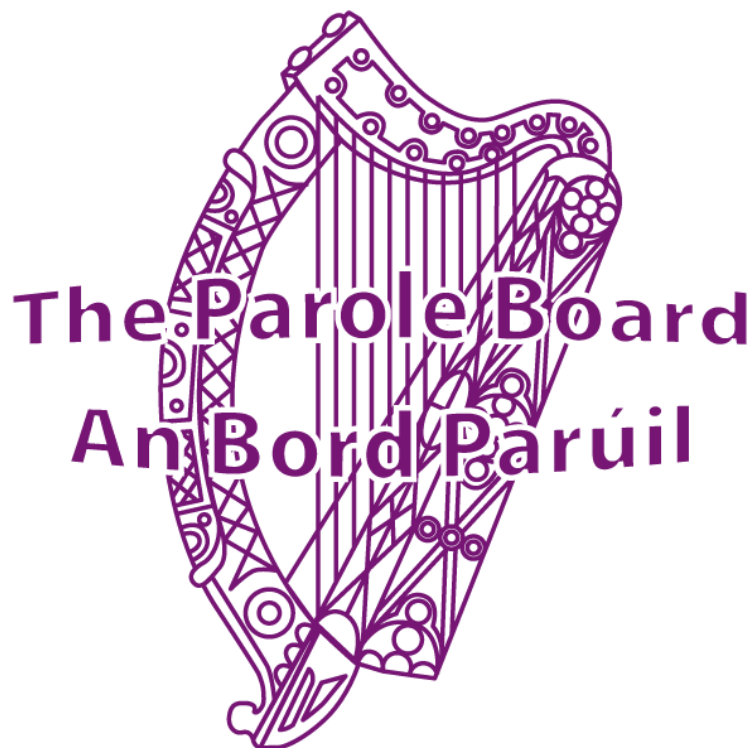


THE PAROLE BOARD ANNUAL REPORT 2012



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Chairman's Foreword

Introduction:

By way of introduction to this annual report, I believe it is useful to discuss how the system of parole is beneficial to both prisoners and the public at large. As a Board, we are mindful that the aim of a prison sentence can involve retribution, incapacitation, deterrence, reparation and rehabilitation. Parole can then be an incentive to a prisoner as a privilege that must be earned.

If a long term prisoner, in the view of the Parole Board, has served his punishment for a crime, but has also participated in all the therapeutic courses recommended, has behaved responsibly in prison and has significantly reduced their risk of re-offending, then parole for such a prisoner can have a two fold benefit.

Firstly, if the prisoner has re-habilitated himself substantially the Parole Board can initiate, with the Prison Service, temporary releases for short periods of time over a year or 18 months. This enables the prisoner to re-integrate into society gradually, as opposed to a full release on a particular date, which can be difficult for long term prisoners to acclimatise to. After 12 to 18 months of successful short term periods of temporary release, the prisoner can be granted full parole, subject to conditions, but also with the support of the Probation Service. Such a prisoner may also face the threat of recall to prison, if the offender does not comply with the parole conditions imposed.

Secondly, if the Prisoner has substantially addressed their offending behaviour and attitude towards criminality, the prisoner is far less likely to re-offend, which is also in the interests of the public as a whole.

In summary, therefore, the Parole Board contributes to the protection of society by facilitating as appropriate, the timely re-integration of suitable offenders into society. It also discharges the critical function of deciding whether the particular circumstances exist for certain prisoners to be recommended for Parole.

However, it should be mentioned that many prisoners are not recommended for parole. These are mainly prisoners who, in the view of the Board, present an unacceptable level of risk of re-offending.

Recent Initiatives:

In the last 12 months, the Board, with the able assistance of the Secretariat, has worked hard to improve the effectiveness of its operations, in many respects. Firstly, there has been substantial progress made to ensure reviews of prisoners are heard promptly. Secondly, the Board has tried to encourage more participation in the Parole process by prisoners. In this regard, the Board has held a number of its meetings in different prisons. Following these board meetings, members of the Board met with groups of prisoners to explain the parole process. This was also an opportunity to encourage prisoners to participate as fully as possible in all the recommended therapeutic and educational courses available to them. I hope to visit every prison over a period of 18 months or so and the Board also intends to publish, in the near future, an information leaflet on Parole, for the benefit of prisoners.

Thirdly, in order to improve the productivity of the Board, I have introduced additional training for Board members. We now have specialist speakers addressing the Board, at regular intervals on issues of particular relevance to our work.

Fourthly, we hope to hold the inaugural conference of the Parole Board on Friday, October 25th next in the Law Society. The conference will discuss how legislation might be drafted to create a statutory Parole Board.

Remission/Enhanced Remission:

Some of the prisoners I met during the year were critical of other prisoners who did not participate in therapeutic programmes, where they would be beneficial. They recommended that there might be enhanced remission for those participating prisoners who benefit from the programmes. The Irish Penal Reform Trust has recommended such an incentivised scheme, which would require an internal Irish Prison Service System of measuring engagement with services. I believe there is merit in this idea. It is interesting to note that this idea was also supported by the Houses of the Oireachtas Justice Committee on Penal Reform in its March 2013

Report. This Committee also recommended increasing remission from one quarter to one third. I believe that such an increase in remission could also be linked to an enhanced remission regime. Life sentenced prisoners do not qualify for remission.

Life Sentenced Prisoners:

Public statements by the Parole Board in the past, and by various Ministers for Justice, did indicate that such life sentenced prisoners should normally serve a minimum of 15 years. However, during the last year, the Minister, on the recommendation of the Board, did agree that a particular life sentenced prisoner could be released, on Parole, subject to appropriate conditions, after about 13 years. However, many life sentenced prisoners are not recommended for early parole because of, inter alia, the gravity and heinous nature of the offence and their risk of re-offending.

Proposed Legislation:

Minister Alan Shatter has recently stated that legislation to place the Parole Board on a statutory footing, independent of the Minister, is being prepared. He has said that the Working Group conducting a strategic review of Penal Policy is expected to report early in the new year. The Minister hopes that the planned legislation can be prepared after this report. I welcome the Minister's commitment, in this regard.

