

## What is an undue leniency appeal?

- An undue leniency appeal is when the DPP believes that the sentence the convicted
- The Appeals Section in the Office of the DPP will deal with the undue leniency appeal.
- Even though a convicted person who is in prison can apply for bail while waiting for the
- A hearing date will be set when all the paperwork is completed by our Office.
- The Appeal Court judges will read the written record (the transcripts) from the original trial, including any Victim Impact Statements you made, to understand the trial judge's reasons

## What to expect at the court hearing

- There is no need for you to attend the appeal hearing, but you can attend if you want to.
- The investigating Garda will keep you informed about the appeal.
- The investigating Garda can arrange a meeting with the prosecuting counsel and solicitor before the appeal hearing if you so wish.
- The appeal will be heard by three judges sitting in the Court of Appeal (Criminal) which usually sits in the Criminal Courts of Justice in Dublin.
- On the hearing date, the three judges will hear legal submissions from both the prosecution and the defence teams.
- It is extremely rare that any witnesses will be called to give evidence at this hearing.
- The judges will consider a sentence to be 'unduly lenient' only if they believe that the trial judge was wrong in law to give such a light sentence.
- If the judges need more time to consider the case, they will reconvene on another date to give their judgment.
- The judges may either increase the sentence or not change the sentence.

## Who to contact if you have further queries

- If you have any further queries, please contact the investigating Garda who will pass any queries on to the Office of the DPP.