

# HOMICIDE A GUIDE FOR BEREAVED FAMILIES

*Advice, Entitlements & Services*





AdVIC is a registered charity (CHY 16399) (CRA200) which assists and supports families bereaved by homicide. Our organisation is run by families who have been bereaved by homicide, so we understand many of the issues you face following the devastating loss of someone you love, or someone who is close to you.

The information available in this booklet is intended as a guide only. It does not purport to be, nor should it be relied upon as legal advice.

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# Foreword

*Senator Marie Louise O'Donnell, Patron of AdVIC*

There is little, if any, language that can capture the profundity of the loss of a family member who is a victim of murder, manslaughter or fatal assault. The lives of families and loved ones are affected and altered forever.

The world of grief and loss that follows such violence is unknown and unexplained. The anguish for those left behind is unmatched. And still among all the emotional chaos, there is always courage and stoicism and bravery against the never ending loss.

There have been injustices by the state and the law. Injustices in relation to lenient sentencing, parole, early release and concurrent and consecutive sentencing.

As a patron of AdVIC I have met so many families destroyed by violence, and left abandoned and alone by the slow pace and the boundaries of the justice system.

The shadow of what has happened to their loved one stays with me as legislation is argued and delayed. I have witnessed a grief that knows no common ground and has few signposts.

AdVIC is one such signpost and touchstone. The majority of us will manage grief with the support of family, friends and community. But those of us who have to face wanton murderous violence and brutal fatal

assault must have extra help to navigate that maze of pain, sorrow and fear. They must learn to stay standing in this world despite chaos and loss of hope and possibilities for a life ended violently.

As a society we know little of what those left behind go through, or what happens to them daily as they remember and grieve. We rarely have real and defining conversations about the victim and their access to a kind of absolute terrible truth.

It is only through legislation that new laws can be created and old ones altered to counteract this imbalance. This is happening. It has taken too long. But it is happening. New legislation around the length of sentences for murder, and new legislation around parole is now on the statute books.

At the same time it is the mothers, fathers, sisters, brothers and grandparents who have the life sentence of grief and awfulness. The rage against the perpetrator, the loss of the possibilities for the life taken, and the loss of a part of themselves.

That is why AdVIC is so important to us all and for us all.

I am reminded of the words of the poet Dylan Thomas:

*Do not go gentle into that good night  
Rage, rage against the dying of the  
light.*

AdVIC has something to tell us as a society. It has something to tell the state and the politicians and the law courts. And it has something to offer

each one of us as a compassionate listener, as a psychological companion, and as bulwark against the chaos that can ensue after a loved one has been murdered.

AdVIC is bringing change when it gathers us all together. That is where its strength lies. As an urgent collective. That is where we can exert power. Society can no longer exercise a learned helplessness against violence or the excuse of a loss of control. Those who perpetrate heinous crimes of murder and are convicted must receive significant minimum custodial sentences. It is the victim that must be heard when propelling the laws forward. The victims must be listened to. It is not revenge that they seek. If you want revenge you have to dig two graves. They seek justice. It is justice they deserve. There must be changes in the law that recognise and place the victims central to all judgements within the courts and thereby change the custodial and parole landscape. Forever.

Shakespeare tells us:

*Give sorrow words; the grief that does not speak knits up the o-  
er wrought heart and bids it break*

AdVIC is that beginning and that resolution and that way forward for all victims.

## Why you received this booklet

The aftermath of a homicide is a time of immense trauma, confusion and activity. Apart from dealing with the unbearable emotional shock and the arrangements for a funeral, so many other unexpected pressures come flooding into your life. You may suddenly find yourself immersed in the unfamiliar and often difficult world of the criminal justice system, the Gardaí, the investigation, court dates and the media.

While families are at the centre of all this, many describe their experience as being on the outside. They feel excluded, often they are not kept informed, but are expected to understand and participate when called upon. It is a very daunting task to seek out and grasp the vital information you need to help you cope and to understand what is going on.

In this intense environment, many families are not well informed about their rights. Many of us do not understand how to negotiate the complicated layers of the criminal justice system. That is why we set up AdVIC, and why we produced this information booklet. In these pages you will find most of the important information, advice and contacts you will need. In it we:

- Explain who we are and what we do.
- Inform you of your rights and entitlements.



- Talk about the challenges people face in the aftermath of homicide.
- Summarise the role of each agency in the criminal justice system.
- Provide contact information for each of these agencies.
- Detail the services AdVIC offers.
- Outline the voluntary support services available.
- Give advice on dealing with the media.
- Give details of the AdVIC professional counselling services.

## AdVIC - who we are & what we do

Founded in 2005 by a group of families who were trying to cope with the unlawful violent killing of a family member, AdVIC is a national, non-profit, registered charity (CHY16399) (CRA 200-58975). We are a partly government-funded organisation run by, and on behalf of, families bereaved by homicide.

We are a totally independent organisation - Advocates (Ad) who campaign for greater rights for Victims (VIC) of homicide, their families and friends. (The word 'homicide' is a legal term that describes murder, manslaughter or any unlawful killing). We bring together families bereaved by homicide including those affected by murder, manslaughter and fatal assault.

AdVIC was formed to ensure that the rights of families of homicide victims are not ignored within the criminal justice system and to bring about a fairer, more balanced system for such families. We also work to achieve improved coordination between the agencies that make up that system.

We are not affiliated with any religious or political organisation, and hold no ideology beyond the right of victims and survivors to be treated with the dignity and respect they deserve.

Following a homicide, bereaved families may feel isolated and misunderstood. AdVIC aims to offer help and support to anyone

who has been affected by homicide by providing advice, counselling, support and assistance.

## **Facing extra challenges after homicide**

Nothing can minimise the trauma you go through following a homicide. Our aim is to try to help alleviate at least some of the other difficulties you may encounter by providing clear and straightforward information about the criminal justice system.

There is a lot of information available, however it is not always easy to access. Sometimes, when you do find it, much of it may be worded in dense legal language that can be very daunting especially during a time of great trauma and upset. That is why we have assembled some of the most important information here, and why we have tried to explain it in clear and straightforward language.