Victims and their Families:

Quite often the Board receives letters from victims and/or their families before we review a specific prisoner. On many occasions these letters reveal enormous pain and suffering caused to victims. If the case involves a murder, many family members are still experiencing severe trauma and mental health problems many years after the death of their loved one. These letters are seriously considered by the Board members before reaching a decision.

Acknowledgements:

Before every board meeting, Board members have to read a few hundred pages of reports and background information on the prisoners being reviewed. All this information is provided by the Irish Prison Service, Governors of Prisons, Medical Personnel, Psychologists, Probation Officers, the Gardaí, Prison Review Committees

and other Service Providers, such as Prison Chaplains from time to time. Our Board could not function without this huge amount of professional assistance and I want to formally recognise and convey my sincere thanks to all the Service Providers for the enormous assistance they give to the Board, prisoners, their families and the community at large.

Finally, I want to thank my fellow Board members for their huge commitment and conscientious participation in the work of the Board at all times. I also want to thank the members of the Secretariat for their hard work during the year. Their work is of immense importance to both the prison community and the public at large.

John Costello

Chairman of the Parole Board

October, 2013

Introduction

The Parole Board was established by the Minister for Justice, Equality and Law Reform to review the cases of prisoners with longer term sentences and to provide advice in relation to the administration of those sentences. The Board commenced its operations in 2001. This is the eleventh Annual Report of the Parole Board and it relates to the Board's activities in 2012.

April 2012 saw the sad and unexpected passing of Mr Pat Crummey. Mr Crummey had been a member since 2007 and his experience and wisdom was invaluable.

As a general principle, it is only the cases of prisoners who are serving sentences of eight years or more that are reviewed by the Parole Board and these must first be referred to the Board by the Minister for Justice and Equality. In the normal course, the Board will review cases of prisoners sentenced to 8 years imprisonment or more, but less than 14 years, once half of that sentence has been served. In cases of prisoners sentenced to 14 years or more or to a life sentence the Board will review the case after 7 years have been served.

The Board provides advice to the Minister by way of recommendations. When formulating its recommendations, the Board's paramount concern is the potential risk to members of the community which the release of a life sentence prisoner or the early release of a determinate sentence prisoner could pose. The main factors taken into account in each individual case are:

- nature and gravity of the offence
- sentence being served and any recommendations made by the Judge
- period of the sentence served at the time of the review
- threat to safety of members of the community from release
- risk of further offences being committed while on temporary release

- risk of the prisoner failing to return to custody from any period of temporary release
- conduct while in custody
- extent of engagement with the therapeutic services and
- likelihood of period of temporary release enhancing reintegration

The cases of 66 prisoners were referred to the Board for review during 2012 and all were invited to participate in the process. 44 prisoners accepted the invitation while 17 declined and 5 invitations to participate were not determined. The total caseload for 2012 was 268 – i.e. a combination of new cases and cases at second or subsequent review stage. Significant progress was achieved during the year in bringing older cases to a conclusion. Second or subsequent reviews generally take place on an annual basis in the case of prisoners serving less than 10 years and normally within 2/3 years in other cases. However, fourth, fifth and subsequent reviews may take place on an annual basis in appropriate cases.

During 2012, the Parole Board convened on 12 occasions and reviewed 91 cases. All prisoners whose cases are being reviewed for the first time are interviewed by two Members of the Board. An interview is not always necessary for prisoners whose cases are being considered for a second or subsequent review but the Board will sometimes consider an interview to be in the prisoner's interests. During 2012, 44 prisoners whose cases were being reviewed by the Board for the first time were interviewed by Members of the Board. A further 29 were interviewed as part of a second or subsequent review of their case. It is worth noting that the number of interviews conducted by Board Members during the course of 2012 increased by almost 11% on 2011. A total of 73 interviews were conducted by Board Members during the year – the highest number since the establishment of the Board.

Recommendations were sent to the Minister for Justice and Equality in 91 of the cases reviewed. The recommendations in 57 cases were accepted in full by the Minister and there were two recommendations that were not accepted. Five cases

were accepted conditionally or in part by the Minister. At the end of the year there were ¹27 decisions still pending.

In order to raise awareness about the Parole Board process the Chairman and Members of the Board made presentations to prisoners in 3 prisons. The purpose of the presentations was to assist the prisoners in their understanding of the Parole Board process. At the end of the presentations the prisoners were invited to give feedback on their perceptions of the Parole process and were encouraged to participate in a Questions and Answers session. The Board welcomed the feedback provided to them by the prisoners and has made some changes to the administrative part of the process based on this feedback. During 2013, it is the intention of the Board to continue with its programme of presentation to prisoners throughout the remaining country wide prisons. The Board proposes to make these presentations an ongoing process that will take place every two years.

The Parole Board would like to acknowledge that it would not be able to fulfill its function without the high level of cooperation from the Irish Prison Service, the Probation Service, the Prison Psychology Service and the Department of Justice and Equality. In addition the Board is assisted in individual cases by other agencies and by Prison Chaplains. The Board greatly appreciates the assistance of all these services provided.

Financial Information

The Parole Board was allocated a budget of €341,000 for 2012 with actual expenditure of €321,000 in the year. Pay accounted for approximately 72% of the Board's expenditure. The other most significant area of expenditure was Board Members fees which accounted for 19% of the overall budget.

The Chairman is paid a fee of €11,970 per annum. In addition to an annual fee of €7,695, members are paid a per diem fee of €149.75 per prison interview for conducting prisoner interviews. Fees are not paid to ex-officio members. Travel and subsistence payments are made in accordance with civil service guidelines.

¹ At time of publishing there were no Ministerial Decisions pending for 2012.

