

Briefing note for meeting with Chair of High Level Task Force on Mental Health

21 July

Key discussion items

- Update on the Taskforce's progress to date
- Discuss the development of the Taskforce's final recommendations and associated issues
- Discuss implementation of recommendations.

The purpose of the meeting is to provide Ms. Kathleen Lynch, Chair of the High Level Taskforce and the three Taskforce sub-chairs, with an opportunity to update Minister McEntee, Minister Donnelly, Minister of State Mary Butler and Minister of State Frank Feighan on progress to date.

As the Taskforce's work is well advanced with the group hoping to complete its work by end Q2 2022, the meeting will also focus on some of the key recommendations emerging from the work of the sub-groups and what will be required to support them to ensure delivery within expected timeframes. Many of the recommendations relate to improving on, or creating better alignment of, existing services for those with mental health and addiction issues in the criminal justice system. These include improved health supports and will have resource implications for DOH and HSE as well as justice sector actors.

Significant support and priority attention from both the Department of Health and the HSE will be needed if the Taskforce's recommendations are to be successfully implemented and the desired outcomes achieved. In many ways this is the critical success factor of this work.

Implementation of the Taskforce's recommendations and how this might be approached to ensure successful delivery will be discussed. The Taskforce will recommend actions which are for implementation in the short, medium and longer term. Given the cross-Departmental cross-Agency nature of the Taskforce's work, careful consideration of the appropriate monitoring mechanism to underpin the effective implementation of its recommendations will be required.

Background

The Programme for Government commits to the establishment of a Task Force to consider the mental health and addiction issues of persons in prison and primary care support on release. It also acknowledges the recent Mental Health Policy "Sharing the Vision" and commits to establishing the National Implementation and Monitoring Committee to oversee this work.

The High Level Task Force (HLTF) was established in April 2021 by the Minister for Justice in conjunction with the Minister for Health. Officials from the Department of Justice provide

the secretariat. However, implementation obligations fall to a range of Departments and bodies.

The HLTF has held ten meetings to date. It established three expert subgroups to enable work to progress on several strands at once including diversion, prison and central mental hospital capacity and community through care. Each of the subgroups is comprised of relevant experts, and chaired by high ranking officials from the criminal justice sector, with the health leads represented and contributing to all. The subgroups have each met on at least twelve occasions. The Chair of the Taskforce has also held meetings with subgroup chairs, and officials from both Departments on an *ad hoc* basis.

The three subgroups are:-

SG1: Diversion: Chaired by Chief Supt. Gerry Roche, Limerick Garda Division AGS.

SG2: IPS/CMH Capacity: Chaired by Dr. John Devlin, Clinical Director, Irish Prison Service.

SG3: Community issues and through-care from custody:-Chaired by Mark Wilson, Director, Probation Service.

The Terms of Reference of the HLTF (overleaf) require the group to submit an interim report to the Minister for Justice and Minister of Health. The **interim report**, setting out the work of the HLTF and each of the subgroups, was completed and submitted for the information of both Ministers in November 2021.

The Taskforce has engaged with a large number of relevant bodies and civil society actors including a meeting with the Mental Health Commission on 2 December 2021 and, more recently, the Chairs of Prison Visiting Committees and the Inspector of Prisons on 3 February 2022. The Taskforce has also received presentations from the Irish Penal Reform Trust and Crowe Consulting on the comprehensive Health Needs Assessment embarked on by the Prison Service. The HLTF has also received presentations from stakeholder groups working with prisoners and their families including the Bedford Row Family Project and the Dillon's Cross Project. The HLTF met with Ms. Justice Iseult O'Malley in connection with the work of the Sentencing Guidelines and Information Committee to consider possible synergies between the work of the HLTF and the committee.

