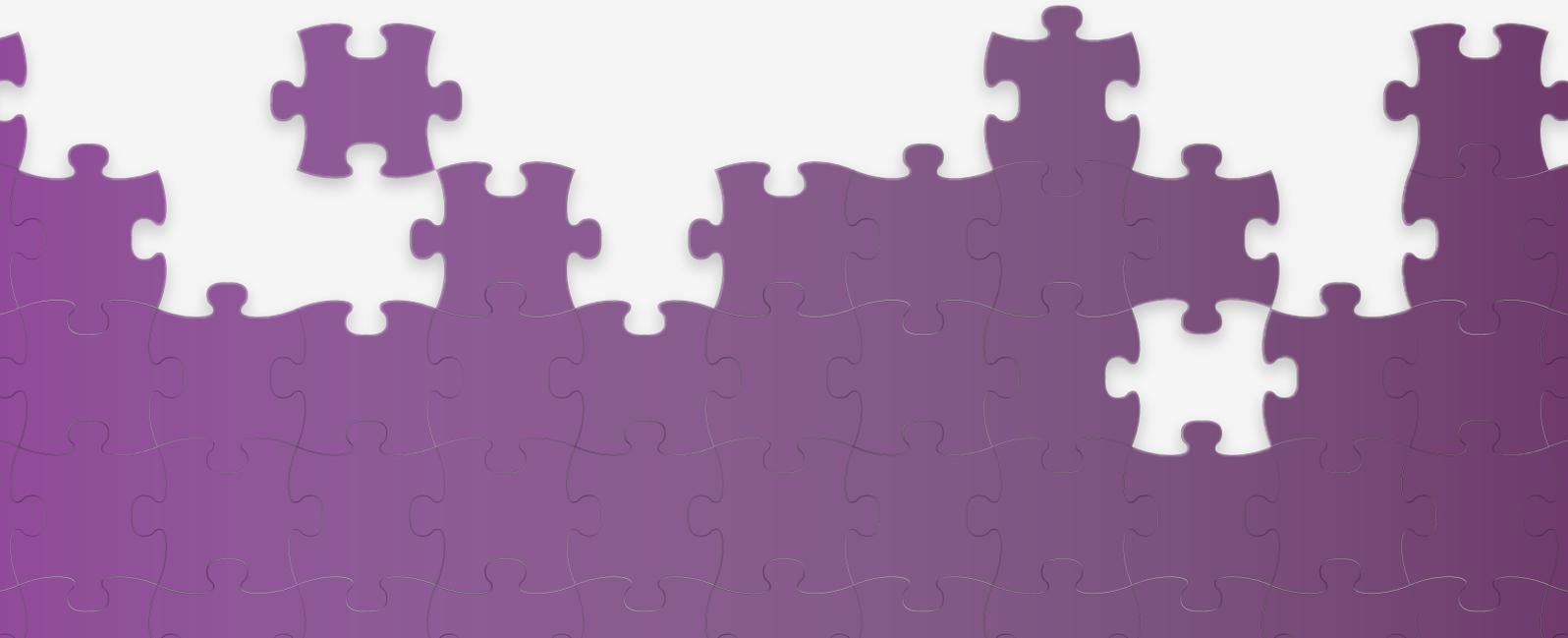


Travellers in Prison Initiative

Ethnic Identifiers in Irish Prisons

Context and recommended practice for improving data collection on
Travellers and minority ethnic groups in Irish Prisons



Report completed by Tanya Lalor March 2017

TABLE OF CONTENTS

BACKGROUND	1
SECTION 1 INTRODUCTION	3
SECTION 2 ETHNIC EQUALITY MONITORING	5
SECTION 3 OVERVIEW OF THE IPS POLICY AND PRACTICE IN ETHNIC DATA COLLECTION	7
3.1 Background to the introduction of the ethnic identifier	7
3.2 Collecting the information	8
3.3 Capacity of the PIMS system	9
SECTION 4 THE APPROPRIATENESS OF THE ETHNIC IDENTIFIER QUESTION	11
4.1 Potential for changing the question	11
4.2 Additional measures required	12
SECTION 5 COMPARISON WITH THE UK	14
SECTION 6 RECOMMENDATIONS	16
6.1 Piloting and implementation	17
6.2 Further training	18
6.3 Use of the information	19
PEOPLE CONSULTED	20
REFERENCES	
INDEX OF TABLES	3
Table 1.1 - Number of Travellers in Irish prisons according to the PIMS	6
Table 2.1 - Some considerations for ethnic identifiers within a human rights framework	
Table 3.1 - Ethnic identifier categories used in the Irish Prison Service (alphabetical)	7

BACKGROUND

While there are no official statistics on the number of Travellers in prison it is recognised that Travellers are significantly over-represented within the prison system - although Travellers only account for 0.6% of the overall population in the Republic of Ireland it is estimated that they account for 22% of the female prison population and 15% of the male prison population (source: Irish Prison Service). The disproportionate representation of Travellers in the penal system is not a situation that is unique to Ireland; the same trend can be found in other countries with an indigenous minority ethnic population.

The Travellers in Prison Initiative (TPI) was developed in 2014 as a response to the particular needs and circumstances of Travellers within the 14 prisons in the Republic of Ireland. The background to the TPI can be traced to the Irish Penal Reform Trust's research report 'Travellers in the Irish Prison System'¹. This excellent piece of research clearly documents the challenges and difficulties being experienced by Travellers within Irish prisons. The research report formed the basis of a workshop which was attended by over 50 Travellers and Traveller representatives and jointly hosted by the Irish Travellers Movement (ITM) and St. Stephens Green Trust (SSGT) in July 2014. There was unanimous approval at this workshop for setting up an initiative which would focus on the issue of Travellers in Irish prisons.

SSGT Trustees allocated funding for the TPI for a 3 year period from 2015 to 2018. The Irish Prison Service and the Irish Probation Service also fund the initiative and grant funding has also been received from the HSE to conduct research on the specific issues for Traveller women in the criminal justice system. The 3 year programme is operated by SSGT.