Membership Of The Parole Board

Mr John Costello	Chairman - Solicitor
Mr Willie Connolly ²	Retired, Irish Prison Service (IPS)
Mr Pat Crummey	R.I.P. to April 2012
Ms Ciairín de Buis	Director, Start Strong
Mr Vivian Geiran	Director, Probation Service (from August 2012)
Mr Gerry McDonagh	Department of Justice and Equality
Mr. Frank McCarthy	to June 2012
Mr Shane McCarthy	Solicitor
Ms Nora McGarry	Psychotherapist / Counsellor (from July 2012)
Dr Michael Mulcahy	Consultant Psychiatrist
Mr Brian Murphy	Director of Operations, IPS (from August 2012)
Mr Tim O'Donoghue	to June 2012
Mr Eamon Nolan	Retired Public Servant
Mr Eddie Rock	Retired Assistant Commissioner, An Garda Síochána (from July 2012)
Mr Brendan Watters	Youth Federation Board Member

Alternative Members

Mr Gerry McNally	Probation Service
Mr Brian Murphy	Irish Prison Service (to July 2012)

² Willie Connolly retired as Director of Operations, Irish Prison Service in February 2012 and was subsequently re-appointed in July 2012

Appendix A (i)			
Cases Referred to the Board - 2012			
		Number of Cases	%
Cases Referred to the Board for Review		66	100
Invitation to Participate Accepted		44	66.67
Invitation to Participate Declined		17	25.76
Invitation to Participate not Determined		5	7.58

Appendix A (ii)					
Cases Referred - Yearly Comparison					
	2008	2009	2010	2011	2012
Cases Referred to the Board for Review	66	83	66	65	66
Invitation to Participate Accepted	52	64	48	45	44
Invitation to Participate Declined	8	10	16	10	17
Invitation to Participate not Determined	34	9	2	10	5

Appendix B (i)			
2012 Caseload			
		Number of Cases	%
Cases Referred to the Board for Review		66	36.09
Cases Carried Over*		202	63.91
Total Caseload		268	100

*Refers to cases at various stages

Appendix B (ii)					
Total Caseload - Yearly Comparison					
	2008	2009	2010	2011	2012
Cases Referred to the Board for Review	66	83	66	65	66
Cases Carried Over	146	147	195	140	202
Total	212	230	261	205	268

Appendix C (i)		
Prisoner Interviews 2012		
Institution	Number of Prisoners	%
Arbour Hill	21	28.8
Castlerea	6	8.2
Cork Prison	1	1.4
Dochas Centre	2	2.7
Limerick Prison	1	1.4
Loughan House	0	0.0
Midlands Prison	15	20.5
Mountjoy Prison	6	8.2
Portlaoise Prison	2	2.7
Shelton Abbey	0	0.0
The Training Unit	5	6.8
Wheatfield	14	19.2
Total	73	100

Appendix C (ii)					
Prisoner Interviews - Yearly Comparison					
Institution		Number of Prisoners			
	2008	2009	2010	2011	2012
Arbour Hill	5	13	7	9	21
Castlerea	3	5	10	6	6
Cork Prison	1	1	2	2	1
Dochas Centre	0	1	2	1	2
Limerick Prison	2	2	1	4	1
Loughan House	0	0	1	0	0
Midlands Prison	8	12	8	11	15
Mountjoy Prison	6	3	4	12	6
Portlaoise Prison	1	1	4	5	2
Shelton Abbey	1	2	3	1	0
The Training Unit	2	7	4	3	5
Wheatfield	4	11	12	12	14
Total	33	58	58*	66	73

* 1 Prisoner interviewed twice - i.e. total number of interviews 59

Appendix D (i)**Offence Analysis of Cases in Which an
Invitation to Participate was Accepted in 2012**

Offence	Number of Prisoners	%
Murder	17	38.6
Manslaughter	2	4.5
Sex Offences	13	29.5
Other Offences Against the Person	4	9.1
Drug Offences	3	6.8
Robbery/Larceny	1	2.3
Burglary/Aggravated Burglary	1	2.3
False Imprisonment	2	4.5
Other Offences	1	2.3
Total	44	100

Appendix D (ii)					
Offence Analysis of Cases - Yearly Comparison					
Number of Prisoner					
Offence	2008	2009	2010	2011	2012
Murder	24	23	20	19	17
Manslaughter	6	2	3	1	2
Sex Offences	7	13	9	11	13
Other offences against the Person	0	0	3	1	4
Drug Offences	3	10	1	5	3
Robbery/Larceny	7	5	5	3	1
Burglary/Aggravated Burglary	2	1	3	0	1
False Imprisonment	0	1	1	1	2
Other Offences	3	9	3	4	1
Total	52	64	48	45	44

Appendix E (i)		
Sentence Length Analysis of Cases in Which an Invitation to Participate was Accepted in 2012		
Sentence Length	Number of Prisoners	%
8 Years	9	20.45
8 Years but less than 10 Years	9	20.45
10 Years but less than 12 Years	6	13.64
12 Years but less than 14 Years	1	2.27
14 Years but less than 16 Years	1	2.27
16 Years but less than 18 Years	0	0.00
18 Years or More	1	2.27
Life	17	38.64
Total	44	100

Appendix E(ii)**Sentence Length Analysis - Yearly Comparison****Number of Prisoners**

Sentence Length	2008	2009	2010	2011	2012
8 Years	13	11	14	9	9
8 Years but less than 10 Years	6	19	9	9	9
10 Years but less than 12 Years	4	1	1	1	6
12 Years but less than 14 Years	1	1	0	1	1
14 Years but less than 16 Years	1	2	1	4	1
16 Years but less than 18 Years	1	0	0	0	0
18 Years or More	4	5	0	1	1
Life	22	25	23	20	17
Total	52	64	48	45	44

Appendix F (i)		
Recommendations made to the Minister for Justice and Equality		
2012		
	Number	%
Recommendations Accepted in Full	57	62.64
Recommendations Accepted Conditionally or in Part	5	5.49
Recommendations Not Accepted	2	2.20
Recommendations Noted	0	0.00
Recommendation Deferred*	0	0.00
Released on Remission Prior to Decision	0	0.00
Ministerial Decisions Pending	*27	29.67
Total	91	100

*At time of publishing there were no Ministerial Decisions pending for 2012.

