

# Community Return: A Unique Opportunity

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**Summary:** Community return is a novel and unique incentivised, structured and supervised release programme for prisoners combining unpaid work for the benefit of the community with early release and resettlement support. In its development, no equivalent or similar initiative was identified anywhere in the world and none had been reported in academic reviews or criminal justice literature. This paper describes the development and implementation of the Community Return Programme, the results of a descriptive evaluation of the first twenty-six months of Community Return, discusses key issues arising and looks to the future of the Community Return Programme.

**Keywords:** imprisonment, sentence management, conditional release, resettlement, re-entry, reparation, supervised release, community service, evaluation, multi-agency working, Prison Service, Probation Service, Ireland.

## Background

Following the serious economic downturn in 2008 in Ireland and during the subsequent financial crisis, government finances suffered severely. This necessitated major restructuring of expenditure and changes in previously ambitious plans. Penal policy and decision-making, as part of government policy as a whole, had to be reviewed in the context of the economic constraints facing the State and revisited as necessary. At the time there had been planning for a major restructuring of the prison estate and infrastructure of which the Thornton Hall project (a plan for a prison with operational flexibility to accommodate up to 2,200 prisoners on a site, Thornton Hall, north of Dublin City) and the building of new prisons was part.

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Ireland, with a population of 4.3 million inhabitants, has a relatively low prison population and a moderate rate of imprisonment. However, in the first decade of the 21st Century that modest prison population was increasing rapidly with commensurate pressure on prison capacity.

In December 2008, for example, the prison population was 3,695 of whom 2,944 were committed on sentence. There was an almost 25 per cent increase in committals to prison under sentence in 2008 compared to 2007. The imprisonment rate, limited by capacity, was seventy-six per 100,000 (O'Malley, 2008). Of the 2,944 prisoners on sentence 457 were serving sentences of less than twelve months. In that year there were 13,557 committals to prison, an increase of 13.7 per cent on the 2007 total (Irish Prison Service, 2008).

In June 2012 there were 4,493 prisoners in custody and prisons were operating in excess of their stated bed capacities. The average number of prisoners in custody in Ireland has risen from 3,321 during 2007 to 4,389 during 2011, an increase of over 32 per cent. The total number of committals to prison had risen sharply during the same period, from 11,934 in 2007 to 17,318 in 2011 — an increase of over 45 per cent (Dáil Éireann, 2012).

On 5 April 2011 the Minister for Justice and Equality, in the context of the ongoing economic crisis, set up a group to review the proposal to build a new prison at Thornton Hall and to consider alternatives, if any, to avoid the costs yet to be incurred by the State in building such a new prison.

In its report in July 2011 the Thornton Hall Project Review Group (Department of Justice and Equality 2011) recommended that 'the Minister for Justice and Equality should introduce an incentivised scheme for earned temporary release coupled with a requirement to do community service under supervision.'

### **Origins and development of the Community Return Programme**

The Irish Prison Service<sup>2</sup> and the Probation Service<sup>3</sup> are separate agencies within the Department of Justice and Equality<sup>4</sup> and have worked closely and co-operatively for many years. The Probation Service has had staff working in prisons since the 1960s (McNally 2009) providing interventions

<sup>2</sup> [www.irishprisons.ie](http://www.irishprisons.ie)

<sup>3</sup> [www.probation.ie](http://www.probation.ie)

<sup>4</sup> [www.justice.ie](http://www.justice.ie)

and pre-release preparation services for prisoners. The Probation Service also supervises ex-prisoners on release in the community.

During 2009–11 the Probation Service, the Department of Justice and Equality and the Irish Prison Service were researching and exploring best practice in offender release and resettlement locally and internationally. The co-operation between the Department and agencies brought different perspectives and expertise to the project, addressed the competing priorities and expectations and contributed to an open and innovative process.

### **Remission and temporary release**

All prisoners serving determinate sentences can earn remission of one-quarter of their prison sentence. Remission may be lost in a disciplinary adjudication process when a prisoner is found to be non-compliant with prison rules.

New Prison Rules,<sup>5</sup> enacted in 2007, allow for the granting of up to one-third remission of sentence for prisoners who have shown further good conduct ‘by engaging in authorised structured activity’ to such an extent as to satisfy the Minister that, as a result of this engagement, they are less likely to reoffend and will be better able to reintegrate into the community. This innovation supported the implementation of improved sentence management and also provided an additional incentive for positive behaviour, participation in rehabilitative programmes and preparation of release.

