

VICTIMS' CHARTER

Role of the Office of the Director of Public Prosecutions (DPP)

When you report a serious crime, the Gardaí will investigate it and send a file to the Office of the DPP. We will then read this file to see whether there is enough evidence to prosecute someone for the crime and what the charge should be.

Deciding whether to prosecute

The decision to prosecute is a serious one – it can have a lasting effect on both the victim of the crime and the accused person. Only the DPP or one of our lawyers may decide whether to prosecute in serious cases – for example, murder, sexual offences or fatal road accidents.

The Gardaí may decide to prosecute in less serious crimes. However, the prosecution is still taken in the name of the DPP and the DPP has the right to tell the Gardaí how to deal with the case.

We act independently when deciding whether to prosecute. This means that no other person, not even the Government, can tell us whether or not to prosecute a case.

No prosecution

If we decide not to prosecute, we will give reasons only to the Gardaí who investigated the case. However, whenever possible, we will give reasons in fatal cases to a member of the victim's family or household if they ask us. We will do this in cases where the death took place on or after 22 October 2008.

Prosecuting offences in court

The Gardaí will tell you whether we have decided to prosecute and, if so, when and where the court case will take place.

The most serious cases are heard in the:

- Central Criminal Court,
- Circuit Criminal Court; or
- Special Criminal Court.

In these cases, a lawyer acting for the DPP will prosecute the case in court.

Less serious cases are heard in the District Court. In these cases either the Gardaí or a lawyer acting for the DPP will prosecute the case in court.

What you can expect from the Director of Public Prosecutions

If you are a victim you can ask us to:

- take your views into account when we are deciding whether to prosecute;
- look again at a decision we have made with which you do not agree.

If a member of your family or household is the victim in a fatal case, you can ask us and we will:

- tell you the reason, whenever possible, if we decide not to prosecute. We will do this in cases where the death took place on or after 22 October 2008.

If you are a witness, we will:

- treat you with respect and take account of your personal situation, rights and dignity;
- work with the Gardaí to make sure that you are kept up to date on your case, especially if it is about a violent or sexual offence; and
- arrange for you to talk to the prosecution solicitor and barrister before the court case begins, if you wish. They will explain what will happen in court, but they cannot talk to you about the evidence you will give.

If the accused has been sentenced, we can:

- ask the Court of Criminal Appeal to review the sentence if we think it is unduly lenient – in other words, so light that it is wrong in law. We can ask for a review of sentences from the Central Criminal Court, Circuit Criminal Court and Special Criminal Court. We cannot appeal a sentence from the District Court.

What you can do if we do not meet your expectations

If you have questions or complaints about our service, you may contact the:

Director of Public Prosecutions
14-16 Upper Merrion Street
Dublin 2.

Tel: + 353 (0)1 678 9222

Fax: + 353 (0)1 661 0915

Website: www.dppireland.ie

You can also visit our website and find our:

- information booklet on **The Role of the DPP**;
- information booklet on **Going to Court as a Witness**;
- Brief Guide to the Criminal Justice System; and
- Victims and Witnesses Section.