

LAW SOCIETY SUBMISSION



SECOND SUBMISSION ON THE PAROLE BILL 2016

DEPARTMENT OF JUSTICE AND EQUALITY

NOVEMBER 2017

ABOUT THE LAW SOCIETY OF IRELAND

The Law Society of Ireland is the educational, representative and regulatory body of the solicitors' profession in Ireland.

The Law Society exercises statutory functions under the Solicitors Acts 1954 to 2011 in relation to the education, admission, enrolment, discipline and regulation of the solicitors' profession. It is the professional body for its solicitor members, to whom it also provides services and support.

The headquarters of the organisation are in Blackhall Place, Dublin 7.

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1. Introduction

- 1.1. The Law Society of Ireland (hereinafter “the Society”), through its Human Rights Committee and its Criminal Law Committee welcomes the opportunity to submit further observations to the Department of Justice and Equality (hereinafter the “Department”) on the Parole Bill 2016 (hereinafter “the Bill”). The Society is pleased that the Bill will place the Parole Board on a statutory footing and bring greater clarity, coherence and transparency to the Irish parole system.
- 1.2. This submission will address issues arising out of the Bill, which warrant further examination, following the review of the Bill by the Select Committee on Justice and Equality and the amendments made during that process. The Society is available to meet with the Department and Teachtaí Dála to expand on and clarify points raised within this submission.
- 1.3. The submission is being provided by members of the Human Rights Committee and the Criminal Law Committee of the Law Society on the basis of their experience in this area of law. Certain members of the Committees have specific expertise in this area of law namely Shane McCarthy, Solicitor, who is also a member of the Parole Board. The views expressed in this submission do not purport to reflect the views of the Parole Board (its members or Chair).

2. Summary of Recommendations

The Society recommends the following observations be included in the ongoing consideration of the Bill:

Nature of Parole

- 2.1. A comprehensive parole system should benefit as many offenders as possible. The Society proposes that there would be considerable benefits to the community for prisoners sentenced to terms of imprisonment of four years or greater being eligible to participate in the parole review process.
- 2.2. There should be a specific entitlement to legal aid, means tested if necessary, to enable representation before the Parole Board. The Society also proposes that substantive transitional arrangements should be introduced to ease the transition to the new Parole Board, whilst ensuring no disadvantage to prisoners involved in the parole process.

Membership of the Parole Board

- 2.3. The process of appointment to the Parole Board should be open and transparent and all appointments, including the Chairperson, should take place through the Public Appointments Service, with a focus on expertise, skillset and relevant experience as opposed to membership of any particular organization or nominating body.

Parole Hearings

- 2.4. The parole applicant should be present at the parole hearing, except in exceptional circumstances. In such circumstances, the victim must make a written submission, in advance of the hearing explaining why the applicant should not be present. Where the applicant is not present, arrangements should be made for them to participate in the hearing via video-link.
- 2.5. The Bill omits a sentence management role for the Parole Board and this should be rectified.

Guiding Principles

- 2.6. The Bill should be reviewed to rectify any erroneous references made to *Guiding Principles* in place of *Criteria for Parole*.

Eligibility for Parole

- 2.7. All prisoners serving sentences of four years or more should be entitled to be considered for parole. The minimum period for eligibility for parole of life prisoners should be maintained at the current level of seven years. If it is increased to twelve years, then the Board should be permitted to engage in sentence rehabilitation management with prisoners in the period between the seventh and twelfth year of their sentence.

- 2.8. No differentiation should be made between section 20(1) and 20(4) in terms of the juncture within their sentence that prisoners are eligible for parole.
- 2.9. Section 20(5) should be removed in its entirety from the Bill as it, for all intents and purposes, introduces a type of tariff upon a sentenced person. The Society recommends that all sentences carrying a minimum period of sentence should be reviewed after seven years, subject to the criteria set out under section 21 of the Bill.

Consideration for Parole

- 2.10. The onus should not be on the prisoner to apply for parole. A process should be implemented whereby the Parole Board writes to the prisoner to inform them of their eligibility for parole.

Monitoring Compliance

- 2.11. The Probation Service with the possible assistance of An Garda Síochána as required, and dependent on the nature of release conditions, would be best equipped to carry out monitoring of compliance with parole conditions.

