



**An Bille um Cheartas Coiriúil (Íospartaigh na
Coireachta) (Leasú), 2018**
**Criminal Justice (Victims of Crime) (Amendment) Bill
2018**

Meabhrán Mínitheach
Explanatory Memorandum



**AN BILLE UM CHEARTAS COIRIÚIL (ÍOSPARTAIGH
NA COIREACHTA) (LEASÚ), 2018
CRIMINAL JUSTICE (VICTIMS OF CRIME)
(AMENDMENT) BILL 2018**

EXPLANATORY MEMORANDUM

Preliminary

The Criminal Justice (Victims of Crime) Bill 2018 seeks to afford greater support and protection to victims of alleged offences involving sexual violence, gender based violence or violence in a close relationship.

The purpose of the Bill is to provide greater support to the victims of sexual violence. During an investigation into offences involving sexual violence, gender based violence or violence in a close relationship the victim should be provided with relevant information and legal advice, provided by a Solicitor funded by the Minister for Justice and Equality through support networks that already exist, identifying for the victim the necessary steps and actions that the victim shall have to take should the complaint proceed to a prosecution on indictment. Many victims of sexual violence, gender based violence or violence in a close relationship do not make complaints in respect of such offences and if they do make complaints many find the process very challenging. The purpose of this Section is to provide relevant information and legal advice to the victim at an early stage of the investigation informing them of the nature, extent and likely timeline of the investigation; the fact that the victim and others with relevant evidence will have to provide statements to An Garda Síochána; the fact that any accused will be entitled to disclosure of all relevant documents and evidence in advance of the trial; the fact that the victim shall be required to give evidence and face cross-examination in respect of these alleged offences, and the likely timeline for the hearing and determination of any criminal proceedings.

Section 1 of the Bill is a short definition section.

Section 2 amends section 17 of the 2017 Act by providing that during investigations into and prosecutions of offences involving sexual violence, gender based violence or violence in a close relationship, a victim shall be provided with relevant information and legal advice by a Solicitor funded by the Minister for Justice and Equality outlining the actions that must be taken by the victim should the investigation proceed to a criminal prosecution.

Section 3 provides for the citation and commencement of the Bill.

*Jim O'Callaghan TD,
Meitheamh, 2018.*