An interagency Steering Group has been appointed to guide the direction of the TPI which includes representatives from Pavee Point, the National Traveller Women's Forum, the Irish Traveller Movement, the Irish Prison Service, the Probation Service, the Irish Penal Reform Trust, Mincéirs Whiden, Exchange House, Traveller Counselling Service, the HSE Social Inclusion Unit, IASIO (Irish Association for the Social Integration of Offenders), the Irish Red Cross, and the Education and Training Board.

The TPI has significant potential both in relation to supporting particular interventions within Irish prisons and also in relation to positively influencing policies and procedures which more broadly impact upon the lives of Travellers in Irish prisons and their families.

The overall aim of the TPI is to embed positive change in policy and practice. The TPI has identified five key action areas that have the potential to inform policy and practice in a pragmatic and sustainable manner.

They are:

1. Building a knowledge base about Travellers in prison
2. Increasing and improving access to prison-based services for Travellers
3. Strengthening supports for families of Travellers in prison, and after prison, using a multi-agency approach
4. Strengthening self-identity and self-advocacy for Travellers in prison by mainstreaming a peer-support model
5. Increasing awareness and capacity through training and learning programmes to prison service and probation service staff.

1 Irish Penal Reform Trust (2014). Travellers in the Irish Prison System: A Qualitative Study. Ireland: IPRT Publications. Available at: http://www.iprt.ie/files/IPRT_Travellers_Report_web.pdf

The focus of this paper is to contribute to the generation of a knowledge base about Travellers in prison. Whilst establishing 'a knowledge base about Travellers in prison' is much more than discovering the numbers of Travellers in prison, the TPI paper 'Towards Developing a Strategy for Travellers in Prison 2016'² considers the gathering of accurate data on Travellers in prison to be the most basic step in creating a knowledge base about Irish Travellers in prison.

The report claims that without accurate figures, all proposed interventions will, to varying degrees, be based on speculation and unlikely to gain support from stakeholders. Specifically, detailed information that can be cross-referenced along the lines of gender, age range, education/literacy levels, employment, health and offences will provide the foundations for long-term structured interventions. Statistical analysis may, for example, illustrate literacy interventions are most necessary for female Traveller prisoners or that action on health should be primarily directed at older Traveller males.

The TPI welcomes the recent statement by the Taoiseach on behalf of the Irish State recognising the Irish Traveller community as an ethnic minority. Responding to the announcement, Martin Collins, Pavee Point Director said 'it heralds a new positive starting point in relations between Travellers and the majority population - a relationship that can only flourish and develop when founded on the vital principle of equality'. He also spoke about how this demonstration of respect for Traveller culture 'has the potential to deconstruct centuries of internalised shame within the Traveller community and allow future generations of Travellers to grow up with pride in their identity'. The formal recognition by the Irish State of Traveller ethnicity is particularly relevant in the context of ethnic data collection and monitoring within the prison system and reinforces the importance of accurate data collection and monitoring.

The TPI gratefully acknowledges the contribution of staff of the Irish Prison Service to this report, in particular Kieran Moylan, Mark Wilson, Paul Mannering and Governor Flavin, Castlerea Prison.

We also thank the researcher, Tanya Lalor, for providing insight into this issue and outlining how this important issue can be progressed.

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2 SSGT Travellers in Prison Initiative (2016) Towards Developing a Strategy for Travellers in Prison. Available at www.ssgt.ie

SECTION 1 INTRODUCTION

As of November 2016, the numbers of Travellers in Irish prisons according to the IPS PIMS data was 238 (outlined in table 1.1 below). If these figures are applied to the 2015 average numbers in custody in Irish prisons (indicated below in the shaded column of the table³), the figures suggest that Travellers in custody account for approximately 5% of the population in Irish prisons, and therefore significantly over-represented in the prison population (where Travellers represent approximately 0.6% of the total population according to census 2011).

The degree of over-representation is estimated to be even higher, as the PIMS figures are acknowledged as not a true reflection of the numbers of Travellers in prison in Ireland. The IPS estimates that Travellers account for 22% of the female prison population and 15% of the male prison population. Travellers are likely to hide their identity in prison (as in other public spheres) out of fear of discrimination, and a lack of trust in services.

Table 1.1 Number of Travellers in Irish prisons according to the PIMS

Establishment	No. prisoners in custody	No. prisoners not in custody⁴	No. prisoners in system	% av. no. daily prisoners (2015)
Arbour Hill Prison	3	0	3	2%
Castlerea Prison	27	1	28	9%
Cork Prison	15	7	22	7%
Limerick Prison	23	4	27	9%
Loughan House	2	3	5	2%
Mountjoy Prison (Male)	17	3	20	3%
Portlaoise Prison	8	1	9	1%
Shelton Abbey	2	3	5	2%
Wheatfield Prison	30	6	36	6%
Cloverhill Remand Prison	12	2	14	3%
Midlands Prison	42	4	46	5%
Training Unit	1	0	1	1%
Mountjoy prison (women)	12	10	22	11%
Total	194	44	238	5%

Michael Donnellan, Director General of the IPS had stated that he is fully committed to ensuring that Travellers are identified within the Irish Prison Service context. This, he stated will ‘enable the IPS to deliver services to Travellers in prison which are more suited to meeting their needs, both in prison and in preparing them for life post-release. When we know the correct ethnic origin of the Traveller population in prison, we can plan and deliver workshops, education programmes, drug treatment and counselling services that are more Traveller-centred.’⁵

³ It should be noted that the capacity of Irish prisons may not always exactly equate with the total number of prisoners at any one time.

⁴ i.e. on a movement, temporary release, etc.

⁵ TPI (2016) *Newsletter of the Travellers in Prison Initiative*, issue 3

Goal 2.6 of the IPS strategic plan (2016-2018) includes a commitment to ‘pilot an initiative to better capture information on Travellers on committal’. Moreover, under the same goal, the IPS commits to ‘increase access to services for Travellers in custody through the provision of more culturally appropriate interventions’, and to ‘examine training requirements to develop increased understanding by [IPS] staff of specific issues impacting on Travellers’.

