



Open Centre

Policy Index No.	Policy Sponsor	Page/s	Approved by	Date
PIN – 047	Operations Directorate	4	The Director of Operations	04/11/19

Related policies/standards	Date
See Section 5	

Legacy reference of policy	Date for review of policy	Date of issue/amendment
-	31/12/2020	04/11/2019

IPS Policy for Open Centre

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1. Aim of this policy

To set out the Irish Prison Service policy on the use of Open Centres for the purpose of sentence management of prisoners.

2. Purpose of this policy

To provide clarity in relation to the criteria for use when deciding on applications for transfer to open centres and applications for temporary release when a prisoner has transferred.

3. Scope of this policy

All prisoners.

Staff who have an input into the decision making process need to be familiar with the contents of this policy.

4. Procedures for implementation

4.1 Initial Assessment

To be considered for a transfer to an Open Centre a prisoner should satisfy the following general criteria:

4.1.1 be willing to/requesting the transfer

4.1.2 the sentence should be final

4.1.3 be assessed based on the criteria at 4.2 below

4.1.4 be on the Enhanced Regime Privilege level (where this is achievable)

4.1.5 had no P19 disciplinary report found against him for a serious breach of the Prison Rules in the three previous 3 months

4.1.6 be medically approved

4.1.7 can freely associates with other prisoners

4.1.8 be drug-free

These criteria are not exclusive or definitive and may vary depending on the particular circumstances of each case.

4.2 Consideration of transfer

A prisoner who is to be considered for an Open Centre shall have his sentence management plan reviewed at the Prisoner Review Meeting where all relevant services can have an input into the decision making process. For prisoners with short sentences or those committed for certain offences (e.g. non-violent first time offenders) the necessity of reviewing them at a formal Review Meeting may not be necessary.

Transfer will be approved or refused by Operations Directorate using the following criteria:

4.2.1 Nature of sentence/offence

4.2.2 Length of sentence and length of sentence left to serve. Transfer on Committal of certain categories of offenders who do not require a medium security setting.

4.2.3 Risk of absconding

4.2.4 Risk to the public

4.2.5 Medical restrictions

4.2.6 Risk to self

4.2.7 Outstanding charges or court appearances

4.2.8 Recommendation from Governor or Prison Services

4.2.9 Behaviour in prison

4.2.10 Previous behaviour in an open centre

4.2.11 Garda view on offender's behaviour in the community

4.2.12 Manner and extent which the prisoner has engaged constructively with services

4.2.13 Any offence for which person was previously convicted of.

These criteria are not exclusive or definitive and may vary depending on the particular circumstances of each case.

Traditionally, Open Centres have been used to facilitate prisoners in the final stages of longer term sentences. To maximise the benefits of an Open Centre, prisoners should, in general, have a minimum of 6 months left in their sentence when transferring.

Longer term prisoners may also be transferred to an Open Centre on the recommendation of the Minister as a result of their involvement in the Parole Board process.

4.3 Sentence Management in an Open Centre

When transferred to an Open Centre, a sentence management programme must be structured to meet the needs of the prisoner and be reflective of sentence time remaining. The sentence management programme shall take consideration of inter alia prisoner’s potential participation in the Community Return Scheme, college courses, residential drug treatment programmes or employment.

As a general rule, and having successfully integrated into the Open Centre regime, a prisoner may apply for temporary release under the following framework:

Sentence Remaining (months)	Proposed Programme
24+	(i) Initially 2 periods of AM-PM TR (escorted) (ii) Periods of AM-PM TR (unescorted) will be dependent on the length of sentence (up to a max of 3 per year)
19-24	1 weekend period of TR every 2 months
13-18	1 Weekend period of TR every month
6-12	2 Weekend periods of TR every month
Less than 6 months	3/4 Weekend periods of TR every month

The above framework is subject to ongoing assessment, the prisoner's ability to manage within the Open Centre's regime, and the ongoing consideration of risks to public safety.

The above framework is not prescriptive and specific programmes may need to be tailored to individual cases as appropriate to ensure effective resettlement/reintegration. Additionally, Ministerial decisions following from participation in the Parole Board process may differ from the above.

The legislative basis for making decisions on temporary release is fully set out in the Criminal Justice Act 1960, as amended by the Criminal Justice (Temporary Release of Prisoners) Act 2003. Each application will be considered on its individual merits and in accordance with the provisions of the 2003 Act.

Some prisoners may also transfer to Open Centres who are not suitable or eligible for periods of temporary release. These prisoners must be informed of this prior to transfer. However they will be able to access the other benefits of the Open Centre.

5. Related policies /standards

Transfer of Prisoners Protocol - LP/11/032-P01

6. Definitions

TR – Temporary Release

Appendices

END OF DOCUMENT