Because of our individual and collective experience of bereavement through homicide, we have often experienced a breakdown in communication between the various agencies that make up the criminal justice system. This can add greatly to the bewilderment and confusion felt when attempting to deal with these agencies. We believe that understanding the system and the protagonists within it is a first step to relieving frustration and upset. You can then begin to appreciate your rights and entitlements.

## Your rights and entitlements

The ‘Victim Charter’ was first introduced in 1999 and was revised in 2010. It set out the level of service which victims of crime were entitled to expect from various criminal justice system agencies such as An Garda Síochána, the Office of the DPP and the Courts Service. This was an important document but was mainly aspirational and did not give victims legal rights as such.

However, an EU Directive referred to as the Victims’ Directive (Directive 2012/29/EU) now provides victims of crime with legal entitlements to information, protection and support as they journey through the criminal justice system. These rights and entitlements were transposed into Irish law by the Criminal Justice (Victims of Crime) Act 2017 (“Act”), which became operative in November 2017. This act legally entitles victims of crime to minimum standards of service as they engage with the criminal justice system.

The definition of a ‘victim’ for the purposes of the legislation is important as it specifically refers to the families and loved ones of victims of homicide. This definition includes blood and legal relatives and dependents of the deceased person, as well as anyone ‘who is considered to have had a sufficiently close connection with the victim as to warrant his or her being treated as a family member’ of the person. Importantly, where more than one person wishes to

receive information about the case, the relevant agency (often An Garda Síochána) will request that the family nominate one person to receive this information.

We now summarise your rights under the Victims of Crime Act 2017. (The full act can be found on: <http://www.irishstatutebook.ie/eli/2017/act/28/enacted/en/html> ).

- Gardaí must inform victims about the services of support agencies.
- The Gardaí must appoint a named member of the investigation team to liaise with the victims; this person is known as a Family Liaison Officer (FLO).
- The Gardaí must explain and keep victims informed of all aspects of the criminal investigation, including when a suspect is charged.
- The Gardaí must tell victims about the inquest date, time and place.
- Following the inquest, post-mortem reports can be requested from the coroner's office for a designated fee.
- When a suspect is due to appear in court, the Gardaí must tell victims the time, date and location of the court hearings, whether

the suspect is in custody or on bail, and the prosecution process.

- The Gardaí must inform victims about voluntary organisations that can provide support during a court case.
- The Gardaí must provide victims with information about the Victim Impact Statement mechanism.
- If the DPP's office decides not to prosecute, victims can make their views known, in writing, to their office for consideration.
- Where a homicide took place on or after 22 October 2008, the office of the DPP can be asked to provide their reasons for failing to prosecute.
- A pre-trial meeting with the prosecution solicitor and the barrister dealing with the victim's case can be requested. This should be held at least two weeks prior to trial.
- Following the trial, if you think a sentence is unduly lenient, you can contact the office of the DPP to ask if they will request the Court of Criminal Appeal to review the sentence.
- When available, the Courts Service must provide a victims waiting room and reserved seating in murder/manslaughter cases. They should also provide details of voluntary organisations that offer support to families in courts and by

prior arrangement, the possibility of visiting the courthouse before the trial.

- Victims have the right to be kept informed of significant developments in the management of the prisoner's sentence (including release and the operation of the Parole Board).
- Victims can apply for financial compensation following the homicide. Further information on compensation is provided on page 30.
- When the Parole Act 2019 is commenced, the family of victims of homicide can obtain legal aid to be represented at Parole Board hearings (see page 36 for role of the Parole Board).

## Key roles and public services

When homicide takes the life of a loved one or friend, it inevitably means contact with the criminal justice system and other agencies. There are many key organisations and agencies within this system and your circumstances might mean that you have to engage with a number of these agencies for the first time in your life. This experience can be positive, but often it is confusing, frustrating and sometimes traumatic. You have rights and entitlements and it is important to know and understand the system in order to get the best out of it. Here we list and summarise the role of some of the major organisations and services within the criminal justice system that you will encounter following the homicide.

### AN GARDA SÍOCHÁNA

The first contact you might have with the criminal justice system could be when members of An Garda Síochána have to give you the tragic news about the homicide. In 2006, An Garda Síochána introduced specific homicide training and created a Family Liaison Officer (FLO) service.

FLOs are appointed to keep victims' families informed of the progress of the investigation, and to ensure that they are afforded appropriate



and relevant information and practical support. Since 2006, over 950 members of An Garda Síochána have received Family Liaison Officer training.

Garda Victim Services Offices were opened nationwide in 2015. The 28 Victim Service Offices (one for each operational Garda Division) open between 9am and 5pm, Monday to Friday, are staffed with trained personnel, responsible for communicating with victims of crime and prioritising their needs (more information on victim services can be found on [www.garda.ie](http://www.garda.ie)).

An Garda Síochána's commitments to victims of crime is outlined in An Garda Síochána's Charter for Victims of Crime which was first introduced in 2006 and is being updated at present to reflect statutory provisions following from the Victims of Crime Act 2017. The charter is available on [www.garda.ie](http://www.garda.ie)

Following the homicide, An Garda Síochána will:

- provide the name, telephone number and station of the investigating Garda;
- provide the PULSE incident number - this is a number given to your incident so that they can quickly find the details of your case. The number is to be used in all communication with the Gardaí and can be used to get an update on the investigation;

- outline procedures and ensure that victims are kept informed of any progress, including whether a suspect is charged or cautioned;
- inform victims about the services available, including the help available through the Crime Victims' Helpline 116 006;
- provide a free translation service so that all victims will receive the same quality of service.
- tell victims when a suspect is charged and inform you of the following:
  - Whether the accused is in custody or on bail and the condition attached to the bail;
  - The time, date and location of the court hearing of the charges against the accused;
  - The prosecution process involved and if you are likely to be called as a witness, and the support you can get from voluntary organisations which support victims of crime during the court hearing;
  - The circumstances where a Judge will ask you for a Victim Impact Statement and advise you on its completion;
  - Your entitlement to court expenses;
  - The final outcome of the criminal trial.