Appendix F (ii)					
Recommendations Made to the Minister for Justice and Equality					
Yearly Comparison					
	2008	2009	2010	2011	2012
Recommendations Accepted in Full	62	77	72	85	57
Recommendations Accepted Conditionally or in Part	0	5	4	1	5
Recommendations Not Accepted	2	3	1	0	2
Recommendations Noted	0	0	1	0	0
Recommendations Deferred*	0	0	0	1*	0
Released on Remission Prior to Decision	3	1	1	1	0
Ministerial Decisions Pending	0	2	0	1	**27
Total	67	88	79	88	91

* 1 Case reviewed in 2011 but Recommendation deferred until 2012

**At time of publishing there were no Ministerial Decisions pending for 2012

TUARASCÁIL BHLIANTÚIL AN BHOIRD PHARÚIL 2012



Clár Ábhar

- 1 Réamhrá an Chathaoirligh
- 2 Intreoir
- 3 Ballraíocht den Bhord

Aguisíní

- A(i) Cásanna a Atreoraíodh i 2012
- A(ii) Cásanna a Atreoraíodh – Comparáid Bhliantúil
- B(i) Riar Cásanna 2012
- B(ii) Riar Cásanna - Comparáid Bhliantúil
- C(i) Agallaimh le Príosúnaigh 2012
- C(ii) Agallaimh le Príosúnaigh - Comparáid Bhliantúil
- D(i) Anailís Chiona 2012
- D(ii) Anailís Chiona - Comparáid Bhliantúil
- E(i) Anailís ar Fhad Pianbhreitheanna 2012
- E(ii) Anailís ar Fhad Pianbhreitheanna – Comparáid Bhliantúil
- F(i) Moltaí an Bhoird Pharúil 2012
- F(ii) Moltaí an Bhoird Pharúil - Comparáid Bhliantúil

Réamhrá an Chathaoirligh

Intreoir:

Mar intreoir don tuarascáil bhliantúil seo, creidim go bhfuil sé úsáideach plé a dhéanamh ar an dóigh a ndéanann an córas parúil tairbhe do phríosúnaigh agus don phobal ar fad aráon. Mar Bhord, táimid aireach go bhféadann sásamh, éagumasú, díspreagadh, cúiteamh agus athshlánú a bheith i gceist in aidhm na pianbhreithe príosúin. Féadann parúl a bheith ina dhreasú ansin do phríosúnach mar phribhléid nach mór a thuilleamh.

Sa chás gur chaith príosúnach fadtéarmach, i dtuairim an Bhoird Pharúil, a phionós as coir, ach gur ghlac sé páirt i ngach ceann de na cúrsaí teiripeacha a moladh, gur iompair sé go freagrach i bpríosún agus gur laghdaigh sé an baol go ndéanfaidh sé cion arís, féadann tairbhe dhúbailte a bheith bainteach le parúl don phríosúnach sin.

Sa chead dul síos, más rud é gur athshlánaigh an príosúnach é féin go mór, féadann an Bord Parúil, i dteannta na Seirbhíse Príosún, tús a chur le scaoilte sealadacha ar feadh tréimhsí gearra thar bhliain nó 18 mí. Cuireann sé seo ar chumas an phríosúnaigh athimeascadh isteach sa tsochaí de réir a chéile, rud a bhféadann a bheith deacair do phríosúnaigh fhadtéarmacha oiriúnú dó. Tar éis tréimhsí gearrthéarmacha rathúla scaoilte shealadaigh ar feadh 12 mhí go 18 mí, féadtar parúl iomlán a dheonú don phríosúnach, faoi réir coinníollacha, agus le tacaíocht ón tSeirbhís Promhaidh freisin. Féadfaidh an príosúnach sin a bheith i mbaol athghairme go príosún mura gcloíonn an ciontóir leis na coinníollacha parúil a gearradh.

Sa dara dul síos, más rud é gur thug an Príosúnach go mór faoina iompar/hiompar ciontaithe agus faoina dhearcadh/dearcadh maidir le coiriúlacht, tá dóchúlacht níos lú ann go gciontóidh sé/sí arís, rud atá le leas an phobail ar fad freisin.

Mar achoimre, dá bhrí sin, cuireann an Bord Parúil le cosaint na sochaí trí éascú a dhéanamh, de réir mar is cuí, ar an athimeascadh tráthúil ciontóirí oiriúnacha isteach sa tsochaí. Ina theannta sin, comhlíonann sé an fheidhm ríthábhachtach um

chinneadh a dhéanamh ar cé acu an bhfuil, nó nach bhfuil, na tosca ar leith ann do phríosúnaigh áirithe le go molfar le haghaidh Parúil iad.

Mar sin féin, ba cheart a lua nach moltar cuid mhór príosúnach le haghaidh parúil. Is príosúnaigh iad seo den chuid is mó a léiríonn, i dtuairim an Bhoird, leibhéal doghlactha riosca go gciontóidh siad arís.

Tionscnaimh Le Déanaí:

Sa 12 mhí dheireanacha seo, d'oibrigh an Bord, le cúnamh cumasach na Rúnaíochta, go dícheallach chun feabhas a chur ar éifeachtacht a chuid oibríochtaí i roinnt mhaith bealaí. Sa chéad dul síos, rinneadh dul chun cinn suntasach chun a chinntiú go n-éistear le hathbhreithnithe ar phríosúnaigh go pras. Sa dara dul síos, d'fhéach an Bord le spreagadh a thabhairt do phríosúnaigh níos mó rannpháirtíochta a ghlacadh sa phróiseas Parúil. Ina leith seo, thionóil an Bord roinnt dá chruinnithe i bpríosúin éagsúla. Tar éis na gcruinnithe boird seo, bhuail an Bord le grúpaí príosúnach chun an próiseas parúil a mhíniú. Chomh maith leis sin, bhí deis ann spreagadh a thabhairt do phríosúnaigh an pháirt is mó is féidir a ghlacadh sna cúrsaí teiripeacha agus oideachasúla molta atá ar fáil dóibh. Tá súil agam go dtabharfaidh mé cuairt ar gach príosún ar feadh tréimhse 18 mí nó mar sin agus tá sé beartaithe ag an mBord freisin bileog faisnéise faoi Pharúl a fhoilsiú ar ball ar mhaithe le príosúnaigh.

Sa tríú dul síos, d'fhonn táirgiúlacht an Bhoird a fheabhsú, thug mé oiliúint bhreise isteach do bhaill den Bhord. Faoi láthair, bíonn cainteoirí is speisialtóirí againn ag tabhairt aithisc don Bhord go rialta faoi shaincheistanna a bhaineann go sonrach lenár gcuid oibre.

