



Garda  
**Ombudsman**  
INQUIRY INDEPENDENCE IMPARTIALITY

# **Victims of Crime and your Rights to Information**

## 1.1 Information for Victims of Crime

As a victim of crime, you are entitled during the course, or at the conclusion, of an investigation of the alleged offence or following any subsequent criminal proceedings relating to the offence concerned to request information about many aspects of your case. Section 8(2) of the Criminal Justice (Victims of Crime) Act 2017 sets out the types of information which you can request. These are listed here.

You can make your request for information to the GSOC investigating officer. If GSOC does not hold the information you are seeking, we will forward your request to the appropriate agency/organisation.

These rights are in addition to any statutory requirements pursuant to section 103 under the Garda Síochána Act 2005 to keep persons informed of the progress of an investigation.

**1. You can request information relating to any significant developments in the investigation, including:**

**(i) the arrest of a person,**

**(ii) the charging of a person,**

**(iii) the release on bail of a person and, where a person has entered into a recognisance admitting him or her to bail, any conditions of such recognisance which relate to the victim, and**

**(iv) the remand in custody of a person who has been charged.**

2. You can request a copy of any statement or submission made by you during the course of the investigation, and a copy of your victim impact statement should there be a prosecution and conviction.

**3. You can seek information regarding a decision not to proceed with, or to discontinue, the investigation, and a summary of the reasons for the decision.**

4. You can seek information regarding a decision by the Director of Public Prosecutions (DPP) not to prosecute a person for the alleged offence and a summary of the reasons for the decision. You have a right to request a review of such a decision and to information about the procedure for requesting the review.

**5. You can request information regarding a decision to discontinue the prosecution of a person for the alleged offence and a summary of the reasons for the decision.**

6. You can request information regarding a decision to deal with a person other than by trial of the person in respect of the alleged offence, and a summary of the reasons for the decision.

**7. Where a person is charged in respect of the alleged offence, you may request information regarding;**

**(i) the nature of the offence with which he or she is charged, and**

**(ii) the date and place of his or her trial.**

8. Where a person is convicted in respect of the alleged offence, you may request information regarding;

(i) the date of sentencing where applicable, and

(ii) the date and place of any appeal by him or her or the prosecution, as the case may be, arising from the trial.

**9. You may request information regarding any determination made that the defendant is unfit to stand trial.**

10. You may request information regarding a final judgment in any trial of a person in respect of the alleged offence (and, as the case may be, any further judgment on appeal), including;

(i) where such trial is not a trial by jury, a summary of the reasons given for the judgment,

(ii) where the person is convicted of the offence, the sentence imposed on the person, if any, and

(iii) any orders made by the court related to, or ancillary to, the judgment.

**11. Where a person is arrested and is detained in custody by the Garda Síochána, you may request information regarding any release or escape of the person from custody.**

12. Where a person has been remanded in custody, you may request information regarding any release or escape of the person from custody while on remand.

**13. Where a person is convicted of an offence and a sentence of imprisonment is imposed on him or her, you may request information regarding;**

**(i) the year and month in which the person is expected to be released from prison,**

**(ii) any temporary release of the person and any conditions attached to such release which relate to the victim,**

**(iii) any transfer of the person while in custody to or from a prison, designated centre, court, hospital or any other place,**

**(iv) any escape by the person from custody and any measures which are put in place for the victim's protection as a result of such escape, and**

**(v) the death of the person concerned while in custody or on temporary release from prison under section 2 or 3 of the Criminal Justice Act of 1960.**

14. Where a person is committed to a designated centre by a court, other than a court martial (pursuant to section 4(3)(b), 4(5)(c)(i), 4(6)(a), 5(2) or 5(3) of the Criminal Law (Insanity) Act of 2006), you may request information about;

(i) the year and month in which the person is expected to be discharged from the designated centre and whether or not his or her discharge will be subject to conditions,

(ii) any temporary release of the person under section 14 of that Act,

(iii) any transfer of the person to or from a designated centre, prison, court, hospital or any other place,

(iv) any conditions attached to a discharge referred to in *subparagraph (i)* or a release referred to in *subparagraph (ii)*, which relate to the victim,

(v) the revocation of any conditional discharge of the person under section 13B of that Act,

(vi) any escape by the person from a designated centre, prison, court, hospital or any other place, and any measures which are put in place for the victim's protection as a result of such escape, and

(vii) the death of the person concerned during a period of committal to, temporary release or conditional discharge from, the designated centre.