exhaustive assessment of ICS against all its objectives. As such, the project proposes practical recommendations for how the Probation Service can implement ongoing monitoring and evaluation of ICS into the future. These suggestions would allow for the continuous assessment of ICS against its objectives, ensuring its operation can be refined and improved over time, and supporting the long-term development and enhancement of the model.

By addressing these targets, the project aims to provide a comprehensive understanding of ICS, identify areas for improvement, and future-proof its development as an effective non-custodial alternative that aligns with the Probation Service's tripartite strategy for the Community Service Scheme.

1.4 Overview of methodology and methods

Our evaluation is informed by the Theory of Change (ToC) methodology (Weiss, 1995), which emphasises the importance of first defining the objectives of an intervention and then mapping out how the intervention is expected to achieve these objectives using the best available evidence. This process involves explicitly identifying the assumptions underpinning the change process (Koleros *et al*, 2024). The ToC framework provides a structured basis for evaluating both the implementation and operation of the intervention in relation to its theoretical foundation, as well as assessing its outcomes against the stated objectives (Reinholz and Andrews, 2020). Furthermore, the ToC approach supports ongoing monitoring of the intervention, allows for updates to the theory as new evidence emerges, and facilitates the continuous refinement of the intervention based on the latest research and expert knowledge.

To achieve the specific research targets for this project, we employed a mixed-methods approach, including: a review of relevant literature, a Probation Service management questionnaire, interviews with Probation Officers and Probation Assistants, and a survey of Probation Clients who have participated in ICS, as explained in further detail below. By integrating these methods, the research provides a multi-faceted understanding of ICS, enabling an evaluation of its operation and outcomes to the extent possible given the limited quantitative data available and the overall scope of the terms of reference.

1.4.1 Literature review

To provide a description of the concept of ICS and its intended goals, we conducted a review of Probation Service policy documents relating to the CSO and ICS. The research procedure involved a close documentary analysis of small evidence bases, such as national policy materials, to gain a detailed understanding of the legal and operational frameworks surrounding ICS. Following this, we carried out a quasi-systematic review (Davies, 2003) of relevant criminological research to compile the evidence base necessary for developing and articulating a theory of change. This involved a quasi-systematic review in respect of larger evidence bases, including criminological research and international practice, to identify trends, best practices and evidence-based insights.

A systematic review typically employs 'explicit and transparent processes to identify, retrieve, code, analyse, and report on existing research studies bearing on a question of policy or practice' (Petrosino *et al*, 2018). This approach aligns with best practice in terms of providing a comprehensive and consistent means of identifying and assessing relevant data, and ensuring that recommendations are guided by a strong evidence base which facilitates the generalisation of outcomes. Given the specified time and resource

constraints outlined in the terms of reference for the study, a quasi-systematic analysis was applied, where appropriate, in order to realise the methodologies outlined above. Material was accessed through relevant academic databases, including Westlaw, JSTOR, Web of Science, Sage, ProQuest, Scopus, and others. This approach provided sufficient scope to meet the aims of the review by offering a detailed summary of key findings from larger bodies of literature, thereby informing the theory of change and related recommendations.

1.4.2 Questions to Probation Service Senior Management

Due to the limited availability of policy documents related to ICS, it was necessary to supplement this part of the literature review. To address this gap, we compiled and submitted a list of questions to the management of the Probation Service. The purpose of these questions was to gain deeper insight into areas such as the original concept of ICS, the Probation Service's current understanding of its objectives, and their vision for the future of ICS. This approach allowed us to fill critical knowledge gaps and ensure a more comprehensive understanding of the development, goals and intended trajectory of ICS.

1.4.3 Interviews with Probation Officers and Probation Assistants

Interviews with Probation Officers and Probation Assistants were chosen as a key method for this study due to their ability to provide rich, context-specific data and invaluable practitioner insights, making them an effective method given the time and ethical constraints involved.

We followed Robinson's (2014) standardised approach whereby we defined the sample, decided on the sample size, selected a sample strategy, and identified the sample sourcing. Robinson suggests that the extent to which these four concerns are met and made explicit in a study has implications for its coherence, transparency, impact and trustworthiness. For this project, the sample was defined as Probation Officers and Probation Assistants with knowledge and experience of ICS in Ireland. In deciding the sample size, we considered time, resources, and the purpose of the interviews, and concluded that ten interviews would suffice to achieve the stated aims. We employed a stratified purposeful sampling, a non-probability sampling method in which we determined the required information and sought individuals who possess relevant knowledge or experience and are willing to share it (Etikan *et al*, 2016). Our sample consisted of suitable participants who met our specific criteria, were available at the given time, and were willing to participate in the research. Despite its limitations, when properly executed, this method can yield valuable data that would otherwise be inaccessible.

One of the aims of this research project is to understand how ICS operates across regions and to identify examples of good practice. To achieve this, we ensured that there was a geographical spread of interviewees, including those working in large cities, smaller cities, and more rural areas. Participant selection was facilitated through the Probation Service. For cost efficiency, time efficiency, ease of recruitment of participants, and environmental considerations, interviews were conducted online. The interviews lasted between 45 minutes and an hour and followed a semi-structured format. This approach allowed for a balance between covering key topics systematically and exploring additional points of interest that emerged during the interviews.

Prior to the interview, participants were provided with a summary of the research project and a consent form to review and sign. The form made clear to participants that their names and the location of where they work would not be contained in the written report, nor would any comment that might identify them. This protocol was designed in order to encourage open and honest responses, particularly when discussing critical or sensitive aspects of the current system.

Interviews were recorded and transcribed within two weeks of being conducted, after which the recordings were deleted. Transcripts were anonymised and stored on a password protected computer. A thematic analysis was then carried out on the anonymised transcripts, following the guidance of Braun and Clarke (2006). This method allowed us to identify key themes and patterns in the data, providing valuable insights into the operation, challenges and successes of ICS from the perspective of frontline staff.

While the ten interviews generated rich qualitative data, the relatively small and non-representative sample limits the extent to which findings can be generalised across the Probation Service. Findings stemming solely from the interviews should therefore be interpreted as indicative rather than definitive, highlighting themes and issues that may warrant further exploration.

1.4.4 Surveys of ICS Clients

Surveys were distributed to Probation Clients who have participated or are currently participating in ICS. A total of 100 survey packs were distributed to clients through the Probation Service. Each pack included: an information leaflet explaining the research project and the importance of gathering client views; the survey, which consisted of 10 questions; and a stamped return envelope to facilitate easy and confidential return of the survey. The use of stamped return envelopes was intended to encourage clients to express their views openly and honestly, without concern about potential negative consequences from returning surveys directly to Probation Officers.

Surveys are an effective method for gathering client views of ICS, offering several advantages. They allow researchers to access individuals who might be uncomfortable discussing their opinions in person (e.g. Rennison and Hart, 2022) and enable the integration of multiple methods within a single strategy (Denscombe, 2017). For example, as well as including close-ended questions with answer options, our survey included open-ended questions to elicit more in-depth responses, thereby adding a qualitative dimension to the data collection. This mixed-method approach enriches the data by providing both quantitative and qualitative insights, contributing to a more comprehensive understanding of client experiences and perspectives. Additionally, surveys are a time and cost-efficient method of data collection.

However, like all research methods, surveys have limitations. One significant challenge is the potential for low response rates, which we experienced in this study - only 12 out of 100 surveys were returned. Another limitation is the potential for self-selection bias, as certain individuals may be more inclined to participate in a survey than others (Cook and Campbell, 1979; Stone *et al*, 2024). By triangulating data from surveys, interviews, and documentary analysis, we reduce the risk of bias from any single source and enhance the overall validity and credibility of the evaluation's findings (Ammenwerth *et al*, 2003). This multi-faceted approach ensures a more robust and nuanced understanding of ICS and its impact on clients.

1.5 Ethical approval

This research project adhered to established ethical guidelines to ensure the protection, confidentiality, and well-being of all participants as far as possible. Ethical approval was sought and granted by the University of Glasgow College of Social Sciences Research Ethics Committee (approval number 400240015). Interview data was anonymised and participants were identified by role only. Surveys were voluntary and anonymous. Additional concerns regarding vulnerability around well-being and autonomy of the ICS user cohort, in particular, were offset with the following strategies:

- Paper-based surveys: This format was deemed more accessible for the client cohort as it allowed participants to complete the survey at their own pace and in a setting where they felt comfortable, thereby maintaining their sense of control over the process.
- Autonomy: The process of engaging survey participants involved emphasis on the voluntary and independent nature of participation. Participants were informed that they could skip questions or discontinue the survey at any time without any negative consequences.
- Support: Information on support services was provided alongside the survey, ensuring participants had access to assistance if they experienced any discomfort or distress during or after their participation.

- Confidentiality: Participants were not asked to include their names on the survey or any information that would identify them and therefore all the survey respondents were anonymous to the researchers.

2. The Purpose of Integrated Community Service

2.1 Introduction

As noted in section 1.2, there is insufficient data to conduct a detailed and in-depth analysis of the current performance of ICS against its objectives. This issue extends beyond the scarcity of operational data, to include the limited detail and depth of official information on the stated objectives themselves. Against this backdrop, the task of Chapter 2 is twofold. First, it seeks to clarify the intended goals of ICS by drawing on available official Probation Service documentation and secondary sources. Second, it supplements this understanding with empirical findings from interviews, surveys and management questionnaires, which provide valuable insights from those with first-hand knowledge and experience of ICS in practice, as well as broader policy perspectives.

Guided by the theory of change approach introduced in Chapter 1, and expanded upon in Chapter 4, this chapter then clarifies the intended long- and short-term goals of ICS and the conditions necessary to achieve them, through outlining a refined overarching aim and a corresponding set of objectives for the scheme. By combining official documentation with empirical data, the analysis not only identifies gaps in the original objectives but also provides a clearer pathway for how ICS, as an intervention, can lead to its desired outcomes, as discussed further in Chapter 3. It also establishes a clearer foundation for systematically measuring and evaluating ICS in a feasible way in the future, as discussed further in Chapter 4.

2.2 ICS and New Directions

Understanding ICS requires situating it within the broader context of recent and ongoing policy developments in Ireland's community service landscape, as outlined in the *Community Service: New Directions Implementation Plan 2025-2027* ('New Directions') (Probation Service, 2025). This plan is grounded in a widespread consensus on the effectiveness of community sanctions over custodial responses in addressing offending behaviour, aligning with broader criminal justice policy in Ireland (Department of Justice, 2022). Its recommendations reflect practice stages of the Irish Probation Framework and are informed by two recent reports relating more pointedly to community service: *An Evidence Review of Community Service Policy, Practice and Structure* (Kennefick and Guilfoyle, 2022) (the '2022 review') and *An Operational Review of Community Service* (Crowe LLP, 2023).

For the purposes of this chapter, several key objectives from the New Directions plan are particularly relevant. These include: the Probation Service's aim to increase the use of CSOs by the courts to reduce short-term imprisonment, promote community

ownership of CSOs as a response to offending behaviour in order to foster long-term desistance beyond the completion of the sanction, improve outcomes for those who offend and strengthen compliance, and enhance victim, public and political confidence in the effectiveness of community sanctions and the criminal justice system more broadly. Crucially, the plan also recognises the need to invest in data, evaluation and monitoring activities, and robust accountability structures, to achieve these goals.

These objectives reflect a broader shift in the philosophy and practice of community service in Ireland, exemplified by the adoption of the tripartite framework outlined in the 2022 review, which now serves as the foundation for community service policy and practice. This framework is rooted in three key principles: desistance, restorative justice, and social justice, offering a comprehensive foundation for community service delivery. It emphasises the transformative potential of community service to build safer communities by advancing human and social capital. Aligning with Ireland's humane criminal justice culture (Hamilton 2019; Brangan, 2021), the framework integrates desistance principles to support individuals in forming pro-social identities and fostering social cohesion, while addressing systemic issues such as social exclusion and promoting solidarity through community participation. Restorative justice complements this approach by addressing the needs of victims, facilitating client reintegration, and fostering community reparation. Together, these principles guide the development of community sanctions to serve wider social justice priorities, aligning local and national efforts to achieve positive outcomes for all stakeholders.

2.2.1 Aligning ICS and the tripartite framework

The 2022 review identified ICS as playing a central role in operationalising the tripartite framework. It highlighted the reparative, rehabilitative and reintegrative potential of ICS, reinforcing the Probation Service's commitment to removing barriers to rehabilitation (Probation Service, 2024a). The optional and flexible nature of ICS supports desistance by allowing clients to choose whether to participate and to determine their own personal development activities. Studies show that promoting accountability through encouraging mutual exchange (Kemshall, 2021), amplifying client voices, and offering individualised responses based on holistic assessments (McNeill, 2006), reinforces the process of self-actualisation and supports desistance from crime.

Moreover, ICS addresses individuals' rehabilitative needs, which were formally overlooked by the original CSO model, adopting a more generative approach that encourages engagement in meaningful activities and rewards personal progress. This framework helps build confidence, develop skills, and foster a pro-social identity. Research on generativity, or 'giving back,' underscores its beneficial role in supporting social redemption and reintegration for individuals who offend (Maruna, 2001; Maruna *et al*, 2004; McNeill and Maruna, 2007; Maruna, 2017).

ICS also facilitates a more constructive understanding of compliance compared to the standard CSO. In jurisdictions where judges impose mandatory rehabilitative requirements, individuals often face greater difficulty completing the sanction, leading to higher breach rates and the risk of non-custodial sanctions becoming pathways to imprisonment (Solomon and Silvestri, 2008; Mair *et al*, 2007). ICS avoids this issue by not initiating breach proceedings if a client fails to complete their rehabilitative or personal development activities. Instead, the individual must fulfil all community service hours through unpaid work, with standard compliance and breach conditions applying. In addition, the restorative potential of ICS is borne out through the reinforcement of meaningful community participation, the integration of techniques that facilitate reparation with victims where appropriate, and its potential to provide more constructive responses to breach and compliance issues (see further, Kennefick and Guilfoyle, 2022: 19).