This research is the first step in this process: it seeks to identify the current practice of ethnic monitoring in Irish prisons, and to propose ways in which reliable data on ethnicity could be captured in the prisons. It was commissioned by the Travellers in Prison Initiative (TPI).

It is written on the basis of consultations undertaken with the Irish Prison Service (Longford), and Castlereagh prison governors and staff, one advocacy organisation in Northern Ireland (CAJ6), the Prison Service in Scotland and Pavee Point.

The report is structured according to the following format:

- Section 2: Ethnic equality monitoring
- Section 3: Overview of the IPS policy and practice in ethnic data collection
- Section 4: The appropriateness of the ethnic identifier question
- Section 5: Comparison with the UK
- Section 6: Recommendations

2

Pavee Point (2016) cites definitions of ethnic equality monitoring as the 'storage, analysis and utilisation of ethnic data on a regular basis' (Quirke, 2002; NCCRI, 2007), and is the 'systematic collection and use of data to ensure that policymakers respond appropriately to the diverse needs of a population and to establish mechanisms to promote equality and opportunity' (Pavee Point, 2016:15).

It involves collection and analysis of data in order to

- report on access, participation and outcomes for minority ethnic groups;
- highlight discrimination and inequalities, and to investigate their causes and take action;
- inform the development of evidence-based policies
- enable the evaluation of policies or initiatives and to map further action

The use of an 'ethnic identifier' question is the first step in collecting ethnic data. Ethnicity is defined as follows (based on UN Recommendations for 2010 census round, 2nd revision, 2006):

Ethnicity can be measured using a variety of concepts, including ethnic ancestry or origin, ethnic identity, cultural origins, nationality, race, colour, minority status, tribe, language, religion or various combinations of these concept....the subjective nature of the term...requires that information on ethnicity be acquired through self-declaration of a respondent and also that respondents have the option of indicating multiple ethnic affiliations.'

If potential beneficiaries of public policies do not feel that self-identification would help them in any way or, worse, might harm them, they are unlikely to self-identify. Such fears do not exist in a vacuum but are often rooted in previous experiences of discrimination, and adverse treatment, for example, ethnic profiling or segregation.

Table 2.1 Some considerations for ethnic identifiers within a human rights framework

Principle	Examples
The use of a universal question	A universal ‘ethnic identifier’ question should be asked of all individuals. This universal question should be comparable with national data sets (for example, CSO census data).
The identification of an ethnicity should be based on voluntary self-identity	All parties are asked the same universal question, irrespective of any assumptions as to the ethnic identity of individuals. Individuals must voluntarily self-identify their ethnic identity, and it should not be ascribed to them by others (consistent with the definition of ethnicity above and the principle of consent as per data protection law).
A targeted and public campaign informing people why such data is collected	<p>There is a risk that individuals will not self-identify if they feel that disclosure of their ethnic identity will not help them, or might harm them (for example, ethnic identifiers may be associated with ethnic profiling⁷). It is important that those being asked the question are clear as to why the question is being asked. Participants must trust the process. Targeted information and publicity should take into account the needs of groups including literacy, language, culturally appropriate materials, etc.</p> <p>In preparation for census 2011, Pavee Point undertook an information campaign with Travellers, which explained the reasons for providing personal data, the uses for such data, and benefits such data collection may bring. The census data of 2011 reported a 30% increase in the Traveller population in Ireland (on 2006 census figures).</p>
Data collectors are provided with ongoing training and support	Given the potential sensitive nature of data, ongoing training and support for those asking the question can ensure that they are equipped, confident and skilled in implementing, monitoring and evaluating ethnic data. Pavee Point provided training for a range of public bodies, including health service staff and CSO census enumerators for census 2011. Pavee Point worked in partnership with the HSE to develop an e-learning tool for all HSE staff on the principles and methods of introducing an ethnic identifier.
The data should be collected according to data protection legislation.	The principles of data protection should apply: for example, the data should be aggregated, and no individual should be identifiable; it should only be used for specific and justifiable purposes (and as above, these reasons should be clearly explained); it should be obtained and processed fairly (ethnic data is regarded as sensitive data and must be obtained with the consent of the individual). ⁸
Safeguards are in place to protect privacy	In addition to safeguarding anonymity, in the UK, alternatives to asking questions relating to ethnicity or sensitive data are used: for example, respondents are offered the opportunity to complete ‘sensitivity cards’ which include a unique identifier code (but not name) to enable the information to be inputted anonymously if the individual is not comfortable answering the question in a face to face context. These cards are offered to individuals when they are being asked the question, as a matter of course. This is in use within the prison system of Scotland and Northern Ireland on ethnicity and other data regarded as sensitive.

7 Ethnic profiling is the use of racial, ethnic, national, or religious characteristics as a way of singling out people for identity or security checks.

8 And therefore the consent of the individual sought.

SECTION 3

OVERVIEW OF THE IPS POLICY AND PRACTICE IN ETHNIC DATA COLLECTION

3.1 Background to the introduction of the ethnic identifier

The Irish Prison Service (IPS) has an ethnic identifier question in its Prison Information Management System (PIMS) and is one of a relatively small number of state agencies and organisations which have introduced ethnic identifiers.⁹

The ability to record an ethnic identifier for a prisoner came about when the IPS purchased its data management system (PRIS) in 1997. This system was based on the Scottish Prisoner system (called PR1) and allowed the IPS to decide on the ethnic identifiers to be used. Prior to this, a prisoner's ethnic identity was recorded on his or her committal sheet. Initially, there were only two categories used: Traveller and other. These categories were added to as prisoners were committed and self-identified using categories not in place. This system was replaced in 2012 with PIMS, a bespoke system for the Irish Prison Service at which point existing prisoner information was migrated from PRIS to PIMS.

As a consequence of the way in which the ethnic identifier categories emerged over time, there has been no systematic introduction, training or piloting/ evaluation in its use and there has been no subsequent analysis of its use or implementation.

However, the ethnic identifier does not correspond to the Irish CSO census question. The categories used are outlined in the table below.