The Criminal Justice Act, 1960 as amended by the Criminal Justice (Temporary Release of Prisoners) Act, 2003 authorises the Minister for Justice and Equality to direct that a person who is serving a custodial sentence be released from prison for a specified period of time for a specific purpose or reason subject to certain conditions (which may include Probation Service supervision) specified in the direction.

Temporary release is a privilege and not a right. The granting of temporary release, in keeping with the constitutional doctrine of the separation of powers, is entirely within the discretion of the executive branch of government.<sup>6</sup> From its introduction in 1960 temporary release

<sup>5</sup> Prison Rules (Si No. 252/2007).

<sup>6</sup> *Murray v Ireland* [1991] I.L.R.M. 465 at 472, referring to *People (DPP) v Tiernan* [1988] I.R. 250, [1989] I.L.R.M. 149; *Kinahan v Minister for Justice, Equality and Law Reform* [2001] 4 I.R. 454; *Doherty v Governor of Portlaoise Prison* [2002] 2 I.R. 252.

has been a most important instrument in the resettlement of prisoners after custody, facilitating treatments and other purposes.

### **Resettlement on leaving prison**

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

To date, there has been very limited study on unpaid community work in prison or as a condition of supervised release of prisoners from custody. Working with prisoners in custody, Graham (2012) explored the use and impact of community service activities as a means of assisting desistance from crime prisoners in the custody of the Tasmania Prison Service.

Graham's study examined the impact and benefits to individual prisoners, the agencies and stakeholders they are assisting, and assessed the efficacy of community service activities to promote desistance and reintegration. Graham found that community service activities had a positive impact on the staff and volunteers in the relevant agencies, the recipient communities and beneficiaries of community service activities and, ultimately, the prisoners who developed their 'social capital', and accessed real opportunities and supports for reintegration.

Community Return, as it evolved in its development phase, was clearly a novel and unique initiative combining unpaid work for the benefit of the community with early release and resettlement support. A search across academic, research and other studies, reports and publications in criminal justice literature and, in particular, writings on release and resettlement of ex-prisoners, did not find a similar scheme in operation anywhere else in the world. There is no known published account or report of a supervised release and resettlement scheme or programme for prisoners leaving custody with a condition of reparation in the form of unpaid community work as a condition of the release programme.

The community service literature provided analyses of the unpaid work sanction solely as a pre-custodial diversionary measure. The

predominant themes relate to discussions about the flexible, multi-dimensional nature of community service and the qualities and features of the community service experience which can benefit participants, promote compliance and support desistance.

The initial project team expanded to include operational and implementation expertise as the framework of the innovative Community Return Programme developed. In implementation, the deployment of dedicated staff in the co-located Irish Prison Service-Probation Service programme management unit in Probation Headquarters, has been a key success factor.

### **Community Return Programme**

In October 2011, the Probation Service, in partnership with the Irish Prison Service, commenced a pilot Community Return Programme.

In the Community Return Programme, qualifying prisoners may be released early from their custodial sentences, with a period of unpaid community work as a condition of their incentivised, structured and reviewable temporary release. All participants have demonstrated their willingness and ability to co-operate with the prison regime and to engage with the therapeutic services available.

The Community Return Programme is generally applicable to assessed prisoners who are serving sentences of between one and eight years' imprisonment. In a small number of instances persons serving longer sentences have been referred to the Community Return Programme, following a recommendation from the Parole Board.

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

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

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

### **Community Return Programme in practice**

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

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

Community service is a 'front door' sanction imposed by a court as an alternative prior to imprisonment. The *Value for Money and Policy Review of the Community Service Scheme* (Department of Justice and Equality 2009) identified the strategic objectives of community service as:

- reparation to the community
- integration of offenders in the community
- alternative to imprisonment (Department of Justice, Equality and Law Reform, 2009).

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

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

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

Community Return Programme work usually is completed in a supervised group setting on one of the many community service work sites located throughout the State. The placements operate on a non-profit basis, provide benefit to the community and offer direct assistance to many charitable organisations and local groups.

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

The work requirement may be varied depending on particular circumstances and commitments by participants to rehabilitation interventions, addiction programmes, employment etc.