The Criminal Justice (Victims of Crime) Act 2017 provides that An Garda Síochána should assess victims to determine whether they have any ‘special protection needs’. This means that victims who are particularly vulnerable for any reason (e.g. age, relationship with the offenders, membership of a minority group) will be able to avail of special services during the investigation and trial of an offence to protect them from any additional trauma which may be caused by having to be interviewed by An Garda Síochána or having to testify in court. Since the definition of victim includes family members and loved ones as victims of homicide, you may be assessed by the Gardaí to determine if you have a special protection need and if it is determined that this is the case, you may be offered special measures (e.g. if you have to give evidence in court, you may be permitted to do this from behind a screen or via TV link). An Garda Síochána have a list of factors which they can refer to when determining whether an individual has a special protection need. They will also consider your views as part of this assessment. For more details on this assessment, you can refer to section 15 of the Criminal Justice (Victims of Crime) Act 2017.

A named Garda Family Liaison Officer (FLO) from the investigation team will keep up contact between you, the investigating Garda and any relevant support organisation you have chosen.

You can also contact your local Garda Superintendent at any time following the homicide.

For more information, contact the Garda Victim Liaison Office:

Garda Liaison Office, Garda Síochána  
Garda National Protective Services Bureau  
Harcourt Square, Dublin 2. DO2DH42

Telephone: (01) 666 3880 or (01) 666 3822 or (01) 666 3882

Fax: (01) 666 3801. Email: [crimevictims@garda.ie](mailto:crimevictims@garda.ie)

This office can also be contacted if you are not satisfied with the service you received, or if you have any questions, suggestions or feedback on any aspect of your treatment.

You may also refer a complaint to the:

Garda Síochána Ombudsman Commission  
150 Upper Abbey Street, Dublin 1.

LoCall: 1890 600 800 Fax: (01) 814 7023

Email: [info@gsoc.ie](mailto:info@gsoc.ie)

Website: [www.gardaombudsman.ie](http://www.gardaombudsman.ie)

<https://www.garda.ie/en/victim-services/find-my-local-victim-service-office/>

## **CORONER'S SERVICE**

A coroner is someone who investigates the cause of a sudden, unexplained or violent death and will need to do a post-mortem examination of the body of your loved one. Coroners will do their best to release the body of the deceased for burial without any unnecessary delay. They will tell you the likely date and time of the release of the body.

An inquest must be held, by law, whenever a person's death is due to unnatural causes. An inquest is a public inquiry carried out by the coroner with a jury in cases of homicide. An Garda Síochána will usually tell you as soon as possible of the date, time and place of the inquest. A coroner has sole power to decide which witnesses should attend the inquest. Any person who has a proper interest in the inquiry (and the family of the deceased would be the most obvious) may personally examine a witness, or employ a solicitor to represent them (at the family's own cost). If a family wants to get involved with the inquest process they must make contact with the coroner as soon as possible.

The purpose of the inquest is to:

- establish the facts surrounding the death
- place those facts on the public records
- make findings on the identification of the victim

- confirm the date and the place of the death
- determine the cause of the death

At the inquest, coroners will try to be as sensitive as possible. For example, you may choose to leave the courtroom when the pathologist (a specialist doctor who reports on the examination of the body at the post-mortem) gives evidence.

As the victim's family, you can also request to speak to the state pathologist, prior to or during the inquest. It is imperative that you write to the coroner's office to let them know if you want to attend the inquest, this is to ensure that the family is correctly informed of the time and date of the inquest. An inquest will be opened prior to the criminal trial, but will be adjourned until completion of the trial, as the coroner will not be in a position to return a verdict at this point. Following the criminal trial, the inquest will be concluded. You should contact the coroner's office again, after the trial, to ensure you are correctly informed of the time and date of the conclusion of the inquest.

Following the inquest, you can ask for a copy of the post-mortem report from the coroner's office for a set fee.

An interim death certificate can be issued once the inquest has been adjourned, but a final death certificate will not be issued until the inquest has been concluded.

More information on the coroner's services (including various nationwide coroner's courts) can be found on [www.coroners.ie](http://www.coroners.ie)

The Dublin coroner's contacts are:

Dublin City Coroner's Court, Store Street, Dublin 1 Tel:

(01) 874 6684 or (01) 874 3006. Fax (01) 874 2840

Email: [coroners@dublincity.ie](mailto:coroners@dublincity.ie)

If for any reason you are not fully satisfied, or have any enquiries on any aspect of the service of the coroner you can contact:

Coroner Service Implementation Team

Athlumney House

Johnstown, Navan, Co Meath.

Tel: (046) 909 1323. Fax: (046) 905 0560

Email: [csitmail@justice.ie](mailto:csitmail@justice.ie)

## **DIRECTOR OF PUBLIC PROSECUTIONS (DPP)**

The Constitution of Ireland provides that crimes and offences are to be prosecuted in the name of the people. The Prosecution of Offences Act 1974 established the office of Director of Public Prosecutions as an independent office. On behalf of the State, it is the responsibility of the office of the Director of Public Prosecutions (DPP) to initiate

legal proceedings (initiate a prosecution) following the homicide.

When the Gardaí complete their investigation, they send a file to the DPP. The prosecutor must read the file carefully and decide whether there is enough evidence to put before the court. As the family of a homicide victim, you can ask the DPP to take your views into account when they are deciding to prosecute. You can also ask the DPP to look again at a decision the office has made with which you do not agree. When the decision is taken to prosecute, and the Gardaí have charged the accused, the prosecution will write down the evidence against the accused. The document that contains the evidence is called the Book of Evidence.

When the prosecution has gathered all the evidence they need for the trial, the Gardaí will give the Book of Evidence to the accused and his legal team. Once this happens, the District Court judge will set a date for the trial. The prosecution solicitor will work with the Gardaí to make sure you are kept up to date on what is happening in the case and the Garda will tell you when and where the court case will take place

Most families have great concerns regarding what to expect during the trial, therefore, a pre-trial meeting with the prosecution team is of enormous benefit to you and your family. A pre-trial meeting allows the prosecution solicitor and the barrister to explain to you what happens in court. However, strict rules prevent them from talking to you about the evidence of the case.