Table 3.1 Ethnic identifier categories used in the Irish Prison Service (alphabetical)

Arab	Oriental
Asian	Other
Black	Polynesian
Caucasian	Semitic
Gypsy	Slavic
Latin	Traveller
Native American	

According to the IPS, the information can either be collated on paper, and inputted onto a computer, or the interview takes place at the same time as the inputting of the data - this results in inconsistencies across prisons.

⁹ Others including the CSO, Child and Adolescent Mental Health Services (CAMHS), Coombe Women and Infants University Hospital, Cystic Fibrosis Registry of Ireland, Department of Education and Skills, Higher Education Authority, Health Protection Surveillance Centre, National Drug Treatment Reporting System, Rotunda Hospital, Social Inclusion and Community Activation Programme (SICAP) and Temple Street Hospital.

While the roll-out of the data management system came under the remit of a working group comprising the IPS Operations Directorate and prison staff, the working group was focused on the roll-out of the IT system, rather than the ethnic identifier. The roll-out was undertaken on each site through the use of an ‘expert user’ in each prison, a nominated staff member identified as the ‘go to’ person to assist staff as they implemented the new system and to address any questions arising on its use.

Within prisons, an ethnic identifier is also in use, as part of the Prison Health Management System (PHMS) which was introduced in 2010. This system supports electronic maintenance of each prisoner’s electronic medical record, which is then accessible across all prison sites, as necessary.¹⁰ Given the confidential nature of medical services, the PHMS data is not shared across the IPS and is not linked to the PIMS, and in terms of aggregated data, does not have the capacity to generate reports on ethnicity of prisoners accessing medical services, according to the IPS.

3.2 Collecting the information

The prisoner information and data is collected by the IPS at the time of committal to the individual prison. The committal interview takes approximately 15 minutes to complete – it can take place at any time of the day or night, and includes questions such as next of kin, address, etc. The interview is undertaken by Assistant Chief Officers (ACOs) in each of the prisons.

As to whether the committal process is a suitable time to introduce the ethnic identifier, it was suggested by staff in the IPS that it can be a traumatic and chaotic time for prisoners, and may not be the best time to ask the question. Given that committals can take place at any time of the day or night, planning for committal in terms of preparation for the interview can be challenging as staff availability can be limited.

The ethnic identification question currently used does not lend itself to best practice in ethnic identification: the categories are obscure, do not correspond to CSO ethnic categories, and many of the categories are not widely understood or applicable to Ireland (this is discussed below). Discussions with staff undertaking committals indicates that the question is likely to be presented to prisoners as ‘are you a Traveller?’ This practice does not correspond with accepted standards of ethnic data collection.

There is no ‘question’ or rationale preceding the list of PIMS categories – it is important when gathering data on ethnicity that the individual knows why the information is asked, and how it will be used.

It is generally accepted that although the committal stage is unlikely to be the ideal time to ask the question, it is still the time when prisoner profile information is gathered, and so is probably the most suitable time to ask the information.

In the UK, equality monitoring in prisons includes questions asked on ethnicity (consistent with census data) as well as all of the nine grounds relating to equality. These questions are asked during the committal interview. The sensitive nature of some equality information (e.g. sexuality and sexual identity) has prompted services to provide prisoners with identification or ‘sensitivity cards’ which can be filled in and submitted anonymously (each card would not have the name of prisoner, but a unique identifier) which limits access to the information.

As to whether the data can be subsequently corrected if at a later stage the prisoner identifies as a Traveller, as it stands, the only procedure for this would be in the event that a prisoner is re-committed to prison. In this instance, some questions are asked of prisoners re-presenting: for example, this might be asked about their

¹⁰ Darker, C (2012) ‘Transforming Healthcare in Irish Prisons’, *Working Notes*, Issue 70, pp. 17-20.

address or their next of kin, as these are likely to change.

Although the IPS do not ask about ethnicity on re-committal it is possible that ethnic identity could be asked at this stage again. However, if the process produces inaccurate information when first sentenced, repeating the same process when recommitted does not mean that inaccuracies will be addressed on the second occasion. Moreover, even if more accurate data could be secured second time around, the data would have an inherent bias, as it would apply only to those who have returned to the prison system, and also, as the recidivism rate has shown to decrease as the offender age increases, certain cohorts in the population may be over-represented.¹¹

Other mechanisms for correcting the data include a second opportunity for the question to be asked, during the 'committal parade' which takes place with the prisoner and the prison governor the day following committal. The Governors parade includes an outline of the prison procedures, regulations and services. This could act as a cross-reference to the information collected during the committal interview - rather than replacing the introduction of the question during the committal interview.

It is important that ethnic monitoring is part of the regular data collection process implemented by staff, and that there is broad staff awareness of its importance.

In Scotland, ethnic and equality data can be, and often is, retrospectively changed in the prison information management system. This often occurs as a result of one to one engagement that takes place between prisoners and their 'personal officer' which is a prison officer allocated to a prisoner under a key-work type system. Each prison officer has a caseload of prisoners that they work with in planning their sentence, identifying training needs etc, and it is observed by the Equality and Diversity Manager for Prisons (Scottish Prison Service) that it is often the case that in the course of a key work type relationship, initial information provided changes, mostly to do with sexuality and gender identity.

In Ireland, the capacity of the system to be retrospectively corrected may require specific user-rights to correct the prisoner profile data (this would be in line with data protection legislation).

However, while additional sources of information can verify the effectiveness of the process of ethnic identification, and identify deficiencies in the process, the initial information collection and committal process remains the most likely time to collect ethnic data, and should be supported as the primary method.

3.3 Capacity of the PIMS System

The existence of an ethnic identifier is the first step in ensuring that ethnic equality monitoring takes place. Ethnic data must be collected to enable comparison and analysis of outcomes for minority ethnic groups and the wider prison population - this should establish whether there are differential outcomes by ethnic identity. Moreover, there should be some form of alerting system for the prioritising of issues - for example, a 'range-setting' traffic light system to alert prison management to any discrepancy in the treatment or outcomes experienced by a particular group.¹² In addition, there should be longitudinal information to establish trends over time.¹³

11 Research undertaken by the IPS and CSO in 2013 demonstrated that amongst the prison population as a whole, 68.5% of those under 21 years of age re-offended, compared to 39% of those in the 50+ age group.

