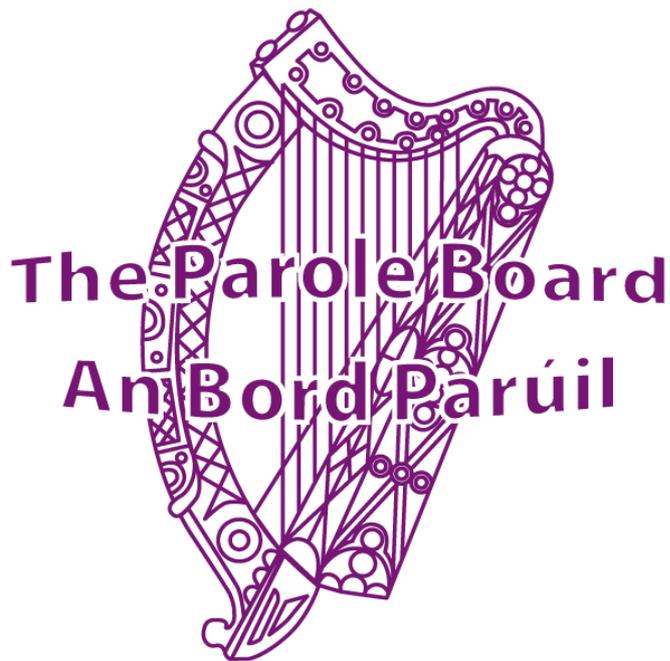


A GUIDE TO THE PAROLE BOARD

INFORMATION FOR PRISONERS

(This is not a legal document)



The information contained in this booklet is designed to explain the main features of the Parole Board Scheme and to help you to avail of the opportunity to have your sentence reviewed.

Issued by

The Parole Board

6/7 Hanover Street East, Dublin D02 W320

January 2016

1. What is the Parole Board?

The Parole Board advises the Minister for Justice and Equality (the Minister) on the administration of long term prison sentences. Following a review of your sentence, the Board will, by way of recommendations, advise the Minister of your progress to date, the degree to which there has been engagement with the various therapeutic services such as the Probation and Psychology Services, and how best to proceed with the future management and administration of your sentence.

2. Membership of the Parole Board

There are currently 12 members on the Board. The present Chairman is a solicitor and the other Board members include professionals from the criminal justice field and members with different areas of expertise and professional backgrounds such

as teachers, doctors, counsellors etc. The Board has a Secretariat to assist it in its work.

3. What is Parole?

Parole is generally regarded as early release from prison, subject to strict conditions being complied with.

It applies to offenders convicted of serious offences with longer sentences, including life sentences. The Parole Board reviews the cases of prisoners serving life sentences and fixed sentences of eight years or more. Usually the Board tries to review individual cases half-way through the sentence or after seven years, whichever comes first.

The Parole Board's main role is to advise the Minister on the management of such sentences so that prisoners are given the best opportunity to address offending behaviour and rehabilitate themselves. Before the Parole Board can review your case, it must

first be referred to the Board by the Minister through the Irish Prison Service. The Parole Board will have no details of your case until the Minister refers it to them.

If you are granted parole, this means that strict conditions will apply. If you are released and do not follow these conditions, you can be called back into prison at any time where you will have to serve the remainder of your sentence or wait for another parole review.

4. Criteria used for Parole

The safety and security of the public is top of the Parole Board's priorities. Following review and consideration of all relevant factors, the Board advises the Minister of your progress to date. The main factors taken into account by the Board, when reviewing your case, include:-

1. The nature and gravity of the offence to which your sentence relates.

2. The sentence you are serving and any recommendations from the Court that imposed the sentence
3. How much of the sentence has been served at the time of the review.
4. Previous convictions
5. The potential of danger you may pose to the safety and security of the public if you are released.
6. The level of risk of further offences being committed during any form of temporary release
7. The risk of you failing to return to prison upon the expiration of any period of temporary release.
8. The risk of you not complying with any conditions attached to Parole.
9. Your conduct while in prison or while previously on temporary release.

10. How much you have used the therapeutic services available while in prison (such as counselling or courses related to the offence committed and any type of reoffending);

11. How likely it is that Parole would improve your prospects of safely re-integrating back into the community or improving your chances of obtaining employment.

To help the Board assess some or all of the above factors, the issues that they may take into account will include:

1. Your positive engagement with the relevant therapeutic services including the Probation, Psychological and Psychiatric Services, Education and Work Training Services, Narcotics Anonymous, Alcoholics Anonymous, Gamblers Anonymous, Medical Services, any other relevant Service.

