# HLT 00521-23: Memo for Government - Publication of the Health Needs Assessment for the Irish Prison Service

## Action required

Approval to submit Memorandum for the Information of Government, on behalf of the Minister for Justice and the Minister for Health, on the intention to publish the Health Needs Assessment for the Irish Prison Service

## Executive summary

Previously, Minister approved the publication of the health needs assessment for the Irish Prison Service in an eSubmission (HLT 01879-22; attached).

It is now proposed to bring a Memorandum for the Information of the Government, on behalf of the Minister for Justice and the Minister, on the intention to publish the report.

The main recommendation of the report is that responsibility for prison healthcare services should remain with the IPS and that the IPS should establish a new directorate of health, wellbeing and psychology, incorporating all current services within a common structure. These recommendations are accepted by both departments.

Implementation of the Report’s recommendations will need to be considered in the context of competing demands for annual budgets and will be addressed through the annual Estimates process. Text will added to the Memorandum to make clear that this is the responsibility of the Dept of Justice.

The Minister for Justice wishes to bring the Memorandum to Government next week so that he can announce publication of the report at the Prison Officers Association ADC on Thurs 27April.

The publication of the Report will be coordinated between the press offices in the two Departments, as previously requested by Minister Donnelly.

## Detailed information

**Memorandum for the Information of the Government**

**Health Needs Assessment for the Irish Prison Service**

**1. Matter or Issue for Information**

The Minister for Justice and the Minister for Health request the Government to note:

(i)   the report entitled “Health Needs Assessment for the Irish Prison Service” (see **Appendix A**); and

(ii)   the Ministers’ intention to publish the report.

**2. Background**

The Health Needs Assessment (HNA) Steering Group was established in 2018, following a memorandum of understanding between the then Minister for Justice and Equality and Minister for Health to take forward an independent review of the current and future delivery of appropriate provision of healthcare services to persons in custody.

The Terms of Reference for the Group were drafted (in 2018) with an awareness of the Report on Healthcare in Irish Prisons, published in November, 2016, by the late Inspector of Prisons, Judge Michael Reilly. The Terms of Reference of the Group were as follows:

1. To conduct an analysis of international best practice in the provision and resourcing of health and personal social services to prisoner populations;
2. To review and report on the provision and resourcing of health and personal social services currently available to the prison population in Ireland, within the context of the findings of the above analysis;
3. To conduct a health needs assessment to systematically identify the generic and specialist healthcare needs of the current prisoner population and estimation of future needs;
4. To make recommendations for the development of health and personal social service to prison populations in Ireland, based on the outcome of the review;
5. To develop an Action Plan and a resource framework to support the health and personal social service needs of the prisoner population setting out the timelines and milestones for this to be achieved, taking account of the need for a continuum of care from committal to release;
6. To recommend project structures to support the Irish Prison Service in the delivery of this Action Plan and provide access to appropriate expertise and advice in health and personal social services as part of project oversight structures; and
7. To submit a report to the Minister for Justice and Equality and the Minister for Health on the outcome of the Review of Prison Healthcare.

The Steering Group was chaired by the Department of Justice and included senior officials from the Department of Justice, the Department of Health, and the Irish Prison Service. Professor Harry Kennedy, former Executive Clinical Director of the National Forensic Mental Health Service, Central Mental Hospital, was also asked by the Group to take elements of the review relevant to his area of expertise. The Group met eight times.

Crowe Ireland was commissioned as an independent consultant in November 2019 to conduct a Health Needs Assessment, both for the IPS as a whole and for the 12 individual prisons within the IPS estate.  In the main report, delivered to the Steering Group in January 2022, Crowe describe how they undertook this assignment, while presenting their main findings, analysis and recommendations for the optimal development of IPS healthcare services.

This report (see **Appendix A)** is now concluded and was recently presented to both Ministers for approval of publication, while noting that the report contains recommendations from independent consultants, not all of which will be accepted for implementation.

The Report also includes a draft implementation plan which has been developed to take forward the majority of recommendations outlined in the report, and this will complement the work of the High Level Task Force (HLTF) on the interaction of persons with mental health and addiction challenges in the Justice Sector which reported to Government in September 2022.

**3. Main features of the report**

A brief overview of the HNA recommendations is provided at **Appendix B.**

The recommendations range across general healthcare provision, women’s healthcare, mental health services, addiction and substance misuse services.  The report also makes a number of recommendations relating to governance and resourcing.

***The main recommendation of the report is that responsibility for prison healthcare services should remain with the IPS. It also recommends the development of formal pathways between the IPS and the wider health system, including the Department of Health and HSE, to enable the culture and recognition of the role of prisons within the health system and to address professional and service isolation***. (text in italics to be added at the request of the Dept of Health)

It is important to note that the IPS and both Departments broadly accept the majority of the recommendations outlined in the main report, with one notable exception. Recommendation 24 of the Report is addressed to the IPS. It states that the IPS should consider the case for legislative review of the right to access to Clozapine or the right to receive treatment without consent if a specialised bed is unavailable. This issue was considered as part of the work of Subgroup 2 of the HLTF.

This work would have involved the identification of a Prison as a Designated Centre for this purpose. Subgroup 2 clearly stated in their report that this was not to be pursued and that prisons were not to be considered for designation. Therefore, it is the view of both Departments that Recommendation 24 **is not supported** and has in fact been overtaken by the work of the HLTF.

**4. Implementation**

The HNA implementation phase will be led by the Irish Prison Service (IPS).  IPS is exploring how to progress external assistance to draw up an implementation plan for the recommendations with targets for delivery over the next 3 years.

It is intended that progress on implementation will be overseen by a Steering Committee comprising representatives from the Departments of Justice and Health, IPS and the HSE.  This aspect will be progressed with IPS in due course. Updates will be provided to the Minister for Justice and the Minister for Health every six months.

**5. Cost to Exchequer**

Implementation of the Report’s recommendations will need to be considered in the context of competing demands for annual budgets and will be addressed through the annual Estimates process ***by the Department of Justice*** (text in italics to be added at the request of the Dept of Health).

**6. Action Required**

This Memorandum is submitted for information only. Arrangements will be made for publication of the report as soon as practicable.