Variation or discharge of a Parole Order

- 2.12. The reference to the Minister should be removed from section 24(1) of the Bill. The Probation Service, on the basis of their monitoring role in the process, should be permitted to make an application to the Parole Board to vary or discharge a parole order. An application to vary a parole order should be ordinarily determined by means of a hearing with provision for exceptions where a hearing is not required.
- 2.13. The reference to the Minister should be removed from section 25(1). The Parole Board should only have the authority to suspend a parole order where there is evidence that the parolee poses an undue risk to the safety of the community or has breached their parole conditions to a serious extent as set out under section 25(2). Section 25(3) should be removed from the Bill.
- 2.14. The Parole Board should retain a degree of discretion to allow for exceptions where minor offences committed on release should not endanger a person's release on parole under section 25(7).
- 2.15. Section 25(9)(a) should be reviewed in light of the doctrine of the separation of powers as it authorises the Board to effectively impose a consecutive sentence where parole is revoked. The Bill should state the point at which a person is eligible for parole following revocation of a parole order where they are serving a determinate sentence. Consideration should be given to reducing the period of ineligibility for parole following the revocation of parole for a life sentenced prisoner.

Warrants

- 2.16. Section 26 should be reviewed and consideration be given to guaranteeing that warrants are only issued by the Courts and in accordance with due process.

Preparation for review and hearings

- 2.17. In light of the seriousness of the parole decision and the importance of due process rights, the parole applicant should be entitled to retain any written submissions by a victim or victim impact statements, with redaction where necessary.

3. Nature of Parole

- 3.1 The Society recognises the benefits that a comprehensive parole system brings to the rehabilitative efforts of prisoners and the attendant benefits to society brought by lower re-offending rates and lower rates of re-victimisation. In this regard, an open, fair, transparent parole system should benefit as many offenders as possible. The Society observes that the proposed parole system will only benefit life sentenced prisoners and those sentenced to determinate terms of eight years or more.
- 3.2 The Society is of the opinion that there would be considerable benefits to the community for prisoners sentenced to terms of imprisonment of four years or greater being eligible to participate in the parole review process. The incentive to engage in rehabilitation, with the possibility of release under appropriate conditions and subject to supervision would have great benefits for all stakeholders, especially the community who should benefit from reduced risk. Additional benefits would accrue from there being less pressure on the Prison Service with increased ability to calibrate resources to the risks presented, due to the lesser numbers being detained in prison.
- 3.3 The Society is conscious of the financial or economic means of many within the prison community and of the fundamental rights being considered in this process. Therefore, it is of the opinion that there should be a specific entitlement to legal aid, means tested if necessary, to enable representation before the Parole Board. Furthermore, there should be substantive transitional arrangements to manage the handover between the existing Parole Board and the regime envisaged in this legislation, with appropriate safeguards ensuring that no prisoner is disadvantaged by these proposed changes.

Recommendations:

- Prisoners sentenced to terms of imprisonment of four years or greater should be eligible to participate in the parole review process.
- There should be a specific entitlement to legal aid, means tested if necessary, to enable representation before the Parole Board.

- Substantive transitional arrangements should be introduced to ease the transition to the new Parole Board, whilst ensuring no disadvantage to prisoners involved in the parole process.

4. Membership of the Parole Board

- 4.1. Section 8 of the Bill states that membership of the Parole Board will comprise of a number of persons, including nominees of the Irish Penal Reform Trust, the College of Psychiatrists, the Psychological Society of Ireland and representatives of the Irish Prison Service, amongst others. While the Society recognises the essential need for a variety of expertise and diversity on the Board, it considers that the method of appointment of all members, including the Chairperson, should be consistent and transparent. In this regard, it considers that all appointments to the Parole Board should take place through the Public Appointments Service. The appointments process should be open, fair and transparent with the focus on expertise, skillset and relevant experience, rather than membership of any particular nominating body.

Recommendation:

- All appointments, including Chairperson, should take place through the Public Appointments Service.

