

Oifig an
Office of the



Stiúrthóra Ionchúiseamh Poiblí
Director of Public Prosecutions

How to request reasons and reviews



Approved by NALA

About this booklet

This leaflet explains about how to ask for reasons for decisions and reviews of decisions when the Director of Public Prosecutions (DPP) decides **not to prosecute**.

What information can I ask for if the DPP decides not to prosecute?

You can ask the DPP for a **summary of reasons** for a decision not to prosecute. If you are not satisfied with the reasons, you can ask the DPP to **review** the decision.

Who can ask for this information?

You can ask the DPP for reasons for a decision not to prosecute or for a review of that decision if you are:

- a victim of crime;
- a family member of a victim in a fatal case;
- a solicitor acting on behalf of either of the above.

However, you can only ask about decisions not to prosecute made:

- on or after 16 November 2015;
- and
- in fatal cases where the death occurred on or after 22 October 2008.

Will the DPP give reasons in all cases?

No. If the decision not to prosecute was made by the Gardaí, a victim can ask the Gardaí for a summary of reasons for the decision.

The DPP cannot give reasons for decisions in cases where the suspect is dealt with under the Garda Síochána Adult Caution Scheme or the Juvenile Diversion Programme. Also, the DPP cannot give reasons for a decision not to prosecute if giving the information would:

- interfere with an ongoing criminal investigation;
- prejudice a future court case;

- put the personal safety of any person at risk;
- put the security of the State at risk.

How do I ask for a summary of reasons for a decision made by the DPP?

You must complete a **Request for Reasons Form** and send it to our Victims Liaison Unit. The contact details for the Unit are set out on page 10.

The Request for Reasons Form is available on our website at www.dppireland.ie or from your local Garda Station.

Is there a time limit for asking for reasons?

Yes. You must send your request for reasons **within 28 days** of the date you are told of the decision not to prosecute. In some cases the DPP might extend this time limit. She will do this only if there is a good reason and if it is in the interests of justice.

How long will it take to get a summary of reasons?

A lawyer in the Victims Liaison Unit will write to you giving the summary of reasons. This **usually happens within 14 weeks**. In some cases, it may take longer. If this happens, we will write to you and let you know when you can expect to receive the reasons for our decision.

What happens if I am not satisfied with the reasons?

If you are not satisfied with the reasons for our decision not to prosecute, you can ask for a **review of the decision**.

How can I ask for a review of a decision made by the DPP?

You can write to the Victims Liaison Unit to ask for a review of the decision. The address is on page 10.

Is there a time limit for asking for a review?

Yes. If you have asked us for a reason for our decision, then your request for a review must be made **within 28 days** of

the date on the letter telling you of the reason for not prosecuting your case.

If you have not asked us for a reason for our decision, you can still ask for a review. If you do this, your request for a review must be made **within 56 days (8 weeks)** of the date you are told of the decision not to prosecute.

In some cases the DPP may extend these time limits. She will do this only if there is a good reason and if it is in the interests of justice.

How is the review carried out?

The review will be carried out by a lawyer who was not involved in making the original decision. This lawyer will consider all the evidence again in line with our Guidelines for Prosecutors. When the review is complete, the lawyer will write to you with the decision.

How long will it take to conduct a review?

A review will usually be completed within **16 weeks** of receiving your request. However, some complex cases

might take longer. If this happens, we will write to you and let you know when a decision is likely to be made.

What are the possible outcomes of a review?

There are **two possible outcomes** when a review of a decision not to prosecute takes place:

1. The reviewer decides the original decision should be reversed and that there should be a prosecution. If this happens, we will instruct the Gardaí to start court proceedings as soon as possible.
2. The reviewer decides the original decision not to prosecute is correct. If this is the outcome, then there is no further right of review.

How can I make a complaint?

If you are unhappy with how your request for reasons or your request for a review was dealt with, you can write to:

The Director of Public Prosecutions
Office of the Director of Public Prosecutions
Infirmary Road
Dublin 7.

Your complaint will be dealt with in line with our **Complaints Policy** which is available on our website.

Where can I get more information?

You can get more information on the Victims and Witnesses section of our website at www.dppireland.ie.

Our website also has useful publications including:

- Victims Charter
- Information booklet on 'How we make prosecution decisions'
- Information booklet on The Role of the DPP
- Guidelines for Prosecutors
- Code of Ethics for Prosecutors

Contact details:

Communication by email is through our secure electronic mailing system. This is for security and privacy reasons. To register on our system, please complete and email the Request for Reasons Form to

victims.unit@dppireland.ie and include a copy of proof of your identification* (photo of your passport or driving licence).

Once your identity has been verified, all correspondence from the Office of the DPP will be sent to your email address. We will provide a link in our emails from which you can access and download our letters to you.

* The copy of your identification document will be retained by the Office of the DPP for the purposes of verifying your ID only and will not be used for any other purpose.

You can contact our Victims Liaison Unit at:

Victims Liaison Unit Office of the Director of
Public Prosecutions Infirmaroy Road
Dublin 7.

Email: victims.unit@dppireland.ie

Tel: (01) 858 8500

Fax: (01) 642 7406

We hope you find this information booklet useful in explaining how to ask for reasons and reviews. Please note that it does not deal with every possible situation and it does **not give legal advice**. If you think you need legal advice, you should talk to a solicitor.

Printed copies of this leaflet are available from the Victims Liaison Unit in both Irish and English.

Braille or audio versions are also available on request.

Foreign language versions are available on our website.

