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What happens before my case comes up for trial?

If a Garda brings you into custody to a Garda station, the station can release you on bail with or without sureties. The amount of money specified in the bail bond is set by the Garda in charge of the station. You must enter into a bond to appear before the District Court on a specific date. If you are brought before the District Court, the judge can hold you in custody or release you conditionally when you enter into a bail bond. The amount of money specified in the bail bond is set by the judge. You will usually have the right to bail.

You have [a right to know](#) what the case against you is before your trial, however, in a summary prosecution there is no general duty for the prosecution to provide you in advance with the statements of witnesses, whether or not you request them. You can apply to the court to be provided with the statements, and the court then decides whether to provide you with them.

In a case of trial on indictment, the [prosecution](#) is obliged to give you statements of the evidence against you when you ask for it. This is called a Book of Evidence, and it outlines the evidence that the prosecution intends to present in the case against the defendant. If you intend to rely on the evidence of any alibi at your trial you must give notice of the alibi to the prosecution within 14 days of being served the Book of Evidence.

Where will the trial be held?

You will be given the name and location of the court your trial is being held in. The Courts Service of Ireland are in charge of all the courts and can help you find the court you are in. Minor charges are heard in the District Courts where judges decide the cases alone. More serious charges are heard in the Circuit Courts or Central Criminal Courts where juries give the verdict. The courts are open to the public, however where the accused is a child or it is a sexual crime, the case is heard in private.

Can the charges be changed during the trial?

In most cases a charge cannot be changed during a trial. Certain charges can be changed if the law allows for it. For example, a charge of dangerous driving can be changed to the less serious charge of careless driving if the judge decides you were driving carelessly but not dangerously.

If you plead guilty to all of the charges during the trial, the judge will then decide what sentence to give. The judge will balance how serious the crime is and what your personal situation is to make that decision. You should be given credit for pleading guilty.

You can also plead guilty to some of the charges and not guilty to the rest. The judge or jury will make a decision on the charges you are contesting. You will then be sentenced for the charges you pleaded guilty to and for the charges you were found guilty of.

What are my rights during the trial?

For most cases you have to be present at your trial. If you fail to appear in court, the judge can make an order to arrest you and bring you to court in custody. The trial can occasionally go ahead without you and you can be convicted in your absence.

If you cannot come to court because of an accident or illness, you should tell your solicitor and provide him or her

with a medical certificate explaining your absence.

You have a right to interpretation if you don't understand what is happening. If you are deaf, you have a right to interpretation by sign-language.

You have a right to defend yourself in your trial if you want. If you cannot afford a solicitor, one can be appointed to you under the [Criminal Legal Aid Scheme](#) depending on how serious the charge is. You have a right to choose your solicitor. If you don't know any, the judge can choose one for you. You can change your solicitor if you are not happy with them.

You can speak at your trial if you want, but you don't have to. It is a criminal offence to lie when giving sworn evidence.

What are my rights in relation to the evidence against me?

You can challenge the evidence given against you if it was obtained unlawfully. You can also challenge the evidence by asking witnesses questions to show they are lying or mistaken. You can also ask witnesses to give evidence which is relevant to your defence, or shows the prosecution witnesses are lying or mistaken. A witness can only give evidence about facts within their own personal knowledge, and cannot testify about what somebody else saw or heard.

You can hire a private detective to obtain evidence for you. The evidence is admissible as long it was lawfully obtained.

Will information about my criminal record be taken into account?

Evidence of your previous convictions cannot [normally](#) be taken into account during your trial. However, your personal circumstances are an important factor for the court in considering an appropriate sentence. This may include your previous convictions, including previous convictions from other countries.

What happens at the end of the trial?

At the end of the trial, the judge will explain the law to the jury and summarise the facts of the case. The judge will give directions about the duties of the jury before they are sent to deliberate and consider a verdict.

The verdict will then be delivered. If found guilty, the defendant will be sentenced by the judge, possibly on a different date. You might have to pay a fine or serve a [prison](#) sentence, or the judge might suspend your sentence as long as you don't commit more crimes. The judge might ask the [Probation Service](#) to write a report about you before giving out your sentence. They will tell the judge if you are suitable for supervision to deal with whatever problems cause your criminal behaviour. If you are found not guilty, you are acquitted.

What is the role of the victim during the trial?

A victim may be a witness and give evidence for the prosecution at the trial. The victim may also attend and watch the trial. The courts can provide a video link facility for victims aged under 17 who are giving evidence in serious sexual or violent crime cases, as well as for vulnerable or intimidated witnesses. If the defendant pleads guilty or is found guilty, the victim has a right to make a personal statement before they are sentenced, called a victim impact statement.

Related links

[Database of Irish legislation](#)

[Database of Irish and British case law](#)

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