Finally, ICS contributes to the social justice aims of the tripartite framework by promoting community participation, co-production, and multi-agency collaboration. It engages with community-based organisations, Tosú and members of the Irish Local Development Network, adopting a person-centred approach to cultivate social inclusion. This strategy addresses the diverse and complex needs of individuals who offend by focusing on rebuilding relationships, encouraging pro-social attitudes, addressing addiction, resolving financial challenges, accessing mental and physical health services, securing employment opportunities, addressing housing issues, and pursuing education and training. However, it is important to acknowledge that the above points are constrained by the limited availability of documentation on ICS. Indeed, it is unusual for a reform as significant as ICS to be introduced with so few records detailing its rationale, key design decisions, or implementation process. Despite these limitations, the next section examines the available documentation to provide a foundation for a refined statement of the overarching aim and objectives of ICS.

2.3 Official accounts of ICS

This section consolidates and clarifies the aims and long-term objectives of ICS from reports, reviews, manuals and other materials made available by the Probation Service to the authors, with a view to capturing an official account of ICS.

2.3.1 A positive alternative to prison

ICS was piloted in response to the 2014 Penal Policy Review Group's recommendation to promote community service as an alternative to prison (Penal Policy Review Group, 2014: 49). Though acknowledging that community service orders were not primarily designed to facilitate rehabilitation, the Group recognised a growing body of evidence supporting the effectiveness of the sanction in reducing recidivism as compared with a custodial sentence. Regarding cohorts with a reduced need for supervision, in particular,

the Group advocated for additional conditions e.g. addiction treatment, to be attached to allow for rehabilitation, reparation and reintegration. This recommendation followed a drop in the use of CSOs prior to the publication of the report, and may be seen as an attempt to rejuvenate the commitment to CSOs as an alternative to prison, particularly for reasons pertaining to cost effectiveness and as a means of tackling prison overcrowding and the disruptive nature of custody.

2.3.2 Paying back by working at change

A deeper understanding of the aims and objectives of ICS emerges from the 2017 report on the ICS pilot project (Probation Service, 2017). The report emphasises the concept of ‘paying back by working at change’ (Probation Service, 2017:3), reflecting alignment with key findings from desistance literature. Such findings advocate for greater recognition of the role of justice institutions in the development of capital across a number of vectors (e.g. Kemshall and McCartan, 2022). This approach addresses barriers to change experienced by those who offend, extending beyond responses to addiction issues, to include the provision of education and employment opportunities, family support, parenting courses, housing supports, access to mental health treatment and assistance, and courses to address criminogenic attitudes and behaviours. The sentiment from the report, then, indicates a more person-centred approach to community service delivery, underscoring the integral role of justice agencies – particularly that of the Probation Service – in helping people to overcome obstacles to desistance. As noted in the report, ‘this means working with offenders not on them’ (Probation Service, 2017:2).

The 2018 ICS briefing paper (Probation Service, 2018) highlights the dual focus of ICS in terms of combining an unpaid work component with a rehabilitative/developmental element. The underlying approach from the paper also emphasises the expectation of ‘working at personal change through engagement in particular activities’ as a means of achieving greater aims like reducing recidivism, enhancing social capital and supporting reintegration. In addition, the paper points to the fact that ICS can operate as a means of encouraging compliance, as well as an incentive for people to continue their engagement with programmes or activities in the longer term, suggesting a commitment to tertiary desistance (McNeill, 2015). Finally, the Community Service Manual appears to reaffirm and consolidate this approach when it states that ‘ICS combines the unpaid work element of community service with a developmental/rehabilitative element in order to promote desistance from crime.’ (Probation Service, 2023: 88).

In summary, the long-term goals, as synthesised from the available documentation, encompass providing a viable alternative to prison, facilitating reparation through meaningful contributions to the community, promoting rehabilitation and reintegration by addressing criminogenic needs and developing community links, encouraging compliance with court orders, reducing recidivism, and advancing desistance from

crime. While broadly aligning with the tripartite framework, these objectives require further refinement to more explicitly articulate their connection to the framework, in order to facilitate the cohesive implementation of the new policy direction as outlined in the New Directions plan.

2.4 Perspectives on ICS Objectives

This section summarises participant perspectives of the objectives of ICS from our study, with a view to supplementing official accounts and developing a more refined statement of the purpose of ICS.

2.4.1 Management perspective

Responses to the management questionnaire aligned with the aims outlined in the official account of ICS, with a particular emphasis on promoting desistance and supporting self-efficacy. Although a formal operating procedure is in place, the absence of comprehensive written guidelines leaves these official aims underdeveloped and at risk of not being fully embedded into practice. There is also a lack of clarity regarding how staff interpret and understand these aims, which the empirical component of this report has sought to address. As discussed below, these findings not only give credence to the official aims, but also provide greater substance and structure, enriching and expanding the official account with insights from practice.

2.4.2 Practitioners' perspective

Our interview findings reveal that the overarching aim of ICS is to support the long-term desistance from crime in order to make communities safer. While this aim aligns with official accounts, we can extrapolate more detail from the findings in order to gain a deeper understanding of how this aim is pursued in practice. In particular, participant accounts highlight several core objectives that are central to achieving this aim. These objectives are organised thematically, and to align them with the overarching aim of enhancing desistance through justice interventions that build pro-social capital (Farrall, 2004; Kemshall and McCartan, 2022). They may be summarised as the development of human capital, the cultivation of pro-social, and the delivery of justice capital.²

Overall Aim: Long-term Desistance from Crime

Desistance studies have established that the process of changing behaviour is protracted, complicated, and dependent on various factors (McNeill *et al*, 2012). This process has been characterised in various ways in the literature with a view to capturing the length and complexity of the journey away from crime (Maruna and Farrall, 2004;

² For the purposes of this report, 'capital' refers to 'a resource that can be used by individuals to achieve certain goals' (Kay, 2020). There are other capitals, but we are focusing on the most relevant to this study in light of its scope. For further discussion, see Kemshall and McCartan's (2022) report.

McNeill, 2015; Nugent and Schinkel, 2016). Our findings show a keen recognition by practitioners that the core purpose of ICS is to motivate clients to transition from offending behaviour both for the duration of the order and in the longer-term.

Participants' intention for clients to achieve desistance in the short-term, (or 'primary' desistance (Maruna and Farrall, 2004; McNeill, 2015)), was evidenced through the language of compliance. ICS was used to encourage compliance with court orders by maintaining manageable expectations and stimulating client engagement. This motivational structure was described by Participant 9 as akin to a reward: *'Most times, they are interested [...] it's like a carrot; they know it's going to work for them.'* For clients on longer orders, such as 240 hours, ICS was reported as reducing the lethargy and demotivation to comply often experienced by clients on such orders, creating a structure that supports sustained participation and commitment.

The longer-term cessation of offending (or 'tertiary' desistance, (Maruna and Farrall, 2004; McNeill, 2015), was seen as a key purpose of ICS across participant accounts. In the context of impact on behaviour change, Participant 1 captures what this might look like from a client's perspective in terms of both a shift in mindset and continuing engagement with programmes and/or activities beyond the completion of the order:

'If they've engaged with ICS [...] they come out the other end with a better, with a changed perception of themselves, I think more positive outlook, and they're kind of re-energised.'

The reciprocity of ICS as a mechanism of long-term, meaningful desistance, in terms of benefitting the community and not just the clients, was also recognised by one participant:

'I think it has evolved quite healthily and it actually makes it, makes for a better, I suppose, service delivery for the community because, you know, you could, you could have them all out with their elbows and shovels, but it doesn't change their mindset.' (Participant 2).

An impactful example was provided by Participant 5 in describing one client's realisation of the consequences of their behaviour on the wider community:

'Well, I know one woman, she was a prolific shop lifter. [We] engaged her on an individual offending programme because there wasn't a group one available at the time when she was on community service [...]. She didn't really understand the repercussions of shop lifting on the staff, on the owner of the shop, and she used to do a lot of shop lifting from chemists, so we did a lot of work on how the role a chemist plays in a local community; and it might be the only one, and it's an individual pharmacist that's running this and that if all his profits are kind of being lost through shop lifting the kind of consequences that he might actually have to close his business and then the repercussions for that throughout the community. This lady had children,

so she really identified how much she relied on the pharmacist for support [...] she hadn't really made the connection and that was really positive. So she might not have engaged in that offending behaviour piece of work as concretely as she did if not getting the hours for it. That was kind of the buy-in that she was going to be getting some hours for community service for doing it and afterwards she was genuinely kind of [...] the scales had fallen off and opened her eyes in relation to the impact of shop lifting.'

Supporting someone in working towards desistance involves leveraging different forms of capital, or resources, that help them to pursue a life without offending (Durkin, 2025). Participant responses showed clear recognition of the role of ICS in developing human and pro-social capital, through the delivery of justice capital, in order to support desistance from crime, as the overall aim of ICS.

Objective 1: Developing human capital

Human capital refers to the skills and competencies possessed by a person (Coleman, 1990; Kay, 2020), and has been allied to desistance, as its development enhances the attainment and positive problem-solving abilities necessary for individuals seeking to move away from offending (Kemshall and McCartan, 2022). The motivation to develop human capital through ICS was a strong theme across all participant accounts. Often captured by the language of rehabilitation, this person-centred aspect of ICS emerged as a central objective across the interviews, highlighting its role as more than just an alternative to prison. For example, Participant 1 emphasised the importance of the integrative elements within an order, noting that without these, the order becomes largely administrative and punitive:

'[T]he rehabilitative side [...] is really important to me, so I put a lot of energy and kind of effort into the ICS. Otherwise, yeah, to me without that, it's punitive. Do you know? I'm just managing.'

This sentiment is representative of the necessity of ICS's rehabilitative aspect for participants in ensuring it facilitates meaningful, personal change in order to support desistance from crime. Examples of supporting rehabilitation included those that responded to a direct need or opportunity for personal development or skill enhancement, such as providing access to addiction treatment, counselling services, and courses that address offending behaviour patterns, or accessing education or training programmes. For example, Participant 8 recalls of one client:

'She also spoke about being illiterate that she was an early school leaver, so I referred her to the [...] Education Training Board, they enrolled her in literacy classes.'

The objective to develop human capital was also met at a more fundamental level by most. Practitioners' efforts to motivate ICS clients to participate in treatment and/or development activities, both as part of and beyond their order, was a recurring theme.

This aspect, sometimes overlooked in official accounts, was highlighted by Participant 4's clear enthusiasm to encourage engagement and facilitate positive aspirations:

'It opens up doors for people. It links them in with services. It links them in with professionals that can maybe continue[...] on with afterwards, you know, for example, counselling, or the training and employment officer, or whatever. They've made that link, and maybe in 6 months' time they'll go: "Jeez, maybe I'll give [so and so] a call and, you know, he said he'd do my CV", or whatever it is [...]. So I think there are huge knock-on benefits for afterwards that it just doesn't end. Now, a lot of the time it does, but I think, I do think, there are wider opportunities offered to people rather than just going on site, picking litter and going home, or whatever.'

Finally, the greater role of human capital development through ICS was acknowledged by participants, again reflecting the interconnectedness of the objectives of the integrated component of the order. This aspect is captured by Participant 3:

'I suppose, proper rehabilitation in the sense of community service as well from an ICS perspective - if it's helping give back to the community and it's helping the client actually achieve something for themselves - I think it does promote better outcomes for somebody, promotes self-esteem, a sense of self-worth. And that's a huge improvement in our clients and their ability to be able to relate to other people too.'

Objective 2: Developing pro-social capital

Social capital refers to resources that emerge from socially constructed relations between people that are of value (Hagan and McCarthy, 1997; Coleman, 1998). It is a more complex and sometimes more contested notion than human capital (Kay, 2020), however, social capital has been framed as a crucial aspect of the desistance journey (King, 2014; Farrall, 2004). A wealth of desistance research highlights its significance to the cessation of offending, particularly when it is understood in a pro-social (rather than an anti-social) way (Hucklesby, 2008; Kay, 2020).

The development of pro-social capital emerged as a central objective across all participant accounts. This was evident through the language of restoration and reparation, as particular approaches taken towards supporting the (re)building of personal relationships and community connections. In the context of familial relationships, Participant 9 observes:

'Like, certainly for some of the females, you know, around the strength and family programme, like, a lot of them will come back and say they really got something out of us, so it's not just them benefiting, but it's also their family is benefiting.'

On a broader level, Participant 10 remarks of ICS:

'It's reparative but also pro-social, basically making somebody slowly come away from the criminal world.'

Reference to restorative justice – a core principle of the tripartite framework (Kennefick and Guilfoyle, 2022: 18) – as an objective of ICS is not strongly emphasised in the interviews. However, some practitioners did make overt and more implicit references to the use and benefit of restorative justice in the context of ICS on occasion. This focus was largely in conjunction with reparative aspects aimed at reducing reoffending. In this regard, participants referred to ICS operating to repair harm caused by offending behaviour and to build safer communities. Participant 4 observes:

'And I do think that [ICS] complements the restorative justice. And actually, you know, it's done within their own community as well, so they're making links within their own community [...] So it's a nice way of introducing them into their own community as well. And I think [...] that can be hugely successful.'

A more interconnected understanding of the objectives of ICS therefore emerges from the interviews, whereby social capital (through restorative and reparative practices) is developed to reduce the risk of reoffending in the longer term, with the ultimate goal of making communities safer and creating lasting community benefits. As Participant 9 remarks:

'Ultimately, our end goal is to stop them getting into trouble again.'

In a broader socio-cultural context, some participants were clearly committed to encouraging the development of positive values and pro-social attitudes that can reinforce desistance from crime. For instance, Participant 8 notes the role of ICS in influencing mindset for the better:

'It motivates people to do the thing that would be... good for them or their family or the community.'

And an example shared by Participant 7 shows the capacity for longer-term attitudinal change and the potential of ICS to have a lasting impact on some clients:

'Yeah, absolutely, I'm just thinking of one guy who is just about to finish his order, and he did his placement with a local [community organisation] and also has the integrated community service element for him has been his aftercare recovery programme. So, he has continued with the aftercare recovery programme and then also had a really kind of meaningful community services placement to the point that he has actually brought some of his friends and family to continue on volunteering with the [community organisation] that he was placed with and he has actually been a great ambassador for us as a service.'