2. Any offence focussed work, where you have looked at the circumstances and nature of the offence so that you can understand what led you to commit the offence, whether you have taken part in any therapeutic or rehabilitative programmes and if so what progress have you made. Rehabilitative programmes might include Alternatives to Violence, Building Better Lives Programme, Cognitive Skills course, etc.

3. Before making any recommendation regarding a particular case, the following factors are seriously considered by the Board:

a) Any risk assessment concerning the likelihood of further re-offending by a prisoner, if granted parole, carried out by the Psychology, Probation or other services.

b) Any written submission given to the Board by victims or members of the victim's family.

In the case of a prisoner being reviewed for a second or for further reviews, the compliance with the previous recommendations will be looked at. The Board will also be free to make such further enquiries and recommendations as it deems appropriate in any individual case.

The final decision on the recommendations of the Parole Board is made by the Minister, who can accept them in full, or in part, or conditionally, or reject them. The Minister usually, but not always, accepts the recommendations of the Parole Board.

5. Date of eligibility for review

The date you are eligible for review is worked out from the commencement of your sentence (as stated on the Warrant or Order

for Imprisonment). Time spent on remand is not taken into account unless the Warrant or Order for Imprisonment states this. If you are serving a fixed sentence, you must have at least 12 months of your sentence left to serve at the start of the parole review process.

6. The steps involved in the parole process:

Step 1: Referral.

You do not apply for or submit an application for parole. The Minister is informed by the Irish Prison Service of those prisoners who will become eligible for review by the Board for each year.

Step 2: Invitation to participate.

The Secretariat of the Parole Board will write to you when your case has been referred to the Board and ask if you wish to participate in the review process. You are asked to complete a form to show

whether you wish to participate in this process or not. The Board will only review your case if you accept this invitation. If you do not accept this invitation initially, you can accept it at a later stage. You may also postpone your review until specific Therapeutic work has been completed.

Step 3: Assembling a Review Dossier.

If you opt to participate in this review process, reports are sought from the Governor outlining your conduct and behavior in prison, your disciplinary record, and the various educational courses completed.

A report is also given by the Prison Review Committee which includes prison management, probation officers, the chaplain, the education service and representatives of the Prison Services' Operations Directorate. The Probation Service provides risk assessment reports

as well as observations on you. The Psychology Service also provide reports, where appropriate, setting out your progress in addressing your offending behavior. The Board may also seek a report from a psychiatrist particularly if you have received or are undergoing treatment during your sentence.

In every case, a report is sought from An Garda Síochána providing views on relevant issues including the attitude of the people in the area where the crime was committed if you were to be released, and on the likelihood of revenge being sought against you if released. Once the reports (and any other material) have been obtained, they are assembled into a Review Dossier.

Step 4: Disclosure of Review Dossier.

The Dossier is simply a file of all relevant documents and reports. You will receive a copy of the Dossier at least one week

before your interview or Board Review, if your case is being reviewed solely on the documentation in the dossier. You will have an opportunity to submit written comments on the content of the reports as well as providing any other information which you may feel that the Board should consider.

Step 5: Interview.

When you receive the Review Dossier, arrangements are made for you to attend an informal interview with two Members of the Parole Board and a staff member of the Secretariat. These interviews take place in the institution in which you are detained. You are not allowed legal representation at the interview. Written submissions on your behalf will be accepted.

At the interview, the two Board members give you an opportunity to make submissions in person to the Board and to

allow the Board Members to discuss the contents of the Review Dossier with you. This allows both you and the Board members to seek any clarification or information required which will improve the Boards ability to deal appropriately with your case. Following the interview, the Secretariat prepares a report on the interview and a copy of this report is given to you for your comments and any additional information you may wish to add. This interview report, together with the comments you may have on the report, is added to the Review Dossier which is given to all of the Parole Board members.

The Board considers your first review to be very important, but may not find it necessary to interview you on every occasion that they review your case. If there is no interview, your review is called a paper review where the Board monitors

your progress and considers your case on the basis of reports from the various Services you have been engaging with. These reports are disclosed to you in the same way as your first Review Dossier and you will be given an observation sheet to make comments and/or provide any additional information.

Step 6: The Board meeting.

The Parole Board meets once a month to review cases and to formulate recommendations to the Minister on each case. The discussion is started with those members who conducted the interview with you or, in the case of a paper review, the members who previously interviewed you. Both Board members give their opinions on the impressions they formed of you. In the course of discussing each case, the reports contained within the Review Dossier are discussed by the

entire Board and a recommendation to the Minister is agreed.

Step 7: Recommendations to the Minister.

