

***REPORT***

***by***

***THE MINISTER FOR JUSTICE AND EQUALITY,***

***ALAN SHATTER T.D.***

***to***

***the Houses of the Oireachtas***

***on the Operation of***

***THE TRANSFER OF SENTENCED PERSONS ACTS,***

***1995 and 1997***

***for the period***

***1 January, 2012 - 31 December, 2012***

***(In accordance with Section 11 of the Act)***

## **INTRODUCTION**

### **Foreword**

- 1.0 The Council of Europe Convention on the Transfer of Sentenced Persons was ratified by Ireland following the passing of the Transfer of Sentenced Persons Act, 1995 and came into effect on 1 November, 1995. The Act provides the legislative basis for the operation of the Convention between Ireland and other parties to the Convention.

The Transfer of Sentenced Persons (Amendment) Act, 1997 provided for the transfer into the State of persons who have been sentenced to periods of imprisonment greater than the maximum penalties allowed under Irish law for similar offences.

This is the eighteenth Annual Report, presented in accordance with Section 11 of the 1995 Act, outlining details of matters relating to the operation of the Acts in 2012.

### **Purpose of the Convention/Legislation**

- 1.1 The Transfer of Sentenced Persons Acts, 1995 and 1997 provide a mechanism whereby non-nationals serving sentences in Ireland may apply to serve the remainder of their sentences in their own countries, where those countries are party to the Council of Europe Convention on the Transfer of Sentenced Persons. Similarly, Irish persons who are imprisoned overseas in such countries may apply to serve the remainder of their sentences in Ireland.

The Convention is open to States outside Europe and the Government supports the Council of Europe policy of encouraging states to ratify and operate the Convention. There are over sixty states operating the Convention at present.

The policy of the Convention, which is based on humanitarian considerations, is to overcome the difficulties posed for prisoners serving sentences in foreign jurisdictions, such as absence of contact with relatives and differences in languages and culture. In this regard, it has been long established Government policy that, whenever possible, prisoners should be permitted to serve their sentences close to their families.

The Convention provides a procedural framework for such transfers and seeks to provide a simple and relatively expeditious mechanism whereby the repatriation of sentenced persons may take place. The Convention sets out six conditions which must be fulfilled if a transfer is to be affected and these conditions are also set out in the Transfer of Sentenced Persons Acts, 1995 and 1997. It should be noted, however, that, even where all of the conditions are satisfied, there is no obligation on a State to comply with a transfer request. While the Convention does not require that the requested state give reasons for a refusal to agree to a transfer, the Irish legislation provides that, where practicable and where the interests of justice do not so preclude, a statement specifying the grounds for the refusal will be provided to the applicant or requesting state as appropriate.

The conditions which must be met are that:

- 1) The offender seeking a transfer is regarded as a national of the State to which the transfer is sought (the administering State),
- 2) The order or judgement under which the sentenced person was sentenced is final,
- 3) There is, at the time of the receipt of the request for transfer, at least six months of the sentence remaining to be served,
- 4) The sentenced person consents to the transfer,
- 5) The act or omission constituting the offence would also constitute an offence in the administering State, and
- 6) Both States consent to the transfer.

Under the terms of the Convention, the two States involved in processing a transfer request are required to exchange information about the sentenced person in order to ensure that the conditions above are met. This information includes a copy of the court judgement and a copy of the law on which it is based, sentence administration particulars and medical/social reports. Reports from An Garda Síochána and police forces in the other State are also sought to determine the circumstances of the offence and to ensure that there are no other charges outstanding against the person. In cases where the prisoner has already served a very long period, it can be time consuming to trace all the necessary information. This process is necessary, however, to ensure that all parties (the offender, the sentencing State and the administering State) are fully aware of the legal consequences of a transfer and that an informed decision can be made by all concerned. The offender must be informed in writing in his or her own language of the legal consequences of the transfer.

Due to the complexity of the documentation required to affect a transfer between other States and Ireland, the process of information exchange can be time consuming.

Where a sentenced person is seeking to transfer into this country, legal confirmation is obtained from the State's legal officers that the offence for which the sentence is being served would also constitute an offence under Irish law. When all parties have consented to a transfer, an application is made to the High Court for the necessary warrant authorising the person's transfer from the sentencing State and his or her subsequent imprisonment here. Every effort is made to process each application as speedily as possible, once the three-way consent between the two States and the sentenced person is forthcoming.

### **Progress in 2012**

- 1.2.1 During the period covered by this report three prisoners's transferred into and eleven prisoners transferred out of the State in 2012. In total, one hundred and forty five prisoners have now transferred here from abroad and one hundred and fifty three prisoners have transferred out since the Act came into operation on 1 November, 1995. My Department continues to co-operate with the Irish Commission for Prisoners Overseas (ICPO) in providing information on applications. The Operations Directorate of the Irish Prison Service assumed responsibility for the administration of prisoner transfers in 2012.

## **APPLICATIONS FOR TRANSFER INTO IRELAND**

### **Work Processed in 2012**

- 2.0 Table "A" details the work processed in 2012 in respect of applications received for transfer into this jurisdiction. In addition to the applications received in 2012 (fourteen), it also includes twenty nine applications which were under consideration from the previous years.

**Table A - Inward Transfers - Work Processed in 2012**

Number of Applications Received in 2012	14
Number of Applications from previous years active at start of 2012	29
Number Transferred in 2012	3
Number Refused	1
Number Withdrawn	0
Number Deemed Closed	11
Number released	4
Number of applications active at end of 2012 (see Table D)	24

Fourteen applications for transfer into this jurisdiction were received in 2012. Of these applications, six were from the United Kingdom, two from Spain, two from Northern Ireland, one from Belgium, one was from the Estonia, one from Scotland and one from Sweden.

During the period covered by this report, four prisoners were released by the sentencing State in the course of having their applications processed.

### **Comparisons to previous years**

- 2.1 A total of four hundred and fifty nine applications have been received for transfer into this jurisdiction since the Act came into operation in November, 1995. Table "B" shows a breakdown of these applications by jurisdiction and by year of application.

