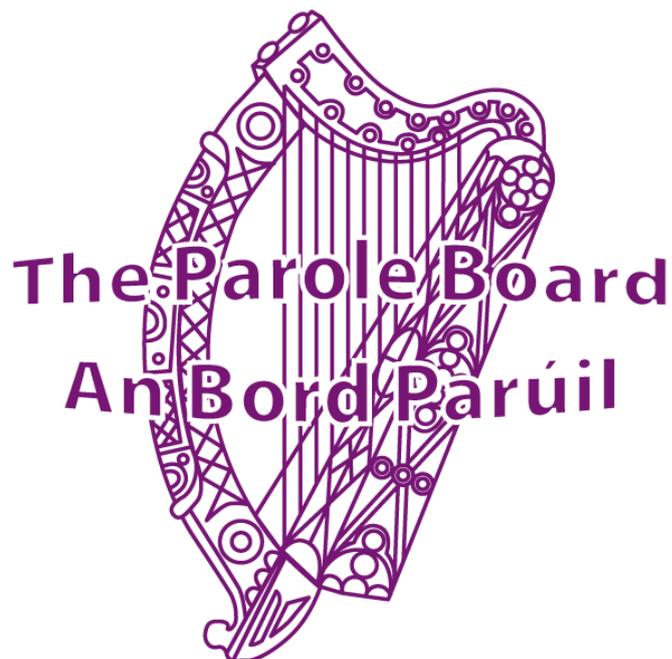


A guide to the Parole Board

Information for prisoners

(This is an advisory document.)



Issued by:

The Parole Board

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About this guide

This guide explains the main features of the Parole Board process. It will help you to go about having your sentence reviewed. This guide answers questions other prisoners have asked us about this process.

1. What is the Parole Board?

The Parole Board advises the Minister for Justice and Equality (the Minister) about managing long-term prison sentences. Following a review of your sentence, the Board will advise the Minister about:

- your progress to date
- your participation in the various therapeutic services like the Probation and Psychology Services
- the best way to manage your sentence.

2. Who is on the Parole Board?

There are 12 members on the Parole Board. The present Chairman is a solicitor. The other Board members include:

- professionals from the criminal justice field
- people with different areas of expertise
- people from other professional backgrounds like
 - teachers
 - doctors
 - counsellors.

The Board has office staff to help its work.

3. What is parole?

Parole is generally regarded as release from prison under the supervision of the Probation Service. There are strict rules that the person on parole must stick to.

For those convicted of serious offences

Parole is for offenders convicted of serious offences with longer sentences, including life sentences.

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 do not have any details of your case until the Minister refers your case to it.

The Parole Board review the cases of prisoners serving life sentences and fixed sentences of eight years or more..

Review is usually half way through sentence

The Board usually try to review individual cases half-way through the sentence or after seven years, whichever comes first.

Board advises Minister

The Parole Board's main role is to advise the Minister on managing these longer sentences. This gives prisoners the best opportunity to address offending behaviour and rehabilitate themselves.

If you are granted parole, 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. How does the Board decide if you get parole?

The safety and security of the public is top of the Parole Board's priorities. After the Board has reviewed and considered all relevant factors, the Board advises the Minister of your progress to date.

Factors the Board considers

The main factors the Board take into account when reviewing your case include the following.

1. The nature and seriousness 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 you have served at the time of the review.
4. Previous convictions.
5. The likelihood that you pose a risk to the safety and security of the public if you are released.
6. The level of risk of further offences being committed by you during any form of temporary release.
7. The risk of you failing to return to prison when the any period of temporary release finishes.
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. These include counselling or courses related to the offence committed and how to prevent reoffending.
11. How likely it is that parole would improve your prospects of safely reintegrating back into the community or improving your chances of getting a job.

Therapeutic services and your work

To help us assess some or all of the factors relating to parole, the Board may also take into account issues about the following.

Your positive engagement with therapeutic services

The Board will take into account your meaningful use of the relevant therapeutic services including:

- Probation
- Psychological and Psychiatric services
- Education and Work Training services
- Narcotics Anonymous
- Alcoholics Anonymous
- Gamblers Anonymous
- Medical services
- any other relevant service.