The Parole Board may make a variety of recommendations which generally include:-

- Encouraging you to work with particular therapeutic services, attend particular programmes such as “Alternatives to Violence”, Alcoholics Anonymous” etc.;
- Education - encouraging you to participate in training and educational services;
- Work training-obtaining the training, certification and experience to assist you in obtaining employment on your release.

- Re-socialisation - measures to reduce the effects of institutionalisation which could include escorted or accompanied outings to aid familiarisation with the outside world and meetings with your family and relations etc.
- Transfer - a transfer to another prison, including a prison in a different location or an open prison where, for example, further therapeutic or educational services are available.
- The Parole Board, as part of your sentence management, may recommend to the Minister an escorted absence(s) from a prison and/or a programme to support re-socialisation/re-integration.. The Parole Board has no role in relation to the granting of TR and any prisoners wishing to apply for TR

should do so through their Governor in the normal way (see Paragraph 12 below).

The Board's written recommendations are sent to the Minister who then considers the recommendations and arrives at a decision. The Board's role is advisory only and the Minister is not obliged to accept any recommendation made by it.

The Minister's decision is sent to you in writing by the Department of Justice and Equality, and the Parole Board also gets a copy of this letter. Each case is reviewed on its own individual merits and the time taken to complete the actual process can vary as a result. You, will, in most cases, know the outcome of your review within three to six months of your interview.

7. Life Sentence Prisoners

A life sentenced prisoner has the possibility of being released from prison on licence. A life sentence means that you will continue to serve your sentence for the rest of your life with the possibility of part of it being served in a community setting. If you are released on licence, you are still serving a life sentence and can be returned to prison if you re-offend or break any of the conditions of your release.

There is no set number of years that you must serve in prison before you can be released on licence, but the decision to release a life-sentenced prisoner must be balanced against the offence committed. The number of years you will spend in prison is dependent on your progress in prison, the particular facts of your case, the recommendations made by the Parole Board and ultimately, the decision of the Minister.

8. Offences which are not covered by the parole process.

You will not be covered by the parole process if you are serving a sentence for certain offences such as the murder or attempted murder:-

1. of a Garda or member of the prison service in the course of their duty;
2. of the head of a foreign state or a diplomat for political purposes; or
3. in the course of supporting activities of an unlawful organisation.
4. Certain Drug Offences

In addition, if you are serving a sentence for the possession of drugs under the Misuse of Drugs Act, 1977 as amended by Section 5 of the Criminal Justice Act, 1999,

you will not at present, normally be eligible for review by the Board.

The Minister may, however, refer any individual case to the Board.

9. Why should you have your case reviewed by the Parole Board?

The review process provides you with an opportunity to discuss your individual concerns, your offending behaviour, your ambitions for the future, and if deemed suitable, to prepare for your eventual release and reintegration into the community. The Board can offer practical advice and support to assist you in coping with your sentence in preparation for release. You are strongly encouraged to become actively involved in the process.

10. How can you prepare for going back into the community?

If you are to be supervised by the Probation Service, Probation Officers working in your prison can help you to prepare for life after release. They can give you information and put you in contact with social services, hostels, training and treatment programmes (individual and groups) outside the prison. They can also give you information on how to manage your behaviour, lifestyle and personal affairs to reduce the risk of you re-offending. Probation Officers can also help you keep in contact with your family and community during your time in prison. They work under the Governor's direction to make sure that sentence management plans are made and carried out. They include plans for easing you back into society.

If you are not going to be supervised by the Probation Service on release and Probation Officers in the prison cannot help, you should speak to a Chaplain or other prison services that may be able to help.

11. Parole Liaison Officers

In early 2015, Parole Liaison Officers were appointed in each prison. Their role is to help you with your parole review. For example, they will give you your Dossier before your Parole Board interview. They will also try and help you with any queries you might have regarding the Dossier and interview. When the Minister's Decision is made, they will answer any queries you might have regarding the decision. They will also liaise with the Parole Board secretariat, when necessary, on your behalf.

12. Temporary Release (TR)

The Parole Board has no role in the granting of Temporary Release (TR) including

Christmas TR / escorted visits and any prisoners wishing to apply for TR should do so through their Governor in the normal way. Decisions in relation to TR are made entirely at the discretion of the Irish Prison Service (IPS).

The Parole Board does not have any role in applications for Christmas leave, nor any other forms of compassionate leave, for example to attend funerals, christenings, communions etc.

Requests for TR should only be made through the Prison Governor's Office.

13. Location of Parole Board Offices:

The Parole Board's offices and Secretariat is located at 6/7 Hanover Street, Dublin 2. There is a small support staff attached to the office.