

## 4 - My rights after the trial

### Can I appeal?

You can [appeal](#) against your conviction or sentence. The way you appeal will depend on which court heard your case.

If your trial took place in the District Court, you can [appeal](#) the conviction or sentence to the Circuit Court. This would mean you have a full re-hearing of the case, and would have to attend court as a witness again. If you want to appeal from the District Court, you must give a document called a 'notice of appeal' to the prosecutor within 14 days. You must also lodge the notice of appeal and declaration of service to the court clerk of the area within 14 days.

If your trial took place in the Circuit Court, the Central Criminal Court or the Special Criminal Court, you can [appeal](#) the sentence or conviction to the Court of Appeal (Criminal). In this court, the three judges will read the transcript of the original trial instead of hearing evidence all over again. If you want to appeal from the Circuit Court or Central Criminal Court, you must apply to the trial judge for permission to appeal within three days of the conviction. You must then serve a 'notice of appeal' on the Registrar of the Court of Criminal Appeal within seven days if permission has been refused and within 14 days if permission has been granted. Normally, your lawyer will do all of this for you.

### What happens if I appeal?

If you appeal from the District Court, the conviction will be set aside until your appeal is heard. This will require you to enter into a bond, called a recognisance, which may require the payment of a sum of money. If you are in prison when you appeal from the District Court, you are entitled to be released once you have served the notice of appeal and entered into your recognisance. If you are in prison and you want to appeal, the prison authorities will provide you with the proper forms.

If you appeal from the District Court, it may be a number of months before the appeal is heard. If you appeal from the Circuit Court or Central Criminal Court, it may be considerably longer before the appeal is heard.

### What happens at the appeal hearing?

If you appeal from the District Court, you will have a full re-hearing of the case in the Circuit Court. If you appeal from in the Circuit Court, the Central Criminal Court or the Special Criminal Court, you will have judges in the Court of Appeal (Criminal) read the transcript of the original trial, and you or your lawyer may address the court on why you think your conviction should be overturned or why you think your sentence is wrong in principle.

What happens if the appeal is successful/unsuccessful?

If the appeal is successful, the case is over and you have no further obligations in respect of the case. If the appeal is unsuccessful, the appeal court will affirm your conviction. If the appeal court thinks the sentence is wrong in principle, it can increase or decrease the original sentence.

Once your appeal has been heard, there is no further right of appeal. However, the Court of Criminal Appeal may allow you to appeal to the Supreme Court if there is a point of law of exceptional public importance.

There is no general provision for you to be compensated if your appeal is successful. When you appeal a conviction to the Court of Criminal Appeal, compensation may be available if you have suffered a miscarriage of justice. This

occurs when the Court of Criminal Appeal overturns a conviction and certifies that a newly discovered fact shows that there has been a miscarriage of justice. This very rarely happens. If the Court of Criminal Appeal certifies a miscarriage of justice, you may apply to the [Minister for Justice](#) for compensation.

A conviction is recorded against you once the judge has found you guilty of an offence.

The conviction is final once you have been found guilty or you have pleaded guilty. However, you still have the right to appeal. If your appeal is successful your record should be free from any convictions.

## I am from another Member State. Can I be sent back there after the trial?

If you are convicted of a criminal offence, the court cannot send you back to your country. However, the court may recommend to the Minister for Justice that you should be deported. It may also suspend your sentence or part of your sentence on condition that you leave the country. This does not mean that you are deported but if you fail to leave the country, you will be imprisoned. If you are in prison you may apply to the Minister for Justice to be transferred out of Ireland to serve the remainder of your sentence in another Member State.

## If I am convicted, can I be tried again for the same crime?

It is not possible for you to be tried for the same crime if you have already been convicted. Also, if you have been convicted of a crime in another Member State, you cannot be tried again in Irish courts for the same crime.

## Information about the charges/conviction

Your criminal record will have any convictions against you. If you are an adult, this information will be kept on permanent record by the Gardaí (national police force). The Gardaí may also have other information about you. You have the right to have inaccurate personal information about you corrected or erased. You can request this information from the [Garda Central Vetting Bureau](#). If the Gardaí will not allow you access to this information or will not correct inaccurate information, you have the right to apply to the [Data Protection Commissioner](#).

### Related links

[Irish Courts](#)

[Citizens Information Board](#)

[Data Protection Commissioner](#)

■ Last update: 06/08/2025

The national language version of this page is maintained by the respective Member State. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. The European Commission accepts no responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.