A key commitment of the terms of reference of the Taskforce is the delivery of a **high-level implementation plan** for any required actions arising from the groups work. The Taskforce has taken three thematic focuses which it considers capture the entirety of an individual's interactions with the criminal justice system, these are:

1. diversion of individuals with mental health difficulties and addiction/dual diagnosis issues away from the criminal justice system,
2. the capacity of the Irish Prison Service and the National Forensic Mental Health Service, and
3. community issues including through care from custody.

In examining issues and performance across each of these themes, the Taskforce hopes to be able to make positive changes at each point, before formal engagement in the criminal system, supporting rehabilitation of those in custody and ensuring the most successful reintegration into society.

The Taskforce is aiming to provide this high level implementation plan for its recommendations at end Q2 2022.

Appendix 1

Terms of Reference –High Level Taskforce

- (i) To assess how best to take forward the recommendations from the first and second reports of the Inter Departmental Group to examine issues relating to people with mental health issues coming into contact with the criminal justice system
- (ii) To consult with stakeholders and consider relevant reports, proposals, recommendations and strategic actions including, but not limited to, the recommendations of the Council of Europe Commission on the Prevention of Torture reports and the ongoing work of the Steering Group on the Health Needs Assessment under way in the Irish Prison Service, with a view to identifying any additional actions relating to people with mental health challenges or a dual diagnosis of mental health and drug or alcohol addiction challenges who come into contact with the criminal justice system that may be necessary
- (iii) To prepare a High Level Implementation Plan by end of 2021 outlining lead responsibilities and timelines for any actions identified in (i) and (ii) with operational subgroups being set up as necessary.
- (iv) Report on implementation periodically to relevant Ministers and Ministers of State.

Speaking Points for Meeting with Chair of High Level Task Force on Mental Health

21 July

I would like to thank everyone for attending today to discuss the very important work of the High Level Taskforce.

We all know that the healthcare needs of vulnerable, sometimes seriously ill, people who interact with the criminal justice system are complex and require whole of systems consideration and urgent action.

This is one of the biggest challenges facing our system and I fully appreciate that there are no easy solutions but I know everyone here today is determined that the appropriate help and support is available for those who need it.

I think everyone here today will also appreciate that to implement the changes needed we will need a whole of Government approach with the Criminal Justice system forming only part of the response but that in working together we can effect real change.

Before we start, I would like to take this opportunity to thank Kathleen and each of the three sub group chairs for their engagement with, and commitment to, this work.

I know how hard you worked to present your interim report in November of last year and of course I had the privilege to sit in with you on your plenary session in December.

The work you had achieved to the end of the 2021 when we last met was impressive and I know you have worked equally as hard, if not harder, in the months since to progress this further.

Your hard work will be the foundation upon which we build the robust and comprehensive approach needed to address the mental health and addiction challenges of those who interact with the criminal justice system. I acknowledge that the HLTF has not shied away from the demanding but important task of examining these issues at all points along an individual's possible interactions with the criminal justice system. Whether at the very earliest stages of their contact with An Garda Síochána or the Courts, in prison or upon release.

The importance of us working together to do this can't be overstated. The work of the HLTF to date has made clear that an effective response to the challenges of mental health and addiction issues requires great cooperation and collaboration between all arms of the state involved. As we move towards implementation it is important to reflect on this need for an end to any lingering 'silo-isation'. By taking this approach, of placing the individual and their journey through the different stages involved at the heart of your work, this service user perspective requires coordination at the highest levels, if we are to achieve meaningful progress for the individuals in question and their families.

If we are to improve the care and outcomes for these most vulnerable people we have to take the holistic approach that is behind the formation of the High Level Taskforce.

Before I hand over to you Kathleen to update us on your work I want to, once again, take this opportunity to sincerely thank you, the sub-group chairs, and all of the members of the task force for the work you have done.

Your determination in what I know, with the backdrop of the pandemic, must have at times been challenging circumstances is to be commended. As is your commitment to hearing from a full range of bodies and stakeholders.

I can assure you that as a Government, we will equal your dedication and commitment as we take this work forward.