Work you have done related to your offence

The Board will take into account any work you have done that focuses on your offence. This means where you have looked at the circumstances and nature of the offence so that you can understand what led you to commit the offence.

The Board will also look at any therapeutic or rehabilitative programmes you have taken part in and if so what progress you have made. Rehabilitative programmes might include:

- Alternatives to Violence
- Building Better Lives Programme
- Cognitive Skills' Course
- Mentalisation Course.

Risks, victim reports, your previous record

Before making any recommendation on your parole, the Board seriously considers the following:

- risk assessments carried out by Psychology, Probation or other services about how likely you would be to reoffend if granted parole
- any written submission the Board receives from victims or members of their family.

If your case is being reviewed for a second or further reviews, the Board:

- will look at how well you kept to the previous recommendations
- may make further enquiries and recommendations as the Board believe appropriate.

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

5. What date will you be eligible for review?

The date you are eligible for review is worked out from when you began your sentence (as stated on the Warrant or Order of Imprisonment). The Board does not take into account time spent on remand unless the Warrant or Order of Imprisonment says that the Board should.

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. What are the steps in the parole process?

There are eight steps involved in the parole process and these are:

1. The Minister refers you for review.
2. The Parole Board invites you to take part.
3. The Parole Board asks the Services for reports about you.
4. The Parole Board sends you a copy of the 'dossier'.
5. You attend an informal interview.
6. The Parole Board meets once a month to review cases.
7. The Parole Board makes its recommendations to the Minister.
8. The Minister's decision is sent to you in writing.

Step 1: the Minister refers you for review

Each year, the Irish Prison Service tells the Minister about those prisoners who will become eligible for review by the Board. You do **not** apply for or submit an application for parole.

Step 2: The Parole Board invites you to take part

The office of the Parole Board will write to you when your case has been referred to the Board and asks if you wish to take part in the review process. You are asked to complete a form to show whether or not you wish to take part.

The Board will only review your case if you agree to take part. If you do not decide to take part at first, you can change your mind and agree to take part at a later stage. You may also postpone (defer) your review until you complete specific therapeutic work.

Step 3: Parole Board asks the Services for reports on you

When you decide to take part in the parole process, the Board will ask the following services for reports:

Governor

The Governor supplies reports about:

- your behaviour in prison
- your disciplinary record
- any educational courses you have completed.

Prison Review Committee (PRC) – this committee includes:

- Prison management
- Probation service
- Chaplaincy service
- Addiction services
- Irish Prison service (Operations)
- Psychology service
- Health service.

Probation Service

Psychology Service

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, the Board looks for a report from **An Garda Síochána** that includes relevant issues like:

- the attitude of the people in the area where the crime was committed if you were to be released
- the likelihood of revenge being sought against you if you were released

Once the Parole Board has received all the reports, they are assembled into a special file called a 'dossier'.

Step 4: The Board sends you a copy of the 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. The dossier you receive is identical to the copy used by the Board Members

You can submit written comments via the Parole Liaison Officer on the content of the dossier and provide any other information that you feel the Board should consider..

Step 5: You attend an informal interview

When you receive the dossier, the Board will arrange for you to come to an informal interview with three people: two members of the Parole Board and a staff member of the Parole Board office. These interviews take place wherever you are being detained. You are not allowed legal representation at the interview. However, the Board will accept submissions written on your behalf.

At your informal interview

At the informal interview, both you and the Board members can discuss the dossier and ask for clarification or information. In this way, the Board will be better able to deal appropriately with your case.

After your informal interview

After the interview, the office of the Board prepares a report on the interview. The Board gives a copy of this report 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 dossier which is given to all of the Parole Board members. Usually, you will get this report within 10 days from your interview

The Board considers your first review to be very important, but may not need to interview you each time the Board review your case. When there is no interview, your review is called a 'Paper review'. This means the Board monitors your progress and considers your case based on reports from the various services. These reports are sent to you in the same way as your first dossier.