It is important to note that families of homicide victims cannot be represented in court by a lawyer.

**We recommend that the pre-trial meeting takes place a few weeks before the trial and never on the morning of the start of the trial, as you will not fully benefit from such a meeting at that time.**

To avail of this service (strongly recommended), you should in the first instance make the request to your Family Liaison Officer (FLO) or the Senior Investigating Officer dealing with the case.

If you are not satisfied with the outcome, you can request the meeting directly from the prosecution solicitor by contacting the Office of the DPP directly by phone or in writing to the office.

Cases heard in Dublin are dealt with by the Chief Prosecution Solicitor:

Chief Prosecution Solicitor, Solicitors Division  
Office of the Director of Public Prosecutions  
Infirmary Road, Dublin 7, D07 FHN8.  
Tel: + 353 1 858 8500 Fax: + 353 1 642 7406

In cases heard outside of Dublin you will need to contact the local State Solicitor. A full list with contact details is available on [www.dppireland.ie](http://www.dppireland.ie) under the **Contact Us** section (local state solicitors) or by ringing (01) 858 8500.

Following the sentencing of the accused, if you think the sentence is too lenient, you may make your views known to the DPP's office, who may ask the Court of Criminal Appeal to review the sentence if they believe it may be unduly lenient.

The DPP must ask the review within 28 days of the judge handing down the sentence.

If a member of your family was the victim in a fatal case on or after the 22 October 2008, you can write to ask the DPP to give you a summary of the reason why the DPP decided not to prosecute the case. You need to complete a Request for Reasons form which is available on the [www.dppireland.ie](http://www.dppireland.ie) website or from your nearest Garda station.

If you are not satisfied with the summary of reasons for the DPP's decision not to prosecute, you can ask the DPP to review the decision. This will be carried out by a lawyer who was not involved in making the original decision.

If you have questions or complaints about the service of the DPP's office, you may contact the:

Office of the Director of Public Prosecutions  
Infirmary Road, Dublin 7, Ireland.

Tel: (01) 858 8500 Fax: + 353 1 642 7406

Queries of a general nature, not case specific, can be e-mailed to [dpp@dppireland.ie](mailto:dpp@dppireland.ie). Queries in the Irish Language can be emailed to [gaeilge@dppireland.ie](mailto:gaeilge@dppireland.ie).

## **COURTS SERVICE**

The Courts Service was set up in November 1999 to manage the courts.

The Courts Service aims to look after your needs by providing the following facilities:

- Victim waiting rooms in almost all refurbished courthouses and also in a number of other courthouses.
- A dedicated victim suite of four rooms, waiting and reception area in the Criminal Courts of Justice in Dublin.
- On request, seating will be reserved for you and your family in the Central and Circuit Criminal Courts. Such requests are normally made on your behalf by victim support groups/Garda Liaison services.
- Video link facilities in a number of courts countrywide. Subject to the approval of the Court these facilities can be used by vulnerable witness and victims to give evidence to the Court without having to come to the courtroom. If these facilities are not available, the Court may order the hearing/trial be moved to another court/location where such facilities are available so you can give evidence by video-link.
- An interpretation service in the courtroom – this is available by order of the Court to witnesses who do not speak English so

that they can give their evidence or to make a Victim Impact Statement.

- Where approved by the court, the courts service can arrange for the release of information regarding Court Services decisions.
- If Courts Service personnel are not in a position to provide information/assistance requested by you, they will endeavour to direct you to the relevant organisation/personnel who can provide this information/assistance.

The Court Service also give support and information through: [www.courts.ie](http://www.courts.ie). This site will give you a wide range of information regarding going to court. The website is available in English and Irish with some publications also available in other languages. The website includes a section for people who are going to court for the first time, including as a victim or a witness. A publication entitled **Going to Court**, is available as a booklet, on DVD and on the website. It gives a range of information on how the court process works, including what happens after a trial. If you are unhappy with any part of service you can contact the Customer Service Officer who will deal with your complaint at:

Head of Customer Services, Courts Service  
Phoenix House, 15-24 Phoenix Street North  
Smithfield, Dublin 7

TEL: (01) 8886000 FAX: 8886090

Email: qcso@courts.ie

Or

Local Courts Service Office Manager or Regional Manager.

Contact details for the last two can be found on [www.courts.ie](http://www.courts.ie).

## **THE DEPARTMENT OF JUSTICE AND EQUALITY**

The Department of Justice and Equality is structured around groups of Divisions, each headed up by a member of the Management Advisory Committee (MAC), who are responsible for administration and policy in relation to:

- An Garda Síochána
- Immigration related services
- Civil law reform
- Court policy
- Crime, security and Northern Ireland, and criminal law reform
- Equality
- EU/International Matters
- Human Resources, Corporate Services, Organisational Development, Finance, Internal Audit and IT

- Migrant Integration
- Mutual Assistance Extradition
- Prison and Probation Policy
- Reception and Integration Agency (RIA)

Detailed information on the Department of Justice and Equality can be found at [www.justice.ie](http://www.justice.ie)

Communication with the Department of Justice and the Minister for Justice should be sent to:

Department of Justice and Equality,  
51 St. Stephen's Green, Dublin 2, D02 HK52  
Tel: (01) 602 8202. Fax: (01) 661 5461. Lo-call: 1890 221 227  
Email: [info@justice.ie](mailto:info@justice.ie)

## **VICTIMS OF CRIME OFFICE**

The core mandate of the Victims of Crime Office is to improve the continuity and quality of services to victims of crime by state agencies and non-governmental organisations throughout the country. It works to support the development of competent, caring and efficient services to victims of crime. Among its key activities are:

- Funding voluntary organisations to provide support to victims of crime.
- Pursuant to the requirements of the Victims of Crime Act 2017 working to achieve improved standards of treatment of victims by relevant state and voluntary sector organisations.
- Promoting awareness concerning the needs of victims and the services available to victims of crime.
- Advising the Minister for Justice and Equality on victims' issues in Ireland and on international developments pertinent to victims.
- Working in co-operation with Cosc, the Anti-Human-Trafficking Unit, the Criminal Law Reform Division and other relevant sections of the Department of Justice and Equality to ensure a co-ordinated policy response to issues in relation to victims of crime by the Department.