12 For example, if certain thresholds or differentials are identified for particular ethnic groups (or groups experiencing inequality), this would trigger a set of responses, based on a traffic light system indicating how urgent the responses should be.

13 These are some of the data collection requirements highlighted in a review of the NI Prison System. Prison Review Team (2011) Review of the Northern Ireland: Prison Service Conditions, management and oversight of all prisons.

It is likely that - at present - the prison data collection system (PIMS) has the capacity to enable this disaggregated data to be produced and comparisons to be made - as the ethnicity data is fully integrated into the data collection system.

This means that disaggregated data on the status of prisoners could be reported on: including the ethnic breakdown of prisoners by the following categories: prison sentence and profile of custody (e.g., remand, under sentence); category of offence;¹⁴ gender; age profile; nationality of prison population; parole board recommendations and outcomes; numbers of prisoners on protection and restricted regimes; numbers of prisoners on temporary release; participation (and completion) rates in training and education programmes; as well as committal and statistical trends from year to year (as is included in the IPS annual reports).¹⁵

Moreover, the IPS is rolling out a new 'Integrated Planning Screen' as part of the Prisoner Information Management System (PIMS) which, according to the 2015 annual report, allows for central recording of prisoner interaction with services. This system also provides a platform for certain pre-release alerts to be recorded for consideration in the context of prisoner sentence management. The capacity of this system would be enhanced if such data could be aggregated and reported on according to ethnicity, as an important consideration is whether Travellers are availing of the full range of services in the prison.

As the current ethnic identifier is not a reliable measure of the Traveller prison population, the IPS is not in a position to adequately report on or measure the relative welfare, status or experience of Travellers in Irish prisons. However, the presence of an ethnic identifier within the data management system provides the potential for this data to be produced, if the question itself was appropriate and was implemented in line with best practice.

14 Offences are grouped according to 16 categories: relating to crimes including homicide, sexual offences; attempts/threat to murder, assaults, kidnapping; robbery, burglary, theft; controlled drug offences; weapons / explosives, damage to property and the environment; public order; road and traffic offences; offences against government, etc.

15 A full analysis of the categories in the PIMS is required in order to identify whether reports or disclosure of unfavourable treatment or victimisation is included. This will be considered in January in the further interviews.

SECTION

4

THE APPROPRIATENESS OF THE ETHNIC IDENTIFIER QUESTION

The question itself is not appropriate for a number of reasons:

- The ethnic categories are not framed according to the practices highlighted in table 2.1 above – for example, there is no rationale provided for the question, nor an explanation of what the information will be used for, or introduction to the purpose of asking the question.
- The categories used in the question itself are not comparable with national datasets (such as CSO census data).
- There is significant overlap between the categories, and a number of categories would apply to most individuals.
- The categories used in the question itself are not easily understood or widely applicable in an Irish context: for example, the meaning of some of the categories could be unclear to both data collector and the prisoner being asked the question: this is likely to militate against the question being asked in the first instance, which would result in ethnicity either being ascribed, or not asked in a consistent way. For example, some staff consulted to date indicated that they ask ‘are you a Traveller’ and this is likely to undermine self-identity, particularly as there is no preamble or training to staff in introducing the question and its rationale. It also reflects a breach of standards and best practices in ethnic equality monitoring. Best practice in this area stresses the importance of a universal question within a human rights framework, where everyone is asked to identify the group to which they belong, not just minorities. If Travellers are only asked to identify, this is likely only to make Travellers feel further singled out and isolated within the system.

4.1 Potential for changing the question

According to the IPS, the ethnic identifier question itself can be changed on the PIMS system if it is asked as a question, with a single response, without ‘sub-categories’. This would involve replacing the current categories on the PIMS with new ones. The current CSO census question should be used as the basis for the question change, which would not only be more suitable for comparability purposes, but would be more suitable in an Irish context and less likely to cause confusion.

The census data asks for a single response (with eight options as outlined below), which indicates that census data should be comparable and easily replicable in the PIMS system.

14 What is your ethnic or cultural background?
Choose ONE section from A to D, then ✓ the appropriate box.

A White

1 Irish

2 Irish Traveller

3 Any other White background

B Black or Black Irish

4 African

5 Any other Black background

C Asian or Asian Irish

6 Chinese

7 Any other Asian background

D Other, including mixed background

8 Other, write in description

There are three issues that would require follow up:

1. The option 'Other, including mixed background' on the census form offers an option to write in a description. This would be an important option for the PIMS, as it would enable information to be collected on other minority ethnic groups, including Roma.
2. The implications of changing the question from current PIMS format to CSO census format means that existing ethnic data will be obsolete, given that the categories in the PIMS current ethnic identifier are not comparable with census data, and as a result, existing ethnic data could not be transferred to new categories. As the identifier is introduced during committal, it would mean that the ethnic identity of prisoners would not be established until there was a full turnover of all prison populations. However, if a survey was undertaken on a once off basis to establish the ethnic identification of the current prison population, the PIMS could be updated accordingly. This could be undertaken as part of the piloting of the new question, in Castlerea and Dóchas.
3. If the question was changed on the PIMS, all prisons' information systems would have changed ethnicity categories (not just the pilot sites). Therefore, during the piloting phase, all other prisons could suspend asking the new ethnic identifier question, until the experience of the pilot phase could inform its broader roll-out.

The changing of the question would be subject to a request to an expert user group which meets quarterly and reports to an IT Planning Group (this meets to consider changes to the IT system and logistical issues arising), which in turn reports to an IT Governance Committee of the IPS. The change would need to be prioritised, as there are competing demands for changes to the IT and data management system.

This should not be problematic, given the priority action that the IPS has given to this in its strategic plan.