Objective 3: Delivering justice capital

Justice capital emphasises the pivotal role played by institutions and practitioners in the lives of those involved with the criminal justice system. Recent literature underscores its significance, portraying it as a vital mechanism for supporting

desistance, through enabling the development of key forms of capital, particularly human and pro-social capital (Kemshall and McCartan, 2022). Best *et al* (2021) describe justice capital as: 'structures, systems, processes, and relationships within institutions that create the conditions for access to social and community capital, which in turn can nurture or hinder the development of personal skills and resources' (Best *et al*, 2021: 209). For ICS, the significance of justice capital lies in the ability of practitioners to either encourage or to curb access to the resources and relationships necessary for desistance. Examples of justice capital in practice include identifying and developing access routes to build relationships of trust between clients and other groups or organisations (Christakis and Fowler, 2009), treating clients with dignity and recognising their inherent value (Bush *et al*, 2016), listening to clients' perspectives and offering individualised responses (McNeill, 2006), recognising and responding to trauma (McCartan, 2020), and addressing the impact of wider socio-structural disadvantages and marginalisation (Farrall, 2019).

Practitioners' own efforts to support the advancement of human and social capital demonstrate that the delivery of justice capital is an important objective of ICS towards reinforcing desistance. This finding is supported by accounts where practitioners recognised the imperative of responding to the needs of vulnerable clients in the first instance, as part of ICS. For example, Participant 4's approach is noteworthy in terms of how they engaged with the client during induction and the awareness of the impact of vulnerabilities on clients' ability to complete the unpaid work component of an order:

'If there's more of a vulnerability there with clients, you know, for example, chronic addiction, mental health, homelessness, I suppose, again, I'd always be targeting the integrated in a sort of more supportive way for them. So, encourage them maybe to attend with addiction services if they're not linked in or the accommodation service here. So, I suppose, again, I would use my discretion around that in terms of what way I could target and be integrated around that sort of stuff, because I suppose it's really unrealistic to ask people who are in such vulnerability to engage with an intellectual programme that just not, you know, their needs are not being met by, and it's an impossibility. So, I suppose I would always be looking at, okay, what's realistic for people and target it from there?'

Justice capital is also evident in how most participants tend to tailor ICS as much as possible to address the criminogenic needs of the client. Particular cohorts emerged as beneficiaries of targeted interventions, these included young men, women, and members of the Traveller community. For example, in the context of the challenges facing female clients, Participant 1 notes:

'Usually female clients who come to me, they've a lot going on. They'd have a lot of complex needs, but also kind of caring needs, or, you know, like, life management, house management and things going on as well, as women do. So I try to, you know, [...] encourage the women, especially female clients, to engage with the ICS a lot, and

because even just to give them, like, we have women's groups, there's like an art group. There's like nail courses, barista courses.'

Although the terms of the order are typically agreed upon with the client during induction, participant responses demonstrated a willingness to remain flexible and adapt to clients' evolving needs throughout the course of an order. This approach reflects a respect for clients' experiences and their autonomy, as highlighted by Participant 3's comment:

'Their needs can change over that time, so sometimes you might have to bring them back in and say; "Look, we're noticing these reports that you're kind of coming down on site, you're drinking a lot, x, y and z. This is what your community service looks like. Is there something additional that we can kind of, get you linked in with, and then [...] we can look at the hours and see if they can be awarded towards your community service?'"

Finally, justice capital was demonstrated by an awareness across most accounts of the wider socio-structural challenges facing many who come in contact with the criminal justice system. This is acknowledged by Participant 2 when they say:

'The housing situation and the lack of addiction services and the lack of psychiatric services – it's across the board, you know – and that's why people, I suppose, clients, they fall down so hard [...] because they're navigating the world in a tent.'

2.4.3 Client perspective

While clients were not asked directly about the objectives of ICS, comments contained in the responses suggest that their perspectives align closely with those of practitioners. Remarks on what clients did or hoped to achieve through ICS can be categorised into the two broad areas noted above: human capital and pro-social capital.

Many clients highlighted how they learned new skills or gained work experience, expressing hope that this would improve their chances of future employment. Client 10, specifically, stated that they would like to see a stronger focus on helping participants secure employment after completing their CSO: *'It would be nice to get help with getting a job after engaging in training or community service'*. Additionally, one client commented that ICS had *'helped with their head'* which can be understood as a reference to mental health benefits. These responses reflect the role of ICS in enhancing human capital by facilitating skill development, employability and well-being.

Clients also emphasised relationships (pro-social capital), noting how ICS helped them strengthen ties with family (e.g. by completing ICS hours in a charity where family members volunteered) and community organisations (e.g. by continuing to volunteer even after completing their CSO). While the term desistance was not mentioned explicitly, there was a strong indication that clients engage in ICS with the broader goal of self-improvement and moving away from crime.

2.5 Refining the purpose of ICS

Drawing on official accounts and perspectives from key stakeholders within the Probation Service, a clear and substantive purpose for ICS can be established. The overarching aim of ICS is to facilitate desistance from crime by supporting individuals in achieving sustainable behavioural change, empowering them to build positive, pro-social identities, and (re)integrating them into their communities.

To achieve this aim, ICS focuses on three key objectives. First, it develops human capital by enhancing skills, education and employability, while addressing underlying barriers such as addiction, mental health issues and housing needs. Second, it cultivates pro-social capital by strengthening connections to family, community and social networks, reinforcing positive relationships, and encouraging meaningful community engagement. Third, it advances positive justice capital by adopting a person-centred, strengths-based approach that supports accountability and facilitates rehabilitative and reparative activities. Together, these objectives aim to promote compliance, reduce recidivism, and create safer communities, while empowering individuals to lead pro-social lives.

Recommendation 1: Ensure that the purpose of ICS is clearly defined and consistently communicated. We suggest that supporting long-term desistance should be established as the overarching aim of ICS, advanced by three key objectives: the development of human capital, pro-social capital and justice capital.

2.6 Conclusion

This chapter has clarified the purpose of ICS by drawing on official documentation and empirical findings to refine its overarching aim and key objectives. ICS seeks to facilitate desistance from crime by developing human, pro-social and justice capital, empowering individuals to build positive identities and reintegrate into their communities. The next chapter conducts an initial assessment of ICS against this aim and the stated objectives, before exploring barriers and making recommendations for change. Chapter 4 then proposes a framework for ongoing evaluation to ensure ICS fulfils its potential as a transformative community sanction in the long term.

3. Key Findings and Recommendations

3.1 Introduction

This chapter begins with an initial assessment of ICS against the refined aim and objectives outlined in Chapter 2. It then explores the key barriers that impede ICS from operating to its full potential. Drawing on our empirical research – including interviews with Probation Officers (POs) and Probation Assistants (PAs), a survey of clients, and input from senior probation management – the analysis highlights a sanction with significant strengths and an ability to achieve the stated purpose. However, it also identifies inconsistencies in its application, and broader systemic challenges that hinder its operation. Based on these findings, the chapter proposes evidence-based recommendations designed to enhance the operation of ICS, ensuring it functions in an effective, fair and sustainable manner.

3.2 Initial assessment of ICS

The lack of available data, discussed in more detail in section 3.3.6, poses a significant challenge to assessing the current operation of ICS in a comprehensive way. As such, within the time and resource constraints of this study, we have relied on interviews with POs and PAs, as well as a survey of clients, to gather their perspectives on whether ICS is meeting its purpose (as refined in Chapter 2). While this approach has limitations – most notably, that neither data collection method used is statistically representative – it nevertheless provides valuable insights from two critical groups: those who manage ICS and those who have experienced it as part of a CSO. These insights, though necessarily limited, serve as an important foundation for understanding the current operation and impact of ICS, offering a starting point for further evaluation and improvement pathways.

3.2.1 Desistance from crime

There was a strong belief amongst all the POs and PAs interviewed that ICS can, and in many instances does, support desistance. While it was acknowledged that there was no systematic data available to evidence this, POs and PAs had their own anecdotal evidence showing how ICS was helping some clients desist from crime. This included examples of clients who continued in drug treatment programmes and continued volunteering in community organisations even after their CSO had concluded. For instance, Participant 7 told us about a client who was so impacted by their experience that the client had convinced their family and friends to volunteer with the organisation.

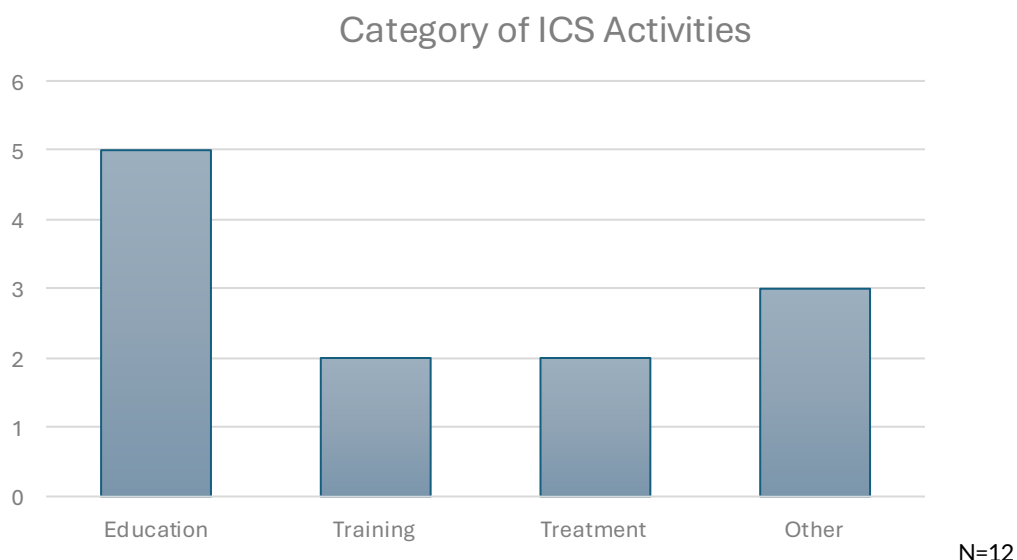
Participant 1 explained how ICS was helping clients: *‘ICS is the extra bit [...] not just an alternative to prison. It’s something that addresses the offending behaviour. It’s what*

changes attitudes, gives people hope and kind of see themselves in a different light as well.' This, it was said, is what helps clients take important strides towards achieving desistance.

The view that ICS can support desistance for some was also evidenced from the survey of clients, where all respondents indicated that they were very satisfied or satisfied with their experience of completing ICS, with some highlighting how participating in ICS had assisted them on their journey away from crime. For example, Client 2 outlined how they found the ICS training/work experience with a community organisation 'great for their head' and stated: *'I loved everything I did while I was there and all the people I was with'*. Client 10, having completed a training course as part of ICS, was now focused on securing employment. Client 6 stated: *'It helps me to see forward that there is life after probation [...] that there are supports and opportunities and [I] can have belief in myself.'*

3.2.2 Developing human capital

The survey responses indicate that clients were engaging in a wide range of activities as part of ICS including education courses, training courses, information courses, support groups and treatment programmes.



(Some respondents had engaged in more than one ICS activity and therefore ticked more than one category of activity, while others did not indicate a response to this particular question.)

This finding suggests that ICS is operating in a flexible manner and is being tailored to the individual needs and wants of the client, where possible.

A similar picture emerged from speaking with practitioners, many of whom indicated that they try their best to identify ICS activities that would be of interest to clients or would suit their needs. Participant 1 stated:

'Sometimes I try to get all my clients from a particular area just on a spreadsheet, or, and kind of go through, would they be interested in that? And then there's a lot of ringing around, like.'

A recurring theme in the interviews was the distinction between ICS and unpaid work. Unlike unpaid work, which typically occurs at a designated community service group site, ICS was seen as offering clients the opportunity to reflect on their future and tailor the ICS component to align with their personal needs and aspirations. This flexibility allowed them to address specific challenges or develop new skills and experiences that could support their progress and personal growth in the long term.

3.2.3 Developing pro-social capital

Our empirical research revealed numerous examples where ICS helped clients build, repair or strengthen relationships while also developing pro-social capital. For instance, Client 2 completed their ICS activity at an organisation with deep generational ties to their family. It was clear that this connection had a positive impact on them, reinforcing a sense of belonging and purpose:

'I knew everything I had to do and I knew everyone working there. It made things so much easier, and I really loved working there [...] I even had some [relatives] working with me there.'

The client was only meant to assist the organisation for three days as part of their ICS, but at the time of completing the survey, they had remained with the organisation and had completed three weeks of voluntary work.

POs and PAs also shared their observations of clients who participated in ICS building meaningful relationships, whether with family members, others in the community, or with organisations. Participant 9 highlighted how this outcome was especially evident among female clients who participated in family programmes. This perspective was echoed by Client 11, who had participated in one of these programmes, and remarked of her experience that: *'[i]t is great to have someone to talk to and to talk to someone who relates to you.'* Additionally, there were examples of clients completing ICS activities at local football clubs where their children played, which helped them to build links with the club and strengthen relationships with family, reinforcing a sense of personal and community-level connection.

3.2.4 Delivering justice capital

It is evident that POs and PAs play a vital role in enabling ICS to achieve its objective of delivering justice capital, by promoting and facilitating access to services and resources that, in turn, help clients build human and social capital. In every case where clients had participated in ICS, the PO, PA, or a Community Service Supervisor had provided information about ICS activities or programmes and, in all but one instance, acted as a liaison with the external organisation.

POs and PAs clearly understood the importance of connecting clients with organisations that deliver education, training, or treatment programmes. There was a strong belief that this is how ICS functions most effectively and that such connections are essential to maximising the ability of ICS to achieve its objectives. However, the interviews also revealed that ICS does not always function in this way, and that there are many practical and policy barriers currently hindering its operation throughout the country. These barriers are identified and explored in detail in sections 3.3 and 3.4.

