



AN BILLE UM CHIONTA GNEIS, 1980 SEXUAL OFFENCES BILL, 1980

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Mar a tionscnaíodh

As initiated

AN ACT TO AMEND THE LAW RELATING TO SEXUAL <

ARRANGEMENT OF SECTIONS

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- 1. Duties of Garda Superintendent following complaint that rape has been committed.
- 2. Trial for sexual offences—anonymity of victim and defendant; restriction on evidence; female jurors.
 - 3. Trial for sexual offences to take place without delay.

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- 4. Extension of definition of rape.
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ACTS REFERRED TO

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Criminal Law Amendment Act, 1885

1885, c. 69 Criminal Law Amendment Act, 1935 victim at least one week before the date of the trial;

2-At the trial of any indictment for rape or for any offence under section 3 of the Criminal Law Amendment Act, 1885 or under section 1, section 2 or section 4 of the Criminal Law Amendment

Act, 1935 the following provisions shall apply:

(e) that the said victim is referred to a social worker or other or person experienced in the counselling of victims of rape.

(a) the Court shall order that the identity of the victim of the

pleads not guilty shall not be made public unless and until all trial proceedings against him, including appeal pro- 35 ceedings, if any, have been completed and he has been

[No. 22 of 1980]



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BILL

entitled

AN ACT TO AMEND THE LAW RELATING TO SEXUAL 5 OFFENCES.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Duties of Garda Superintendent following complaint that rape has been committed. 1.—Following the receipt of a complaint by a member of the Garda Síochána that the crime of rape has been committed, it shall be the duty of the local Superintendent of the Garda Síochána to 10 ensure—

- (a) that a woman member of the Garda Síochána is present during the taking of any written statement given by the victim of the alleged rape;
- (b) that the said victim is informed that she may be attended 15 by a doctor of her own choice;
- (c) that the Garda Síochána station or other place at which the forensic examination required for the purpose of securing evidence for a trial of any indictment for rape is to be carried out is properly equipped for such examination;
- (d) that a copy of any statement made by the victim of the alleged rape to the Garda Síochána and which it is intended to use in evidence shall be supplied to the said victim at least one week before the date of the trial;
 - (e) that the said victim is referred to a social worker or other 25 person experienced in the counselling of victims of rape.

Trial for sexual offences— anonymity of victim and defendant; restriction on evidence; female jurors.

- 2.—At the trial of any indictment for rape or for any offence under section 3 of the Criminal Law Amendment Act, 1885 or under section 1, section 2 or section 4 of the Criminal Law Amendment Act, 1935 the following provisions shall apply:
 - (a) the Court shall order that the identity of the victim of the alleged offence shall not be made public at any time;
 - (b) the Court may order that the identity of a defendant who pleads not guilty shall not be made public unless and until all trial proceedings against him, including appeal proceedings, if any, have been completed and he has been convicted;

- (c) except by leave of the Court on application made in the absence of the jury, if any, evidence shall not be given regarding the sexual relations of the victim of the alleged offence with any person other than the defendant; and
 - 5 (d) in the case of trial by jury, there shall be at least four female jurors.
 - 3.—The Director of Public Prosecutions and the Courts shall take Trial for sexual all possible steps to ensure that offences to which section 2 of this offences to take Act applies are brought to trial without delay.

place without delay.

- 4.—The crime of rape shall include the carnal knowledge by her Extension of definition of rape. husband of a woman by force against her will.
 - 5.—This Act may be cited as the Sexual Offences Act, 1980. Citation.

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(mar a tionscnaíodh)

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(as initiated)

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An Act to amend the law relating to sexual offences.

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An Seanadóir Gemma Uí Eodhusa a thíolaic, 5 Meitheamh, 1980

Presented by Senator Gemma Hussey, 5th June, 1980

BAILE ÁTHA CLIATH: ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Act, 1935 the following provisions shall apply:

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais An Stuara, Árd Oifig an Phoist, Baile Átha Cliath, nó trí aon díoltóir leabhar.

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