Each participant is subject to additional conditions while on the scheme, such as a requirement to be of good behaviour, to be of sober habits, to report on a regular basis to the relevant prison and their local Garda Station and to reside at an agreed address. The participants are also subject to a 'two strike' rule whereby non-attendance or lateness on two separate occasions will result in their removal from the scheme and return to prison custody to serve the remainder of their sentence. Non-compliance with other conditions of their temporary release may result in an immediate return to custody.

### **Resettlement and adjustment support**

In the development and objectives of the Community Return Programme the adjustment and resettlement period immediately following release from a custodial sentence was recognised as critical for people leaving prison. It is an important time in determining whether ex-prisoners can engage with their communities, establish a law-abiding lifestyle and make a positive contribution through their work and participation in society, or relapse to anti-social behaviours or offending.

Through structured and supervised early release, engagement with dedicated support services and supported access to mainstream

community services, the Community Return Programme seeks to maximise opportunities to ensure that the adjustment to life in the community and resettlement to a new and positive lifestyle and career are facilitated.

For participants on the Community Return Programme, appropriate arrangements for necessary social and rehabilitative supports are planned as part of the programme, with support services such as IASIO,<sup>7</sup> local addiction/drug services, local accommodation support services as well as on-going support from Probation Officers.

### **Community Return Programme pilot phase**

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

Following this initial pilot phase, the Community Return Programme was extended and expanded. One of the strategic actions contained in the Joint Irish Prison Service and Probation Service Strategic Plan 2013–2015 (Irish Prison Service/Probation Service, 2013) was the continued roll-out of the Community Return Programme.

The Community Return Programme was managed in the initial pilot phase by a Steering Group comprised of representatives of the Department of Justice and Equality, the Irish Prison Service and the Probation Service. Day-to-day management of the project takes place in a co-located unit, based in Probation Service Headquarters and made up of prison and probation personnel working together. The co-located unit reports to a high-level probation and prisons oversight committee, which now manages and co-ordinates implementation of the Probation Service – Irish Prison Service Joint Strategy 2015–2017 (Irish Prison Service/Probation Service, 2015).

Putting in place the co-located interagency unit has been recognised in both the Irish Prison Service and the Probation Service as being one of

<sup>7</sup> IASIO (Irish Association for the Social Integration of Offenders) is a not-for-profit community based organisation providing services and support for the social inclusion of people with criminal convictions. IASIO is funded and supported by the Department of Justice and Equality, the Probation Service and the Irish Prison Service. [www.iasio.ie](http://www.iasio.ie)

the keys to the smooth running and general success of Community Return. The co-location of staff in this way has also been widely perceived as contributing significantly to improved interagency communication, including other work streams, as well as Community Return itself.

## Evaluation

In developing and piloting of the Community Return Programme an evaluation study was part of the commitment by the Department of Justice and Equality, the Probation Service and the Irish Prison Service to build data analysis, evaluation and an evidence base into the project, to inform decisions and future policy and practice development. Research and evaluation in practice are also part of the Government commitment to an evidence-led approach to policy development and service delivery.

The study of the first twenty-six months of the Community Return Programme was managed by a cross-agency steering group. The study titled *Community Return: A Unique Opportunity* (Irish Prison Service/ Probation Service 2014), through descriptive and evaluative research, sought to evaluate and report on the operation, impact and effectiveness of the Community Return Programme. To do this a mixed methods approach was adopted consisting of primary research conducted through quantitative surveys and qualitative semi-structured interviews, as well secondary research involving the analysis of pre-existing data on programme participants collected by the Irish Prison Service.

The study cohort comprised all 761 Community Return Programme participants between October 2011 and 31 December 2013.

Key findings in the Community Return Programme study included:

Of the 761 participants who had commenced the Community Return Programme between October 2011 and 31 December 2013, 548 had completed it and 108 were still in progress. Eighty-eight participants, approximately 11 per cent, breached conditions of the Community Return Programme and were returned to custody.

Almost 89 per cent had either successfully completed their Community Return Programme or were still working on the Programme. Of those participants (n =233) released during the first year of the programme, 91 per cent had not been committed to prison on a new custodial sentence in the period up to the end of 2013.

Of the 761 offenders who commenced the Community Return Programme, 90 per cent were serving custodial sentences of less than six years. 45 per cent were serving sentences of between two and four years imprisonment. The average sentence length was 3.2 years.

40 per cent of Community Return Programme participants had been convicted on drug offences. 16 per cent had been convicted in respect of offences including assaults and related offending. 9 per cent were convicted of offences including robbery and related offences.