3.2.5 Summary

The initial assessment indicates that ICS can achieve its objectives and is doing so in some cases. However, it remains unclear to what extent this success is being replicated nationwide. In Chapter 4, we propose a framework for the Probation Service to collect and analyse the necessary data to conduct a more in-depth evaluation of ICS, providing greater insights into this question. For now, the focus shifts to identifying and examining the operational, practical and policy barriers that currently prevent ICS from fully realising its purpose.

3.3 Operational and practical barriers

This section examines practical challenges affecting the day-to-day operation of ICS, as well as barriers to expanding its use within CSOs. It also identifies obstacles to increasing the use of CSOs more generally as a direct alternative to prison.

3.3.1. Gaps in information and guidance about ICS available to frontline staff resulting in significant variances in the application of ICS rules and procedures

Our initial review of Probation Service documents relevant to ICS, combined with our discussions with POs and PAs, reveal a significant gap in the availability of information and guidance about ICS for frontline staff, as highlighted by the quotes below. POs and PAs reported receiving minimal information or direction on how ICS should operate. While some limited details were noted in the Community Service Manual (Probation Service, 2023), and a few had received guidance from their Senior Probation Officer, the prevailing sentiment was that current resources are insufficient. There is a clear and pressing need for more comprehensive information and guidance, which should be made readily accessible to frontline staff to ensure consistent and effective implementation of ICS.

Participant 9:

'Like I was looking there, you know, I was trying to find information just on the portal [...] but like I found it really difficult just to find information on it [ICS].'

Participant 3:

'They've given us a community service booklet [the manual] last year, I think, and in that is a specifically headed category of integrated community service, like, but there was just verbal, I suppose information provided before that.'

Participant 4:

'Yeah, I suppose I just kind of learned by doing [...] and, you know, just checking with colleagues and stuff.'

Participant 1, when speaking about the community service booklet/manual, stated:

'I'm sure there's a paragraph in there about ICS.'

One of the consequences of the current information and guidance deficit is that, in practice, significant unstructured discretion rests with individual POs and PAs regarding key aspects of ICS operation. While there are clear benefits to allowing POs and PAs discretion in managing ICS – benefits that should be protected and maintained where possible – this discretion must also be carefully balanced. We heard numerous examples of POs and PAs using their discretion to achieve positive outcomes, such as tailoring ICS to the individual needs of clients based on the nature of their offence or personal circumstances. This flexibility was repeatedly highlighted as one of ICS's most valuable features. However, participants also acknowledged that discretion should not be unlimited and must be weighed against other considerations. Participant 5's comment underscores the need for structured guidance to complement the flexibility that makes ICS effective:

'You know, at the moment it's brilliant, it's really, really good to have kind of a lot of um, what's the word, you know, freedom to apply ICS hours and to kind of assess it in one way. But maybe other areas are stricter, so sometimes other probation officers might be stricter, so just to have that kind of fairness really and there needs to be a bit more clarity around what's what and what is acceptable for ICS and what's not without losing the flexibility and the kind of personal intervention as well.'

As alluded to by Participant 5, discretion and flexibility need to be balanced against considerations of consistency and fairness. Many participants were of the view that the current operation of ICS was inconsistent, for example:

Participant 1:

'I suppose when I was thinking about it this morning, it's like I kind of came to the conclusion that it's not very structured.'

Participant 8:

'There are some areas that use it better than others.'

Participant 9, when speaking about the use of ICS in their region:

'Its use is inconsistent and underutilised.'

Participant 10:

'The use of it is quite varied across the country.'

It was highlighted that key rules and procedures for ICS were applied differently across regions and even among POs and PAs within the same region. Examples of these inconsistencies included the types of activities deemed suitable for ICS, whether past activities (activities that were undertaken after the sentence was imposed but before the induction meeting) could be counted towards ICS hours, and the number of hours credited for different ICS activities. Such variability in application can lead to unfair outcomes for clients. For instance, some clients may incorrectly have past activities counted towards their ICS hours, while others in similar situations may not, creating disparities in how the sanction is experienced.³ These inconsistencies again highlight the need for clearer, more uniform guidelines to ensure fairness and equity in the application of ICS rules and procedures.

Accountability is another critical factor that must be addressed. The initial review of ICS (Probation Service, 2017) underscored the importance of accountability to the success of ICS, particularly in ensuring proper checks are in place when signing off on ICS hours. However, some participants in our study raised concerns about whether sufficient checks are consistently carried out. If the Probation Service aims to promote ICS to judges and the public, and to build confidence in CSO/ICS as a credible alternative to prison, then its practices must be accountable. This does not imply a need for greater punitiveness, but rather for greater transparency and defensibility in how ICS is administered. Clear and consistent processes are essential to maintaining trust in the system and ensuring its legitimacy.

It is our view that there is significant scope to improve consistency, fairness and accountability in the operation of ICS. This does not necessitate the introduction of overly prescriptive rules, nor the removal or substantial reduction of the discretion currently afforded to POs and PAs. We strongly believe that POs and PAs must retain sufficient discretion to ensure ICS remains flexible and adaptable to the diverse needs of clients. Instead, the focus should be on establishing clear rules, procedures and guidance on how ICS should operate, with built-in mechanisms for discretion and flexibility. The issue we highlight is not necessarily the current exercise of discretion by POs and PAs, but rather the unstructured nature of that discretion. The concern is that the level of discretion currently afforded to POs and PAs does not stem from a deliberate policy decision, one that carefully balances relevant factors, but is instead a consequence of the absence of clear rules, procedures and guidance on how key aspects of ICS should operate. Addressing this gap would provide a stronger framework

³ Note: the practice of crediting past activities undertaken before induction is not permitted under current Probation Service operating procedure for the CSO.

for decision-making, ensuring that discretion is exercised in a way that is consistent, fair, and accountable, while still preserving the flexibility that makes ICS effective.

Recommendation 2: Develop clear rules, procedures and guidance for how ICS should operate. In formulating these, careful consideration should be given to the level of discretion individual POs and PAs should have regarding each aspect of ICS, in addition to the role of CS supervisors. This discretion should be explicitly built into the rules, procedures and guidance to ensure consistency while maintaining flexibility.⁴

Once established, these updated rules and guidance should be incorporated into the Community Service Manual (Probation Service, 2023) and communicated to frontline staff through Continuing Professional Development events. Additionally, they should be incorporated into both the initial training programmes and ongoing training plans for new POs and PAs.

The urgency of this recommendation is further underscored by current plans to restructure community service delivery (Probation Service, 2025) and to recruit a significant number of new PAs in the coming years. These new staff members will play a critical role in the operation of CSO/ICS, making it essential that they are equipped with clear, consistent and well-structured guidance from the outset.

In addition, when updating these rules and guidance, it would be appropriate to review whether the proportion of community service hours that may be spent on the integrated element for men (currently one third) should be increased to align with that permitted for women (currently half).⁵ Any revised proportion should then be clearly stated in the Community Service Manual.

3.3.2 Staff capacity and the delivery of ICS

Future staff capacity requirements may present a challenge to the effective delivery of ICS, and its ability to achieve its full potential, as the sanction evolves. A vital component of ICS is the role POs, PAs and Community Service Supervisors play in encouraging clients to engage in education, training or treatment programmes. This involves helping clients to identify suitable programmes, coordinating with programme organisers to facilitate their participation and, at times, checking in on their progress and validating completed hours. Due to the nature of ICS, its levels of intensity, (including the extent to which it draws on staff time), will vary according to factors like

⁴ An example of ‘structured discretion’ is a sentencing guideline in England and Wales. It has a transparent and structured framework while still allowing for judicial discretion at various points in the process. We highlight this example only to show how a decision-making process can be structured and consistent, while also allowing for a significant degree of individual discretion.

⁵ Review of the integrated component allocation is particularly pertinent given proposals to increase community service hours from 240 to 480 hours following recommendations from the Prison Overcrowding Response Group Report 2024, and the resultant pressure this increase may place on work placement schemes.

the needs and complexity of a given client cohort. Some of our participants highlighted the time-consuming nature of delivering ICS effectively in certain instances. For example, Participant 1 stated that it was: *'[...] very heavy-duty, time consuming. That's why while to me it's the most important thing, it's also the thing I don't have enough time to do as well as I would like to do it.'* Similarly, Participant 7 noted that: *'I'm under so much pressure trying to put resources into just operating the flow of the community service order [...] at times it can be really difficult trying to identify anything additional.'*

Participant 5 highlighted that finding suitable activities for ICS was a particular challenge, often leading them to suggest activities that the client is already engaged in: *'Ok so that is probably, it's probably they're already doing it and I think maybe that's where this scheme has not been implemented as richly as it could be.'* They also noted that while they would sometimes identify a need for counselling or addiction support, and attempt to arrange it, they felt that they did not always have the capacity to do so consistently. Participant 7 echoed these concerns: *'The greatest obstacle [...] is staffing, resources and time.'*

The issue of staff capacity in respect of challenging cases is particularly pertinent given imminent legislative changes proposed under the Criminal Law and Civil Law (Miscellaneous Provisions) Bill, to raise the maximum number of hours that can be allocated for the CSO from 240 to 480 hours. If it achieves its intended goals, this development will increase the number of CSOs imposed. Further, in line with the broader intention to divert individuals who are currently receiving prison sentences of up to 2 years, it is possible that many of these additional CSOs will involve people with complex needs. As such, these changes have the potential to increase pressure on the delivery of ICS.

Recommendation 3: In light of future legislative change, it is recommended that the Service monitor closely the issue of staff capacity to ensure that it is conducive to facilitating the optimal operation of ICS nationally.

3.3.3 Additional difficulties operating ICS in rural areas

Since the introduction of the CSO, its implementation in rural areas has faced several challenges. The 2022 review identified key obstacles, including: the limited number and range of projects operating in rural areas compared to urban areas; the lack of flexibility this afforded clients in rural areas in terms of the type of projects they could participate in and the day of the week they could do so, and the additional travel difficulties faced by clients living in rural areas to attend projects (Kennefick and Guilfoyle, 2022). These challenges closely mirror those encountered by the Probation Service in operating ICS in rural areas, where limited access to education, training and treatment programmes, along with increased travel burdens, further complicates service delivery.

The review proposed recommendations to address the additional challenges of operating CSOs in rural areas (Kennefick and Guilfoyle, 2022: 55-56). It recommended that the Probation Service might explore ways to leverage existing rural networks for sourcing projects and placement opportunities for individuals in remote areas or those facing access issues. The review also emphasised the need to increase the use of individual work placements. It is encouraging to see that progress is being made in implementing these recommendations. As part of this current review, we identified ongoing online initiatives available to clients, which participants in our study strongly supported. For instance, when talking about IASIO (Irish Association for Social Inclusion Opportunities)⁶ online courses Participant 3 stated:

'[I]t opens up [community service] to a bigger network of people, and it can kind of draw people in and from different areas that may not have access to transport as well, because a lot of people living rurally may not have transport to come into community service on the days that we need to come in. So, we're trying to be creative in the sense of supporting them with the integrated community service, and where we can, with training or education.'

During the course of our project, we also learned that efforts are underway to expand the use of individual work placements across various regions, with the Probation Service actively working to establish national level partnerships with organisations such as the Irish Local Development Network (ILDN). Implementing these recommendations could significantly bridge the gap in CSO and ICS delivery between urban and rural areas. Expanding work placements in rural areas will not only enhance opportunities for fulfilling the unpaid work element of a CSO, but by increasing access to online initiatives and strengthening ties with organisations like ILDN – which has extensive training and employment infrastructure in rural communities – it will further support rural clients' participation in ICS, aligning with the tripartite framework (Kennefick and Guilfoyle, 2022).

Recommendation 4: The Probation Service should continue its efforts to implement the recommendations from the 2022 review on CSO operations in rural areas, with a particular focus on building partnerships with organisations that have established rural networks.

3.3.4 Inconsistent regional approach to inform POs and PAs of services/programmes available in their area

As noted in section 3.3.2., for ICS to reach its full potential in terms of participation, POs and PAs must support clients in identifying suitable activities and act as a bridge between clients and the organisations delivering these activities. POs and PAs with extensive knowledge of available programmes and strong relationships with service

⁶ IASIO has since been renamed Tosú Social Inclusion Ireland. The organisation supports people with criminal convictions in making positive life changes.

providers in their region are best positioned to fulfil this role effectively. However, not all POs and PAs will have this knowledge or these connections where, for instance, they are new to the role or unfamiliar with the region. In cases where POs and PAs lack this knowledge or network, it can limit the range of opportunities available to clients. Alternatively, it may require additional time and effort for POs and PAs to research suitable programmes and establish links with providers to facilitate client participation.

Currently, apart from programmes led by organisations already affiliated with the Probation Service (such as funded Community-Based Organisations), in addition to national programmes like Pro Social Ireland which targets driving offences, there is inconsistent awareness and/or availability of a directory of services for each region. Some of the participants we spoke to felt that they bore responsibility in developing their own personal and more comprehensive list of local programmes. This process was perceived as time-consuming and resource-intensive, as indicated by Participant 1:

'there's a lot of ringing around like, you know, I'd spend a day just making phone calls, and then the following day following up. So it is massively time consuming.'

'[...] and it's kind of difficult. It feels like time I spend a lot of time doing that. And I feel like, I wonder, does my senior think I'm up there doing nothing?'

This issue was also highlighted by a number of other participants, some of whom suggested the creation of a live, regional list of key contacts, programmes and services particular to the area, to improve accessibility and coordination. For instance, Participant 6 noted: *'Directories [...] probably would be helpful, if it was more of a designated list.'*

SPOs, POs and PAs could collaboratively update this list with programmes and activities they have used or are aware of in their area, creating a valuable directory. This resource could also include a comment feature, allowing staff to share insights on a programme's suitability and quality, or simply record the names of colleagues who have referred clients to the programme or service, enabling others to seek further information or advice. A live, regional list would offer several benefits:

- Reducing administrative burden: Staff would spend less time searching for suitable programmes, which would be particularly beneficial for new PAs.
- Promoting information sharing: It would enhance awareness of available services and provide qualitative insights into their effectiveness.
- Supporting management efforts to promote ICS/CSO: The directory could be used to inform judges and other stakeholders about the types of activities available to clients sentenced to a CSO in a given region.
- Identifying gaps in service provision: It could highlight regional disparities or unmet needs, supporting better resource allocation and funding decisions.