4.2 Additional measures required

In changing the ethnic identifier question, additional support measures would be crucial:

- A standard preamble to the question should be produced. This should be accompanied by comprehensive guidelines issued to staff on asking the question, taking into account the requirements in Table 2.1 above. Such guidance notes have been issued in the UK by the Scottish Prison Service and the National Offender Management Service (NOMS) in England, and by the Scottish Government.¹⁶
- Mandatory face-to-face training should be provided to staff in the introduction to ethnic identifiers, within the context of ethnic monitoring (consistent with international best practice). This should be provided by an organisation with expertise and a track record in this area, such as Pavee Point, which has identified best practice in ethnic data collection and has delivered training on this subject. In light of limited resources noted by the IPS, this training should be provided over a 2-3 hour session in each of the pilot sites (these pilot sites are identified as Castlerea prison and Dóchas prison). According to Castlerea prison, it should be able to facilitate training for staff (in small groups of approximately three staff) comprising administrative staff and ACO (Assistant Chief Officers, who undertake committal interviews). Each prison has a Training Liaison Officer who could schedule and arrange the training.
- Mandatory equality training and cultural awareness (including ethnic identifier training) modules should continue to be a core element of the Irish Prison Service College training for new recruits as well as existing staff.¹⁷

16 Ministry of Justice, National Offender Management Service (2011): Ensuring Equality. Available at <https://www.justice.gov.uk/> and Scottish Government (nd) Collecting Equality Information Series Guidance note on asking questions on: ethnic group. Available online: <http://www.gov.scot/Topics/People/Equality/Equalities/EqualFramework/GatherEvidence/CollectEqualInfo>

17 The Irish Prison Service College includes this training during Semester 1 of the Higher Certificate in Arts in Custodial Care

- The process should be piloted in prisons, with the support of a structure comprising prison governors, prison staff, the TPI, prisoner representatives (Travellers) and Pavee Point around the logistics of its introduction. This would include review of the rationale and the introduction to the question by Travellers in prison, as well as their involvement in discussions and training around why Travellers and other minority ethnic groups might not disclose their identity in a prison context.

(HCCC). Semester 2 includes a module on Equality, Diversity and Cultural and Social Awareness whilst Semester 4 includes a Human Rights module.

An analysis has been undertaken of practice in NI and Scotland, through interviews, and with desk review of England guidelines.¹⁸

In the UK, there is an infrastructure of equality monitoring and reporting in prisons since the early 1990s. The practice is underpinned by the following measures:

- A strong policy commitment to publishing statistics and information in the UK (in Scotland, dedicated websites and structures for publishing official statistics provides easily accessible statistics and information across all government departments and agencies)
- The employment of staff as equality and diversity staff in prison services across the UK
- The carrying out of 'equality audits' to highlight deficiencies across public bodies (as well as reporting on equality planning)
- Well established duties and accountability measures under UK law (for example, the existence of the Public Sector Duty in the UK since 2011, and which was preceded by the Race equality duty in 2001, and Section 75 of the Northern Ireland Act 1998 (arising from the Good Friday Agreement).
- Prisoners who act as Equalities Representatives in English prisons.

In Northern Ireland, prisons are overseen by the NIPS (Northern Ireland Prison Service). Equality and Diversity Committees are present in each establishment¹⁹; a majority of NIPS staff have received some form of equality training, and each prison establishment in Northern Ireland has a dedicated Equality and Diversity Coordinator and a number of prisoner forums in place on a regular basis along with monthly meetings.

In England, prisoners act as equalities representatives.

However, there are concerns that some of the policies and strategies that have been developed at national or oversight level do not seem to have filtered down well into prisons.²⁰ For example, the Prison Review Team noted that the equality and diversity committees were not meeting consistently across all prisons. An extract from the report makes specific reference to Travellers in NI prisons:

Irish Travellers also account for about 1% of the [prison] population. NIPS collates annual statistics on use of force and regime levels by ethnicity and nationality, which did not show any areas of concern except for high usages of force against Travellers in Maghaberry and Hydebank Wood. ²¹

¹⁸ In the UK, equality and diversity in prisons is overseen by different agencies: England and Wales is overseen by the National Offender Management Service (NOMS), Scotland is overseen by the Scottish Prison Service, and Northern Ireland by the Northern Ireland Prison Service (NIPS).

¹⁹ Each establishment has an equality and diversity committee, which is chaired by the Governor or Deputy Governor, with representation from all areas, including voluntary sector organisations and prisoner representatives.

²⁰ Prison Review Team (2011) Review of the Northern Ireland Prison Service: Conditions, management and oversight of all prisons. Prison Review Team Final Report. Available online cain.ulst.ac.uk/issues/prison/docs/2011-10-24_Owers.pdf

²¹ Prison Review Team (2011) Op Cit

In England, prison data is produced by the NOMS²² on general profile data of prisoners, as well as disaggregated (including data by ethnicity) with respect to incentives and earned privileges, self-harm, deaths in prison, community return programmes, accredited programmes (and successful completion of programmes), adjudication (and punishments), curfew programmes, release on temporary license, home detention curfews, offender in the community programmes.

22 National Offender Management Service (Ministry of Justice) which operates in England and Wales.

6

In its research study on ethnic data collection and monitoring, Pavee Point (2016) recommends senior level endorsement of ethnic equality monitoring to ensure that public sector bodies routinely collect and publish ethnic data to inform good policy and practice.²³

The IPS has demonstrated this senior level endorsement in its strategic plan, which commits to a range of initiatives with regard to Travellers in Prison (including the TPI itself).

In particular, Michael Donnellan, Director General of the IPS had stated that he is fully committed to ensuring that Travellers are identified within the Irish Prison Service context. This, he stated will ‘enable the IPS to deliver services to Travellers in prison which are more suited to meeting their needs, both in prison and in preparing them for life post-release. When we know the correct ethnic origin of the Traveller population in prison, we can plan and deliver workshops, education programmes, drug treatment and counselling services that are more Traveller-centred.’²⁴

Goal 2.6 of the IPS strategic plan (2016-2018) includes a commitment to ‘pilot an initiative to better capture information on Travellers on committal’. Moreover, under the same goal, the IPS commits to ‘increase access to services for Travellers in custody through the provision of more culturally appropriate interventions’, and to ‘examine training requirements to develop increased understanding by [IPS] staff of specific issues impacting on Travellers’.

These are important measures required for the introduction of an ethnic equality monitoring system and an ethnic identifier (as the first stage in this process). The following recommendations are therefore made within the context of the above commitments, and are specific to how an ethnic identifier could be piloted as outlined above.