***Table B - Inward Transfers, Applications Received***

	<b><i>1995 - 2000</i></b>	<b><i>2001</i></b>	<b><i>2002</i></b>	<b><i>2003</i></b>	<b><i>2004</i></b>	<b><i>2005</i></b>	<b><i>2006</i></b>	<b><i>2007</i></b>	<b><i>2008</i></b>	<b><i>2009</i></b>	<b><i>2010</i></b>	<b><i>2011</i></b>	<b><i>2012</i></b>	<b><i>Total</i></b>
<b>UK</b>	178	26	20	14	11	17	21	28	28	13	14	19	6	395
<b>USA</b>	4	-	-	1	1	-	-	-	-	1	1	-	-	8
<b>Canada</b>	1	-	-	-	-	-	-	-	-	1	1	-	-	3
<b>Hong Kong</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Greece</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Isle of Man</b>	2	-	1	-	-	-	-	-	-	-	-	-	-	3
<b>Scotland</b>	-	-	-	-	-	-	-	-	-	-	-	-	1	1
<b>Estonia</b>	-	-	-	-	-	-	-	-	-	-	-	-	1	1
<b>Spain</b>	4	-	-	-	-	2	-	1	1	1	1	3	2	15
<b>Sweden</b>	-	-	-	-	-	-	-	-	-	-	-	-	1	1
<b>Italy</b>	-	-	1	-	-	-	-	-	-	1	1	-	-	3
<b>Panama</b>	-	-	1	-	-	1	-	-	-	-	-	-	-	2
<b>Netherlands</b>	-	-	-	1	-	-	-	-	-	-	-	1	-	2
<b>Japan</b>	-	-	-	-	1	-	1	-	-	1	-	-	-	3
<b>Australia</b>	-	-	-	-	1	-	-	1	-	1	1	1	-	5
<b>Trinidad &amp; Tobago</b>	-	-	-	-	1	-	-	-	-	-	-	-	-	1
<b>Germany</b>	-	-	-	-	-	-	1	1	-	-	-	-	-	2
<b>N. Ireland</b>	-	-	-	-	-	-	-	1	-	-	1	1	2	5
<b>Switzerland</b>	-	-	-	-	-	-	-	1	-	-	-	-	-	1
<b>Ecuador</b>	-	-	-	-	-	-	-	1	-	-	-	-	-	1
<b>Costa Rico</b>	-	-	-	-	-	-	-	-	-	-	-	1	-	1
<b>Belgium</b>	-	-	-	-	-	-	-	-	-	-	1	2	1	4
<b><i>Total</i></b>	191	26	23	16	15	20	23	34	29	19	21	28	14	459

### **Inward Transfers Completed**

2.2 A total of one hundred and forty five prisoners have now transferred into this jurisdiction since the Act came into operation in November, 1995. Table "C" shows a breakdown of the number of prisoners transferred up to the end of 2012 by jurisdiction and by year of transfer.

**Table C - Inward Transfers Completed**

	<b><i>1996 - 2000</i></b>	<b><i>2001</i></b>	<b><i>2002</i></b>	<b><i>2003</i></b>	<b><i>2004</i></b>	<b><i>2005</i></b>	<b><i>2006</i></b>	<b><i>2007</i></b>	<b><i>2008</i></b>	<b><i>2009</i></b>	<b><i>2010</i></b>	<b><i>2011</i></b>	<b><i>2012</i></b>	<b><i>Total</i></b>
<b>UK</b>	74	4	8	8	5	5	13	6	4	1	-	-	3	131
<b>USA</b>	3	-	-	-	1	-	-	-	-	-	-	-	-	4
<b>Canada</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Hong Kong</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Isle of Man</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Panama</b>	-	-	-	-	1	-	-	-	-	-	-	-	-	1
<b>Spain</b>	-	-	-	-	-	-	1	1	-	1	-	-	-	3
<b>Japan</b>	-	-	-	-	-	-	-	1	-	-	-	-	-	1
<b>Northern Ireland</b>	-	-	-	-	-	-	-	-	1	-	-	-	-	1
<b>Italy</b>	-	-	-	-	-	-	-	-	-	-	-	1	-	1
<b><i>Total</i></b>	80	4	8	8	7	5	14	8	5	2	0	1	3	145

**Applications for inward transfer under consideration at end of 2012**

2.3 At the end of 2012, there were twenty four inward applications under active consideration. The status of these particular applications, which were at various stages of consideration (some more advanced than others), is listed in Table "D".

**Table D - Inward Transfers, Active Applications at end of 2012**

	<i>Applied 2010</i>	<i>Applied 2011</i>	<i>Applied 2012</i>	<i>Total</i>
Awaiting advice from CSSO and other reports	2	3	7	12
Awaiting further papers from sentencing state		1	1	2
Approved by Minister, consent to be sought from offender and sentencing state		1	-	1
Awaiting consent of prisoner and sentencing state	-	1	3	4
Pending Ministerial Decision	-	4	1	5
Total	2	10	12	24

## **APPLICATIONS FOR TRANSFER OUT OF IRELAND**

### **Work Processed in 2012**

3.0 Table "E" details the work processed in 2012 in respect of applications received for transfer out of this jurisdiction. In addition to the applications received in 2012 (nineteen), it also includes applications (forty two) which were active from previous years.

**Table E - Outward Transfers, Work Processed in 2012**

Number of Applications received in 2012	<b>19</b>
Number of Applications from previous years, active at start of 2012	<b>42</b>
Number of applications refused	<b>7</b>
Number Transferred	<b>11</b>
Number Withdrawn / Deemed Closed	<b>10</b>
Number released	<b>0</b>
<b>Number of Applications active at end of 2012 (See Table H)</b>	<b>33</b>

Nineteen new applications (including three re-applications) were received for transfer out of this jurisdiction in 2012; eight to the United Kingdom, five to Northern Ireland, one to Romania, Albania, Portugal, Australia, Poland and Sweden respectively

Eleven prisoners were transferred out of this jurisdiction in 2012; five to the United Kingdom, three to Northern Ireland, two to the Netherlands and one to the Czech Republic. Three of these completed applications were submitted in 2011, seven in 2010 and one in 2008.

Seven applications in total were refused in 2011. Applications are principally refused owing to the substantial reductions in sentence, due to divergent rates of remission, which the applicants would have attracted in the event of a transfer or if there is good reason to believe that the applicant would not ordinarily be resident in the jurisdiction he or she is applying to be transferred to.

Of the seven refusals two were refused by the United Kingdom Authorities, three by the Northern Ireland Authorities, One by the Scottish Authorities and one by the Polish Authorities.

