Co-Operation between the Northern Ireland Office and the Government of the Republic of Ireland (with a focus on Cross-border Co-Operation between the agencies responsible for Law Enforcement and Criminal Justice in Northern Ireland and in the Republic)

Executive Summary

The Probation Board for Northern Ireland (PBNI) has worked closely with the Probation Service (PS) in the Republic of Ireland for the last 30 years. Since the Criminal Justice Review in 2000, the relationship has been on a more formal basis, with a focus on sharing good practice and information with the overall objective of managing the risk posed by offenders on the island of Ireland.

PBNI and PS have;

- developed and managed a programme (Protect North & South) aimed at promoting best practice in probation through sharing knowledge and experience, both between the two probation services and internationally;
- developed joint protocols on the management of sex offenders;
- identified a single point of contact in both organisations for information exchange;
- led the development of the Public Protection Advisory Group (PPAG), jointly chaired by the Director of PBNI and the Director of the Probation Service, and comprising representatives from the Northern Ireland Office, Department Justice, Equality & Reform, two probation services, two police services and two prison services, which reports to the intergovernmental group led by the Northern Ireland Office and Department of Justice;
- established structures so that the two senior management teams meet formally annually and operational teams also meet formally on an annual basis;
- developed a Journal to share theory and practice, increasing co-operation and learning between the two jurisdictions and developing debate about work with offenders;
- facilitated observation visits in a range of areas.
1. Introduction

1.1 Probation Board for Northern Ireland (PBNI) was established in 1982 and is a non-departmental public body whose aim is to help reduce crime and the harm it does. The Board is responsible for the assessment and management of the risk posed by offenders with the objective of protecting the public by reducing reoffending.

1.2 The Board employs 350 staff who write 6,500 reports a year for sentencing courts and supervise 4,000 offenders daily. The Board’s budget is £15.18 million.

1.3 In its current Corporate Plan (2008-2011) PBNI “recognise the importance of co-operation between North and South on this island and with Great Britain in the delivery of probation and criminal justice services. Difference in laws and structures will require closer working and co-operation to harmonise arrangements and deal with day to day challenges. The benchmarking of services across the jurisdiction would be a useful development in our pursuit of best practice”. For this reason PBNI welcomes the inquiry by the Northern Ireland Affairs Committee.

2. Relationships with the Probation Service in the Republic of Ireland

2.1 Since its establishment in 1982, PBNI has maintained a close relationship with what was formerly known as the Probation and Welfare Service and, since 2007, has been known as the Probation Service in the Republic of Ireland. This involved sharing of information on offenders who moved from one jurisdiction to the other, providing information for the preparation of reports on offenders who resided in a different jurisdiction, supervising offenders on a non-statutory basis on behalf of the other probation service and regular meetings to share good practice (including joint conferences on matters of mutual concern). The Northern Ireland Criminal Justice Review (2000) set out the framework for co-operation in the chapter entitled “Structured Co-operation”. In addition to the overarching recommendation (278) there were a number of other recommendations...
relevant to PBNI. In particular, recommendation 279 (“that the scope for the joint delivery of training, education (including continuing professional developments) and the exchange of good practice on criminal justice issues should be examined”). This led to the 30 month project, from May 2004 – September 2006, entitled “Protect North & South”, which was funded by the Special European Union Programmes Body (SEUPB) aimed at “impacting on reoffending and, consequently, community safety by promoting best practice in probation through sharing knowledge and experience, both between the two probation services and internationally”. This was viewed as a successful programme by the European Funding Body and a number of recommendations were made in the final evaluation report (June 2007) which both services continue to roll out. The project involved staff from both services working together and developing seminars on dangerous offenders, reducing youth offending and prevention of sexual offending.

2.2 As a result of this project, joint training programmes were provided in the delivery of the PBNI “Men Overcoming Domestic Violence Programme” which was subsequently delivered in the Republic of Ireland. Additionally places on PBNI’s “Course for Drink Drive Offenders” have been made available to offenders from the Republic of Ireland in one area and the Probation Service in the Republic of Ireland is currently rolling out a similar programme in that jurisdiction. This also addressed recommendation 280 (“consideration be given to the scope for regular personnel exchange between agencies such as Probation, Prosecution, Prisons, Courts and Criminal Justice policy makers”). The two organisations have already addressed this issue and have further committed to personnel exchanges to take place in the autumn of 2008 onwards.