Community Return Programme participants were predominantly male, with females comprising approximately 6 per cent of the population on the programme. 77 per cent of the population were aged between twenty-one and forty, with the greatest concentration in both genders (43 per cent) in the ten year age group between twenty-one and thirty years.

62 per cent of Community Return Programme participants were from Leinster. 43 per cent of all participants were from Dublin. Of the total population who commenced the Community Return Programme, approximately 53 per cent were located in three major urban areas (Dublin, Cork and Limerick). This is generally consistent with the prison population distribution.

38 per cent of participants were released from open prisons, Shelton Abbey and Loughan House, while Mountjoy Prison was the closed prison with the highest release rate at 11 per cent. The high percentage of prisoners released onto the Community Return Programme from open prisons reflects the Irish Prison Service Incentivised Regime policy in practice and the pre-release role of open prisons.

9,580 weeks of Community Return Programme work, comprising 201,056 hours' unpaid work, was completed by participants. Based on the national minimum wage in 2014 for an adult worker of €8.65 per hour, this represents €1,739,135 worth of unpaid work completed for the community by Community Return participants.

The most common types of work undertaken by Community Return Programme participants were landscaping/gardening, painting/decorating and renovation, with participants preferring work which allowed them to see 'a job through from beginning to end rather than constant switching between jobs'. Supervisors reported that Community Return Programme participants performed positively in their work and displayed a positive attitude towards the work.

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

Access to social protection entitlements ('social welfare') was the single biggest difficulty faced by Community Return participants involved in this study following their release, affecting one third of participants. According to participant feedback, difficulties appear to have stemmed from an apparent lack of a shared understanding regarding access to income maintenance payments by Community Return participants.

The Community Return Programme participants identified particular benefits of the Programme, including the structure and routine which aided re-integration, the work ethic and self-esteem developed, their positive profile in working in the community and the learning of work skills transferable to employment. Challenges included coping with the strictness and frequency of the signing-on conditions, difficulties accessing entitlements and payments, and time and costs in travelling to worksites.

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

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

Of thirty participants interviewed, seven faced accommodation difficulties following their release. These difficulties included accessing affordable private rented sector accommodation, finding landlords who would accept rent allowance payments, being unable to change address due to the temporary release conditions being linked to a current

address, having to leave an address due to relationship breakdown, the temporary nature of accommodation after the assessment stage and not having secure accommodation at the time of release.

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

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

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

## **Benefits and potential**

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

Most participants in this study identified value in the supervised Community Return Programme, as opposed to general release from prison, in aiding their resettlement. Community Return provided a structure and routine, helped build a work ethic and develop the self-

esteem of participants and taught new work skills transferable to paid employment. Some believed that aspects of the Community Return Programme helped them to stay out of trouble. Participation contributed to the participants' enhanced 'social capital' and engagement with their communities.

## **Reparation and victims**

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

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

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

In the supervision of prisoners on temporary release or other supervision the Probation Service and partner services strongly encourage offenders in taking responsibility for the hurt, damage and suffering caused in their offending. Supervision seeks to ensure that offenders address any lifestyle issue or attitude that has played a part in their offending.

Participation by prisoners in pre-and post-release programmes and interventions focused on rehabilitation and changed behaviour,

co-operation with supervision, engagement with services in the community, positive engagement in purposeful work in communities and the low level of recidivism among Community Return Programme participants are indicators of considerable benefit for victims through changed behaviour and attitudes, the reduction of further victimisation through repeat offending and safer communities.

### **Pro-social modelling**

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

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

### **Multi-agency working and co-operation**

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

### **Mainstream services**

There has long been an identified risk that ex-prisoners can be marginalised and excluded, either as a result of their behaviours or fears

or concerns about them. This has led, in some instances, to exclusion from mainstream services such as accommodation, employment support and health services and the growth of specialised and separate provision, which may in fact contribute to increased marginalisation.

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

### **Recidivism and prison numbers**

The level and nature of recidivism reported in this study was much lower than anticipated. The period of follow-up was short given the intention that the study reported on the first twenty-six months of the programme in action. 91 per cent had not been committed to prison on a new custodial sentence in the period up to the end of 2013. Of the twenty committed to custody six were for non-payment of a court imposed fine. Other offences appear to have been relatively minor. The issue of longer term desistance from offending by Community Return participants requires more detailed follow-up research.

Projections for the study period and since anticipate between up to 450 participants annually in the Community Return Programme (Irish Prison Service/Probation Service 2015). That number represents 10 per cent or more of the population in prison at any given time in recent years.