Ten applications were deemed withdrawn or closed (eight withdrawn and two deemed closed) during the processing of their applications in 2012. Of those that were deemed closed, one application was deemed closed due to lack of information on family links in the receiving State and one application was closed due to ongoing proceedings against the prisoner. The other eight applications were withdrawn at the request of the prisoner.

### **Comparisons to previous years**

3.1 At year's end, a total of four hundred and three applications had been received for transfer out of this jurisdiction since the Act came into operation in November, 1995. Table "F" shows a breakdown of these applications by jurisdiction and by year of application.

**Table F - Outward Transfers, Applications Received.**

	<b><i>1996 - 2000</i></b>	<b><i>2001</i></b>	<b><i>2002</i></b>	<b><i>2003</i></b>	<b><i>2004</i></b>	<b><i>2005</i></b>	<b><i>2006</i></b>	<b><i>2007</i></b>	<b><i>2008</i></b>	<b><i>2009</i></b>	<b><i>2010</i></b>	<b><i>2011</i></b>	<b><i>2012</i></b>	<b><i>Total</i></b>
<b>UK</b>	56	11	9	12	10	11	12	8	15	22	24	13	8	211
<b>NI</b>	38	9	6	2	-	1	2	4	3	3	11	2	5	86
<b>France</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Germany</b>	3	1	-	-	-	-	-	-	1	-	-	1	-	6
<b>Netherlands</b>	3	1	-	4	-	1	3	9	4	2	5	1	-	33
<b>Sweden</b>	1	-	-	-	-	-	-	-	-	-	-	-	1	2
<b>Scotland</b>	2	2	2	2	-	-	-	2	-	-	1	2	-	13
<b>Canada</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Belgium</b>	1	-	-	-	-	-	-	-	1	-	-	-	-	2
<b>Italy</b>	1	-	1	1	-	-	-	-	-	-	-	-	-	3
<b>Spain</b>	1	1	-	-	-	-	-	-	-	2	1	-	-	5
<b>Portugal</b>	-	-	-	1	-	-	-	-	1	-	1	1	1	5
<b>Albania</b>	-	-	-	-	1	1	-	-	-	-	-	1	1	4
<b>USA</b>	-	-	-	-	-	-	1	-	-	-	-	-	-	1
<b>Lithuania</b>	-	-	-	-	-	-	-	2	-	3	2	-	-	7
<b>Latvia</b>	-	-	-	-	-	-	-	3	-	-	1	-	-	4
<b>Poland</b>	-	-	-	-	-	-	-	-	4	2	2	-	1	9
<b>Czech Republic</b>	-	-	-	-	-	-	-	-	1	1	-	-	-	2
<b>Moldova</b>	-	-	-	-	-	-	-	-	-	1	-	-	-	1
<b>Bulgaria</b>	-	-	-	-	-	-	-	-	-	-	1	-	-	1
<b>Switzerland</b>	-	-	-	-	-	-	-	-	-	-	1	-	-	1
<b>Romania</b>	-	-	-	-	-	-	-	-	-	-	-	2	1	3
<b>Australia</b>	-	-	-	-	-	-	-	-	-	-	1	-	1	2
<b>Total</b>	108	25	18	22	11	14	18	28	30	36	51	23	19	403

### **Outward Transfers Completed**

- 3.2 A total of one hundred and fifty three prisoners have now transferred out of this jurisdiction since the Act came into operation in November, 1995. Table "G" shows a breakdown of the number of prisoners transferred to date by jurisdiction and by year of transfer.

**Table G - Outward Transfers Completed.**

	<b>1996 - 2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Total</b>
<b>UK</b>	15	5	4	7	4	3	12	8	2	8	12	8	5	93
<b>N. Ireland</b>	20	1	-	-	-	-	1	2	-	2	1	-	3	30
<b>Sweden</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Netherlands</b>	1	-	-	-	-	-	1	3	7	3	2	1	2	20
<b>Germany</b>	-	1	-	-	-	-	-	-	-	-	-	-	-	1
<b>Scotland</b>	-	-	-	1	-	-	-	-	1	-	-	-	-	2
<b>USA</b>	-	-	-	-	-	-	-	1	-	-	-	-	-	1
<b>Poland</b>	-	-	-	-	-	-	-	-	-	1	-	-	-	1
<b>Spain</b>	-	-	-	-	-	-	-	-	-	1	-	-	-	1
<b>Lithuania</b>	-	-	-	-	-	-	-	-	-	-	-	1	-	1
<b>Bulgaria</b>	-	-	-	-	-	-	-	-	-	-	-	1	-	1
<b>Czech Republic</b>	-	-	-	-	-	-	-	-	-	-	-	-	1	1
<b>Total</b>	37	7	4	8	4	3	14	14	10	15	15	11	11	153

### **Applications for outward transfer under consideration at end of 2012**

- 3.3 At the end of 2012, there were thirty three applications under active consideration. These applications are listed in Table "H". Twelve applications were at various stages of preparation for transmission to the potential receiving states. A number of reports must be collated for transmission with the formal application, to the foreign jurisdictions concerned. Eight applications were awaiting a decision from the receiving states and ten applications were in the final stages of processing. 3 were awaiting consent of the prisoner.

**Table H - Outward Transfers, Active Applications at end of 2012**

	<b>Total</b>
Preliminary examination by Department	<b>12</b>
Awaiting consent of Prisoner	<b>3</b>
Awaiting decision of receiving State	<b>8</b>
Final stages of processing	<b>10</b>
<b>Total</b>	<b>33</b>

## **CONCLUSION**

- 4.0 As was the case in previous years, applications for both inward and outward transfers were received from persons serving both determinate and indeterminate sentences. The nature of the offences differed from case to case as did the length of sentences being served. The offences ranged from possession of controlled substances to assault and murder. The imposed sentences ranged from two years to life imprisonment. The security classification of the applicants differed according to the severity of the offence and the length of sentence remaining. Each application was considered on its own merits and in accordance with the procedures and requirements of the Convention.

The time-scale for completing an application continues to vary significantly from one case to another as a result of the extensive documentation which must be exchanged between both jurisdictions in order to allow an application to be fully considered. My Department continues to make every effort to ensure that each application is processed as promptly as possible and I am confident this will continue in 2013.