Contact details:

Victims of Crime Office  
Department of Justice and Equality  
2nd Floor Montague Court, Montague Lane Dublin  
2, D02 FT96

Tel: +353 1 476 8686. Fax: +353 1 476 8619

Email: [vco@justice.ie](mailto:vco@justice.ie).

Website: <http://www.victimsofcrimeoffice.ie/>

## **CRIMINAL INJURIES COMPENSATION TRIBUNAL**

Following a homicide, the family of the victim is entitled to claim compensation. This is handled by the Criminal Injuries Compensation Tribunal (C.I.C.T).

The first step is to request a Fatal Application Form from C.I.C.T. This should be done as early as possible following a homicide as it may take a considerable time before any claim is completed. You will be compensated for mental distress (a specific payment exists for a death by homicide), funeral expenses, as well as loss of potential earning for dependants of the victim. You will be asked to submit receipts and proof of earnings with your application.

If you have difficulty with any aspect of the application form, the staff of the tribunal will assist you or you can also get help from a range of



victim support groups including AdvIC.

Remember, if you enlist the help of a solicitor to do this it will be at your own expense, as the Tribunal will not cover your legal expenses.

Application forms should be requested from:

Criminal Injuries Compensation Tribunal,  
Second Floor, Montague Court, 7-11 Montague Street, Dublin 2 Tel:  
(01) 476 8670 or (01) 476 8616

Email: [criminalinjuries@justice.ie](mailto:criminalinjuries@justice.ie)

Or you can download the application form at the following website address:

<http://www.justice.ie/en/JELR/Pages/WP15000110>

## **THE DEPARTMENT OF EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION (DEASP)**

### **FINANCIAL ASSISTANCE FOLLOWING A BEREAVEMENT**

The Department of Employment Affairs and Social Protection (DEASP) is responsible for resources and services that may be of help to you following the homicide.

Once-off payments may be available to help families following difficult times in the aftermath of a homicide.

Contact your local DEASP's representative (formerly known as Community Welfare Officer) for eligibility or find the number for your local office on [www.welfare.ie](http://www.welfare.ie).

### **APPLYING FOR A WIDOWED OR SURVIVING CIVIL PARTNER GRANT**

A widowed or surviving civil partner grant is a once off payment to widows, widowers or civil partners with dependent children:

For eligibility contact:

Telephone: 071 915 7100 LoCall: 1890 500 000

Application form WPG 1 can be downloaded on:  
[www.socialwelfare.ie/on/pdf/wpj1.pdf](http://www.socialwelfare.ie/on/pdf/wpj1.pdf)

## **APPLYING FOR A DEATH CERTIFICATE**

In due course, to obtain a Death Certificate, you must complete an application for a death certificate form. This form can be obtained at your local health board office or downloaded from:

[https://www.welfare.ie/en/pdf/Death\\_Application\\_Form-English-GRO.pdf](https://www.welfare.ie/en/pdf/Death_Application_Form-English-GRO.pdf)

Send the completed form to:

Civil Registration Office, Office of the Register General  
Government Offices  
Convent Road, Roscommon  
Co. Roscommon. F42 VX53

Tel: (090) 663 2900 or LoCall: 1890 252 076.

Fax: +353 906632999 Email: [gro@groireland.ie](mailto:gro@groireland.ie)

As it may take some time for an interim death certificate to be issued, a copy of the newspaper notice of the death can be used when contacting the Department of Social Protection.

## CITIZENS INFORMATION BOARD

The Citizens Information Board is a national agency responsible for supporting the provision of information, advice and advocacy on a broad range of public and social services. The Citizens Information website- <https://www.citizensinformation.ie/en/death/> provides practical information on death and bereavement.

The national Citizens Information phone service (0761 07 4000) answers queries by telephone or through a variety of other channels, including email or SMS.

Citizen Information Services provide a face-to-face service to the public through a network of Citizens Information Centres. Citizens Information is provided by 42 Citizens Information Services from 215 locations. Citizens Information Services provide free, impartial and confidential information.

To find a location near you, please check on: [www.citizensinformationboard.ie/services/citizens/citizens\\_centres.html](http://www.citizensinformationboard.ie/services/citizens/citizens_centres.html)

A free booklet **Information For Those Affected By Bereavement** produced by the Citizens Information Services provides useful information on dealing with the practical and material matters that arise following a death. It is available from your nearest Citizens Information Centre or online: [https://www.citizensinformationboard.ie/downloads/guides/Bereavement\\_Guide\\_2018.pdf](https://www.citizensinformationboard.ie/downloads/guides/Bereavement_Guide_2018.pdf)

## **PRISON SERVICE**

As the victim's family, you are entitled to be informed by the Prison Service of any significant development in the management of the perpetrator's sentence as well as any impending release. **In order to avail of this service you must first register with the Victims Liaison Officer (VLO) of the prison services.**

The VLO will enter into direct contact with you by phone, text, email or letter.

The VLO will tell you:

- where a prisoner is imprisoned
- inter-prison transfers
- temporary releases
- expected release dates
- general information
- Parole Board hearings and decisions  
(please note that this may change when the Parole Act 2019 is implemented)

To register with this service, an application form must be submitted, which can be obtained from the Irish Prison Service at the address below:

Victim Liaison Officer, Irish Prison Service Headquarters  
IDA Business Park, Ballinalee Road, Longford  
Tel: (043) 333 5100 Fax: 043 333 5371  
Email: vlo@irishprisons.ie

Or can be downloaded at the following website address:  
<http://www.irishprisons.ie/victim-liaison/victim-liaison-service-application-form/>

The Prison Service has produced a Victim Liaison Service Information Booklet which explains the service and contains an application form. A copy of this booklet can be requested by email to: vlo@irishprisons.ie

## **PAROLE BOARD**

The New Parole Act 2019 commenced in 2021 has placed the Parole Board on a statutory footing. This means the Parole Board is fully independent of political control and governed by transparent decision making protocols.