- Replace the existing PIMS ethnic identifier questions with the CSO census question. The existing ethnic identifier question on PIMS should be reviewed and changed – it should mirror the CSO census question asked, and any future changes or amendments to the census question should be modified accordingly. The question should be asked according to good practices in ethnic identification – as identified in the table 2.1 (above).
- A proposal should be made to the IT Governance Committee regarding changing the PIMS system to incorporate the CSO census question, as discussed above. Priority should be sought for these changes in the PIMS system (however, the use of the question across all prisons would be suspended until the ethnic identifier has been piloted, as recommended below).

6.1 Piloting and implementation

- The process should be piloted, with the support of a structure comprising prison governors, prison staff, the TPI, prisoner representatives (Travellers) and Pavee Point around the logistics of its introduction. This would include review of the rationale and introduction to the question by Travellers in prison, as well as their involvement in discussions and training around why Travellers might not disclose their identity in a prison context.
- The question should be piloted in Castlerea and Dóchas, which are the prisons estimated to have the

23 Pavee Point (2016) Policy and Practice in Ethnic Data Collection and Monitoring in Ireland – Counting us in. Dublin: Pavee Point

24 TPI (2016) Newsletter of the Travellers in Prison Initiative, issue 3

highest Traveller population.

- The question should be part of the routine data collection system, and as such, it should be asked during committal, consistent with the practice in Scotland and in the UK. However, some other methods of verifying the data should be considered including the 'committal parade' with the prison governor the day after committal and other opportunities to re-identify.
- A standard preamble to the question should be produced. This should be accompanied by comprehensive guidelines issued to staff on asking the question, taking into account the requirements in Table 2.1 above.²⁵
- Mandatory training should be provided to staff in the introduction to ethnic identifiers, within the context of ethnic monitoring. In the first instance this should be provided by an organisation with expertise and a track record in this area, such as Pavee Point, which has identified best practice in ethnic data collection and has delivered training on this subject. In light of limited resources noted by the IPS, this training should be provided over a 3-hour session in each of the pilot sites (these pilot sites are identified as Castlerea prison and Dóchas prison). According to Castlerea prison, it should be able to facilitate training for staff (in small groups of approximately three staff) comprising administrative staff and ACOs (Assistant Chief Officers, who undertake committal interviews). Each prison has a Training Liaison Officer who could schedule and arrange the training.
- Consideration should be given to the introduction of a once-off survey to identify the ethnicity of prisoners, in order to update the PIMS, once the new categories are in place. This could be implemented in the pilot sites, once the process has been tested during committal stage.
- These actions should be preceded by an awareness raising initiative for all prisoners (including posters, etc) which would outline the purpose of the ethnic identifier and why the question is asked, what will happen to the information, and how it will contribute to a better service for all prisoners.
- There should be a review of the process after the pilot, to ensure that when rolled out nationally, any obstacles or difficulties encountered are addressed.

6.2 Training

- Mandatory equality training and cultural awareness (including ethnic identifier training) modules should continue to be a core element of the Irish Prison Service College training for new recruits as well as existing staff.²⁶

25 Such guidance notes have been issued in the UK by the Scottish Prison Service and the National Offender Management Service (NOMS) in England.

26 The Irish Prison Service College includes this training during Semester 1 of the Higher Certificate in Arts in Custodial Care (HCCC). Semester 2 includes a module on Equality, Diversity and Cultural and Social Awareness whilst Semester 4 includes a Human Rights module.

6.3 Use of the information

- With regard to individual needs, consideration should be given to whether and how information on ethnicity could be passed on to other prison services, (e.g., health services) subject to consent, confidentiality and data protection. For example, where there are particular needs of a Traveller population with regard to health (for example, in the event that a woman identified as a Traveller in prison who is pregnant) may be referred to the Prison Health Service for Beutler screening.²⁷ There may be circumstances where it would be appropriate for ethnic information would be made available to certain outside agencies (e.g. Probation services, IASIO) for the purposes of meeting the needs of prisoners. Again, this would be subject to consent and data protection requirements.
- Following the introduction of the ethnic identifier, a number of actions relating to how the data is reported and analysed should be agreed. These should include:
 - Agreed mechanisms for reporting, analysing and publishing disaggregated data
 - Priorities that are triggered when pre-determined levels of discrepancy between ethnic groups are found to occur (a traffic light style system). While a discrepancy can be justified for a number of reasons, the existence of discrepancies above certain levels should prompt further examination.
 - Reporting and monitoring of outcomes and remedial actions and their success (including Equality Impact Assessment).²⁸

27 Classical Galactosaemia is a condition caused by a deficiency of an enzyme. Approximately one in every 19,000 infants born in Ireland may have this condition. However, it is particularly common among infants born to Traveller parents in whom the incidence is approximately 1 in 450 births. If not detected and treated during infancy, the disorder may cause damage to the liver and may occasionally be life threatening. Because the condition is relatively common in infants born to Traveller parents, a special screening test, the Beutler test, is offered to all infants born to Traveller parents and to siblings of known cases at birth (Day 1 of life).

28 Equality Impact Assessment is a process designed to ensure that a policy, project or scheme does not discriminate against any group, or treat any group in a less favourable way.