There were several enquiries to my Department during the year from Irish persons imprisoned abroad, or from the families of such persons, as to the possibility of transfer here. Where the country in which they were detained also operated prisoner transfers under the Convention, my Department routinely wrote to the appropriate authorities in those jurisdictions to request that the application for transfer be processed. The prisoner or the family concerned were also written to and advised as to the appropriate steps involved in making an application. Wherever possible, the persons concerned were kept informed of progress with the transfer application.

I would like to acknowledge the co-operation of the authorities in those jurisdictions with whom we have had contact in connection with these transfers, particularly the authorities in the United Kingdom with whom we have completed the majority of our prisoner transfers. I must also acknowledge the co-operation of the Garda Commissioner, the Chief State Solicitor and the Attorney General and their staff without whose knowledge and professionalism the successful transfer of sentenced persons into and out of Ireland could not be completed. I would also like to thank the

Irish Prison Service and the Probation Service for their important contributions to the process.

Finally, I wish to assure the members of the Oireachtas that my Department's established policy in this area will continue. As Minister, I will continue to consider applications from prisoners both here and abroad to transfer to their home jurisdiction in order to complete their sentences close to their families and friends. In line with the spirit of the Convention, I believe this will assist their social rehabilitation and reintegration into their communities, which can only help everyone concerned. I am confident therefore that we will see future progress being made in this significant area in the coming years.

Alan Shatter, T.D.,

MINISTER FOR JUSTICE AND EQUALITY

April 2013

***TUARASCÁIL***

***ón***

***AIRE DLÍ AGUS CIRT, COMHIONANNAIS AGUS COSANTA,***

***ALAN SHATTER T.D.***

***chuig***

***Tithe an Oireachtais***

***Ar Oibriúchán***

***NA nACHTANNA UM AISTRIÚ DAOINE AR CUIREADH PIANBHREITH***

***ORTHU,***

***1995 agus 1997***

***don tréimhse***

***1 Eanáir, 2012 - 31 Nollaig, 2012***

***(De réir Alt 11 den Acht)***

## **RÉAMHRÁ**

### **Brollach**

- 1.0 Dhaingnigh Éire Coinbhinsiún Chomhairle na hEorpa ar Aistriú Daoine ar Cuireadh Pianbhreith Orthu tar éis rith an Achta um Aistriú Daoine ar Cuireadh Pianbhreith Orthu, 1995, acht a tháinig i bhfeidhm ar 1 Samhain, 1995. Déantar foráil san Acht maidir leis an mbonn reachtúil le haghaidh oibriúchán an Choinbhinsiúin idir Éire agus páirtithe eile sa Choinbhinsiún.

Rinneadh foráil san Acht um Aistriú Daoine ar Cuireadh Pianbhreith Orthu (Leasú), 1997 d'aistriú isteach sa Stát daoine ar cuireadh tréimhsí príosúnachta orthu atá níos mó ná na huasphionóis atá ceadaithe faoi dhlí na hÉireann le haghaidh cionta comhchosúla.

Is í seo an t-ochtú Tuarascáil Bhliantúil déag, a chuirtear faoi bhráid de réir Alt 11 den Acht 1995, ina leagtar amach sonraí na gcúrsaí a bhaineann le hoibriúchán na nAchtanna i 2012.

### **Cuspóir an Choinbhinsiúin/na Reachtaíochta**

- 1.1 Foráiltear sna hAchtanna um Aistriú Daoine ar Cuireadh Pianbhreith Orthu, 1995 agus 1997 do mheicníocht inar féidir le náisiúnaigh choigríche atá ag cur isteach pianbhreithe in Éirinn iarratas a chur isteach maidir lena bhfuil fágtha dá bpianbhreitheanna a chur isteach ina dtíortha féin, sa chás go bhfuil na tíortha sin páirteach i gCoinbhinsiún Chomhairle na hEorpa ar Aistriú Daoine ar Cuireadh Pianbhreith Orthu. Mar an gcéanna, is féidir le hÉireannaigh atá i bpríosún thar lear iarratas a chur isteach maidir lena bhfuil fágtha dá bpianbhreitheanna a chur isteach in Éirinn.

Tá an Coinbhinsiún oscailte do Stáit lasmuigh den Eoraip, agus tacaíonn an Rialtas le beartas Chomhairle na hEorpa maidir le stáit a spreagadh an Coinbhinsiún a dhaingniú agus a fheidhmiú. Tá an Coinbhinsiún á fheidhmiú ag breis agus seasca stát i láthair na huaire.

Is é beartas an Choinbhinsiúin, atá bunaithe ar bhreithnithe daonnúla, na deacrachtaí atá ag príosúnaigh atá ag cur isteach pianbhreitheanna i ndlínsí eachtracha a sháru, amhail easpa teagmhála le gaolta agus difríochtaí i dteanga agus i gcultúr. I dtaca leis seo, is beartas fadbhunaithe an Rialtais é, nuair is féidir, cead a thabhairt do phríosúnaigh a bpianbhreitheanna a chur isteach cóngarach dá dteaghlaigh.

Déantar foráil sa Coinbhinsiún maidir le creat nós imeachta le haghaidh a leithéid d'aistrithe, agus déantar iarracht meicníocht shimplí agus measartha tapa a sholáthar inar féidir daoine ar cuireadh pianbhreith orthu a athdhúichiú. Leagtar amach sé choinníoll sa Choinbhinsiún is gá a chomhlíonadh sula gcuirtear aistriú i bhfeidhm, agus leagtar na coinníollacha seo amach freisin sna hAchtanna um Aistriú Daoine ar Cuireadh Pianbhreith Orthu, 1995 agus 1997. Ba chóir a thabhairt do d'aire, áfach, fiú nuair a chomhlíontar gach ceann de na coinníollacha seo, níl aon dualgas ar Stát cloí leis an iarratas ar aistriú. Cé nach n-éilítear sa Choinbhinsiún ar an stát iarrtha cúiseanna a sholáthar ar dhiúltú an aistrithe, foráiltear i reachtaíocht na hÉireann, nuair is indéanta agus nuair nach gcuirtear bac ar leasanna cirt, go soláthrófar ráiteas a shonraíonn cúiseanna le diúltú an aistrithe chuig an iarrthóir nó chuig an stát iarrthach, de réir mar is cuí.

