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Secretary of State for Northern Ireland

Ms Emer O'Gorman
South Dublin County Council
County Hall
Tallaght
Dublin 24



07 November 2012

Dear Ms O'Gorman

Thank you for your letter dated 11 October, in which you provided a copy of a Motion passed at a meeting of the South Dublin County Council which called for the release of Marian McGlinchey (nee Price) and Martin Corey. I would like to take this opportunity to clarify the position on these cases.

I should first make clear that it is for the independent Parole Commissioners, not the Secretary of State, to consider whether life sentenced prisoners are suitable for release.

Upon early release from a life sentence, individuals sign a licence agreeing that they can be returned to prison if they do not act within the terms of their release (for example, if they become a risk to the public or commit further offences). In accordance with the Life Sentences (Northern Ireland) Order 2001, the statute which governs life licence revocations, the Secretary of State must, before revoking a licence, seek a recommendation from the Parole Commissioners for Northern Ireland on the risk of serious harm which an individual is assessed to pose to the public.

In the cases of Mrs McGlinchey and Mr Corey, the Parole Commissioners recommended that their licences be revoked and the former Secretary of State did so in May 2011 and April 2010 respectively. Licence revocation is not a step which is taken lightly but priority must be given to the protection of the public. Where the Commissioners consider the public to be at risk of serious harm, the law provides that action may be taken.

When a life licence is revoked, the Parole Commissioners conduct a full review of the case and rule on an individual's suitability for release. The individual has full legal representation and is able to challenge the case against them. The review procedure is designed to ensure that Article 6 (the right to a fair trial) obligations of the European Convention on Human Rights are met.

You will be aware that the Parole Commissioners are currently in the process of reviewing Mrs McGlinchey's case and will determine whether or not she should be released. Although you are correct in stating that Mrs McGlinchey was granted bail by the courts, that was in relation to the charges which she faces under the Terrorism Act and is a separate matter.

Mr Corey has challenged the decision of the Parole Commissioners not to grant him release. He was granted bail by the judicial review judge which was appealed and stayed by a senior judge pending a full appeal. As this matter is currently before the Court of Appeal it would therefore be inappropriate to comment further at present.

I trust that you will find this of assistance.

Regards
Theresa V

**RT HON THERESA VILLIERS MP
SECRETARY OF STATE FOR NORTHERN IRELAND**