

Mr. Charlie Flanagan, T.D.,
Minister for Justice & Equality,
Department of Justice & Equality,
51, St. Stephen's Green,
Dublin 2.
D02 HK52

18th April, 2019.

Our Ref: M61973

Re: Clondalkin Area Committee Meeting of South Dublin County Council
held on 17th April, 2019

Dear Minister Flanagan,

I write on behalf of the Elected Members who at the Clondalkin Area Committee meeting held on 17th April 2019, passed the following motions:

Cathaoirleach's Business

"That this Council calls on the Minister for Justice to appoint a victim's support commissioner to oversee the treatment of the victim of crime in the aftermath of their assault, victims need an agency to oversee their recovery. We commit to writing to the Minister for Justice in this regard and ask that he look at this as a matter of urgency."

I would be obliged for your comments and response as soon as possible to enable me to revert to the Committee.

Yours sincerely,

Feoneadh Murphy,
Senior Staff Officer.

**An Roinn Dlí agus Cirt
agus Comhionannais**
Department of Justice
and Equality



Oifig an Aire | Office of the Minister

Ms. Feoneadh Murphy,
South Dublin County Council
County Hall
Tallaght
Dublin 24

25th April 2019

Your Reference: M61973

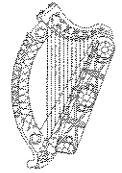
Minister's Reference: DJE-MO-01948-2019

Dear Ms. Murphy,

I write to acknowledge receipt of your correspondence dated 18th April 2019.

Yours sincerely,

Conor Cleary
Private Secretary to the
Minister for Justice and Equality



Ms. Feoneadh Murphy,
South Dublin County Council
South Dublin County Council
County Hall
Tallaght
Dublin 24

Environment Water & Climate Change

24 JUN 2019

18 June 2019

Minister's Reference: DJE-MO-01948-2019

Your Ref: M61973

Re: Clondalkin Area Committee motion

Dear Ms Murphy,

The Minister for Justice & Equality, Mr. Charles Flanagan T. D. , has asked me to refer to your correspondence dated 18 April 2019 regarding to the motion passed by the Elected Members of the Clondalkin Area Committee calling for the appointment of a victims support commissioner.

In responding, the Minister wishes me to firstly convey that he firmly shares the view of the Council of the importance in making the criminal justice system one which is much more accommodating and more supportive of all victims of crime.

As I am sure the Council will appreciate the Government has been introducing a series of major reform in recent years to ensure this and a huge amount of work has been and continues to be done in this regard.

A key element of this includes the major victim oriented legislative reforms which have been introduced. This includes, in particular, the Criminal Justice (Victims of Crime) Act 2017 enacted on 5 November 2017. This Act transposes into Irish law the European Union's Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime. This legislation includes new rights particularly in areas such as the right to information and the provision of certain supports and protection.

Some examples of this under this Act include victims having a statutory right now to receive comprehensive information on the criminal justice system and their role within it and on the range of services and entitlements they may access from their first contact with An Garda Síochána and/ or the Garda Síochána Ombudsman Commission. Victims are also be entitled to receive a written acknowledgement of the making of a complaint, as well as contact details as to where further information can be obtained. On request, victims will be provided with information concerning the progress of the investigation and any court proceedings.

A victim can also opt in to receive information on the reasons for a decision not to prosecute and may also ask for a review of such a decision. This applies to the prosecution authorities at the Office of the Director of Public Prosecutions. Victims will also be provided, if they so request, with information from the Irish Prison Service of the release or escape from prison of an offender serving a sentence for an offence committed against the victim.

Also in line with the EU Directive, provisions in the Act will facilitate better supports for vulnerable victims and witnesses within the criminal justice system. Examples of this, include the Act providing for the assessment of victims in order that any special measures necessary to protect them from secondary and repeat victimisation, intimidation or retaliation can be put in place during the investigation and during the court process.

In tandem with this, the Act extends the scope for the potential use of special measures for victims and witnesses to be utilised in the presentation of evidence. This includes, for example evidence given via the use of live television link, screens or via intermediaries. The potential use of video recorded statements is also being extended under this legislation. In addition, the right to provide a victim impact statement is also being extended to all victims.

The enactment of the Domestic Violence Act, 2018 and the Criminal Law (Sexual Offences) Act 2017 is also strengthening the overall supports being made available to victims of crime.

It is also important that the legislative reform which has been introduced, are accompanied by necessary and system wide operational reforms and processes. To achieve this, new structures and arrangements are being introduced and embedded across the criminal justice agencies to looking to make the system more victim oriented.

Some prime examples of this have included, on the policing side, the establishment of the Garda Victim Service Offices in every Garda Division. It also includes the setting up of the Garda National Protective Services Bureau and its Divisional Protective Service Units. Victim liaison units or teams are also now in place in the Prison Service, the Probation Service and the Office of the DPP.

On the courts side, new customised victims' facilities have been introduced as we have been upgrading and modernising our Courts infrastructure.

In addition to this the Minister during 2018 initiated a specific review of the investigation and prosecution of sexual offences with an emphasis on vulnerable witnesses. The work of this review group, chaired by Tom O'Malley, an expert in this field, is well advanced.

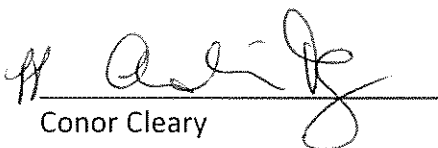
In conjunction with these legislative and structural reforms this Department continues to provide funding through its Victims of Crime Office to promote and support the development of support services to victims of crime. In this regard the Victims of Crime Office was allocated a dedicated budget of €1.712m in 2019 to provide funding support to 57 victim support services.

This funding enables the Victims of Crime Office to provide financial support to a large number of non-governmental organisations across the State in providing a wide range of services and supports to victims of crime. Such services continue to provide important information and support to victims of crime, including emotional support, court accompaniment, accompaniment to Garda interviews, accompaniment to sexual assault treatment units, counselling and referral to other services.

Given all of the above and in particular the need to allow the above reforms, some of which have only recently been introduced, an opportunity to bed down the Minister has no immediate plans to appoint a victims support commissioner. Notwithstanding that the issue of the provision of appropriate supports to victims of crime will continue to be one of priority and be assessed on an ongoing basis.

I hope this information is of assistance.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Conor Cleary', written over a horizontal line.

Conor Cleary
Private Secretary to the
Minister for Justice and Equality