Is iad seo a leanas na coinníollacha is gá a chomhlíonadh:

- 1) Meastar gur náisiúnach den Stát a bhfuil an t-aistriú á iarraidh chuige (an Stát riaracháin) é an ciontóir atá ag iarraidh aistriú,
- 2) Tá an t-ordú nó breithiúnas faoinar cuireadh pianbhreith ar an duine ar cuireadh pianbhreith air/uirthi críochnaitheach,
- 3) Tá sé mhí ar a laghad, ag an am a fuarthas an t-iarratas ar aistriú, fágtha den phianbhreith le cur isteach,
- 4) Aontaíonn an duine ar cuireadh pianbhreith air/uirthi leis an aistriú,
- 5) Bheadh an gníomh nó easnamh arbh é an cion é ina chion sa Stát riaracháin freisin, agus
- 6) Comhaontaíonn an dá Stát leis an aistriú.

Faoi théarmaí an Choinbhinsiúin, ní mór don dá Stát atá páirteach leis an iarratas ar aistriú a phróiseáil faisnéis a mhalartú ar an duine ar cuireadh pianbhreith air/uirthi le cinntiú go gcomhlíontar na coinníollacha thuasluaite. Áirítear leis an bhfaisnéis seo cóip de bhreithiúnas na cúirte agus cóip den dlí ar a bhfuil sé bunaithe, sonraí riaracháin na pianbhreithe agus tuarascálacha leighis/sóisialta. Iarrtar tuarascálacha ón gGarda Síochána agus ó fhórsaí póilíní sa Stát eile le cúinsí an chiona a dheimhniú agus le cinntiú nach bhfuil aon chúisimh eile amuigh i gcoinne an duine. Sna cásanna

inar chuir an príosúnach tréimhse an-fhada isteach, d'fhéadfadh cuid mhór ama a ghlacadh chun an fhaisnéis riachtanach go léir a bhailiú. Tá an próiseas seo riachtanach, áfach, le cinntiú go bhfuil gach páirtí (an ciontóir, an Stát a chuireann an phianbhreith agus an Stát riaracháin) go hiomlán ar an eolas faoi na hiarmhairtí dlí maidir le haistriú, agus gur féidir le gach duine lena mbaineann cinneadh eolasach a dhéanamh. Ní mór iarmhairtí dlí an aistrithe a chur in iúl don chiontóir i scríbhinn ina t(h)eanga féin.

Mar gheall ar chastacht an doiciméadaithe atá riachtanach le haistriú a chur i gcrích idir Stáit eile agus Éire, d'fhéadfadh an próiseas um malartú faisnéise cuid mhór ama a ghlacadh.

Sa chás go bhfuil duine ar cuireadh pianbhreith air/uirthi ag iarraidh aistriú isteach sa tír seo, faightear deimhniú dlí ó oifigigh dhlí an Stáit go mbeadh an cion ar a bhfuil an phianbhreith á cur isteach ina chion faoi dhlí na hÉireann freisin. Nuair a chomhthoílíonn gach páirtí le haistriú, déantar iarratas chuig an Ard-Chúirt ar an mbarántas riachtanach a thugann údarás d'aistriú an duine ón Stát a chuireann an phianbhreith, agus a p(h)ríosúnacht sa tír seo ina dhiaidh sin. Déantar gach iarracht gach iarratas a phríoiseáil a luaithe is féidir, nuair a fhaightear an comhthoiliú trí bhealach idir an dá Stát agus an duine ar cuireadh pianbhreith air/uirthi.

### **Dul chun cinn in 2012**

- 1.2.2 Le linn na tréimhse atá cumhdaithe sa tuarascáil seo, aistríodh triúr príosúnach isteach sa Stát agus aistríodh aon phríosúnach déag amach as an Stát in 2012. San iomlán, aistríodh céad daichead a cúig príosúnach go hÉirinn ó thar lear, agus aistríodh céad caoga a trí príosúnach amach as an tír ó tháinig an tAcht i bhfeidhm ar 1 Samhain, 1995. Leanann mo Roinnse lena comhoibriú le Coimisiún na hÉireann do Phríosúnaigh Thar Lear (ICPO) i dtaca le faisnéis ar iarratais a sholáthar. Ghlac Stiúrthóireacht Oibriúcháin Sheirbhís Príosún na hÉireann freagracht as riarachán d'aistrithe príosúnach in 2012.

## **IARRATAIS AR AISTRIÚ GO hÉIRINN**

### **Obair a Próiseáladh in 2012**

- 2.0 Leagtar amach i dTábla "A" sonraí na hoibre a próiseáladh in 2012 i dtaca le hiarratais a fuarthas ar aistrithe isteach sa dlínse seo. I dteannta na n-iarratas a fuarthas in 2012 (ceithre hiarratas déag), áirítear naoi n-iarratas is fiche a bhí faoi bhreithniúchán ó na blianta roimhe.

**Tábla A - Aistrithe Isteach – Obair a Próiseáladh i 2012**

Líon na nIarratas a Fuarthas in 2012	14
Líon na nIarratas ó bhlianta roimhe a bhí gníomhach ag tús 2012	29
Líon na nIarratas a Aistríodh in 2012	3
Líon na nIarratas a Diúltaíodh	1
Líon na nIarratas a Aistarraingíodh	0
Líon na nIarratas a Measadh a bheith Dúnta	11
Líon na nIarratas a Scaoileadh	4
Líon na n-iarratas gníomhach ag deireadh 2012 (féach Tábla D)	24

Fuarthas ceithre hiarratas déag ar aistriú isteach sa dlínse seo in 2012. As na hiarratais sin, tháinig sé cinn as an Ríocht Aontaithe, dhá cheann as an Spáinn, dhá cheann as Tuaisceart Éireann, ceann amháin as an mBeilg, ceann amháin as an Eastóin, ceann amháin as Albain agus ceann amháin as an tSualainn.

Le linn na tréimhse atá cumhdaithe sa tuarascáil seo, scaoil an Stát a chuir an phianbhreith ceathrar príosúnach agus próiseáil a n-iarratas ar siúl fós.

### **Comparáidí le blianta roimhe**

- 2.1 Fuarthas iomlán de cheithre chéad caoga a naoi iarratas le haghaidh aistrithe isteach sa dlínse seo ó tháinig an tAcht i bhfeidhm i Samhain, 1995. Léiríonn Tábla "B" miondealú na n-iarratas sin de réir dlínse agus de réir bhliain an iarratais.