5. Parole Hearings

- 5.1. In the context of parole hearings, section 16(3)(b) of the Bill provides that a parole applicant may only be present where the victim, the parole applicant and the Parole Board agree. The Society submits that the procedural safeguards currently in place for criminal trials, including video-link evidence, could be utilised at parole hearings to ensure that victims' rights are sufficiently protected during the parole process.
- 5.2. The Society considers that the parole hearing is a continuation of the sentencing process and as a result, requires a comparable level of procedural rights, including the right of the applicant to be present during the entire parole hearing. The Society proposes that the wording be amended so that the parole applicant would be present for the parole hearing, except in extraordinary circumstances. In such circumstances, a written request from the victim should be made to the Board in advance of the parole hearing explaining why the applicant should not be present and arrangements made for the parole applicant to participate in the parole hearing via video-link. Any such requests could be dealt with at the outset of the parole process via a preliminary application.
- 5.3. The Society further observes that section 16(4) makes reference to the "declining of parole". It has noted the very positive benefit of sentence management recommendations which have issued from the current Parole Board in respect of

prisoners who have not been granted parole, which recommendations greatly assist prisoners in managing their sentence. There does not appear to be any sentence management role for the Parole Board in the Bill and it is the view of the Law Society that this omission should be rectified.

Recommendations:

- The wording of section 16(3)(b) should be amended so as to reflect that the parole applicant should be present at the parole hearing, except in extraordinary circumstances.
- In such circumstances, a written submission should be made by the victim, in advance of the hearing explaining why the parole applicant should not be present. and arrangements would be made for the parole applicant to participate in the parole hearing via video-link.
- The omission of a sentence management role for the Parole Board within the Bill should be rectified.

6. Guiding Principles and Criteria for Parole

- 6.1. The Society observes that there appears to be confusion between the use of *Guiding Principles* and *Criteria for Parole* within the Bill. For example, at section 24(2) reference is made to “the criteria for parole under *section 18*”, however section 18 deals with Guiding Principles. In the interests of clarity and interpretation, the Society recommends that this reference be amended to reflect the correct intention.

Recommendation:

- The Bill should be reviewed to rectify any erroneous references made to Guiding Principles in place of Criteria for Parole.

7. Eligibility for parole

- 7.1. Section 20(1) restricts the eligibility to apply for parole to those serving life sentences or determinative sentences of eight years or more. As previously stated, the Law Society recommends that all prisoners serving sentences of four years or more should be entitled to be considered for parole. Section 20(2) of the Bill relates to eligibility for parole for those serving a life sentence. Eligibility will be increased to a minimum of twelve years from its current level of seven years. The Society would like to express its concern that the new minimum period for eligibility would have a detrimental effect on the possibility of meaningful rehabilitation and reform for life prisoners. Engagement with the parole process has proven to increase the potential for reform and thereby increase the possibility of rehabilitation, which in turn reduces the prison population.

- 7.2. In the event that the point at which prisoners are eligible for parole is increased to twelve years, the Society recommends that the Board should be permitted to engage with prisoners in the period between the seventh and twelfth year of their sentence. This would involve sentence management rehabilitation which would assist the prisoner in the process of rehabilitation and encourage a higher rate of success within the parole system.
- 7.3. In relation to Section 20(4), the Society observes that it appears that consecutive sentences are treated differently from other determinate sentences with the practical effect that prisoners with consecutive sentences “shall be eligible for parole after having served one-half of the aggregate of such sentences or ten years, whichever is the lesser”. In contrast, section 20(1) provides that “every person serving a sentence of eight years or greater period shall be eligible for parole having served a period of one-half of such sentence or after seven years, whichever is the lesser.” The Society observes that this is an artificial construct and there is no logical rationale for the differentiation between the two sections.
- 7.4. Section 20(5) of the Bill refers to the power of the sentencing judge to “impose a specified period during which that person shall not be eligible for parole.” The Society is concerned that this involves an encroachment on the separation of powers whereby a judicial figure is imposing, for all intents and purposes, a tariff upon a sentenced person. Tariffs are not a feature of the Irish legal system and the Society is concerned that this section might have the unintentional effect of introducing them in this manner.
- 7.5. The Society is also mindful that sentencing is a judicial function while issues involving remission and release fall under the remit of an executive function, as enshrined under Articles 34 and 28.2 respectively of the Constitution. That a judicial power could effectively fetter an executive function raises concerns for the doctrine of the separation of powers. It is also aware of the negative impact it could have on the level of engagement from prisoners who are ineligible for parole for lengthy periods.
- 7.6. Section 20(6) specifically excludes those convicted under section 3 of the Criminal Justice Act 1990 as eligible for parole until the minimum period has been served. The Society recommends that all sentences carrying a minimum period should be reviewed after seven years, including section 3 of the Criminal Justice Act 1990, section 15A of the Misuse of Drugs Act 1977, as amended and other relevant offences, subject to the criteria set out under section 21 of the Bill.