Recommendation 5: A live, regularly updated directory of ICS programmes, services and activities should be established for each region. All POs and PAs should have access to this resource and be able to contribute to it. The list should indicate whether a programme has an existing relationship with the Probation Service, and include a section for additional information, such as suitability and quality assessments.

3.3.5 Burdensome procedures in place to record and track client ICS hours

When discussing the operation of ICS, participants highlighted inefficiencies in the process of recording ICS hours, noting that the current system relies on a manual, time-consuming administrative process. At present, many POs and PAs must email an administrator to record a client's completed ICS hours, as they are unable to input the data themselves. Participant 5 explained: 'A mail would need to be sent to the administrative staff with sheets to say "can you please apply X hours to Mr. X."'

Many participants were unclear on why this procedure was in place, and questioned its necessity. They noted that this system creates an additional administrative burden and may hinder the efficient management and oversight of CSO/ICS. Since most POs and PAs cannot update records directly, they must maintain their own tracking documents to monitor clients' completed hours. This task was considered particularly important to ensure that individuals carrying out both unpaid work and ICS did not exceed their total CSO hours. Participant 1 described the current system and its potential challenges:

'[I]t means that I have to kind of keep a tab of their hours, and then I'm not allowed to just input their hours on our system. It has to be done by admin staff, so it has to get forwarded on, so I have yet another word document, or excel spreadsheet to kind of keep a tab of their hours. But people who are doing community service and going to site, or sorry if they're on site and do an ICS at the same time, and if they're coming towards the end of their order, I really have to keep an eye, because I don't want them to go over, at least without them knowing [...]. Because I can't update their hours in real time as I get them and I have to send them to admin, there might be a delay there in getting them adjusted on site. Their supervisor on site, you know, might have a completely outdated idea of what their hours are.'

A reform suggestion to address this issue emerged during the interview: participants proposed streamlining the process to allow POs and PAs to update, or at the very least access, real-time records of a client's completed ICS hours.

Recommendation 6: Review the current process for recording ICS hours and consider whether POs and PAs should have the ability to update clients' hours directly. Consider implementing mechanisms for allowing staff to access live information on completed ICS hours.

3.3.6 Limited data may disincentivise POs and PAs in promoting ICS to clients

Administering CSOs with ICS can be more time consuming compared to delivering the standard CSO. Yet, in some regions, it is unclear whether the efforts of staff in promoting the use of ICS, in particular for more complex cases, is fully recognised. One participant noted that when working on ICS, they worried their Senior Probation Officer might assume that they were simply sitting at their desk doing nothing. This issue arises, at least in part, from the fact that ICS usage is not consistently and systematically recorded nationwide.

At present, basic data – such as the number of CSOs that include ICS – is not purposefully collected, regularly compiled, nor made readily available to management. As a result, Senior Probation Officers and Probation Service management may have limited visibility on how many of a PO's or PA's cases involve ICS. This lack of easily accessible and accurate data means that key tasks, such as identifying suitable programmes and facilitating client participation, may not be recognised appropriately. As a result, it may be challenging for management to differentiate between staff who offer ICS consistently, and those who do not. Over time, this could naturally lead to some staff becoming less inclined to consider ICS in certain cases. This sentiment is captured by Participant 1's comment:

'The easiest thing in the world to do would be to assess a client, induct them onto a site, and only hear of them when they're finished and close their case, and, to be fair, I probably have enough to keep me very busy just doing that alone. So, coupled with court duty and ICS referrals and managing that side, like, your day is not just busy, but it's kind of chaotic.'

Recommendation 7: The number of CSOs that include ICS must be systematically recorded in all regions, and this data should be readily accessible to SPOs and senior management. SPOs should be able to easily track how many of each PO's and PA's CSOs involve ICS, ensuring that this activity is recognised appropriately. Additionally, this data would allow management to identify, track and analyse variations in ICS use across staff and regions, ultimately supporting a more consistent and sustainable approach to the operation of ICS.

3.3.7 A lack of knowledge and awareness amongst judges of ICS

Some POs interviewed noted that judges in their regions have limited knowledge of ICS. When asked whether judges are aware of ICS, one participant (Participant 9) responded, 'No, no, definitely not,' while another (Participant 4) stated, 'No, not at all'. These findings are consistent with those from other studies including Maguire and Carr's (2024) report on sentencers' perspectives on community service orders and short-term prison sentences. Their study found that most judges interviewed were unaware of the projects and programmes available in their area. Additionally, many judges expressed a strong interest in receiving more systematic information about CSOs, suggesting that greater awareness could enhance their decision-making.

It is judges who decide whether or not a person is sentenced to a CSO or a short-term prison sentence. A key criticism of the CSO is that it has not developed in line with the changing profile of individuals receiving short term-prison sentences, contributing to the low and declining use of CSOs as an alternative to prison. Maguire and Carr (2024) highlight that some judges do not view CSOs as a suitable sanction for individuals with extensive criminal records or complex needs such as addiction, homelessness and mental health issues, despite these factors being prevalent among those sentenced to imprisonment. For CSOs to be an effective alternative to prison, the sanction must be capable of addressing criminogenic needs. Some judges noted that if CSOs incorporated more rehabilitative elements (e.g. drug treatment) they would be applicable to a wider range of individuals (Maguire and Carr, 2024). ICS offers exactly this. ICS directly addresses judicial concerns about the rehabilitative potential of CSOs and their suitability for individuals with complex needs. However, for ICS to be utilised effectively, judges must first be made aware of its existence and how it can be used to support individuals in desisting from crime.

There is a clear need for improved communication between the Probation Service and the judiciary. This issue was highlighted previously in the 2022 review in relation to CSOs more broadly (Kennefick and Guilfoyle, 2022). The report recommended developing a judicial communication strategy, including a national level agreement between the Probation Service and the judiciary. In response to this recommendation, the Service has developed such a strategy and is in the process of implementing it. Due to its importance, we restate the point here, with particular emphasis on the need to strengthen local-level communication as a live issue. Judges need to be informed regularly that ICS is available in their area and should have a clear understanding of the programmes and services offered to individuals sentenced to a CSO. Additionally, they should also be provided with information on outcomes and factual evidence demonstrating the benefits of CSOs and ICS for both individuals and the wider community.

To enhance communication and ensure consistency, a structured approach should be established between Senior Probation Officers and judges at regional or district level.⁷ The procedures and guidance for this communication should be agreed upon at a national level between the Probation Service and the President of the District Court and President of the Circuit Court (for instance, through establishing biannual meetings). Such a strategy would help standardise practices across the country while allowing for local adaptation. Direct, in-person communication between SPOs and judges offers the additional benefit of allowing for two-way communication to take place at a local level.

⁷ See, for example, the guidance issued for communication between the HM Prison and Probation and the Judiciary in England and Wales. The guidance is contained in Probation Court Services Policy Framework (2025), Annex 2-4. Available at: https://assets.publishing.service.gov.uk/media/6787a1d25a1adfc79556df1e/2024_01_14_-_Probation_Court_Services_Policy_Framework.pdf

SPOs can inform judges about the availability and benefits of CSOs/ICS, as well as any new developments, programmes or services. Conversely, judges can raise issues or concerns relevant to CSOs and the work of the Probation Service locally. This collaborative approach fosters mutual understanding and trust.

To complement in-person communication, supplementary materials such as information sheets or booklets can be developed. Templates for these materials should be created at a national level and distributed to regions, accompanied by region-specific data. Regions can then tailor these templates to reflect local contexts, such as the types of programmes available, completion rates and successful case studies or testimonies from community organisations. This approach ensures that judges receive consistent, relevant and up-to-date information, supporting the effective use of CSOs and ICS nationwide.

It was also highlighted to us that community service reports currently lack a dedicated section or space to discuss ICS. Consideration should be given to updating these reports to include such a section, as they represent another important route for informing judges about ICS and its potential benefits. By incorporating ICS-related information into these reports, judges can gain a clearer understanding of how ICS aligns with the rehabilitative goals of the CSO and how it might be tailored to individual cases.

Finally, efforts should be made to ensure that criminal solicitors and barristers are well informed about ICS. Criminal defence practitioners play an important role in informing judges about community service and the types of programmes available in their area. If defence practitioners have a strong understanding of ICS, including the types of programmes available locally, they will be better equipped to bring this information to the attention of judges, and advocate more effectively for the use of CSOs as an alternative to prison. Providing criminal defence practitioners with clear, accessible information about ICS (for example, through training sessions, information packs, or other resources) will help ensure that ICS is considered as a sentencing option more consistently and effectively.

Recommendation 8.1: Continue to implement Recommendation 3.8 from the 2022 review by establishing a formal national level agreement to improve communication between the Probation Service and the judiciary. This agreement should facilitate regular local-level meetings between the Probation Service and judges, alongside the distribution of region-specific information materials. These materials should detail the availability and benefits of CSOs and ICS in the local area, ensuring judges are fully informed of local provision.

Recommendation 8.2: Consider amending the Community Service Report template to include a dedicated section or space for information about ICS.

Recommendation 8.3: Engage with The Law Society of Ireland and The Criminal Bar Association to enhance criminal defence solicitors' and barristers' awareness of CSOs and ICS.

3.4 Policy issues

Beyond operational barriers, ICS faces broader policy-related challenges. This section examines the impact of current internal Probation Service policies relating to CSOs, as well as the lack of monitoring and evaluation of ICS.

3.4.1 Ensuring strategic alignment between internal Probation Service policies and evolving ICS objectives

In line with governing legislation, within the Probation Service, CSOs are often framed as distinct from probation supervision, with their primary focus on compliance (completion of the order within 12 months) rather than on risk reduction. Some interview participants in our study perceived this compliance-driven approach as reflecting the views of Probation Service management. For instance, Participant 4 described CSOs as being administrative, paper-led and operating as much more of a 'black and white sanction' centred on ensuring that clients complete their hours. On the face of it, this view of CSOs appears to be at odds with more recent strategy framing ICS as a model of community service underpinned by desistance theory. In particular, it sits in tension with external messaging (particularly to judges) regarding the potential of CSO as a rehabilitative sanction suitable for individuals with complex criminogenic needs.

Recent restructuring within the Service has led to a new role of Probation Assistant (PA), designed to assist in managing individuals on CSOs, and those assessed as presenting a lower risk of reoffending (Probation Service, 2024b). PAs are not required to have a social work qualification and are not trained in the delivery of risk assessment. In policy and practice, PAs are becoming the primary frontline staff overseeing CSOs, under the line management of a Senior Probation Officer. This development marks a shift away from Probation Officers - who are registered social workers - directly managing and operating these orders. As the sanction evolves, there is a potential 'risk gap' whereby PAs are presented with clients who have more complex needs that may necessitate a risk assessment. The Service needs to ensure that this gap is addressed, either by revising PA training to include risk assessment, or ensuring that appropriate processes and procedures are in place to allow Senior line managers to either conduct the risk assessment themselves, or delegate the task to another appropriately trained staff member. This point is particularly pertinent in light of impending legislation to increase the use of the CSO and, by extension, ICS, as an alternative to prison sentences of up to 2 years, which will likely lead to more individuals with complex and higher risk profiles receiving a CSO.

From a strategic perspective, this point cautions against viewing CSOs through the lens of their traditional, pre-ICS form when shaping future probation policy. Aligning internal CSO policies with the objectives of ICS is essential to maintaining the model's credibility and supporting its expansion as an alternative to longer prison sentences. Embedding ICS more fully within the operational and policy framework of CSOs would help the Probation Service strengthen its capacity to deliver rehabilitative, community-based sanctions that contribute to long-term reductions in reoffending.

Recommendation 9.1: ICS should be recognised as an integral part of the CSO, and this position should be clearly embedded in all internal policies governing the sanction.

Recommendation 9.2: Consider the potential 'risk gap' that may arise if CSOs are imposed on higher-risk individuals with more complex needs, and develop appropriate responses to mitigate any such risk.

3.4.2 Monitoring and Evaluation

Monitoring and evaluation of ICS has been limited, leaving significant gaps in understanding how ICS operates and what it achieves. Due to inadequate data recording and collection, even the most basic information about ICS cannot be easily ascertained. For example, as part of our review, we submitted a series of questions to the Probation Service, one of which was: *'How many (or what percentage of) community service orders include an integrated element?'* We were informed that this information was not available as *'it has not been possible to capture this data within the current case tracking system'*.⁸ This lack of data poses a significant barrier not only to evaluating ICS, but also to essential functions such as workforce planning, resource allocation, and ensuring the effective operation of CSOs and ICS. Without reliable data, it is impossible to assess the impact of ICS, identify areas for improvement, or make informed decisions about its future development. Addressing this data gap must be a priority to ensure ICS can be properly monitored, evaluated and refined to achieve its full potential.

The lack of robust data collection has been a persistent issue, highlighted as a concern for over a decade (Penal Policy Review Group, 2014), and further emphasised in recent reviews (Kennefick and Guilfoyle, 2022). This problem is not unique to the Probation Service; it reflects a broader systemic issue across Ireland's criminal justice system, where data collection infrastructure is inadequate, resulting in a lack of reliable and comprehensive data (Gormley *et al*, 2022a). Compared to other jurisdictions, including neighbouring England and Wales, Ireland's criminal justice data is significantly underdeveloped (Department of Justice, 2024). While the Probation Service alone cannot resolve this systemic issue, it can take proactive steps to address gaps within its

⁸ We were informed towards the end of our review that it may be possible to obtain this data. However, our assessment was that the data could not be treated as fully verified and would require a validation process that could not be completed within the timeframe of this study. We have therefore not included this data in the final report.

remit. First, it should vigorously advocate for system-wide improvements to the criminal justice data collection infrastructure, as this falls within the responsibility of the Department of Justice. However, given that such reforms are likely to take years, the Probation Service can take immediate action to improve data collection within its control.