On 28 November 2014 there were 3,204 prisoners in custody under sentence (Irish Prison Service 2014). In comparison on 30 November 2011 there were 3,697 prisoners in custody under sentence (Irish Prison Service 2011). While this fall in prison number can be attributed, at least in significant part to the Community Return Programme, other factors such as offending patterns, policing and sentencing practice may have made some contribution. It is clear, however, that there is now an established pattern continuing reduction in prison population which should, in the longer term, mitigate operating expenditure on prisons and reduce the need for additional capital investment.

By 7 July 2015 a total of 1,409 had participated or are currently participating in the Community Return Programme since its inception. 163 persons have been returned to custody for non-compliance with the conditions of the Programme, representing 11.5 per cent of the cohort released (Irish Prison Service data, unpublished). Almost 89 per cent of prisoners released on the Community Return Programme since its commencement have completed or are completing their supervision successfully. This current figure is consistent with the findings of the research study on the first twenty-six months of the Community Return Programme (Irish Prison Service/Probation Service 2014).

### **Research and evaluation**

As described earlier and in the literature review in the evaluation study, there are studies that support elements of the initiative, but none that encompass the full breadth of Community Return. There was, in such circumstances, a need for calculated risk-taking to develop a new initiative or project.

Considerable review and oversight processes have been built into the Community Return Programme to monitor its development, evaluate actions and respond to any unforeseen issues.

Evaluation, of which *Community Return: A Unique Opportunity* is an example, is critical to the development and successful implementation of any new initiative, and to Community Return in particular, in view of potential risks to public safety and the community.

*Community Return: A Unique Opportunity* highlights the positive impact on reoffending and resettlement of the Community Return Programme as a structured post custody resettlement, reparation and supervised release initiative.

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

Unpaid community work as part of supervised release has not previously been considered or implemented in the form described in *Community Return: A Unique Opportunity*. The Community Return Programme has provided structure, purposeful work, supported entry to

working in the community and valuable benefits to communities as well as to the participants.

### Next steps

The Community Return Programme is now established as a key action in the Irish Prison Service/Probation Service joint strategy 2015–17 (Irish Prison Service/Probation Service 2015) and is being actively developed with an annual target of 450 participants. The Services and partner agencies in the community continue to extend co-operation and integrated support processes.

As a successful, innovative and progressive initiative in post-release resettlement of prisoners leaving custody, Community Return has attracted attention and interest in many jurisdictions. Their critical reviews, decisions and commentary will continue to inform practice development in prisoner re-entry and resettlement here and elsewhere.

It is essential in the development of the Community Return Programme that there should be continued evaluation and independent research on the programme and its practice components as well as its effectiveness and outcomes. Research and evaluation will not only strengthen the Community Return Programme evidence base but also strengthen and develop its benefits for participants, the criminal justice system and the wider community.

### References

- Burnett, R. and Maruna, S. (2006), 'The kindness of prisoners: Strengths-based resettlement in theory and action', *Criminology and Criminal Justice*, 6 (1), pp. 83–106
- Dáil Éireann (2012), Written Answers – Prison Committals Tuesday, 17 July 2012 Dáil Éireann Debates *Vol. 773 No. 1*, available at <http://debates.oireachtas.ie/dail/2012/07/17/00446.asp>
- Department of Justice and Equality (2011), Report of the Thornton Hall Project Review Group, available at <http://www.justice.ie/en/JELR/Pages/ThorntonHallReviewRpt>
- Department of Justice and Equality (2009), Value for Money and Policy Review of the Community Service Scheme (October 2009), available at <http://www.justice.ie/en/JELR/Pages/PB09000158>
- Graham, S (2012), 'Paying It Back: Does Community Service Activities Promote Desistance In Prisoners?' Thesis in the Degree of Masters in Criminology & Corrections in the School of Sociology and Social Work at the University of Tasmania, available at <https://static.squarespace.com/static/52e39b59e4b0>