Sa cheathrú dul síos, tá súil againn go dtionólfar comhdháil tionscnaimh an Bhoird Pharúil Dé hAoine an 25 Deireadh Fómhair sa Dlí-Chumann. Déanfaidh an chomhdháil plé ar an dóigh a bhféadfaí reachtaíocht a dhréachtú chun Bord Parúil reachtúil a chruthú.

Loghadh/Loghadh Breisithe:

Cháin roinnt de na príosúnaigh ar bhuail mé leo i rith na bliana príosúnaigh eile nár ghlac páirt i gcláir theiripeacha a d'fhéadfadh a bheith tairbhiúil. Mhol siad go

bhféadfadh loghadh breisithe a bheith ann do na príosúnaigh rannpháirteacha sin a bhaineann leas as na cláir. Mhol Iontaobhas na hÉireann um Athchóiriú an Chórais Choiriúil scéim dhreasaithe den chineál sin. D'éileodh an scéim sin Córas inmheánach Sheirbhís Phríosúin na hÉireann um rannpháirtíocht i seirbhísí a mheas. Creidim go mbaineann fiúntas leis an smaoineamh seo. Tá sé suimiúil a thabhairt faoi deara go ndearna an Coiste Dlí agus Cirt um Athchóiriú an Chórais Choiriúil de chuid Thithe an Oireachtais tacú leis an smaoineamh seo ina Thuarascáil i mí an Mhárta 2013. Ina theannta sin, mhol an Coiste seo loghadh a mhéadú ó cheathrú amháin go trian amháin. Creidim go bhféadfaí méadú den chineál sin ar loghadh nascadh le córas loghtha bhreisithe. Ní cháilíonn príosúnaigh phianbhreith saoil le haghaidh loghtha.

Príosúnaigh Phianbhreith Saoil:

Cuireadh in iúl i ráitis phoiblí a rinne an Bord Parúil, agus Airí éagsúla Dlí agus Cirt, go dtí seo gur cheart do phríosúnaigh phianbhreith saoil 15 bliana ar a laghad a chaitheamh de ghnáth. I rith na bliana seo a chuaigh thart, áfach, chomhaontaigh an tAire, ar mholadh an Bhoird, go bhféadfaí príosúnach áirithe pianbhreith saoil a scaoileadh, ar pharúl faoi réir coinníollacha iomchuí, tar éis thart ar 13 bliana. Mar sin féin, ní mholtar roinnt mhaith de phríosúnaigh phianbhreith saoil le haghaidh parúl luath de bharr thromchúis agus cineál gráinniúil an chiona agus an riosca go gciontóidh siad arís, i measc nithe eile.

Reachtaíocht Bheartaithe:

Luaigh an tAire Alan Shatter le déanaí go bhfuil ullmhúchán á dhéanamh ar reachtaíocht a chuirfidh an Bord Parúil ar bhonn reachtúil atá neamhspleách ar an Aire. Dúirt sé go bhfuiltear ag coinne go dtabharfaidh an Grúpa Oibre atá ag déanamh athbhreithniú straitéiseach ar Bheartas Córais Choiriúil tuairisc go luath sa bhliain úr. Tá súil ag an Aire gur féidir an reachtaíocht bheartaithe a ullmhú tar éis na tuarascála seo. Fáiltím roimh thiomantas an Aire ina leith seo.

Íospartaigh agus a dTeaghlach:

Go minic, faigheann an Bord litreacha ó íospartaigh agus/nó óna dteaghlach sula ndéanaimid athbhreithniú ar phríosúnach ar leith. Is minic a léirítear an-phian agus an-fhulaingt a rinneadh ar íospartaigh sna litreacha seo. Sá chás go mbaineann

dúnmharú leis an gcás, tá tráma agus fadhbanna sláinte meabhrach á bhfulaingt ag roinnt mhaith daoine muinteartha cuid mhaith blianta tar éis bhás a ghaoil. Déanann baill den Bhord an-mhachnamh ar na litreacha seo sula ndéanann siad cinneadh.

Buíochas:

Roimh gach cruinniú den Bhord, ní mór do bhaill den Bhord cúpla céad leathanach de thuarascálacha agus d'fhaisnéis chúlra a léamh faoi na príosúnaigh atá á n-athbhreithniú. Cuireann Seirbhís Phríosúin na hÉireann, Gobharnóirí Príosún, Pearsanra Míochaine, Síceolaithe, Oifigigh Phromhaidh, na Gardaí, Coistí Athbhreithnithe Príosúin agus Soláthraithe Seirbhíse eile, ar nós Séiplínigh Phríosúin, an fhaisnéis seo ar fáil ó am go chéile. Ní fhéadfadh ár mBord feidmiú gan an t-ollmhéid seo de chúnamh gairmiúil agus ba mhian liom aithint go foirmiúil agus mo bhuíochas ionraic a chur in iúl do na Soláthraithe Seirbhíse go léir as an gcúnamh ollmhór a thugann siad don Bhord, do phríosúnaigh, dá dteaghlach agus don phobal ar fad.

Ar deireadh thiar, ba mhian liom mo bhuíochas a chur in iúl do mo chomhbhaill den Bhord as ucht a n-olltiomantais agus a rannpháirtíochta coinsiasaí in obair an Bhoird ag an uile thráth. Ina theannta sin, ba mhian liom mo bhuíochas a ghabháil leis an Rúnaíocht as ucht na tréanoibre a rinne siad i gcaitheamh na bliana. Baineann olltábhacht lena n-obair maidir leis an bpobal príosúin agus leis an bpobal ar fad.

John Costello

Cathaoirleach an Bhoird Pharúil

Deireadh Fómhair, 2013

Intreoir

Bhunaigh an tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí an Bord Parúil le hathbheithniú a dhéanamh ar chásanna na bpríosúnach ar ar gearradh pianbhreitheanna téarma níos faide agus le comhairle a chur ar fáil i dtaca le riar na bpianbhreitheanna sin. Chuir an Bord tús lena oibríochtaí sa bhliain 2001. Is í seo an t-aonú Tuarascáil Bhliantúil déag de chuid an Bhoird Pharúil agus baineann sí le gníomhaíochtaí an Bhoird sa bhliain 2012.