***Tábla B – Aistriúche Isteach, Iarratais a Fuarthas***

	<b><i>1995 - 2000</i></b>	<b><i>2001</i></b>	<b><i>2002</i></b>	<b><i>2003</i></b>	<b><i>2004</i></b>	<b><i>2005</i></b>	<b><i>2006</i></b>	<b><i>2007</i></b>	<b><i>2008</i></b>	<b><i>2009</i></b>	<b><i>2010</i></b>	<b><i>2011</i></b>	<b><i>2012</i></b>	<b><i>Iomlán</i></b>
<b>RA</b>	178	26	20	14	11	17	21	28	28	13	14	19	6	395
<b>SAM</b>	4	-	-	1	1	-	-	-	-	1	1	-	-	8
<b>Ceanada</b>	1	-	-	-	-	-	-	-	-	1	1	-	-	3
<b>Hong Cong</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>An Ghréig</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Manainn</b>	2	-	1	-	-	-	-	-	-	-	-	-	-	3
<b>Albain</b>	-	-	-	-	-	-	-	-	-	-	-	-	1	1
<b>An Eastóin</b>	-	-	-	-	-	-	-	-	-	-	-	-	1	1
<b>An Spáinn</b>	4	-	-	-	-	2	-	1	1	1	1	3	2	15
<b>An tSualainn</b>	-	-	-	-	-	-	-	-	-	-	-	-	1	1
<b>An Iodáil</b>	-	-	1	-	-	-	-	-	-	1	1	-	-	3
<b>Panama</b>	-	-	1	-	-	1	-	-	-	-	-	-	-	2
<b>An Ísiltír</b>	-	-	-	1	-	-	-	-	-	-	-	1	-	2
<b>An tSeapáin</b>	-	-	-	-	1	-	1	-	-	1	-	-	-	3
<b>An Astráil</b>	-	-	-	-	1	-	-	1	-	1	1	1	-	5
<b>Oileán na Tríonóide agus Tobága</b>	-	-	-	-	1	-	-	-	-	-	-	-	-	1
<b>An Ghearmáin</b>	-	-	-	-	-	-	1	1	-	-	-	-	-	2
<b>Tuaisceart Éireann</b>	-	-	-	-	-	-	-	1	-	-	1	1	2	5
<b>An Eilvéis</b>	-	-	-	-	-	-	-	1	-	-	-	-	-	1
<b>Eacuadór</b>	-	-	-	-	-	-	-	1	-	-	-	-	-	1
<b>Cósta Ríce</b>	-	-	-	-	-	-	-	-	-	-	-	1	-	1
<b>An Bheilg</b>	-	-	-	-	-	-	-	-	-	-	1	2	1	4
<b><i>Iomlán</i></b>	191	26	23	16	15	20	23	34	29	19	21	28	14	459

### **Aistrithe Isteach a Comhlánaíodh**

- 2.2 Aistríodh iomlán de chéad daichead a cúig príosúnach isteach sa dlínse seo ó tháinig an tAcht i bhfeidhm i Samhain, 1995. Léiríonn Tábla "C" miondealú de líon na bpríosúnach a aistríodh suas go deireadh 2012 de réir dlínse agus de réir bhliain an aistrithe.

**Tábla C – Aistrithe Isteach a Comhlánaíodh**

	<b>1996 - 2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Iomlán</b>
<b>RA</b>	74	4	8	8	5	5	13	6	4	1	-	-	3	131
<b>SAM</b>	3	-	-	-	1	-	-	-	-	-	-	-	-	4
<b>Ceanada</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Hong Cong</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Manainn</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Panama</b>	-	-	-	-	1	-	-	-	-	-	-	-	-	1
<b>An Spáinn</b>	-	-	-	-	-	-	1	1	-	1	-	-	-	3
<b>An tSeapáin</b>	-	-	-	-	-	-	-	1	-	-	-	-	-	1
<b>Tuaisceart Éireann</b>	-	-	-	-	-	-	-	-	1	-	-	-	-	1
<b>An Iodáil</b>	-	-	-	-	-	-	-	-	-	-	-	1	-	1
<b>Iomlán</b>	80	4	8	8	7	5	14	8	5	2	0	1	3	145

**Iarratais ar aistriú isteach faoi bhreithniú ag deireadh 2012**

- 2.3 Ag deireadh 2012, bhí ceithre hiarratas is fiche isteach faoi bhreithniú gníomhach. Tá stádas na n-iarratas ar leith seo, a bhí ag céimeanna éagsúla breithnithe (cuid díobh níos faide chun tosaigh ná cinn eile), liostaithe i dTábla "D".

**Tábla D – Aistrithe Isteach, Iarratais Ghníomhacha ag deireadh 2012**

	<i>Iarratais déanta 2010</i>	<i>Iarratais déanta 2011</i>	<i>Iarratais déanta 2012</i>	<i>Iomlán</i>
Ar feitheamh comhairle ó CSSO agus tuarascálacha eile	2	3	7	12
Ar feitheamh ar pháipéir bhreise ón stát a chuir an phianbhreith		1	1	2
Faofa ag an Aire, comhthoiliú le fáil ón gciontóir agus ón stát a chuir an phianbhreith		1	-	1
Ar feitheamh comhthoiliú an phríosúnaigh agus an stáit a chuir an phianbhreith	-	1	3	4
Ar Feitheamh ar Chinneadh an Aire	-	4	1	5
Iomlán	2	10	12	24

## **IARRATAIS AR AISTRIÚ AMACH AS ÉIRINN**

### **Obair a Próiseáladh in 2012**

- 3.0 Leagtar amach i dTábla "E" mionsonraí ar an obair a próiseáladh in 2012 i dtaca le hiarratais a fuarthas le haghaidh aistrithe amach as an dlínse seo. I dteannta na n-iarratas a fuarthas in 2012 (naoi n-iarratas déag), áirítear iarratais (daichead a dó iarratas) a bhí gníomhach ó bhlianta roimhe.

**Tábla E – Aistrithe Amach, Obair a Próiseáladh in 2012**

Líon na nIarratas a Fuarthas in 2012	<b>19</b>
Líon na nIarratas ó bhlianta roimhe a bhí gníomhach ag tús 2012	<b>42</b>
Líon na nIarratas a Diúltaíodh	<b>7</b>
Líon na nIarratas a Aistríodh	<b>11</b>
Líon na nIarratas a Aistarraingíodh /a Measadh a bheith Dúnta	<b>10</b>
Líon na nIarratas a scaoileadh	<b>0</b>
<b>Líon na nIarratas gníomhach ag deireadh 2012 (Féach Tábla H)</b>	<b>33</b>

Fuarthas naoi n-iarratas déag nua (trí hathiarratas san áireamh) le haghaidh aistrithe amach as an dlínse seo in 2012; ocht n-iarratas go dtí an Ríocht Aontaithe, cúig hiarratas go Tuaisceart Éireann, iarratas amháin go dtí an Rómáin, go hAlbain, go Portaingéil, go dtí an Astráil, go dtí an Pholainn agus go dtí an tSualainn faoi seach.

