

The ‘Justice for Victims Initiative’

The Minister for Justice, Equality and Law Reform, Mr. Dermot Ahern T.D. announced a major new initiative for victims of crime entitled the ‘Justice for Victims Initiative’ on the 19th of June 2008.

The ‘Justice for Victims Initiative’ provides a package of administrative and legislative proposals that will be of benefit to victims of crime including the following:-

Administrative Proposals

The Minister for Justice, Equality and Law Reform following the recommendations of the Commission for the Support of Victims of Crime’s [*Framework Document – Recommendations for Future Structures and Services for Victims of Crime:*](#)

- (1) established the Victims of Crime Office, a new full time Executive Office for the support of victims of crime in the Department of Justice, Equality and Law Reform, on 1 September, 2008; and
- (2) re-constituted the Commission for the Support of Victims of Crime.

The Commission for the Support of Victims of Crime established a Victims’ Consultative Forum. Under its [terms of reference](#) it will speak to the Commission on issues relating to victims’ interests.

Legislative Proposals

The forthcoming Criminal Procedure Bill will give effect to the legislative aspects of the Justice for Victims initiative. The Bill reflects several major recommendations made by the Balance in the Criminal Law Review Group and it is hoped to publish the Bill in Spring 2009.

The main issues to be dealt with in the Bill are:

- (i) Revised provisions on Victim Impact Statements to provide a statutory basis for families of dead, ill or incapacitated victims to make a statement to the court.
- (ii) Protection of persons orders (to apply between the person being charged and the end of the trial – similar in many respects to conditions on bail).
- (iii) Re-trial of cases after an acquittal, where new evidence emerges.
- (iv) Re-trial of cases after acquittals, where the acquittal is the result of ‘tampering’ with the jury, perjury, etc.
- (v) Providing for retrials following appeals by the prosecution against rulings on points of law by the trial court (i.e. ‘with prejudice’ appeals).
- (vi) New provisions to allow the prosecution to respond where the defence impugns the character of dead or incapacitated victims.

(vii) A requirement that the defence gives prior notice to the prosecution that it is going to introduce an expert witness or expert evidence – this measure will prevent ‘ambushes’ of the prosecution case.

(viii) A provision for agreed statements on the evidential value of an object, (e.g. a car, handbag,) to facilitate the return of the object as quickly as possible to the owner (who will, in many cases, be the victim).