I mí Aibreáin 2012, fuair an tUas. Pat Crummey bás go brónach agus go tobann. Bhí an tUas. Crummey ina bhall ón mbliain 2007 i leith agus bhí a thaithí agus a chríonnacht fíorluachmhar.

Mar phrionsabal ginearálta, is iad cásanna na bpríosúnach atá ag fulaingt pianbhreitheanna atá ocht mbliana nó níos mó ar fad na cásanna amháin a ndéanann an Bord Parúil athbheithniú orthu agus is gá go gcuireann an tAire Dlí agus Cirt agus Comhionannais iad ar dtús faoi bhráid an Bhoird. Sa ghnáthchúrsa, déanfaidh an Bord athbheithniú ar chásanna príosúnach ar ar gearradh pianbhreith phríosúnachta 8 mbliana nó níos faide ach faoi bhun 14 bliana, a luaithe a bhíonn leath den phianbhreith sin caite acu. I gcásanna príosúnach ar ar gearradh pianbhreith 14 bliana nó níos mó a fhad le pianbhreith saoil, déanfaidh an Bord athbheithniú ar an gcás a luaithe a bhíonn 7 mbliana den phianbhreith caite acu.

Cuireann an Bord comhairle ar fáil don Aire trí mholtaí a thabhairt. Nuair a bhíonn a moltaí á gcur i dtoll a chéile, is é príomhábhar buartha an Bhoird an baol féideartha do mhuintir an phobail a d'fhéadfadh príosúnach pianbhreith saoil nó luathscaoileadh príosúnach pianbhreith aontrátha a chruthú nuair a scaoiltear leo. Is iad na príomhthosca a chuirtear san áireamh i ngach cás ar leith:

- cineál agus tromchúis an chiona
- an phianbhreith atá á caitheamh agus aon mholtaí a dhéanann an Breitheamh

- tréimhse na pianbhreithe a caitheadh ag tráth an athbhreithnithe
- an bhagairt i leith shábháilteacht mhuintir an phobail a chruthaíonn scaoileadh
- an baol go ndéanfaidh an té breis cionta fad a bhíonn siad scaoilte go sealadach
- an baol go dteipfidh ar an bpríosúnaí filleadh ar choinneáil ó aon tréimhse de scaoileadh sealadach
- an t-iompar fad a bhíonn siad faoi choinneáil
- méid na rannpháirtíochta sna seirbhísí teiripeacha, agus
- dóchúlacht na tréimhse scaoilte shealadaigh a fheabhsóidh athimeascadh

Rinneadh 66 cás príosúnaigh a atreorú chuig an mBord lena n-athbhreithniú le linn 2012 agus tugadh cuireadh dóibh go léir páirt a ghlacadh sa phróiseas. Ghlac 44 príosúnach leis an gcuireadh, dhiúltaigh 17 príosúnach dó agus níor tugadh cinneadh faoi 5 chuireadh le bheith rannpháirteach. B'ionann an riar iomlán cásanna le haghaidh 2012 agus 268 ceann – i.e. meascán de chásanna nua agus cásanna a bhain an dara céim athbhreithnithe nó céim ina dhiaidh sin amach. Baineadh dul chun cinn suntasach amach le linn na bliana maidir le cásanna níos sine a thabhairt chun críche. Is gnách go mbíonn an dara hathbhreithniú nó cinn ina dhiaidh sin ar bun ar bhonn bliantúil i gcás príosúnach atá ag caitheamh níos lú ná 10 mbliana i bpríosún agus laistigh de 2/3 bliana de ghnáth i gcásanna eile. Féadfaidh an ceathrú hathbhreithniú, an cúigiú hathbhreithniú agus athbhreithnithe ina dhiaidh sin a bheith ar bun ar bhonn bliantúil sna cásanna cuí.

Le linn 2012, tháinig an Bord Parúil le chéile ar 12 ócáid agus rinne sé athbhreithniú ar 91 cás. Cuireann beirt Bhall den Bhord gach príosúnach faoi agallamh a bhfuil a gcásanna á n-athbhreithniú den chéad uair. Ní i gcónaí a bhíonn gá le hagallamh maidir le príosúnaigh a bhfuil a gcásanna á meas maidir leis an dara hathbhreithniú nó le hathbhreithniú ina dhiaidh sin ach measfaidh an Bord uaireanta go bhfuil agallamh ar leas an phríosúnaigh. Le linn 2012, chuir Baill an Bhoird faoi agallamh 44 príosúnach a raibh athbhreithniú á dhéanamh ar a gcásanna ag an mBord den chéad

uair. Cuireadh 29 príosúnach eile faoi agallamh mar chuid den dara hathbhreithniú nó d'athbhreithniú ina dhiaidh sin ar a gcás. Is fiú a thabhairt faoi deara gur tháinig méadú ar an líon agallamh faoinar thug Baill den Bhord le linn chúrsa 2012 faoi bheagnach 11% ar líon 2011. Thug Baill den Bhord faoi 73 agallamh san iomlán le linn na bliana – arb é an líon ab airde ó bunaíodh an Bord é.

Seoladh moltaí chuig an Aire Dlí agus Cirt agus Comhionannais i 91 ceann de na cásanna ar a ndearnadh athbhreithniú. I 57 cás, ghlac an tAire leis na moltaí ina n-iomláine agus bhí dhá mholadh nár ghlacadh leo. Ghlac an tAire go coinníollach nó go páirteach le cúig chás. Ag deireadh na bliana, bhí ³27 cinneadh fós ar feitheamh.