The Parole Act establishes clear criteria for the granting of parole, providing citizens and victims of crime with the basis on which applications may be made by prisoners and on which basis it can be granted. The Parole Act 2019 gives victims of crime a say in the process. The family of a homicide victim can be heard in respect of an application for parole made by the prisoner.

Most significantly:

- the Parole Act provides legal aid to both victims and prisoners to be represented at parole hearings; and
- it increases the minimum period in prison before life-sentence prisoners are considered for parole from seven years to twelve years.

Section 24 (2) of the Parole Act provides that the new parole process applies to a person regardless of whether the sentence of imprisonment being served by them was imposed prior to or after the commencement of the Act. Therefore, the Parole Act is retrospective.

The new board makes the final decision on whether to release a prisoner on parole. Parole orders can also now be subject to conditions and sentence-management recommendations.

Life-sentence prisoners released on parole will be obliged to comply with the conditions of a Parole Order, which will remain in force for

the remainder of their lifetime. A breach of a Parole Order is a serious matter and the Parole Board can revoke a Parole Order where a parolee does not comply with its conditions, or where he or she presents a risk to the community.

All victims of crime can make submissions to the Board to express your views regarding the release of a prisoner, and may receive legal assistance to do this. You can decide whether you wish to make a submission in writing, in person, or through a legal representative. You may be accompanied by your legal representative to a meeting with the Board. Any submission you make will be added to the prisoner's file and will be considered by the Board.

Please ensure you have signed up for updates on our website if you wish to be kept informed. In the meantime, the contact details for the Parole Board are:

Parole Board  
2nd Floor, 6/7 Hanover Street, Dublin  
2  
Tel: (01) 474 8767 or +353 1-474-8770  
Fax: (01) 474 8713  
Email: [info@paroleboard.gov.ie](mailto:info@paroleboard.gov.ie)



## Dealing with the media

In the aftermath of a homicide, a family or individual can suddenly be thrust into the media limelight. This can be very distressing for families. Demands from the media for comment or interviews can be intrusive and can cause extra stress. However, some people who have been bereaved by homicide may want to use the media to help further the investigation or to obtain justice. In these cases, if you are inexperienced in dealing with the media, it is wise to get the support and advice of someone who is used to dealing with the world of press, radio and TV, or look to your legal representative to help you handle this. Do not approach the media unprepared.

It is absolutely vital to remember that nothing should be said to a journalist that may jeopardise a prosecution down the road.

Remember, reports of the death of a loved one by homicide will most probably be reported on TV, radio and in most newspapers. Often, reports are inaccurate or even sensationalised, and this can cause increased distress at a time when you are already so traumatised.

The National Union of Journalists has a code of conduct that all members must adhere to. This code states that *'journalists shall obtain information, photographs and illustrations only by straightforward means'* and *'a journalist shall do nothing which entails intrusion into anybody's private life, grief or distress, subject to justification by overriding*

*considerations of the public interest’.*

If you feel that either of these codes has been breached:

- make a complaint to the editor of the newspaper or magazine in question, explaining why you think the code has been breached;
- if there is no response within a reasonable amount of time (about two weeks) or if you are not happy with the response, you can make a complaint to the Press Ombudsman. The Office of the Press Ombudsman provides an independent forum for resolving complaints by the public against the press, quickly and free of charge;
- make a complaint to the Press Ombudsman about any article you read in any Irish newspaper (including Irish editions of UK newspapers) or Irish magazine that you feel breaches the code. This applies to national, provincial and regional newspapers;
- if applicable make a complaint about the behaviour of a journalist if they have breached the code;
- the person directly affected by and involved in the article or behaviour must make the complaint;
- the complaint must be lodged with the Press Ombudsman

within three months of the date of publication of the article or occurrence of the incident.

If the decision is in your favour, the newspaper or magazine is required to publish the decision. You can appeal a decision to the Press Council of Ireland.

Office of the Press Ombudsman  
3 Westland Square, Pearse Street  
Dublin 2, D02 N567.  
Tel: 01-6489130. Lo-call: 1890 208 080.  
Email: [info@pressombudsman.ie](mailto:info@pressombudsman.ie) Website: [www.pressombudsman.ie](http://www.pressombudsman.ie)

## Homicide abroad

When the homicide of an Irish citizen takes place abroad, if the diplomatic or consular mission is informed of the homicide of your loved one, arrangements will be made with An Garda Síochána to have you informed as a matter of urgency. In some circumstances you may have been informed of the homicide by someone else and will need to inform the Department of Foreign Affairs.

You will need to contact the ‘Consular Services’ section. It can be accessed as follows:

### **In Ireland**

Consular Section, Department of Foreign Affairs,  
Iveagh House, 80 St Stephen’s Green, Dublin 2.  
Tel: (01) 4082527

<https://www.dfa.ie/travel/assistance-abroad/>

### **Abroad**

You will need to contact the Irish Embassy (Irish Diplomatic or Consular Mission) in the country concerned. This information can be obtained by ringing the Department of Foreign Affairs, Consular Section, at the numbers above or by consulting the full list on- [www.dfa.ie/embassies/](http://www.dfa.ie/embassies/)

Consular officials will assist you with the logistical issues that arise following the homicide.

It may also be necessary for the Irish diplomatic or consular mission to remain in contact with you for some years as police or judicial investigations progress. In that case, you will be kept informed of all new information as it is made known to the mission by the relevant authorities of the country concerned. You will also be informed when changes of personnel at the mission require that a new officer will take over handling of the case.

## AdVIC - what we offer

### ASSISTANCE AND INFORMATION

- Clear and practical information on all of the agencies within the criminal justice system, including information on your rights by the distribution of the AdVIC information booklet via An Garda Síochána to all families following a homicide.
- Assistance to families and friends of homicide victims via the AdVIC helpline and the website [www.advic.ie](http://www.advic.ie).
- Comprehensive contact information on the various support agencies available to you following the homicide.
- We are continuously lobbying for changes in the criminal justice system, including highlighting imbalances as they arise.