Aistríodh aon phríosúnach déag amach as an dlínse seo in 2012; cúigear go dtí an Ríocht Aontaithe, triúr go Tuaisceart Éireann, beirt go dtí an Ísiltír agus duine amháin go dtí Poblacht na Seice. Cuireadh trí cinn de na hiarratais chomhlánaithe seo isteach in 2011, seacht gcinn in 2010 agus ceann amháin in 2008.

Diúltaíodh seacht n-iarratas san iomlán in 2011. Diúltaíodh iarratais go príomha de thairbhe laghdaithe suntasacha sa phianbhreith, mar gheall ar rátaí éagsúla loghtha, a bheadh ag na hiarrthóirí i gcás aistrithe, nó má tá cúis mhaith ann a chreidiúint nach

mbeadh cónaí ar an iarrthóir de ghnáth sa dlínse a bhfuil sé/sí ag iarraidh aistriú chuige.

As na seacht diúltú, dhiúltaigh Údaráis na Ríochta Aontaithe dhá cheann díobh, dhiúltaigh Údaráis Thuaisceart Éireann trí cinn díobh, dhiúltaigh Údaráis na hAlban ceann amháin díobh agus dhiúltaigh Údaráis na Polainne ceann amháin díobh.

Measadh go raibh deich n-iarratas aistarraingthe nó dúnta (ocht gcinn aistarraingthe agus dhá cheann a measadh a bheith dúnta) le linn phríoséail na n-iarratas in 2012. As na cinn a measadh a bheith dúnta, measadh go raibh iarratas amháin dúnta mar gheall ar easpa faisnéise ar naisc theaghlaigh sa Stát fála, agus dúnadh iarratas amháin mar gheall ar imeachtaí leanúnacha i gcoinne an phríosúnaigh. Is ar iarratas na bpríosúnach a aistarraingíodh na hocht n-iarratas eile.

### Comparáidí le blianta roimhe

- 3.1 Ag deireadh na bliana, fuarthas iomlán de cheithre chéad is a trí hiarratas le haghaidh aistrithe amach as an dlínse seo ó tháinig an tAcht i bhfeidhm i Samhain, 1995. Léiríonn Tábla "F" miondealú na n-iarratas sin de réir dlínse agus de réir bhliain an iarratais.

**Tábla F – Aistrithe Amach, Iarratais a Fuarthas.**

	<b>1996 - 2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Iomlán</b>
<b>RA</b>	56	11	9	12	10	11	12	8	15	22	24	13	8	211
<b>Tuaisceart Éireann</b>	38	9	6	2	-	1	2	4	3	3	11	2	5	86
<b>An Fhrainc</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>An Ghearmáin</b>	3	1	-	-	-	-	-	-	1	-	-	1	-	6
<b>An Ísiltír</b>	3	1	-	4	-	1	3	9	4	2	5	1	-	33
<b>An tSualainn</b>	1	-	-	-	-	-	-	-	-	-	-		1	2
<b>Albain</b>	2	2	2	2	-	-	-	2	-	-	1	2	-	13
<b>Ceanada</b>	1	-	-	-	-	-	-	-	-	-	-		-	1
<b>An Bheilg</b>	1	-	-	-	-	-	-	-	1	-	-		-	2
<b>An Iodáil</b>	1	-	1	1	-	-	-	-	-	-	-		-	3
<b>An Spáinn</b>	1	1	-	-	-	-	-	-	-	2	1		-	5
<b>An Phortaingéil</b>	-	-	-	1	-	-	-	-	1	-	1	1	1	5
<b>An Albáin</b>	-	-	-	-	1	1	-	-	-	-	-	1	1	4

<b>SAM</b>	-	-	-	-	-	-	1	-	-	-	-	-	-	1
<b>An Liotuáin</b>	-	-	-	-	-	-	-	2	-	3	2	-	-	7
<b>An Laitvia</b>	-	-	-	-	-	-	-	3	-	-	1	-	-	4
<b>An Pholainn</b>	-	-	-	-	-	-	-	-	4	2	2	-	1	9
<b>Poblacht na Seice</b>	-	-	-	-	-	-	-	-	1	1	-	-	-	2
<b>An Mholdóiv</b>	-	-	-	-	-	-	-	-	-	1	-	-	-	1
<b>An Bhulgáir</b>	-	-	-	-	-	-	-	-	-	-	1	-	-	1
<b>An Eilvéis</b>	-	-	-	-	-	-	-	-	-	-	1	-	-	1
<b>An Rómáin</b>	-	-	-	-	-	-	-	-	-	-	-	2	1	3
<b>An Astráil</b>	-	-	-	-	-	-	-	-	-	-	1	-	1	2
<b><i>Iomlán</i></b>	108	25	18	22	11	14	18	28	30	36	51	23	19	403

### *Aistrithe Amach a Comhlánaíodh*

- 3.2 Aistríodh iomlán de cheithre chéad caoga a trí príosúnach amach as an dlínse seo ó tháinig an tAcht i bhfeidhm i Samhain, 1995. Léiríonn Tábla "G" miondealú de líon na bpríosúnach a aistríodh go dtí seo de réir dlínse agus bliana aistrithe.