D'fhonn feasacht a ardú ar phróiseas an Bhoird Pharúil, rinne an Cathaoirleach agus Baill den Bhord láithreoireachtaí os comhair príosúnach i 3 phríosún. Ba é an cuspóir a bhí leis na láithreoireachtaí cabhrú leis na príosúnaigh maidir leis an tuiscint atá acu ar phróiseas an Bhoird Pharúil. Ag deireadh na láithreoireachtaí, tugadh cuireadh do na príosúnaigh aiseolas a thabhairt ar a gcuid tuairimí i leith an phróisis Pharúil agus spreagadh iad páirt a ghlacadh i seisiún Ceisteanna agus Freagraí. Chuir an Bord fáilte roimh an aiseolas a chuir na príosúnaigh ar fáil dó agus, bunaithe ar an aiseolas sin, rinne sé roinnt athruithe ar an ngné riaracháin den phróiseas. Le linn 2013, tá sé ar intinn ag an mBord leanúint ar aghaidh lena chlár láithreoireachtaí do phríosúnaigh sna príosúin eile ar fud na tíre. Tá sé beartaithe ag an mBord próiseas leanúnach a bheidh ar siúl gach dhá bhliain a dhéanamh de na láithreoireachtaí sin.

Ba mhaith leis an mBord Parúil a admháil nach mbeadh sé ábalta a fheidhm a chomhlíonadh in éagmais an ardleibhéil chomhoibrithe ó Sheirbhís Phríosúin na hÉireann, ón tSeirbhís Phromhaidh, ón tSeirbhís Síceolaíochta Príosún agus ón Roinn Dlí agus Cirt agus Comhionannais. De bhreis air sin, tugann gníomhaireachtaí eile agus Séiplínigh Phríosúin cúnamh don Bhord i gcásanna aonair. Tá an Bord thar a bheith buíoch den chúnaimh a thug na seirbhísí uile seo.

³ Agus í seo á foilsiú, ní raibh aon Chinntí Aireachta ar feitheamh do 2012.

Faisnéis Airgeadais

Leithdháileadh buiséad €341,000 ar an mBord Parúil do 2012. B'ionann an caiteachas iarbhír sa bhliain agus €321,000. Bhí pá freagrach as thart ar 72% de chaiteachas an Bhoird. Ba é an réimse eile ba shuntasáí caiteachais ná táillí na mBall den Bhord, a bhí freagrach as 19% den bhuiséad iomlán.

Íoctar táille €11,970 in aghaidh na bliana leis an gCathaoirleach. Mar aon le táille bhliantúil €7,695, íoctar táille per diem €149.75 in aghaidh an agallaimh phríosúin le baill as a bheith ag tabhairt faoi agallaimh le príosúnaigh. Ní íoctar táillí le baill de bhrí oifige. Déantar íocaíochtaí taistil agus cothaithe i gcomhréir le treoirlínte na státseirbhíse.

Ballraíocht den Bhord Parúil

An tUas. John Costello	Cathaoirleach - Aturnae
An tUas. Willie Connolly ⁴	Ar Scor, Seirbhís Phríosúin na hÉireann (IPS)
An tUas. Pat Crummey	suaimhneas síoraí dá anam go dtí mí Aibreáin 2012
Iníon Ciairín de Buis	Stiúrthóir, Start Strong
An tUas. Vivian Geiran	Stiúrthóir, An tSeirbhís Phromhaidh (ó mhí Lúnasa 2012)
An tUas. Gerry McDonagh	An Roinn Dlí agus Cirt agus Comhionannais
An tUas. Frank McCarthy	go dtí mí an Mheithimh 2012
An tUas. Shane McCarthy	Aturnae
Iníon Nora McGarry	Síciteiripeoir / Comhairleoir (ó mhí Iúil 2012)
An Dr Michael Mulcahy	Síciatraí Comhairleach
An tUas. Brian Murphy	Stiúrthóir Oibríochtaí, Seirbhís Phríosúin na hÉireann (ó mhí Lúnasa 2012)
An tUas. Tim O'Donoghue	go dtí mí an Mheithimh 2012
An tUas. Éamon Nolan	Seirbhíseach Poiblí ar Scor
An tUas. Eddie Rock	Coimisinéir Cúnta ar Scor, An Garda Síochána (ó mhí Iúil 2012)
An tUas. Brendan Watters	Ball Boird Chónaidhm na hÓige
Baill Mhalartacha	
An tUas. Gerry McNally	An tSeirbhís Phromhaidh
An tUas. Brian Murphy	Seirbhís Phríosúin na hÉireann (go dtí mí Iúil 2012)

⁴ Chuaigh Willie Connolly ar scor mar Stiúrthóir Oibríochtaí, Seirbhís Phríosúin na hÉireann, i mí Feabhra 2012 agus athcheapadh é ina dhiaidh sin i mí Iúil 2012

Aguisín A (i)			
Cásanna a Atreoraíodh chuig an mBord - 2012			
		Líon na gCásanna	%
Cásanna a Atreoraíodh chuig an mBord lena nAthbhreithniú		66	100
Cuireadh le bheith Rannpháirteach ar Glacadh Leis		44	66.67
Cuireadh le bheith Rannpháirteach ar Diúltaíodh Dó		17	25.76
Níor tugadh Cinneadh faoi Chuireadh le bheith Rannpháirteach		5	7.58

Aguisín A (ii)					
Cásanna a Atreoraíodh – Comparáid Bhliantúil					
	2008	2009	2010	2011	2012
Cásanna a Atreoraíodh chuig an mBord lena nAthbhreithniú	66	83	66	65	66
Cuireadh le bheith Rannpháirteach ar Glacadh Leis	52	64	48	45	44
Cuireadh le bheith Rannpháirteach ar Diúltaíodh Dó	8	10	16	10	17
Níor tugadh Cinneadh faoi Chuireadh le bheith Rannpháirteach	34	9	2	10	5

Aguisín B (i)			
Riar Cásanna 2012			
		Líon na gCásanna	%
Cásanna a Atreoraíodh chuig an mBord lena nAthbhreithniú		66	36.09
Cásanna a Tugadh Anonn*		202	63.91
Riar Iomlán Cásanna		268	100

*Tagraítear do chásanna ag céimeanna éagsúla

Aguisín B (ii)					
Riar Iomlán Cásanna - Comparáid Bhliantúil					
	2008	2009	2010	2011	2012
Cásanna a Atreoraíodh chuig an mBord lena nAthbhreithniú	66	83	66	65	66
Cásanna a Tugadh Anonn	146	147	195	140	202
Iomlán	212	230	261	205	268