Recommendations:

- All prisoners serving sentences of four years or more should be entitled to be considered for parole.
- The minimum period for eligibility for parole of life prisoners should be maintained at its current level of seven years and should not be increased to twelve years. If it is increased, then the Board should be permitted to engage in sentence rehabilitation

management with prisoners in the period between the seventh and twelfth year of their sentence.

- The length of time that consecutive sentenced prisoners and other determinate sentenced prisoners are ineligible for parole should be the same.
- Section 20(5) should be removed in its entirety from the Bill as it, for all intents and purposes, introduces a type of tariff upon a sentenced person.
- All sentences carrying a minimum period of sentence should be reviewed after seven years, subject to the criteria set out under section 21 of the Bill.

8. Consideration for Parole

- 8.1. Regarding section 21(1), the Society is of the view that the onus should not be on the parole applicant to apply for parole. Instead, it recommends that a process should be implemented whereby the Governor of the prison writes to the prisoner to inform them of their eligibility for parole. The Society notes that the current system does not place the onus on prisoners as it invites them to participate in the parole process. It is concerned that placing this onus on prisoners would place too high an administrative burden on them that would result in a lower level of engagement and in turn rehabilitation. In this regard, the Society observes that a useful approach can be seen with the Mental Health Commission where a Tribunal is automatically convened and a lawyer is appointed.

Recommendation:

- A process should be implemented whereby the Parole Board writes to the prisoner to inform them of their eligibility for parole.

9. Monitoring compliance with conditions

- 9.1. The Society notes that section 23(1) refers to the power of the Board to monitor a person's compliance with the release conditions imposed pursuant to the parole order. The Society is concerned that the Parole Board would have insufficient resources and oversight to carry out the monitoring role. The Probation Service with the possible assistance of An Garda Síochána as required, dependent on the nature of release conditions, are better equipped to carry out this role as it currently monitors prisoners on probation and has the necessary expertise and experience in doing so.

Recommendation:

- The Probation Service with the possible assistance of An Garda Síochána as required, are best equipped to carry out monitoring of compliance with parole conditions.

10. Variation of Parole Order

- 10.1. Section 24 of the Bill deals with variation of a parole order. Subsection 1 specifically authorises that the Board may vary or discharge any conditions of a parole order by its own authority or via application from a number of people, including the Minister. The Society is uncertain as to the rationale for permitting applications from the Minister to vary or discharge an order, particularly when an independent statutory Parole Board will be in existence. Permitting applications from the Minister involves an unnecessary politicisation of the parole system, contrary to what the Bill appears to be attempting to achieve. As the Probation Service currently carries out a monitoring role for those released on parole, it should also have the authority to make an application to the Parole Board to vary or discharge a parole order.
- 10.2. The Society also expresses concern that section 24(3) provides that the Board may seek information from anyone it considers has an interest in the application to vary or discharge a parole order. Notably, no reference is made to information being received from the parolee. Further, section 24(4) provides that a parole order may be varied or discharged without the necessity for a hearing, except where a parolee requests a hearing or the Board wishes to hear oral evidence. The Society submits that such a significant decision should not be taken without a proper hearing, unless exceptional circumstances necessitate it.

Recommendations:

- The reference to the Minister should be removed from section 24 (1) of the Bill with regard to the varying or discharge of a parole order.
- The Probation Service, on the basis of their monitoring role in the process, should be permitted to make an application to the Parole Board to vary or discharge a parole order.
- An application to vary a parole order should be ordinarily determined by means of a hearing with provision for exceptions where a hearing is not required.

11. Revocation of Parole Order

- 11.1. Section 25 of the Bill concerns revocation and suspension of parole orders where the person poses an undue risk or has breached their bail conditions. As outlined at para. 10.1 above, the Society expresses the same concerns regarding the ability of the Minister under section 25(1) to apply for revocation or suspension of a parole order. As above, the extension of this power to the Minister involves an unnecessary politicisation of the parole system, contrary to what the Bill appears to be attempting to achieve. The Society considers that, as the Probation Service currently carries out a supervisory role for those released on parole, it should also have the authority to make an application to the Parole Board to revoke or suspend a parole order.

