



**An Bille um Orduithe Cosanta Sibhialta d'Íospartaigh Foréigin Ghnéasaigh,
2025**

Victims of Sexual Violence Civil Protection Orders Bill 2025

Mar a tionscnaíodh

As initiated



**AN BILLE UM ORDUITHE COSANTA SIBHIALTA d'ÍOSPARTAIGH FORÉIGIN
GHNÉASAIGH, 2025
VICTIMS OF SEXUAL VIOLENCE CIVIL PROTECTION ORDERS BILL 2025**

Mar a tionscnaíodh

As initiated

CONTENTS

Section

1. Short title, collective citation, construction and commencement
2. Interpretation
3. Civil protection orders for victims of sexual violence

ACTS REFERRED TO

Child Trafficking and Pornography Act 1998 (No. 22)

Criminal Law (Human Trafficking) Act 2008 (No. 8)

Criminal Law (Rape) (Amendment) Act 1990 (No. 32)

Criminal Law (Rape) Act 1981 (No. 10)

Criminal Law (Sexual Offences) Act 2006 (No. 15)

Criminal Law (Sexual Offences) Act 2017 (No. 2)



**AN BILLE UM ORDUITHE COSANTA SIBHIALTA d'ÍOSPARTAIGH FORÉIGIN
GHNÉASAIGH, 2025
VICTIMS OF SEXUAL VIOLENCE CIVIL PROTECTION ORDERS BILL 2025**

Bill

entitled

5

An Act to provide victims of sexual violence with the right to seek civil protection orders.

Be it enacted by the Oireachtas as follows:

Short title, collective citation, construction and commencement

1. (1) This Act may be cited as the Victims of Sexual Violence Civil Protection Orders Act 2025. 10
- (2) This Act shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions. 15

Interpretation

2. In this Act, “complainant” means a person in relation to whom an offence under:
- (a) the Criminal Law (Rape) Act 1981;
 - (b) the Criminal Law (Rape) (Amendment) Act 1990;
 - (c) the Child Trafficking and Pornography Act 1998; 20
 - (d) the Criminal Law (Sexual Offences) Act 2006;
 - (e) the Criminal Law (Human Trafficking) Act 2008;
 - (f) the Criminal Law (Sexual Offences) Act 2017; or
 - (g) the common law offence of rape,
- is found by a court to have been committed. 25

Civil protection orders for victims of sexual violence

3. (1) Where a person is guilty of an offence under:
- (a) the Criminal Law (Rape) Act 1981;

- (b) the Criminal Law (Rape) (Amendment) Act 1990;
 - (c) the Child Trafficking and Pornography Act 1998;
 - (d) the Criminal Law (Sexual Offences) Act 2006;
 - (e) the Criminal Law (Human Trafficking) Act 2008;
 - (f) the Criminal Law (Sexual Offences) Act 2017; or 5
 - (g) the common law offence of rape,
- the court may, in addition to any other penalty, order that the person shall not, for such period as the court may specify, communicate by any means with or about the complainant or that the person shall not approach within such distance as the court shall specify of the place of residence, education or employment of the complainant. 10
- (2) An order under *subsection (1)* shall be in writing.
 - (3) A copy of an order under *subsection (1)* shall be given to—
 - (a) the person against whom the order is made ("the subject of the order"),
 - (b) the complainant, referred to in *subsection (1)*,
 - (c) the member of An Garda Síochána in charge of An Garda Síochána station for the area in which the person referred to in *paragraph (b)* resides, and 15
 - (d) if the subject of the order is sentenced to a period of imprisonment, the person for the time being in charge of the place where the subject of the order is, or is to be, imprisoned.
 - (4) The validity of an order under *subsection (1)* shall not be affected by non-compliance with *subsection (3)*. 20
 - (5) A person who fails to comply with the terms of an order under *subsection (1)* shall be guilty of an offence.
 - (6) A person guilty of an offence under *subsection (5)* shall be liable—
 - (a) on summary conviction to a class A fine or to imprisonment for a term not exceeding 12 months, or to both, or 25
 - (b) on conviction on indictment to a fine or a term of imprisonment not exceeding 10 years, or to both.
 - (7) Without prejudice to any other enactment or rule of law, a court shall, in determining the sentence to be imposed on a person for an offence under this section, treat as an aggravating factor the fact that the person has previously been convicted of an offence against the complainant or a person connected with the complainant. 30
 - (8) Subject to *subsections (9)* and *(10)*, where *subsection (7)* applies the court shall impose a sentence which is greater than that which would have been imposed in the absence of such factor. 35
 - (9) *Subsection (8)* shall not apply where the court considers that there are exceptional circumstances justifying it not applying that subsection.
 - (10) The sentence imposed as a result of the application of *subsection (8)* shall not be

greater than the maximum sentence permissible for the offence concerned.

- (11) A reference in *subsection (7)* to an offence against the complainant includes a reference to an offence involving damage of the property of the complainant.

An Bille um Orduithe Cosanta Sibhialta
d'Íospartaigh Foréigin Ghnéasaigh, 2025

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht chun an ceart a thabhairt d'íospartaigh foréigin
ghnéasaigh orduithe cosanta sibhialta a lorg.

An Teachta Maitiú Ó Cárthaigh a thug isteach,
26 Meitheamh, 2025

Victims of Sexual Violence Civil Protection
Orders Bill 2025

BILL

(as initiated)

entitled

An Act to provide victims of sexual violence with
the right to seek civil protection orders.

Introduced by Deputy Matt Carthy,
26th June, 2025

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN, CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8, D08 XAO6.
Teil: 046 942 3100
r-phost: publications@opw.ie
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD, KILMAINHAM,
DUBLIN, D08 XAO6.
Tel: 046 942 3100
Email: publications@opw.ie
or through any bookseller.

€1.27



9 781399 341011