For example, minor modifications to the existing case tracking system could enable the recording and tracking of the number of Community Service Orders (CSOs) that include an ICS element. Currently, there is no clear, standardised procedure for capturing this data, leading to inconsistent practices across regions and resulting in incomplete and unreliable information. Updating the system and providing clear guidance to staff on how to record this data would be a significant step forward.

Additionally, in the absence of systematic data collection, the Probation Service can undertake bespoke data collection initiatives and targeted research to monitor and evaluate ICS against its objectives. This would provide valuable insights into the operation and impact of ICS, enabling evidence-based improvements and ensuring that ICS fulfils its potential as a rehabilitative and transformative sentencing option.

In the *New Directions Implementation Plan 2025-2027* (Probation Service, 2025), the Probation Service expressed its intention to track reductions in seriousness of offending and improvements in key outcomes for clients across areas such as education, employment, access to stable housing, and mental health and drug treatment services. The report states:

'This will establish benchmarks at the outset of the Implementation Plan and evaluate the impact and outcomes of changes to the CSO operational structure. It will also allow the Service to understand and respond to the effectiveness and impact of the CSO on individuals and communities.' (Probation Service, 2025: 8).

While the ideal scenario would involve tracking these outcomes through joined-up administrative data systems (see, for example, the Data First Project in England and Wales), the absence of such infrastructure in Ireland means that bespoke research can serve as a valuable alternative to provide insights into these critical areas. Recently, the Probation Service has raised the possibility of conducting a longitudinal study (Probation Service, 2025: 8), an approach we strongly endorse. Such a study would enable the Service to systematically assess the impact of CSOs and ICS over time, providing evidence to inform policy and practice. In the next chapter, we will outline in greater detail the types of data and measures that could be used to evaluate ICS against its objectives, both in the short and long term.

Finally, monitoring and evaluating ICS is essential for its ongoing development and improvement, as well as for demonstrating its effectiveness. As highlighted by Maguire and Carr (2024), most judges lack awareness of research evidence on the outcomes of CSOs, and many indicated that they would consider such evidence if it were made

available to them. Providing judges with robust research and data on ICS, as well as CSOs more broadly, is a critical step in increasing judicial confidence in these sanctions as viable alternatives to prison. By systematically collecting and sharing evidence on the impact of ICS – such as reductions in reoffending, improvements in clients' access to education, employment, and housing, and enhanced community safety – the Probation Service can build a compelling case for the expanded use of CSOs. This evidence-based approach not only reinforces the credibility of ICS but also aligns with the broader goals of promoting rehabilitation, reducing reliance on short-term imprisonment, and supporting long-term desistance among those who offend. Ensuring that judges are equipped with this data is a vital component of achieving these objectives.

Recommendation 10.1: Collaborate with other criminal justice agencies to advocate for a comprehensive upgrade to the criminal justice data collection infrastructure.

Recommendation 10.2: Improve data collection systems and procedures within the control of the Probation Service. For example, implement changes to the case tracking system to record and monitor the number of CSOs that include an ICS element. Standardise procedures across regions to ensure accurate and consistent data collection.

Recommendation 10.3: Conduct bespoke research studies to address critical knowledge gaps and enable the monitoring and evaluation of ICS. (See Chapter 4 for additional detail).

3.5 Conclusion

ICS has the potential to enhance significantly the rehabilitative capacity of CSOs and promote desistance among clients. However, its effectiveness is currently hindered by a range of operational and policy barriers. Addressing these challenges – through improved guidance, resource allocation, procedural reforms, enhanced communication with judges, strategic policy alignment, and monitoring and evaluation – is essential to ensuring ICS operates as intended and to its full potential. The next chapter builds on this analysis by proposing a framework for evaluating ICS and measuring its performance against its stated aim and objectives.

4. A Framework for Future Monitoring and Evaluation

4.1 Introduction

Building on the recommendations for change in response to the operational and policy barriers outlined in Chapter 3, the purpose of this chapter is to propose a framework for evaluating ICS and measuring its performance against its aim and objectives. Chapter 2 identifies the overarching aim of ICS as supporting desistance from crime, underpinned by three core objectives: the development of human, pro-social and justice capital. As noted in the preceding chapters, and beyond the initial assessment conducted in Chapter 3, it is not possible to evaluate effectively the operation of ICS in accordance with its overarching purpose owing to the unavailability of relevant data. Given the intrinsic link between effective evaluation and the availability of comprehensive operational data, it is imperative to establish robust mechanisms for monitoring and assessment. Consequently, the primary focus of this chapter is to propose that the Probation Service implement a structured framework, based on a theory of change methodology, to embed optimal evaluation and monitoring practices, thereby ensuring the alignment of ICS operations with its stated aim. To develop a comprehensive system, it is anticipated that the Service would need to commission a further study, drawing together specialised external and internal operational and statistical expertise. As such, our recommendations are designed to provide a clear starting point, with the expectation that these elements will be integrated into a more detailed and holistic evaluation and monitoring strategy.

The chapter starts with an overview of the approach taken in this study, and the challenges around evaluating and monitoring desistance from crime in the context of community service. It goes on to explain how each objective – human, pro-social and justice capital – may be measured and evaluated by the Service in a feasible way, before outlining an implementation plan across the short, medium and long term.

4.2 Theory of Change approach

This study endorses a Theory of Change (ToC) methodology to provide a clear basis for understanding how and why a particular intervention leads to a desired outcome (Green, 2017), and to avoid duplication of efforts by clarifying which stakeholder is responsible for each juncture of the intervention (NPC, 2014). Within the criminal justice system, ToC can help to identify whether interventions are working as intended, enabling more effective, person-centred support and better coordination across services (Case and Hampson, 2019). ToC works by mapping the pathway from inputs (resources) to

activities, outputs, outcomes and impact. For ICS, this approach offers a structured way to measure progress, refine interventions, and ensure alignment with its overarching aim of supporting desistance through advancing the objectives of developing human, pro-social and justice capital.

Theory of Change for ICS

Individuals sentenced to CSOs will often face barriers to desistance, including limited education and employment opportunities, weak pro-social networks, and disengagement from services that could support their rehabilitation. Without structured interventions, they may struggle to develop the human and pro-social capital necessary to move away from offending.

ICS seeks to address these barriers to desistance by encouraging clients to choose to spend up to one-third (one-half for women) of their community service hours participating in education, training or treatment programmes or some other beneficial activity. For ICS to be effective, the following conditions must be met:

- **PO and PA capacity:** Frontline staff must have the capacity to help individuals to think about their needs, wants and motivations, identify suitable programmes, and encourage clients to participate in them. This series of tasks requires reasonable workloads and appropriate training, particularly as the management of CSOs/ICS transitions to Probation Assistants.
- **System for equitable access:** A well-structured and accessible system must be established to ensure fair and equal access to education, training and treatment programmes across the entire country, including both urban and rural areas, as well as within regions. This could be achieved through measures such as maintaining a centralised, up-to-date list of available programmes to streamline access and reduce disparities.
- **Links to facilitate desistance:** POs and PAs must be the primary link between clients and the programme/activity organisers. This is vital to facilitate key processes that support desistance:
 - **Developing human capital:** Access to and participation in education, training or treatment programmes to enhance skills, employability and well-being.
 - **Cultivating pro-social capital:** Participation in activities that support positive social connections and networks.
 - **Delivering justice capital:** A person-centred approach ensuring fair access to services and activities, improving perceptions of legitimacy, enhancing participation and compliance, and supporting the consistent operation of the sanction.

If ICS operates in this way it can deliver a range of positive outcomes:

- **Short-Term:** Increased participation in education, training and treatment programmes.
- **Medium-Term:** Improvements across employment, housing stability and pro-social relationships.
- **Long-Term:** Sustained desistance from crime and successful social reintegration.

The main risks/barriers to success, outlined in Chapter 3, include:

- Inconsistent ICS operation due to limited information and guidance.
- Future staff capacity requirements (that may arise from impending legislative reform) potentially limiting POs' and PAs' ability to connect clients with programmes as the sanction evolves.
- Disparities in programme and service availability and access across regions.
- Limited judicial awareness of local ICS operations, implementation and impact.
- Lack of alignment between internal CSO policies and the refined aim and objectives of ICS.
- Absence of monitoring and evaluation mechanisms.

4.3 Measuring desistance from crime

The 2022 review highlighted the importance of establishing clear evaluation metrics aligned with the broader aims of the CSO, emphasising the need for systematic data collection, analysis, and periodic in-depth evaluations (Kennefick and Guilfoyle, 2022). Assessing desistance, as the core aim of ICS, is particularly challenging, as it is not a single event but a complex, dynamic, and often nonlinear process (McNeill *et al*, 2012). Best practice recommends using a mixed-methods approach, incorporating both qualitative and quantitative measures to evaluate desistance effectively (Rocque, 2021). This approach includes tracking behavioural changes alongside the underlying social and psychological factors that support long-term cessation of offending. The Probation Service's expressed intention to conduct a longitudinal study could potentially facilitate this measure, as discussed further below.

This section builds on the Service's existing evaluation structure and practices, recommending the incorporation of established, evidence-based mechanisms to enhance measurement approaches.

4.3.1 Traditional metrics: recidivism and compliance

Recidivism rates provide an important though limited metric for understanding the effectiveness of criminal justice techniques in terms of reducing crime. While it delivers a quantifiable outcome, measuring recidivism does not provide a full picture of desistance, as individuals may continue committing crimes without being detected and, depending on how it is defined, it may not capture patterns that indicate progress

towards desistance, like reduction in frequency of offending or seriousness of offence type. Conversely, imposing some orders can have the effect of increasing the likelihood of subsequent offending being detected. In addition, recidivism can be a difficult phenomenon to capture because it can be understood in different ways, for example, through reoffending rates or through reconviction rates (see further, Gormley *et al*, 2022b). Differences in follow-up periods and calculation methods also make it challenging to compare outcomes directly and can obscure the complexity of desistance (Klinge, 2019). Moreover, there are questions over whether recidivism rates should include instances like cautions or breaches to an order (O'Donnell, 2020).

Even when recidivism data is accurately recorded and collected, methodological concerns persist, particularly regarding selection bias, where lower-risk individuals are more likely to receive community sanctions, while higher-risk individuals tend to face imprisonment (O'Donnell, 2020). Beyond case assessments, broader structural and cultural factors also raise questions about the integrity and reliability of reoffending data. In particular, longstanding systemic issues in data administration have contributed to low confidence in Ireland's crime statistics (O'Donnell, 2020). However, it is noteworthy that recent improvements have led the Central Statistics Office to lift its 'Under Reservation Categorisation' for recorded crime statistics since October 2023.

It is also worth mentioning here that meta-analyses of recidivism studies accounting for selection bias consistently show that community-based sanctions are linked to lower reoffending rates (O'Donnell, 2020). In addition, the literature suggests that combining unpaid work with a structured programme or attendance centre reduces recidivism more effectively than a single requirement alone (Gormley *et al*, 2022b; Mews *et al*, 2015). In an Irish context, these findings chime with the Probation Re-offending Statistics 2019, which show that the majority of individuals under probation supervision do not reoffend within three years of receiving a probation order (Central Statistics Office, 2019). Such outcomes, therefore, highlight the importance of measuring recidivism to better assess the impact and effectiveness of community-based sanctions, particularly ICS. And while comparing reoffending rates between custodial sanctions and CSOs has significant limitations, tracking recidivism remains especially valuable. For example, comparing reoffending rates between CSOs with ICS and those without, or evaluating the impact of specific reforms on reoffending rates, can provide meaningful insights into the success of these interventions.

Monitoring compliance

Compliance monitoring is closely associated with measuring recidivism. Tracking short-term, formal compliance with the terms of ICS, such as attending at intervention programmes, on-site activities or scheduled appointments, offers a tangible measure of

engagement to assess progress towards desistance.⁹ While short-term compliance does not guarantee long-term desistance, nor provide a complete picture of an individual's progress, it can serve as a basic indicator of engagement with rehabilitative efforts and potentially signal behavioural change. This factor is already central to the Service's evaluation of ICS, and our findings indicate that it is a strong marker of what is considered a successful outcome by practitioners.

However, as Seymour (2023) indicates, to encourage desistance, it is important to go beyond formal compliance and reach for 'normative compliance', which she defines as: '[a]n internalised sense of obligation to comply due to: personal norms and values about acceptable behaviour, attachment to significant others, and/or acceptance of the legitimacy of the request to comply' (Seymour, 2023: 5). This finding reinforces the significance of establishing pro-social relationships (within and beyond supervision) to achieve meaningful compliance, and the consequential need to evaluate more complex and particularised objectives, as set out further below.

Currently, the Service has an effective system in place for monitoring compliance and reoffending rates of the CSO over a three-year period. This lengthier period of assessment is appropriate and in line with good practice. In addition to the current measure, **it is recommended that other factors are measured as part of this process, in particular, the type of offence committed.** This measure is important because it would allow the Service to also track the level of seriousness of the offence committed as compared to the original offending pattern. Tracking a reduction in frequency and level of offending is an important indicator that captures a shift in offending pattern indicating a desistance pathway.

The above discussion suggests a need to capture a more detailed understanding of desistance that reflects it as a process in the context of the ICS. This goal can be achieved through a more in-depth evaluation of the component objectives of desistance as identified and outlined in Chapter 2, in terms of the development of human, pro-social and justice capital. In this context, the study recognises that human and social capital are deeply interconnected, shaped by an ongoing exchange between personal determination and the restructuring of social relationships, which together offer a more nuanced understanding of personal agency (Giddens, 1984; Mulvey *et al*, 2004). However, to ensure that key aspects of each are thoroughly addressed, and practical approaches to measurement and evaluation can be proposed, they are considered individually for the purposes of this report.

⁹ Note Bottoms' distinction between 'short-term requirement compliance' and 'longer-term legal compliance' (Bottoms, 2001).