- 11.2. Section 25(3)(b) provides that the Parole Board may suspend a parole order where a person has been merely charged with committing an offence punishable by imprisonment, regardless of whether this results in a conviction. The Society is concerned that this goes too far and notes that such circumstances would not suffice to activate a suspended sentence or to breach bail conditions. As a matter of fair procedures, the Society submits that the Parole Board should not have the authority to suspend a parole order unless a conviction is in place. The Society recommends that this section should be removed as it considers that section 25(2)(a) and (b) provide sufficient criteria to assess whether a person's parole should be revoked.
- 11.3. The Society expresses its reservation over the automatic revocation of a parole order where an offence has been committed while released on parole provided for in section 25(7) of the Bill. It makes no differentiation between minor and serious offences and may result in revocation in cases of extremely minor offences, for example, public order offences. The Society proposes that a degree of discretion should be retained by the Parole Board to allow for exceptions where minor offences should not endanger a person's release on parole.
- 11.4. Section 25(9) of the Bill deals with the consequences for parolees where parole is revoked in circumstances where a person is serving a determinate sentence or a life sentence. In the case of determinate sentences, section 25(9)(a) provides that the period of release will not be taken into account in terms of the overall sentence to be completed once parole has been revoked, unless the Board directs otherwise. The Society suggests that, for all intents and purposes, this amounts to the imposition of a consecutive sentence upon the person who is serving a determinate sentence. It is concerned that this action should not be taken by the Parole Board as it could potentially infringe upon the sentencing remit of the Courts. It also notes that no reference is included as to when the person can again go before the Parole Board.
- 11.5. Section 25(9)(b) provides that a person serving a life sentence will not be considered for parole for a period of two years after the revocation of their parole order. The Society considers that this might have a hugely disincentive impact on the rehabilitation of a prisoner serving a life sentence and suggests that consideration be given to reducing this period in light of the rehabilitation concerns.

Recommendations:

- The reference to the Minister, in the context of revoking or suspending a parole order should be removed from section 25(1).
- The Probation Service should be permitted to make an application to the Parole Board to vary or discharge a parole order.
- The Parole Board should only have the authority to suspend a parole order where there is evidence that the parolee poses an undue risk to the safety of the community or has breached their parole conditions to a serious extent as set out under section 25(2). Section 25(3) should be removed from the Bill.

- A degree of discretion should be retained by the Parole Board to allow for exceptions where minor offences committed while on release should not endanger a person's release on parole under section 25(7).
- Section 25(9)(a) should be reviewed in consideration of the doctrine of separation of powers as it authorises the Board to effectively impose a consecutive sentence where parole is revoked.
- The Bill should state the point at which a person is eligible for parole following revocation of a parole order where they are serving a determinate sentence.
- Consideration should be given to reducing the period of ineligibility for parole following the revocation of parole for a life sentenced prisoner.

12. Warrants

- 12.1. Section 26 of the Bill deals with warrants and authorises the Chairperson or the Secretary, at the Chairperson's authority, to issue warrants to apprehend a person released on parole where the Board has "reasonable cause to suspect that there are grounds which may justify the suspension or revocation of the parole order...". This power can be expressed without the necessity for holding a review or hearing as provided by section 26(2). The Society expresses serious concerns over the authority of the Parole Board to issue warrants for the arrest of a person on parole. There is a lack of clarity as to what constitutes "reasonable cause" and the precise basis on which this decision affecting a person's Constitutional right to liberty is made. At present, this power is exercised and monitored by the Courts and it is a significant encroachment to extend this power to the Chairperson of the Board, or the Secretary at their direction.

Recommendation:

- Section 26 should be reviewed and consideration be given to guaranteeing that warrants are only issued by the Courts and in accordance with due process.

13. Preparation for review and hearings

- 13.1. Section 27 of the Bill provides for the steps to be taken in preparation for reviews and hearings. Section 27(6)(b) notably states that any written submissions by a victim or victim impact statements may be shown to the parole applicant but may not be retained by them. While the Society appreciates the need to ensure the rights of the victim are upheld, it submits that the parole applicant is entitled, with the necessary redaction if required, to retain copies of the information which the Board is basing their decision upon. It considers that the parole applicant, akin to an accused at trial, is entitled to full knowledge of the case being put against them.

Recommendation:

- The parole applicant should be entitled to retain any written submissions by a victim or victim impact statements, with redaction where necessary.