Aguisín C (i)		
Agallaimh le Príosúnaigh 2012		
Foras	Líon na bPríosúnach	%
Cnoc an Arbhair	21	28.8
An Caisleán Riabhach	6	8.2
Príosún Chorcaí	1	1.4
Ionad Dóchas	2	2.7
Príosún Luimnigh	1	1.4
Teach an Locháin	0	0.0
An Príosún Lár Tíre	15	20.5
Príosún Mhuinseo	6	8.2
Príosún Phort Laoise	2	2.7
Mainistir Shelton	0	0.0
An tAonad Oiliúna	5	6.8
Páirc na Cruithneachta	14	19.2
Iomlán	73	100

Aguisín C (ii)					
Agallaimh le Príosúnaigh - Comparáid Bhliantúil					
Foras		Líon na bPríosúnach			
	2008	2009	2010	2011	2012
Cnoc an Arbhair	5	13	7	9	21
An Caisleán Riabhach	3	5	10	6	6
Príosún Chorcaí	1	1	2	2	1
Ionad Dóchas	0	1	2	1	2
Príosún Luimnigh	2	2	1	4	1
Teach an Locháin	0	0	1	0	0
An Príosún Lár Tíre	8	12	8	11	15
Príosún Mhuinseo	6	3	4	12	6
Príosún Phort Laoise	1	1	4	5	2
Mainistir Shelton	1	2	3	1	0
An tAonad Oiliúna	2	7	4	3	5
Páirc na Cruithneachta	4	11	12	12	14
Iomlán	33	58	58*	66	73

* Cuireadh Príosúnach amháin faoi agallamh faoi dhó - i.e. líon iomlán na bpríosúnach a cuireadh faoi agallamh: 59

Aguisín D (i)**Anailís Ciona ar Chásanna inar Glacadh le
Cuireadh le bheith Rannpháirteach i 2012**

Cion	Líon na bPríosúnach	%
Dúnmharú	17	38.6
Dúnorgain	2	4.5
Cionta Gnéasacha	13	29.5
Cionta Eile i gcoinne an Duine	4	9.1
Cionta Drugaí	3	6.8
Robáil/Goid	1	2.3
Buirgléireacht/Trombhuirgléireacht	1	2.3
Príosúnacht Neamhdhleathach	2	4.5
Cionta Eile	1	2.3
iomlán	44	100

Aguisín D (ii)					
Anailís Ciona ar Chásanna - Comparáid Bhliantúil					
Líon na bPríosúnach					
Cion	2008	2009	2010	2011	2012
Dúnmharú	24	23	20	19	17
Dúnorgain	6	2	3	1	2
Cionta Gnéasacha	7	13	9	11	13
Cionta eile i gcoinne an Duine	0	0	3	1	4
Cionta Drugaí	3	10	1	5	3
Robáil/Goid	7	5	5	3	1
Buirgléireacht/Trombhuirgléireacht	2	1	3	0	1
Príosúnacht Neamhdhleathach	0	1	1	1	2
Cionta Eile	3	9	3	4	1
lomlán	52	64	48	45	44

Aguisín E (i)		
Anailís ar Fhad Pianbhreitheanna i gCásanna inar Glacadh le Cuireadh le bheith Rannpháirteach i 2012		
Fad na Pianbhreithe	Líon na bPríosúnach	%
8 mBliana	9	20.45
8 mBliana ach níos lú ná 10 mBliana	9	20.45
10 mBliana ach níos lú ná 12 Bhliain	6	13.64
12 Bhliain ach níos lú ná 14 Bliana	1	2.27
14 Bliana ach níos lú ná 16 Bliana	1	2.27
16 Bliana ach níos lú ná 18 mBliana	0	0.00
18 mBliana nó Níos Mó	1	2.27
Saol	17	38.64
Iomlán	44	100

Aguisín E (ii)**Anailís ar Fhad Pianbhreitheanna – Comparáid Bhliantúil****Líon na bPríosúnach**

Fad na Pianbhreithe	2008	2009	2010	2011	2012
8 mBliana	13	11	14	9	9
8 mBliana ach níos lú ná 10 mBliana	6	19	9	9	9
10 mBliana ach níos lú ná 12 Bhliain	4	1	1	1	6
12 Bhliain ach níos lú ná 14 Bliana	1	1	0	1	1
14 Bliana ach níos lú ná 16 Bliana	1	2	1	4	1
16 Bliana ach níos lú ná 18 mBliana	1	0	0	0	0
18 mBliana nó Níos Mó	4	5	0	1	1
Saol	22	25	23	20	17
Iomlán	52	64	48	45	44

Aguisín F (i)		
Moltaí a rinneadh don Aire Dlí agus Cirt agus Comhionannais		
2012		
	Líon	%
Moltaí ar Glacadh Leo ina nIomláine	57	62.64
Moltaí ar Glacadh Leo go Coinníollach nó go Páirteach	5	5.49
Moltaí nár Glacadh Leo	2	2.20
Moltaí a Tugadh Faoi Deara	0	0.00
Moltaí a Iarchuireadh*	0	0.00
Scaoilte ar Loghadh roimh Chinneadh	0	0.00
Cinntí Aireachta ar Feitheamh	*27	29.67
Iomlán	91	100

*Agus í seo á foilsiú, ní raibh aon Chinntí Aireachta ar feitheamh do 2012.

Aguisín F (ii)					
Moltaí a Rinneadh don Aire Díí agus Cirt agus Comhionannais					
Comparáid Bhliantúil					
	2008	2009	2010	2011	2012
Moltaí ar Glacadh Leo ina nIomláine	62	77	72	85	57
Moltaí ar Glacadh Leo go Coinníollach nó go Páirteach	0	5	4	1	5
Moltaí nár Glacadh Leo	2	3	1	0	2
Moltaí a Tugadh Faoi Deara	0	0	1	0	0
Moltaí a Iarchuireadh*	0	0	0	1*	0
Scaoilte ar Loghadh roimh Chinneadh	3	1	1	1	0
Cinntí Aireachta ar Feitheamh	0	2	0	1	**27
Iomlán	67	88	79	88	91

* Rinneadh athbhreithniú ar chás amháin i 2011 ach iarchuireadh an moladh go dtí 2012

**Agus í seo á foilsiú, ní raibh aon Chinntí Aireachta ar feitheamh do 2012