4.3.2 Evaluating human capital

As alluded to above, the development of social capital relies on human capital. By human capital, here, we refer to the personal resources and processes that reinforce the shift from offending behaviour to a crime-free life. Research has identified several key components, including cognitive skills like reflective decision-making (Paternoster and Pogarsky, 2009), the ability to control impulse, or self-mastery (Maruna, 2001), and the ability to conceive of a crime-free identity (Healy, 2014). These cognitive shifts are core to desistance, forming the internal foundation upon which external supports – such as employment, education, and social relationships – can take effect.

Studies support a comprehensive and fine-grained approach to measuring human capital in probation settings that go beyond surface-level indicators. Internal psychological drivers of the desistance process have been conceptualised in terms of cognitive transformation (Lloyd and Serin, 2012). Such measures should capture the client's evolving sense of autonomy, agency, purpose, and self-efficacy (Healy, 2014; Ryff and Keyes, 1995). This requires both quantitative tracking of engagement in prosocial activities, such as education, employment, mental health services, addiction treatment and counselling, and qualitative insights into shifts in mindset and motivation. Self-reported changes in attitudes, behaviours, and intentions to desist from crime offer a crucial perspective that standard risk assessments often overlook.

Several tools already exist for measuring cognitive transformation in desistance. Loyd and Serin's (2012) framework evaluates an individual's intention to change, belief in their ability to live crime-free, and expectations about the desistance process. Similarly, Giordano *et al* (2002) outline four pillars of cognitive transformation: (1) a shift towards readiness to change, (2) exposure to motivating influence(s) or 'hooks for change,' (3) envisioning a positive new identity or 'replacement self,' and (4) redefining one's past deviant behaviour as no longer desirable or relevant. Structured interviews, reflective conversations, and survey-based assessments can be used to capture these psychological shifts, complementing traditional recidivism metrics.

At a practical level, tracking quantitative indicators such as engagement with education, employment, and addiction treatment services is also important. Since 2022, the Service, with the Central Statistics Office, has been capturing and sharing data on earnings and paid employment of people on probation. This partnership is an example of good practice that provides valuable information from which to inform and adapt practice and strategy in response to shifts in demographics. **It is recommended that this practice is extended to capture other factors, particularly substance misuse.** O'Donnell's (2020) report emphasises both unemployment and substance misuse as dynamic risk factors for recidivism, underscoring the necessity for the cataloguing of participation in services that address these issues to ensure individualised responses can be applied. Consistently tracking the availability of these services across regions allows their effectiveness to be assessed when cross-referenced with other data points,

such as client perspective, compliance rates and reoffending statistics. Our interviews with practitioners highlighted a notable lack of resources available in various regions, particularly in addiction treatment. By measuring the effectiveness of these services, the Probation Service can build a stronger case for requesting increased funding to address identified gaps.

4.3.3 Evaluating social capital

Social capital has been conceptualised and measured in diverse ways across the social sciences. Bourdieu (1986) originally used the term to capture relationships and networks of assets that either enhance or restrict life chances, while also emphasising the positive impact of sociability. The concept was later expanded and characterised as a feature of the community itself (Putnam, 1993). Though extensive bodies of work draw on the notion of social capital, the scope of our study is necessarily focused on its relevance to desistance, as crime is widely conceptualised as a social problem (consistent with social justice perspectives), and desistance is similarly understood as a socially-embedded process (Nugent and Schinkel, 2016; Weaver, 2015; Weaver, 2016). Within this context, addressing deficits in relationships and social connections emerges as a critical factor in facilitating desistance (McNeill *et al*, 2012; Albertson and Albertson, 2023). This perspective was strongly echoed in our own findings, where practitioners emphasised the need to address isolation and the lack of meaningful connections as a fundamental step in supporting individuals to cease offending. Consequently, for ICS to be effective, evaluating how these relational and network gaps can be ameliorated represents a key measure of progress in supporting individuals to move away from crime. To achieve this, establishing structured, evidence-based mechanisms for measuring pro-social capital is essential, as it would enable the identification, dissemination and scaling of successful practices where feasible.

The literature on the types of interventions that generate this form of capital is relatively sparse. However, general studies of social capital have further refined the concept into three distinct dimensions that work across three levels: at the micro level, bonding ties encompass close, supportive relationships with family and friends (Moran, 2005); at the meso level, bridging ties involve connections to broader social networks such as workplaces, community organisations and peer groups (e.g. Szreter and Woolcock, 2004); and at the macro level, linking ties refer to relationships with formal institutions and individuals in positions of authority (Gittell and Vidal, 1998). Recently, Albertson and Albertson (2023) have applied this typology for the purposes of desistance, emphasising supports that enhance familial bonds and therapeutic alliances at the micro level, building to community-based projects, group therapy activities, restorative justice initiatives and volunteering activities at the meso level and, finally, engagement in training, employment and civic activities at the macro level. A comprehensive evaluation of pro-social capital, for the purpose of ICS, must account for all three dimensions, employing a mixed-methods approach that combines

quantitative metrics with qualitative insights to capture the full spectrum of social reintegration.

4.3.4 Evaluating justice capital

Justice capital has emerged as a valuable framework for reconciling structure and agency in the context of the desistance process. For Kemshall and McCartan, it is not a novel idea but rather a new way of capturing ‘good working practices that encourage desistance and enable people to integrate themselves into society’ (Kemshall and McCartan, 2022: 12). Justice capital underscores the importance of delivering services effectively, as good practice can foster desistance and integration, while poor practice can lead to reoffending. Unlike other forms of capital, justice capital is directly within the control of the institution, making it a critical lever for accountability and improvement (Kemshall and McCartan, 2022). Recently, Best *et al* (2021) have proposed an ‘institutional justice capital’ (IJC) model as a means of delivering a ‘strengths-based approach to promoting desistance and creating a metric for assessing the rehabilitative activities of institutions’ (Best *et al*, 2021: 206). Based on established and emerging literature, this report **recommends embedding an IJC-type model as a mechanism for measuring if ICS is meeting its core objectives and effectively supporting individuals in their journey away from crime, while enhancing its legitimacy.** This recommendation is grounded in a robust evidence base, aligns with the tripartite framework of CSO policy and practice, and builds on existing good practices within the Service.

In the context of ICS, our findings highlighted many practices that supported the desistance process. Drawing on Kemshall and McCartan’s (2022) identifiers, key practices and conditions can be summarised within two spheres: client facing justice capital and organisation justice capital.

Justice capital markers for ICS

Client facing justice capital:

- A person-centred, compassionate and trauma-informed approach that attends to the voice of the client.
- Recognition of the interconnectedness of offending behaviour and life stage and experience.
- Belief that people can change and giving hope and encouragement towards this end.
- Responsive to the needs of clients who are particularly disadvantaged by the system (e.g. due to age, race, ethnicity, gender, mental health etc.).

Organisation justice capital:

- Compassionate leadership that trusts staff and allows flexibility.
- Recognition of structured inequalities and discrimination.

- Development of strong community partnerships and promotion of access to networks and sustainable services.
- Cultivation of an ethos of accountability for clients, staff and the institution that responds compassionately to instances of poor practice.

While there is no standardised method for measuring justice capital, procedural justice frameworks offer a useful starting point. Research in this area demonstrates that when individuals perceive processes as fair, they are more likely to view the institution as legitimate and feel obligated to comply (Tyler, 2006; Alward, 2024). As such, procedural justice frameworks have been used to assess the legitimacy of probation practices by evaluating fairness, impartiality, trustworthiness, experiences of respect and the inclusion of clients' voices (Blasko and Taxman, 2018; Phillips, 2024). To measure client facing justice capital, user perception surveys, such as Tyler's Procedural Justice Scale (2006), can be employed. This tool is widely used across justice institutions, organisational, and community contexts to measure individuals' perceptions of fairness in decision-making processes. Accordingly, it is well-placed to support an evaluation of client facing justice capital for ICS. The tool focuses on four key dimensions: voice (opportunity to express views), neutrality (unbiased decisions), trustworthiness (decision-makers' fairness), and respect (dignified treatment). The scale is measured using self-report questionnaires, where respondents rate their agreement with statements related to these dimensions on a Likert scale (e.g. 1 = strongly disagree, 5 = strongly agree). Scores are aggregated to assess overall perceptions of procedural justice, providing insights into how fair individuals believe a process to be. Recent studies have applied Tyler's model to a community supervision environment, underscoring its suitability in an ICS/CSO setting (Alward, 2024, Phillips, 2024).

In the context of organisational justice capital, a periodic, mixed-method evaluation of staff experience across all levels is recommended. A good practice example can be found in England and Wales, where HM Inspectorate of Probation (HMIP) conducts routine evaluations of regional practices through a structured fieldwork period. During this phase, HMIP inspects the quality of practice in specific areas using pre-identified cases for detailed assessment. The fieldwork also involves meetings and focus groups with staff and stakeholders to explore the reasons behind performance ratings, and related issues. This approach allows HMIP to assess both quantitative outcomes and the qualitative factors shaping practice, providing a comprehensive and ongoing review of probation service operations. For present purposes, adopting a similar, sustainable fieldwork approach (tailored to the particular requirements and culture of the Probation Service) could offer an effective means of assessing whether staff and management are meeting the markers of organisational justice capital for ICS.

4.4 Implementation plan – a starting point

As outlined in section 4.2, to guarantee the conditions necessary for an effective ICS sanction are met, the Service must ensure adequate staff capacity, provide a well-structured and accessible system, and encourage the development of human, pro-social and justice capital to meet the overarching aim of supporting desistance from crime. Drawing on the review of relevant literature above, this section proposes a starting point for a plan to monitor and evaluate the three forms of capital integral to the effectiveness of ICS.

A phased, mixed-methods approach is recommended that operates to measure and evaluate outcomes across the short (ongoing), medium and long term.

4.4.1 Phase 1: Short term/ongoing monitoring

This phase outlines recommendations for continuing, consolidating and expanding the assessment of ICS. The proposed measures aim to enhance the existing evaluation framework by incorporating both quantitative and qualitative indicators, ensuring a robust and holistic understanding of ICS effectiveness. **Key recommendations include:**

- **Strengthen formal compliance and reoffending data:** Building on existing practices, compliance and reoffending rates should continue to be tracked. However, additional indicators should be introduced to enable more detailed comparisons of community sanctions. Specifically, data should differentiate between Community Service Orders (CSOs) with and without an ICS component, track the types of subsequent offences committed, and identify the presence of other factors, particularly substance misuse, within relevant demographics. This expanded dataset will allow for a detailed analysis of outcomes across significant risk factors, providing deeper insights into the impact of ICS.
- **Track engagement with activities:** Consistent and reliable tracking of client engagement with ICS programmes and activities should be implemented through the ICT system. This will ensure accurate monitoring of participation rates and enable the identification of trends or barriers to engagement, which are critical for evaluating programme effectiveness and informing improvements.
- **Enhance exit survey:** The Service's recent initiative to survey clients upon completion of their CSO is commendable and should be continued. To further strengthen this practice, the exit survey template should be reviewed and expanded to capture a broader range of qualitative markers. Specifically, the survey should incorporate indicators aligned with the institutional justice capital (IJC) model, including procedural justice markers, normative compliance, human capital (e.g. cognitive transformation), and client perceptions of pro-social capital. This will provide a more comprehensive understanding of how ICS supports desistance.

- **Improve data sharing and evaluation:** If the above measures are implemented consistently, the Service will generate valuable data on the operation and effectiveness of ICS. To maximise the utility of this information, it is essential to establish a sustainable system for data sharing and evaluation. This system should prioritise transparency and facilitate the application of a theory of change approach, enabling the Service to assess whether ICS aligns with its overarching aim and objectives. Additionally, evaluation efforts should consider alignment with other relevant policies, such as the Irish Probation Framework and the tripartite strategy for community service, ensuring coherence across broader justice and rehabilitation initiatives.

4.4.2 Phase 2: Medium term evaluation plan

This phase proposes a structured, internal evaluation framework to assess organisational justice capital and relational dynamics within ICS. The plan focuses on gathering quantitative and qualitative data to inform continuous improvement and ensure alignment with ICS goals. **Key recommendations include:**

- **Conduct case review:** Conduct periodic and scheduled case reviews across regions to evaluate whether ICS objectives are being met. These reviews will ensure consistency in the application of ICS objectives, identify regional variations, and highlight best practices that can be shared and scaled. By systematically analysing case outcomes and processes, the Service can address gaps, reinforce strengths, and maintain high standards of practice.
- **Implement staff survey:** Implement regular staff surveys to evaluate organisational justice capital, focusing on dimensions such as procedural fairness, trustworthiness, respect, and voice within the workplace. These surveys will provide qualitative insights into staff perceptions of fairness, morale, and alignment with ICS objectives, helping to identify areas for improvement and strengthen organisational culture.
- **Track Community-Based Organisations (CBOs) engagement:** Establish surveys and/or ongoing engagement mechanisms with CBOs to assess their experiences and perspectives on collaboration with ICS. This will ensure that partnerships are effective, mutually beneficial, and aligned with the goals of ICS. Regular feedback from CBOs will also help identify challenges and opportunities for enhancing service delivery (see section 4.5 below for further discussion on this point).

A note on evaluation mechanisms: While external evaluation mechanisms, akin to those used by the HMIP, could provide additional oversight, it is important to guard against assessment overkill, particularly in resource-constrained environments. HMIP's regular inspections offer a model of robust external evaluation, but any similar approach

for ICS should be carefully balanced with internal evaluation efforts to avoid duplication and ensure sustainability.

