



**An Bille um Cheartas Coiriúil (Comhcheilg um
Dhúnmharú), 2019**
Criminal Justice (Conspiracy to Murder) Bill 2019

Meabhrán Mínitheach
Explanatory Memorandum



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Purpose of the Bill

The purpose of this Bill is to increase the sentence that can be imposed upon a person convicted of conspiracy to murder. At present conspiracy to murder is an offence pursuant to section 4 of the Offences Against the Person Act 1861. In circumstances where a person conspires with others to murder but such act actually does not take place, the person is prosecuted under section 71 of the Criminal Justice Act 2006. The maximum penalty that exists at present for a person convicted of conspiracy to murder (where the murder did not take place) is ten years. If a person pleads guilty to such an offence then the likelihood is that the person will receive a sentence that is no greater than six years.

Background

Organised criminals now hire professional assassins to murder other people. In late 2018 an organised criminal gang hired an assassin to travel to Ireland in order to murder a man in Northern Ireland. The assassin was arrested by members of An Garda Síochána and charged with conspiracy to murder. He pleaded guilty to conspiring with others to murder a man in April 2018. The maximum sentence that could be imposed by the Special Criminal Court was ten years but since the convicted man had pleaded guilty the Court was required to give recognition of his guilty plea and co-operation.

Serious criminals within organised crime gangs now conspire with others so that those others can carry out murders on behalf of organised crime gangs. A maximum sentence of ten years is insufficient for the gravity of these offences. The Bill proposes to amend the law to increase the maximum sentence for conspiracy to murder to life imprisonment. This would enable a Court to impose a much higher sentence, reflecting the gravity of the offence, than at present exists.

Jim O'Callaghan, TD,

Márta, 2019.