14. Conclusion

- 14.1. On balance, the Society welcomes the introduction of the Parole Bill 2016, which places the Parole Board on a statutory footing and ensures that the system of parole in Ireland is fair, transparent and effective. Nonetheless, the Society has grave concerns with certain provisions that impact on natural justice, that possibly work against the rehabilitative objective of parole, as well as provisions that retain some political role.
- 14.2. The Society is hopeful that the above recommendations assist the Department in finalising the Bill and offer practical insights into potential challenges.

15. Overview of Recommendations

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| Nature of Parole | <ul style="list-style-type: none">• Prisoners sentenced to terms of imprisonment of four years or greater should be eligible to participate in the parole review process.• There should be a specific entitlement to legal aid, means tested if necessary, to enable representation before the Parole Board.• Substantive transitional arrangements should be introduced to ease the transition to the new Parole Board, whilst ensuring no disadvantage to prisoners involved in the parole process. |
| Membership of the Parole Board | <ul style="list-style-type: none">• All appointments, including Chairperson, should take place through the Public Appointments Service. |
| Parole Hearings | <ul style="list-style-type: none">• The wording of section 16(3)(b) should be amended so that the parole applicant should be entitled to be present at the parole hearing, except in extraordinary circumstances.• In such circumstances, the victim must make a written submission, in advance of the hearing explaining why the applicant should not be present. Where the applicant is not present, arrangements should be made for them to participate in the hearing via video-link.• The omission of a sentence management role for the Parole Board within the Bill should be rectified. |
| Guiding Principles | <ul style="list-style-type: none">• The Bill should be reviewed to rectify any erroneous references made to <i>Guiding Principles</i> in place of <i>Criteria for Parole</i>. |
| Eligibility for Parole | <ul style="list-style-type: none">• All prisoners serving sentences of four years or more should be entitled to be considered for parole.• The minimum period for eligibility for parole of life prisoners should be maintained at its current level of seven years and should not be increased to twelve years. If it is increased, then the Board should be permitted to engage in sentence rehabilitation management with prisoners in the period between the seventh and twelfth year of their sentence.• No differentiation should be made between section 20(1) and 20(4) in terms of the juncture within their sentence that prisoners are eligible for parole. Section 20(5) should be removed in its entirety from the Bill as it, for all intents and purposes, introduces a type of tariff upon a sentenced person.• The Society recommends that all sentences carrying a minimum period of sentence should be reviewed after seven years, subject to the criteria set out under section 21 of the Bill. |
| Consideration for Parole | <ul style="list-style-type: none">• A process should be implemented whereby the Parole Board writes to the prisoner to inform them of their eligibility for parole. |
| Monitoring Compliance | <ul style="list-style-type: none">• The Probation Service with the possible assistance of An Garda Síochána as required, are best equipped to carry out monitoring |

of compliance with parole conditions.

Variation or discharge of a Parole Order

- The reference to the Minister should be removed from section 24 (1) of the Bill with regard to the varying or discharge of a parole order.
- The Probation Service, on the basis of their monitoring role in the process, should be permitted to make an application to the Parole Board to vary or discharge a parole order.
- An application to vary a parole order should be ordinarily determined by means of a hearing with provision for exceptions where a hearing is not required.

Revocation of a Parole Order

- The reference to the Minister, in the context of revoking or suspending a parole order should be removed from section 25(1).
- The Probation Service should be permitted to make an application to the Parole Board to vary or discharge a parole order.
- The Parole Board should only have the authority to suspend a parole order where there is evidence that the parolee poses an undue risk to the safety of the community or has breached their parole conditions to a serious extent as set out under section 25(2). Section 25(3) should be removed from the Bill.
- A degree of discretion should be retained by the Parole Board to allow for exceptions where minor offences committed while on release should not endanger a person's release on parole under section 25(7).
- Section 25(9)(a) should be reviewed in consideration of the doctrine of separation of powers as it authorises the Board to effectively impose a consecutive sentence where parole is revoked.
- The Bill should state the point at which a person is eligible for parole following revocation of a parole order where they are serving a determinate sentence.
- Consideration should be given to reducing the period of ineligibility for parole following the revocation of parole for a life sentenced prisoner.

Warrants

- Section 26 should be reviewed and consideration be given to guaranteeing that warrants are only issued by the Courts and in accordance with due process.

Preparation for review and hearings

- The parole applicant should be entitled to retain any written submissions by a victim or victim impact statements, with redaction where necessary.

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