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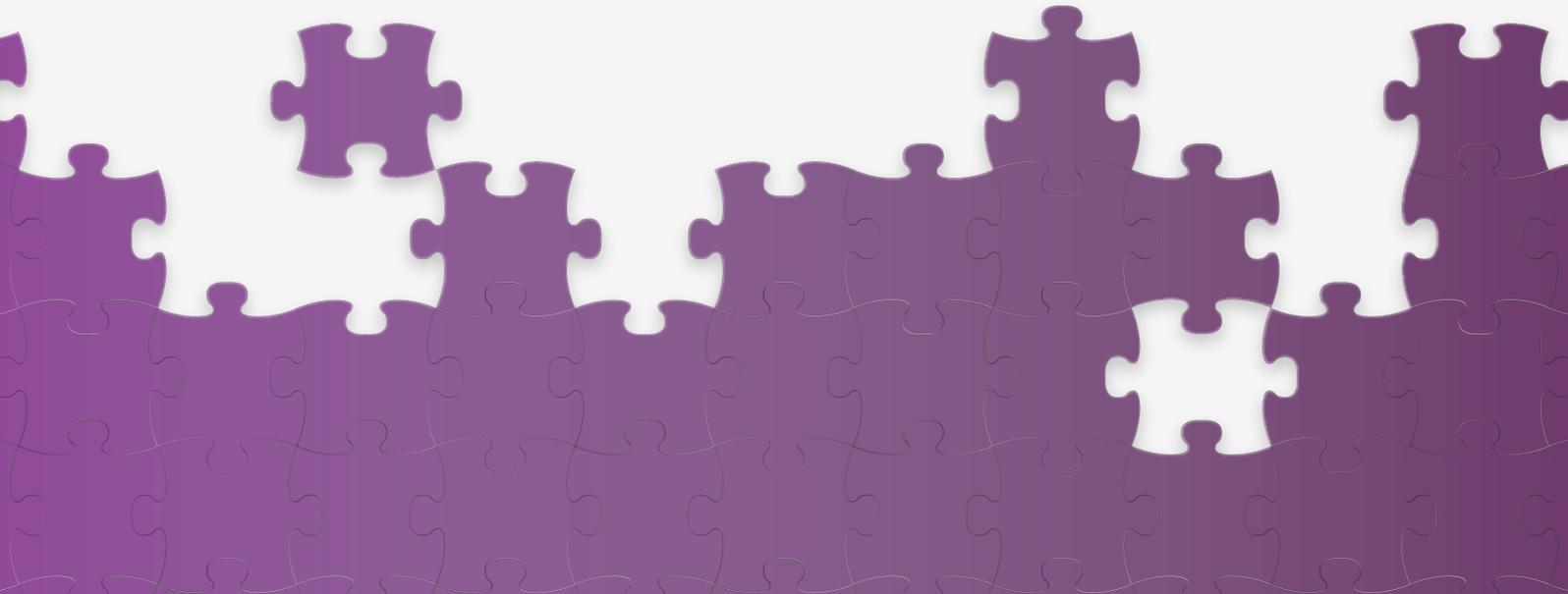
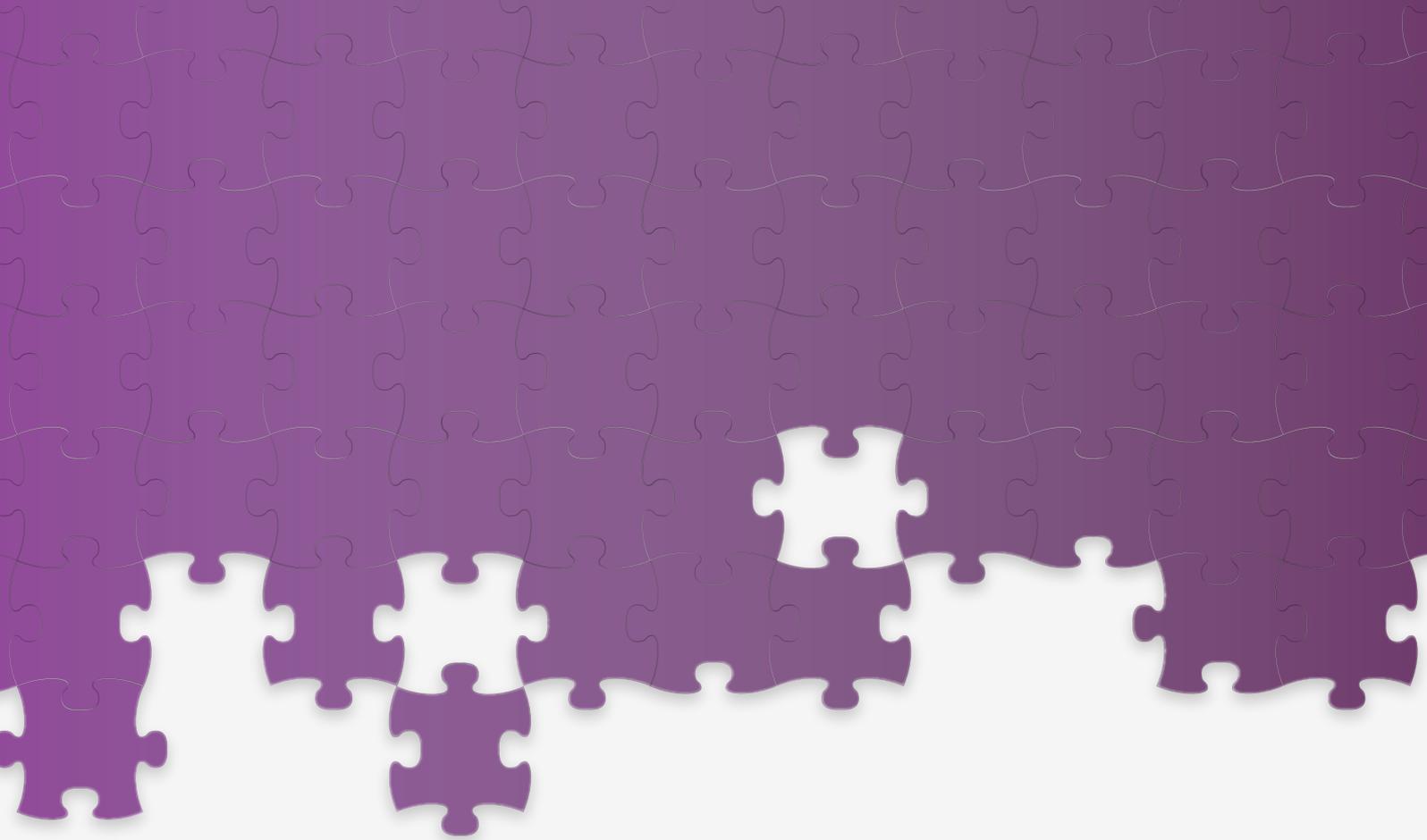
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TPI (2016) *Newsletter of the Travellers in Prison Initiative*, Issue 3



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