- a6559fe073e2/t/52ee1cd9e4b0128d21ba2862/1391336665486/Graham-S-2012-Does-Community-Service-Activities-promote-desistance.pdf
- Irish Prison Service/Probation Service (2015), Joint Irish Prison Service & Probation Service Strategic Plan 2015–2017, available at [http://www.probation.ie/website/probationservice/websitewebpublishingdec09.nsf/AttachmentsByTitle/Joint+Probation+Service-Irish+Prison+Service+Strategy+2015+to+2017/\\$FILE/Joint+IPS+PS+Strategy+2015+to+2017+Web.pdf](http://www.probation.ie/website/probationservice/websitewebpublishingdec09.nsf/AttachmentsByTitle/Joint+Probation+Service-Irish+Prison+Service+Strategy+2015+to+2017/$FILE/Joint+IPS+PS+Strategy+2015+to+2017+Web.pdf)
- Irish Prison Service/Probation Service (2014), Community Return: A Unique Opportunity. Irish Prison Service/Probation Service Report 5, available at <http://www.probation.ie/pws/websitewebpublishingdec09.nsf/Content/Research+Publications~Probation+Service>
- Irish Prison Service/Probation Service (2013), Joint Irish Prison Service & Probation Service Strategic Plan 2013–2015, available at [http://www.probation.ie/pws/websitewebpublishingdec09.nsf/AttachmentsByTitle/Joint+IPS+and+PS+Strategy+2013-2015/\\$FILE/Joint+IPS+and+PS+Strategy+2013-2015.pdf](http://www.probation.ie/pws/websitewebpublishingdec09.nsf/AttachmentsByTitle/Joint+IPS+and+PS+Strategy+2013-2015/$FILE/Joint+IPS+and+PS+Strategy+2013-2015.pdf)
- Irish Prison Service (2014), Annual Report 2014, available at [http://www.irishprisons.ie/images/pdf/ar2014\\_english.pdf](http://www.irishprisons.ie/images/pdf/ar2014_english.pdf)
- Irish Prison Service (2011), Annual Report 2008, available at <http://www.irishprisons.ie/images/pdf/annualreport11.pdf>
- Irish Prison Service (2008), Annual Report 2008, available at <http://www.irishprisons.ie/images/pdf/annualreport2008.pdf>
- Lösel, F. (2012), *Risk and protective factors in the resettlement of imprisoned fathers with their families: Final Report, January 2012*, University of Cambridge, Institute of Criminology, Cambridge, (OnLine), available at: [http://www.crim.cam.ac.uk/research/fathers\\_in\\_prison/final\\_report.pdf](http://www.crim.cam.ac.uk/research/fathers_in_prison/final_report.pdf)
- Maruna, S. (2011), 'Re-entry as a Rite of Passage', *Punishment and Society*, 13 (1), pp. 3–28
- Maruna, S. (2006), 'Who Owns Resettlement? Towards Restorative Re-Integration', *British Journal of Community Justice*, 4 (2), pp. 23–33
- McGuire, M. and Raynor, P. (2006), 'How the resettlement of prisoners promotes desistance from crime: Or does it?', *Criminology and Criminal Justice*, 6 (1), pp. 19–38
- McIvor, G. (2010), 'Paying back: 30 years of unpaid work by offenders in Scotland', *European Journal of Probation*, Vol. 2, No.1, 2010, pp. 41–61
- Moore, R. (2012), 'Beyond the prison walls: Some thoughts on prisoner resettlement in England and Wales', *Criminology and Criminal Justice*, April 2012 12, pp. 129–147
- Munn, M. (2011), 'Living in the Aftermath: the Impact of Lengthy Incarceration on Post-Carceral Success', *Howard Journal*, 50 (3), pp. 233–246
- McNally, G. (2009), 'Probation in Ireland, Part 2: The Modern Age, 1960s to 2000', *Irish Probation Journal*, Vol 6, available at [www.probation.ie](http://www.probation.ie)
- Nugent, B. and Pitts, S. (2010), 'Resettling Adult Offenders-a perfect opportunity for European Collaboration?' *EuroVista*, 1 (1), pp. 38–43
- Oireachtas Sub-Committee on Penal Reform (2012), Sub-Committee discussion on penal reform Wednesday, 1 February 2012, available at <http://oireachtasdebates.oireachtas.ie/Debates/per cent20Authoring/DebatesWebPack.nsf/committeetakes/JU12012020100004>

- 
- O'Malley, T (2008), 'The Ends of Sentence: Imprisonment and Early Release Decisions in Ireland', available at <http://www.irishsentencing.ie/en/ISIS/Pages/WP09000222>
- Shinkfield, J.S. and Graffam, J. (2010), 'The Relationship Between Emotional State and Success in Community Reintegration for Ex-Prisoners', *International Journal of Offender Therapy and Comparative Criminology*, 54(3), pp. 346–360