Step 6: The Parole Board meets once a month to review cases

The Parole Board meets once a month to review cases and to make recommendations to the Minister on each case. The discussion starts with those members who interviewed you or, in the case of a paper review, the members who interviewed you before.

Both Board Members give their impressions of you. The entire Board discusses the reports in the dossier, including your interview report. The Board then agrees on the recommendation to the Minister.

Step 7: The Parole Board sends recommendations to the Minister

The Parole Board may make a variety of recommendations, which generally include the following.

Encouraging therapeutic services

The Board may encourage you to work with therapeutic services and attend particular programmes such as:

- Alternatives to Violence
- Alcoholics Anonymous.

Education

The Board may encourage you to take part in training and educational services.

Work training

The Board may recommend that you get training, certification and experience that will help you get work when you are released.

Re-socialisation

The Board may recommend ways to reduce the effects of being in prison a long time ('institutionalisation'). This could include:

- outings to help you become familiar with the outside world
- meetings with your family and relations
- attending a programme to help you integrate back into society (re-socialise).

Transfer to another prison

The Board may recommend that you are transferred to another prison. This could include a prison in a different location or an open prison where, for example, further therapeutic or educational services are available.

Parole Board has no say in compassionate leave

The Parole Board has no role in the granting of Section 39 requests, otherwise known as compassionate temporary release (TR) requests. If you want to apply for Section 39, you need to go through your Governor in the normal way (see '11. Temporary Release', later in this document).

Parole Board sends recommendations to the Minister

The Board's written recommendations are sent to the Minister, who considers them and makes a decision. The Board's role is advisory-only and the Minister does not have to accept any of the Board's recommendation.

Step 8: The Minister's decision is sent to you in writing

The Minister sends their decision in writing directly to you via the Governor. The Parole Board also gets a copy of this letter.

Each case is reviewed on its own merits and the time taken to complete the actual process varies. In most cases, you will know the outcome of your review within three to six months of your interview.

7. What about life-sentence prisoners?

A life-sentence prisoner could be released from prison on parole. 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 parole, 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 parole, but the decision to release you must be balanced against the offence committed. The number of years you will spend in prison depends on:

- your progress in prison
- your level of risk
- the particular facts of your case
- the recommendations made by the Parole Board
- ultimately, the decision of the Minister.

8. What offences are not covered by the parole process?

You will not be eligible for the parole process if you are serving a sentence for certain offences like the murder or the attempted murder of:

1. a Garda or member of the prison service in the course of their duty
2. the head of a foreign state or a diplomat for political purposes.

You will also not be eligible if:

3. you have been supporting activities of an unlawful organisation
4. you have committed certain drug offences.

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, 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?

The Parole Board review process gives you a chance to discuss:

- your individual concerns
- your offending behaviour
- your ambitions

- your eventual release and reintegration into the community

The Board can offer practical advice and support to help you cope with your sentence and prepare you for release. The Board encourages you to take this advice and support. Other prisoners have found the process very helpful.

10. What do Parole Liaison Officers do?

There are Parole Liaison Officers in each prison. They will help you with your parole review. For example, they will:

- give you your dossier before your Parole Board interview
- try to help you with any questions you might have.
- be your link with the Parole Board

Parole Liaison Officers will answer any queries you might have about the process. When necessary, they will also link in with the Parole Board office on your behalf.

11. Can the Parole Board issue Temporary Release?

No. The Parole Board has no role in the granting of temporary release (TR) or Section 39 Applications on compassionate grounds, for example to attend funerals, christenings or communions.

The Parole Board can and may support a programme of TR to help you with:

- re-socialisation (integrating back into the community)
- education
- training
- work
- family

That said, this depends on your continued good behaviour and normal security arrangements. Temporary release is at the absolute discretion of the Irish Prison Service.

If you want to request TR, you need to do this through the Prison Governor's Office.

12. Where are the Parole Board Offices?

The Parole Board's offices are at:

6/7 Hanover Street

Dublin 2

D02W320.

The Board hopes you found this guide useful. If you have any further questions, please contact us through your Parole Liaison Officer.