### BEREAVEMENT AND COUNSELLING SERVICES

Whether family, friends and those closest to you are available or not to help with the enormity of the aftermath of a homicide, bereavement counselling may be very beneficial. While initially you may feel shock, grief or anger, you may also experience numbness in the days and weeks following the tragedy.

The trauma experienced following homicide can seriously damage

your ability to understand what has happened, your sense of security, your capacity to cope, and your spirit to carry on.

Counselling can play a significantly beneficial role:

- It creates a space where the bereaved feels safe to talk about their feelings.
- It helps people to deal with the enormity of their loss.
- On a practical level it can provide reassurance.
- It helps the bereaved to deal with many of the resultant family problems.
- It assists the bereaved to feel empowered to seek further information.

If you are reading this now and feel counselling might help you, please do not hesitate to contact us by phone or by email.

Specialised counselling services are available nationwide and free of charge.

Families bereaved by homicide are often informed of support and provision of counselling from AdVIC by the Family Liaison Officer. In the event you contact AdVIC seeking counselling your contact details will be passed on to our counselling coordinator who will organise referral to one of our specially trained counsellors. Call us on **01 518 0186** or email **counselling@advic.ie** for further information.

## **Counselling Team**

AdVIC facilitates referrals to professionally trained and qualified and are accredited with professional bodies for example, the Irish Association for Counselling and Psychotherapy (IACP) or the Psychological Society of Ireland (PSI). All counsellors are Garda Vetted and experienced in working with grief and trauma in therapeutic settings.

## **Professional Development for Counsellors**

AdVIC is committed to providing continued professional development opportunities for counsellors. These include a number of specialised homicide trauma training workshops for new counsellors, and related workshops to all counsellors to ensure the counselling team are up to date with developments in trauma focused homicide therapy.

## **Counselling for Children**

Counselling and support extends to all family members including children and adolescents. AdVIC can assist with finding a child therapist to help your child or children cope with the grief and emotional distress after a homicide. The homicide can often have happened many years before therapy is sought. Some families may prefer to avail of our parenting /guardian coach, who is also a trained child counsellor and can provide guidance and support by telephone.



## **Counselling Groups**

Homicide bereavement counselling groups are held once a year in Dublin and other venues throughout the country. Bereavement group support sessions are held once a week for 10 weeks. The group is facilitated by a professional counsellor who can facilitate group discussion and group support. There is no cost for attending these sessions. To avail of these services, contact the AdVIC counselling coordinator at **01 518 0816** or email **counselling@advic.ie**

## **LEGAL ADVICE**

AdVIC recognises that from time to time you may have legal issues relating to your case that will need explanation or clarification. You may also require assistance in drafting letters, liaising with authorities and receiving general legal advice on such matters.

AdVIC often benefits from the generous assistance of leading academics, barristers, solicitors and other organisations such as FLAC, on a pro-bono basis. Where legal advice is required we will make every effort to help obtain the assistance needed.

Advice provided pro-bono may be preliminary only and it is often advisable to subsequently instruct your own solicitors for which there may be fees. This of course is your decision to make in your particular circumstances.

Should you require advice please call us on 01 518 0815 or email [info@advic.ie](mailto:info@advic.ie)

## **PEER SUPPORT**

Here at AdvIC, we understand the importance of having a support network during times of need. This is why we offer peer support for families and friends of homicide victims by facilitating nationwide workshops where families can share their experiences, ideas and needs. Every 2 years, we hold a memorial service for victims of homicide where we can all come together to remember our love ones in a safe and loving environment.

## **ADVOCACY**

We are continuously lobbying for changes in the criminal justice system, including highlighting imbalances as they arise. AdvIC was a founding member of the Victims Rights Alliance and has represented the views of families of homicide victims in both the senate and the Dail. We often reach out to media outlets and participate in interviews and discussions to highlight some of the gross injustices in our legal system and to fight for change.

## **CONTACT DETAILS**

Email: [info@advic.ie](mailto:info@advic.ie)

Tel: 1800 852 000 / (01) 518 0815 / (086) 127 2156

Web: [www.advic.ie](http://www.advic.ie)

Address: International House, Tara Street, Dublin 2.

# Volunteer Victim Support Organisations

The following organisations are funded by the state to support victims of crime. After a homicide they may be very helpful to family and friends of homicide victims:

## **For practical information and emotional support**

### **Support After Homicide (SAH)**

Support after Homicide is a national voluntary organisation, which provides emotional support and practical information to people whose lives have been affected by homicide. A person bereaved by the violent death of a loved one can often feel lonely, frightened and truly feel that no one understands.

Talking in confidence with a trained member of Support After Homicide, in one's own home may help the bereaved to understand the many intense emotional responses which they may experience. Emotional support may alleviate at least some of the many difficulties, which can arise in the aftermath of a homicide. Such intervention may help a bereaved person to feel more in control.

This free and confidential service provided by professionally trained and supervised volunteers has continued unbroken since 1996.

SAH is a Registered Charity, CHY 18274 and is funded by the Victims of Crime Office and Tusla.

AdVIC and Support After Homicide are founder members of the Victims' Rights Alliance (VRA). Both organisations have been active participants since its inception. In 2017, the VRA oversaw the transposition of the EU Victims' Directive into Irish Law, establishing minimum standards on the rights, support and protection of victims of crime.

Support After Homicide

7 Days 087 9837322

Email: [support@supportafterhomicide.ie](mailto:support@supportafterhomicide.ie)

[www.supportafterhomicide.ie](http://www.supportafterhomicide.ie)



Advice, Entitlements and Services

**For information, emotional support and referral to other services:**

**Crime Victims Helpline**

Free Phone: 116 006. Text on 085 1 33 77 11

Website: [www.crimevictimshelpline.ie](http://www.crimevictimshelpline.ie)

Email: [info@crimevictimshelpline.ie](mailto:info@crimevictimshelpline.ie)

**For emotional and practical support during the trial from trained volunteers:**

**Victim Support at Court**

Áras Uí Dhálaigh, Four Courts, Dublin 7

Tel: Office (01) 872 6785 or Mobile: (087) 288 5521

Email: [manager@vsac.ie](mailto:manager@vsac.ie) Website: <https://www.vsac.ie/>

## **Bereavement and Counselling Organisations**

In addition to the services provided by AdVIC and other support agencies, the following organisations are all involved in counselling and can provide you with the details of the counselling service nearest to you.