2.3 Recommendation 281 stated “consideration be given to recognition of qualifications and the possibility of harmonising standards between the two jurisdictions, while recognising the importance of compatibility between Northern Ireland and other parts of the United Kingdom”. Both PBNI and PS recognise a social work professional qualification as the core qualification for probation officers. In a Northern Ireland Office review of the qualification framework for probation officers carried out in 2001, it was noted that “probation services in the Republic of Ireland and Scotland are built around a generic
social work model, rather than a criminal justice model. Therefore, a Diploma in Social Work would be currently widely accepted within both these contexts as a qualification for a probation officer.”

2.4 Recommendation 282 stated “we recommend fostering co-operation between researchers through joint conferences and seminars and suggest that specific research projects might be undertaken at an All Ireland basis”. As already noted, Protect North & South delivered a total of 6 special interest seminars and one joint conference during its 30 months life span. The two Services have also developed an annual journal (Irish Probation Journal) which seeks to provide a forum for sharing theory and practice and increasing co-operation between the two jurisdictions and developing debate about work with offenders. There have been four editions published to date, with a fifth one due in October 2008, and all are available on the PBNI website. The final report of the Protect North & South project is also available on the PBNI website.

2.5 Recommendation 286 stated “we recommend that the issue of developing mutual arrangements for continued enforcement of non-custodial sentences and post-custodial supervision should be addressed. Arrangements for accessing programmes available in other jurisdictions should also be considered”. While no progress has been made on enforcement responsibility and authority, which remains in the area of the sentencing court, there has been a Public Protection Advisory Group (PPAG) established under the auspices of the Intergovernmental Agreement, with membership consisting of representatives from both jurisdictions including, Northern Ireland Office, Department Justice, Equality & Reform, Probation, Police and Prisons. The PPAG meets four times per year and is jointly chaired by the Director of PBNI and the Director of the Probation Service. The group has set 4 priorities
   i. Implementation of the “Harris Model” for the assessment of sex offenders on an All Ireland basis.
   ii. Managing diversity.
   iii. Effectiveness in evaluation.
   iv. Developing North/South information.
This links to recommendation 291 “With a view to sharing information between the authorities in the two jurisdictions, we recommend that the possibility of co-ordinating an approach to dangerous offenders register be given consideration”. Protocols between PBNI and the PS on the exchange of information regarding sex offenders were signed and agreed at the joint management meeting on 3 March 2006. These protocols have been distributed within the two services and are available to both governments.

2.6 In 2007 each organisation identified a Single Point Of Contact (SPOC) in relation to the management of offenders and preparation of reports. The SPOC Officers provide a six monthly report to the PPAG and have provided a more formal structure for arrangements which were previously ad hoc and informal.

2.7 For the last 10 years, both senior management teams have met formally on an annual basis and agreed action steps for activity for the forthcoming year. With the establishment of the PPAG, these meetings have become more streamlined and operate within the overall framework of the Intergovernmental Agreement. Each organisation has consulted the other in the planning and preparation of Corporate Plans and PBNI has committed, in its 2008-2011 Corporate Plan, to “further develop co-operation between North and South in this island and with Great Britain to harmonise arrangements to deal with offenders”. Specifically in the 2008/2009 Business Plan, PBNI has set an objective to “have delivered its contribution to the agreed North/South Public Protection Advisory Group (PPAG) work plan”.

At the most recent meeting of the two senior management teams (June 2008), a commitment was made to organise exchanges in the autumn of 2008 with the focus on

- Rural Probation Officers
- Probation Service Officers working with community service
- Probation Officers working in assessment
- Administrative/Corporate Services.
2.8 PBNI is committed to further developing co-operation with the Probation Service on a number of operational and strategic areas. These will include training opportunities for management and operational staff, more formal protocols for the exchange of information for all offenders, joint seminars on matters of good practice and a continued commitment to the annual production of the Irish Probation Journal.

**Summary**

PBNI has enjoyed a close working relationship with the Probation Service in the Republic of Ireland for 30 years. While initially this relationship was informal and based on a case-by-case basis, the Criminal Justice Review was a catalyst for more formal and active co-operation. The Joint Oversight Commissioner, The Right Honourable Lord Clyde, paid tribute to PBNI for its commitment to structured co-operation in all six of his annual reports, and these will be available to the Committee. PBNI has been supported in its work with the Probation Service by the Northern Ireland Office, particularly with the parallel North/South Intergovernmental Agreement and co-operation in criminal justice matters. PBNI believes this work should continue and expand in order to protect the public in both jurisdictions and welcomes the opportunity to contribute to the NIAC enquiry.