4.4.3 Phase 3: Long term impact plan

To assess the sustained impact of ICS, a comprehensive longitudinal study is essential. Such a study, referenced in the *New Directions* plan (2025), would provide clear evidence of ICS outcomes and impact, demonstrating its effectiveness in meeting objectives towards supporting long-term desistance. In addition, the Service must advocate for adequate resourcing and system-wide improvements. **Key elements of this phase include:**

- **Longitudinal Study:**

A well-designed longitudinal study should track the long-term impact of ICS over 3-5 years. This study could incorporate:

- **Administrative data:** Analyse reoffending and compliance rates, employment outcomes, and other key indicators to measure the tangible impact of ICS.
- **Client surveys and interviews:** Track client progress over time with initial and periodic surveys of clients, complemented by in-depth, follow-up interviews with a sample group, to capture qualitative insights into the desistance process, procedural justice experiences, participation in activities and personal transformation. Periodic check-ins could be used to assess changes in attitudes, behaviours and social circumstances, providing a dynamic picture of desistance. In-depth narrative case studies could also be conducted with a small sample to capture personal stories of change.
- **Staff survey and interviews:** Conduct initial and periodic staff surveys with follow-up interviews with a sample group to capture perspectives on the implementation and effectiveness of ICS. Areas of focus could include workload, resource availability, training needs and perceived barriers to achieving ICS objectives.
- **Stakeholder engagement:** Interviews and/or focus groups with key stakeholders, such as judges and CBOs, to understand their perceptions of ICS and its impact on the justice system. Interviews or surveys with family and community networks could also be considered to understand the broader social impacts of ICS, and to explore how ICS influences family dynamics and the reintegration process more broadly.

The cost of failing to conduct this research far outweighs the investment required. A well-executed longitudinal study will not only shape policy but also drive practical, evidence-based improvements in ICS delivery. It will provide a foundation for continuous learning and innovation, ensuring that ICS remains aligned with its

overarching goals and adapts to emerging challenges. In particular, given the current weaknesses in data systems, there is a compelling case for Department of Justice funding to develop a robust, long-term evaluation framework. Investment in data infrastructure and research capacity will ensure reliability and validity of the ICS, providing a strong evidence base for policy and practice decision-making. If findings demonstrate that ICS is having a positive impact on client reintegration, the study could have significant budgetary implications. Savings from reduced prison costs could be reinvested into probation and community interventions, creating a virtuous cycle of resource allocation. Moreover, the study would provide judges with concrete evidence of ICS effectiveness, strengthening confidence in community sentences and promoting their wider use.

The Probation Service's recent membership in CORD (Criminal Justice Open Research Dialogue), an interdisciplinary research network, is a positive step. It is recommended that the Service continue to collaborate with external researchers, leveraging these relationships to design and implement the longitudinal study. Such partnerships will enhance the study's rigour and ensure it captures the nuanced, long-term markers of desistance.

4.5 Monitoring the role of CBOs

It is also important to pay heed to factors that can impede compliance for the purposes of evaluation. For instance, in the context of non-completion in cognitive behavioural interventions, O'Donnell flags the significance of tracking the quality of the programmes provided, in addition to attrition rates (O'Donnell 2020: 88; McMurrin and Theodosi, 2007). This dual focus is particularly significant given the well-documented correlation between non-completion of such programmes and increased rates of reoffending. By systematically tracking programme quality and completion rates, decision-makers can make more informed choices about whether to enrol individuals in specific interventions, thereby mitigating the risk of causing unintended harm (O'Donnell, 2020: 89–90).

The role of CBOs in ICS delivery is pivotal, as evidenced by their allocation of 36% of IPS funding (Probation Service, 2024b). This underscores the importance of a strategy to evaluate the quality of CBO providers, ensuring that their services are tailored to the specific needs of individuals and activities. We note that a detailed review of the Probation Service Funding Programme for CBOs was conducted in 2023 (Crowe LLP, 2023b). The review covered how the Probation Service evaluates CBOs for the purpose of distributing funding and made a number of recommendations to further enhance this process. It is encouraging to see that progress is being made in implementing these recommendations.

However, we think it is important to add a further point for consideration when developing and implementing an evaluation procedure, particularly with regard to CBOs and ICS. While comprehensive evaluation is ideal, practical constraints can sometimes necessitate a more pragmatic approach. In this context, trust-based relationships with CBOs become critical. CBOs are typically relied upon to demonstrate positive outcomes in line with standard practices within their areas of expertise. For those who do not complete programmes, it is essential to explore the reasons individually, ensuring that evaluation does not become overly prohibitive or detract from the valuable work being done by CBO's.

We would therefore encourage a balanced approach, one that employs a 'light touch' evaluation strategy to monitor the potential effectiveness of programmes. This approach should focus on identifying programmes that may not be working as intended and addressing issues on a case-by-case basis. We would caution against implementing an overly burdensome uniform national measurement tool across all CBOs. Such a tool could inadvertently shift the focus away from the substantive work of CBOs and toward meeting evaluation metrics, potentially undermining the goodwill and intrinsic motivation that drive these organisations. By maintaining a flexible and context-sensitive evaluation strategy, it is possible to support the positive contributions of CBOs while ensuring accountability and continuous improvement.

Moreover, supporting strong collaborative relationships with CBO practitioners is essential for enhancing service quality and disseminating best practices. This was acknowledged in the 2023 Crowe review and it is one that we fully support. Initiatives like the CBO Summit: *Changing Lives in Our Communities*, first held in 2023 and repeated in October 2025, in addition to the recent establishment of quarterly consultative forums (Probation Service, 2024b), represent positive steps toward strengthening these relationships. These platforms provide opportunities to communicate and reinforce the core aim and objectives of ICS, while also facilitating more tailored and enhanced collaboration among stakeholders, including CBOs, the Service, Department of Justice agencies, and the judiciary.

Recommendation 11: The Probation Service should begin the process of monitoring and evaluating ICS. To do so, the Service should follow the monitoring and evaluation framework outlined in this chapter and should use the implementation plan as a starting point.

4.6 Conclusion

Evaluating the effectiveness of ICS requires an ongoing and reflexive theory of change approach to monitor whether ICS is meeting its overarching aim and corresponding objectives. The Probation Service must balance quantitative data with qualitative insights, ensuring that evaluation practices are aligned with the complex and

individualised nature of desistance. As such, this chapter has set out a multi-dimensional perspective on ICS that facilitates its monitoring and evaluation across the short, medium and long term.

5. Conclusion

5.1 Introduction

This report set out to review the operation of ICS from the emergence of the concept to its nationwide implementation. However, with no clearly defined objectives, operational data, or assessment framework, it has been difficult to determine whether ICS is functioning as intended and to its full potential. By clarifying the overarching aim and corresponding objectives of ICS, conducting an initial assessment of its performance against these criteria, identifying barriers to its successful operation, proposing practical reforms, and establishing a framework for ongoing evaluation, this report seeks to fill existing gaps, providing a foundation for the continued evidence-based improvement of ICS.

To achieve these objectives, a mixed-methods approach was employed, including a review of relevant national and international literature, targeted questions submitted to Probation Service management, interviews with frontline staff, and a survey of clients.

5.2 Revisiting the purpose of ICS

Clarifying the purpose of ICS is essential to ensuring it operates effectively and as intended, and it is a prerequisite for establishing monitoring and evaluation mechanisms. In particular, outlining clear goals enables the identification of whether ICS objectives are being met, highlights aspects that are functioning well, pinpoints areas requiring improvement, and facilitates the development of targeted reforms to enhance the operation of the scheme.

In Chapter 2, drawing on the official account outlined in existing documentation, as well as the perspectives of current Probation Service management, Probation Officers and Probation Assistants, and clients, we put forward a refined aim and set of objectives for ICS. The overarching aim is to support the long-term desistance from crime, advanced by three key objectives: the development of human capital, pro-social capital and justice capital. Human capital includes the skills and competencies a person possesses, as well as a person's capacity to exercise them, which may be influenced by factors such as health and addiction. Pro-social capital focuses on creating and maintaining positive social relationships and networks. Finally, justice capital emphasises the role of the Probation Service and practitioners in facilitating access to both human and pro-social capital (Kemshall and McCartan, 2022).

5.3 Summary of key findings

Our initial assessment of ICS against its refined aim and objectives, while necessarily limited due to the lack of operational data and the need to rely solely on unrepresentative empirical research evidence, nonetheless yielded valuable insights. It suggested that the current ICS model can achieve its aim and objectives, with evidence indicating that it does so, at least on occasion. However, we were unable to quantify this success or determine the extent to which it is being replicated nationwide.

Following this assessment, we identified barriers that could hinder ICS from fully achieving its refined aim and objectives. For each obstacle identified, we made targeted recommendations for reform to address these challenges. Additionally, we established a framework for the ongoing monitoring and evaluation of ICS to mitigate the current lack of data, as detailed in Chapter 4.

Below, we summarise these recommendations and the monitoring and evaluation framework, which represent the key findings of the report.

Aim and Objectives

Recommendation 1: Ensure that the purpose of ICS is clearly defined and consistently communicated. We suggest that supporting long-term desistance should be established as the overarching aim of ICS, advanced by three key objectives: the development of human capital, pro-social capital and justice capital.

Operational and Practical

Recommendation 2: Develop clear rules, procedures and guidance for how ICS should operate. In formulating these, careful consideration should be given to the level of discretion individual POs and PAs should have regarding each aspect of ICS, in addition to the role of CS supervisors. This discretion should be explicitly built into the rules, procedures and guidance to ensure consistency while maintaining flexibility.

Once established, these updated rules and guidance should be incorporated into the Community Service Manual and communicated to frontline staff through Continuing Professional Development events. Additionally, they should be incorporated into both the initial training programmes and ongoing training plans for new POs and PAs.

When updating these rules and guidance, it would also be appropriate to review whether the proportion of community service hours that may be spent on the integrated element for men (currently one third) should be increased to align with that permitted for women (currently half).

Recommendation 3: In light of future legislative change, it is recommended that the Service monitor closely the issue of staff capacity to ensure that it is conducive to facilitating the optimal operation of ICS nationally.

Recommendation 4: The Probation Service should continue its efforts to implement the recommendations from the 2022 review on CSO operations in rural areas, with a particular focus on building partnerships with organisations that have established rural networks.

This strategy has considerable potential to expand the accessibility of education and training programmes for clients in rural areas, aligning with the tripartite framework. By strengthening these partnerships, clients outside cities and larger towns will have greater opportunities to engage in ICS as part of their CSO.

Recommendation 5: A live, regularly updated directory of ICS programmes, services and activities should be established for each region. All POs and PAs should have access to this resource and be able to contribute to it. The list should indicate whether a programme has an existing relationship with the Probation Service, and include a section for additional information, such as suitability and quality assessments.

Recommendation 6:

Review the current process for recording ICS hours and consider whether POs and PAs should have the ability to update clients' hours directly. Consider implementing mechanisms for allowing staff to access live information on completed ICS hours.

Recommendation 7:

The number of CSOs that include ICS must be systematically recorded in all regions, and this data should be readily accessible to SPOs and senior management. SPOs should be able to easily track how many of each PO's and PA's CSOs involve ICS, ensuring that this activity is recognised appropriately. Additionally, this data would allow management to identify, track and analyse variations in ICS use across staff and regions, ultimately supporting a more consistent and sustainable approach to the operation of ICS.

Recommendation 8.1: Continue to implement Recommendation 3.8 from the 2022 review by establishing a formal national level agreement to improve communication between the Probation Service and the judiciary. This agreement should facilitate regular local-level meetings between the Probation Service and judges, alongside the distribution of region-specific information materials. These materials should detail the availability and benefits of CSOs and ICS in the local area, ensuring judges are fully informed of local provision.

Recommendation 8.2: Consider amending the Community Service Report template to include a dedicated section or space for information about ICS.

Recommendation 8.3: Engage with The Law Society of Ireland and The Criminal Bar Association to enhance criminal defence solicitors' and barristers' awareness of CSOs and ICS.

Policy

Recommendation 9.1: ICS should be recognised as an integral part of the CSO, and this position should be clearly embedded in all internal policies governing the sanction.

Recommendation 9.2: Consider the potential 'risk gap' that may arise if CSOs are imposed on higher-risk individuals with more complex needs, and develop appropriate responses to mitigate any such risk.

Monitoring and Evaluation

Recommendation 10.1: Collaborate with other criminal justice agencies to advocate for a comprehensive upgrade to the criminal justice data collection infrastructure.

Recommendation 10.2: Improve data collection systems and procedures within the control of the Probation Service. For example, implement changes to the case tracking system to record and monitor the number of CSOs that include an ICS element. Standardise procedures across regions to ensure accurate and consistent data collection.

Recommendation 10.3: Conduct bespoke research studies to fill critical knowledge gaps.

Chapter 4 sets out a detailed monitoring and evaluation framework. It also outlines an implementation plan, which consists of a phased, mixed-methods approach to measure and evaluate ICS outcomes across the short (ongoing), medium and long term.

Recommendation 11: Begin the process of monitoring and evaluating ICS. To do so, the Probation Service should follow the monitoring and evaluation framework outlined in Chapter 4 and should use the implementation plan as a starting point.

5.4 Final thoughts: aligning with justice policy goals

Maguire and Carr (2024: 84) found that many judges in Ireland do not view CSOs as a suitable sanction for the people who most frequently appear, and are sentenced to short-term prison sentences, in the District Court (e.g. those with addiction, mental

health issues, or persistent offending behaviour). If judges do not perceive CSOs as a suitable alternative to prison for a significant proportion of those being sentenced, it undermines the potential of recent legislative proposals seeking to increase the use of the CSO as a direct alternative to custody. This includes proposals such as introducing a presumption against short-term prison sentences and/or to increase the number of hours that can be imposed as part of a CSO.

To achieve the longstanding policy objective of increasing the use of CSOs as an alternative to short-term prison sentences, Maguire and Carr (2024) argue that resources should be focused on ensuring CSOs are responsive to the needs of those who currently receive prison sentences. We agree, and contend that ICS should be seen as central to accomplishing this goal. ICS has the potential to transform the CSO into a sanction that is flexible and responsive to individuals with criminogenic needs, even those with multiple and complex challenges. However, realising this potential depends on overcoming the barriers identified in this report. The recommendations we have outlined provide a pathway to doing so.

A critical opportunity now exists to effect meaningful, positive change, not by implementing further legislation (or, at least, not only), but by strategically developing and resourcing CSOs and ICS. By implementing the recommendations outlined in this report, Ireland can develop and operate a genuine alternative to imprisonment – one that adapts to the evolving profile of those being imprisoned, improves outcomes for clients and the community, earns the recognition and confidence of the judiciary, and supports the long-term desistance from crime.

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