### **Irish Association for Counselling & Psychotherapy**

IACP, First Floor, Marina House, 11-13 Clarence Street, Dun Laoghaire, Co Dublin, Tel: (01) 230 35 36

Email: [iacp@iacp.ie](mailto:iacp@iacp.ie). Website: [www.irish-counselling.ie](http://www.irish-counselling.ie)

### **Barnardos: Professional and Practical Support for Children**

Barnardos have a service for children and young people who have lost someone close to them

Barnardos, 4 Christchurch Square, Dublin 8 . Tel: 01 4530355  
[www.barnardos.ie](http://www.barnardos.ie) Email: [info@barnados.ie](mailto:info@barnados.ie)

### **The Irish Childhood Bereavement Network**

Please see The Irish Childhood Bereavement Network's website for further resources: [www.childhoodbereavement.ie](http://www.childhoodbereavement.ie)

### **Family Resource Centres**

Over 109 Family Resource Centres are located nationwide. Many provide counselling services. Visit their website where you will be able to locate the service nearest you on [www.tusla.ie/services/family- community-support/family-resource-centres/](http://www.tusla.ie/services/family-community-support/family-resource-centres/)

## **Glossary of Terms and Organisations**

**AN GARDA SÍOCHÁNA** *State police agency conducting the investigation after a crime and preparing a file for the DPP in order to charge a suspect for the homicide.*

**BAIL** *The conditional and temporary release of an accused person pending a trial and/or sentencing.*

**CHIEF PROSECUTION SOLICITOR** *Works for the Office of the DPP and is responsible for prosecuting murder and manslaughter cases heard in Dublin, and murder cases heard outside Dublin.*

**COUNSELLING** *All the issues arising after a homicide can be overwhelming; discussing them with a trained counsellor can help in coping with the trauma, bereavement, loss and grief. It helps a person work through their feelings and helps them to focus and make decisions.*

**COURT EXPENSES** *Financial aid available to families attending homicide trials on request to An Garda Síochána.*

**CONSULAR SERVICES/EMBASSIES** *Section of the Department of Foreign Affairs to be contacted when homicide has taken place abroad.*

**CORONER** *Independent office holder who inquiries into the circumstances of sudden, unexplained, violent and unnatural deaths.*

**CORONER'S COURT** *Court where a Coroner will hold an inquest*



*following a post-mortem result of death from unnatural causes.*

**CRIMINAL INJURIES COMPENSATION TRIBUNAL**

*Organisation set up by the Department of Justice to assess financial compensation claims for victims of crime (family of the victim in the case of homicide).*

**DEATH CERTIFICATE** *Available from the District Registrar's office once the inquest has been completed (after a trial). An Interim Death Certificate can be issued after adjournment of the inquest, but a final Death Certificate can only be made available on completion of a trial.*

**DPP** *On behalf of the State, it is the responsibility of the Director of Public Prosecutions (DPP) to initiate legal proceedings (initiate a prosecution) following a homicide.*

**GARDA CHARTER FOR VICTIMS OF CRIME** *Charter introduced in October 2006 by An Garda Síochána to outline the Garda service framework when someone has been the victim of crime or traumatic incident.*

**HOMICIDE** *A generic legal term for the killing of a person.*

**INQUEST** *Inquiry conducted in public by a Coroner into the circumstances surrounding a death.*

**LOCAL STATE SOLICITOR** *Works for the Office of the DPP, responsible for manslaughter cases heard outside Dublin.*

**MANSLAUGHTER** *A lesser charge than murder, when the accused's actions were in some way provoked or, without intending the killing, the accused was negligent as to whether death would be the result of his/her actions.*

**MINISTER OF JUSTICE** *Minister responsible for the many divisions of the criminal justice system and for making the final decision regarding the release/repatriation of certain prisoners convicted of homicide.*

**MURDER** *The unlawful killing of a person where the accused intended to kill or cause serious injury.*

**NUJ (NATIONAL UNION OF JOURNALIST)** *Body representing journalists in Ireland of all media forms (newspaper, radio and TV).*

**PAROLE BOARD** *A board established to review cases of prisoners, to ascertain their suitability for parole. Under the Parole Act 2019 the board will be set up independently and consist of a panel of experts..*

**PRE-TRIAL MEETING** *Meeting between the prosecution team, the Gardaí and the family of the homicide victim, organised before the trial, to advise the family of the proceedings and help them to understand the process.*

**POST-MORTEM EXAMINATION** *The post-mortem examination (autopsy) is a procedure to establish, or clarify, the cause of death.*

**STATE PATHOLOGIST** *Doctor who carries out the post-mortem*

*examination and reports its findings at the trial and Coroner's Court.*

**SUPPORT AGENCIES** *Agencies funded by the Commission for the Victims of Crime, staffed by volunteers to give emotional and practical support to Victims of Crime.*

**VICTIM IMPACT STATEMENT** *Introduced in the 1993 Criminal Justice Act and expanded to families of homicide victims in the Procedure Act 2010, the Victim Impact Statement gives the opportunity for the family of homicide victims to tell the Court about the impact of the crime on them.*

**VICTIM LIAISON OFFICER OF PRISON SERVICE** *Service set up under the provisions of Victims Charter by the Prison Service to inform, on request, victims and families of homicide victims of any significant development in the management of the perpetrator's sentence as well as any impending release.*

**VICTIM OF CRIME ACT 2017** *The Criminal Justice (Victims of Crime) Act 2017 was enacted on 5 November, 2017. The Act transposes into Irish law Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime*

**VICTIM SUPPORT AT COURT** *Trained volunteers working within the courts to give emotional and practical support to families and witnesses attending trials.*



Email: [info@advic.ie](mailto:info@advic.ie)

Tel: 1800 852 000 / (01) 518 0815 / (086) 127 2156

Web: [www.advic.ie](http://www.advic.ie)

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