*Tábla G – Aistrithe Amach a Comhlánaíodh.*

	<i>1996 - 2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>Iomlán</i>
<b>RA</b>	15	5	4	7	4	3	12	8	2	8	12	8	5	93
<b>Tuaisceart Éireann</b>	20	1	-	-	-	-	1	2	-	2	1	-	3	30
<b>An tSualainn</b>	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>An Ísiltír</b>	1	-	-	-	-	-	1	3	7	3	2	1	2	20
<b>An Ghearmáin</b>	-	1	-	-	-	-	-	-	-	-	-	-	-	1
<b>Albain</b>	-	-	-	1	-	-	-	-	1	-	-	-	-	2
<b>SAM</b>	-	-	-	-	-	-	-	1	-	-	-	-	-	1
<b>An Pholainn</b>	-	-	-	-	-	-	-	-	-	1	-	-	-	1
<b>An Spáinn</b>	-	-	-	-	-	-	-	-	-	1	-	-	-	1
<b>An Liotuáin</b>	-	-	-	-	-	-	-	-	-	-	-	1	-	1
<b>An Bhulgáir</b>	-	-	-	-	-	-	-	-	-	-	-	1	-	1
<b>Poblacht na Seice</b>	-	-	-	-	-	-	-	-	-	-	-	-	1	1
<b><i>Iomlán</i></b>	37	7	4	8	4	3	14	14	10	15	15	11	11	153

### *Iarratais ar aistriú amach faoi bhreithniú ag deireadh 2012*

- 3.3 Ag deireadh 2012, bhí tríocha iarratas faoi bhreithniú gníomhach. Tá na hiarratais seo liostaithe i dTábla "H". Bhí dhá iarratas déag ag céimeanna éagsúla ullmhúcháin le haghaidh tarchuir chuig na stáit fhála fhéideartha. Ní mór roinnt tuarascálacha a chomhordú le haghaidh tarchuir leis an iarratas foirmeálta, chuig na dlínsí eachtracha i gceist. Bhí ocht n-iarratas ar feitheamh cinnidh ó na stáit fhála agus bhí deich n-iarratas ag na céimeanna deiridh próiseála. Bhí trí hiarratas ar feitheamh chomhthoiliú na bpríosúnach.

***Tábla H – Aistrithe Amach, Iarratais Ghníomhacha ag deireadh 2012***

	<b><i>Iomlán</i></b>
Réamhscrúdú ag an Roinn	<b>12</b>
Ar feitheamh chomhthoiliú an Phríosúnaigh	<b>3</b>
Ar feitheamh chinneadh an Stáit fhála	<b>8</b>
Céimeanna deiridh próiseála	<b>10</b>
<b><i>Iomlán</i></b>	<b>33</b>

### **CONCLÚID**

- 4.0 Mar a bhí an scéal i mblianta roimhe, fuarthas iarratais ar aistrithe isteach agus amach ó phríosúnaigh ag cur isteach pianbhreitheanna cinntitheacha agus neamhchinntitheacha. Bhí cineálacha éagsúla cionta ann ó chás go cás, chomh maith le faid éagsúla na bpianbhreitheanna a bhí á gcur isteach. Bhí réimse cionta ann, lena n-áirítear seilbh de shubstaintí rialaithe, ionsaí agus dúnmharú. Bhí réimse sna pianbhreitheanna a cuireadh idir dhá bhliain go príosúnacht saoil. Bhí éagsúlacht i rangú slándála na n-iarrthóirí de réir dhéine an chiona agus fad na pianbhreithe le cur isteach fós. Rinneadh gach iarratas a mheasúnú ar a thuillteanas féin agus de réir nósanna imeachta agus riachtanais an Choinbhinsiúin.

Tá an-éagsúlacht san amscála le hiarratas a chomhlanú ó chás go cás mar gheall ar an doiciméadú cuimsitheach is gá a mhalartú idir an dá dhlínse d'fhonn lánmheasúnú a dhéanamh ar an iarratas. Déanann mo Roinnse gach iarracht ar bhonn leanúnach a chinntiú go ndéantar gach iarratas a phróiseáil a luaithe is féidir, agus tá mé muiníneach go leanfar ar aghaidh ar an tslí chéanna in 2013.

Fuarthas roinnt fiosrúchán i mo Roinnse le linn na bliana ó Éireannaigh i bpríosún thar lear, nó ó theaghlaigh na bpríosúnach sin, i ndáil leis an bhféidearthacht aistriú

go hÉirinn. Sa chás go raibh córas aistrithe príosúnach faoin gCoinbhinsiún i bhfeidhm sna tíortha ina raibh siad i bpríosún, scríobh mo Roinnse mar ghnáth-nós imeachta chuig na húdaráis chuí sna dlínsí sin chun iarraidh go ndéanfaí an t-iarratas aistrithe a phróiseáil. Scríobhadh freisin chuig an teaghlach lena mbaineann agus tugadh comhairle dóibh faoi na céimeanna cuí a bhaineann le hiarratas a dhéanamh. Nuair ab fhéidir, cuireadh na daoine lenar bhain ar an eolas i dtaca le dul chun cinn ar an iarratas ar aistriú.

Ba mhaith liom aitheantas a thabhairt do chomhoibriú na n-údarás sna dlínsí lena raibh teagmháil acu linn i dtaca leis na haistrithe seo, go háirithe na húdaráis sa Ríocht Aontaithe, lena rinneamar an chuid is mó dár n-aistrithe príosúnach. Ní mór dom aitheantas a thabhairt freisin do chomhoibriú Choimisinéir an Gharda Síochána, an Phríomh-Aturnae Stáit agus an Aturnae Ginearálta agus a bhfoirne. Níorbh fhéidir daoine ar cuireadh pianbhreith orthu a aistriú go rathúil isteach go hÉirinn agus amach as Éirinn gan a gcuid eolais agus gairmiúlachta. Ba mhaith liom freisin mo bhuíochas a ghabháil le Seirbhís Príosún na hÉireann agus leis an tSeirbhís Promhaidh maidir lena rannpháirtíocht thábhachtach sa phróiseas.

Sa deireadh, is mian liom a chinntiú do chomhaltáí an Oireachtais go leanfar ar aghaidh le beartas bunaithe mo Roinne sa réimse seo. Mar Aire, leanfaidh mé ar aghaidh le hiarratais ó phríosúnaigh in Éirinn agus thar lear a mheasúnú maidir le haistriú go dtí a ndlínse baile féin lena bhfuil fágtha den phianbhreith a chur isteach cóngarach dá dteaghlaigh agus dá gcairde. I gcomhréir le spiorad an Choinbhinsiúin, creidim go mbeidh sé sin ina chuidiú lena n-athshlánú sóisialta agus leis an athimeascadh isteach ina bpobail, rud a bheith ina chuidiú do gach duine lena mbaineann. Dá bhrí sin, tá mé muiníneach go ndéanfar tuilleadh dul chun cinn sa réimse suntasach seo sna blianta atá amach romhainn.

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Aibreán 2013