

Prosecution appeals

In 2006, the Commission published a Report on [Prosecution Appeals and Pre-Trial Hearings](#) (LRC 81-2006), which incorporated material in its Consultation Paper on [Prosecution Appeals in Cases Brought on Indictment](#) (LRC CP 19- 2002) and Consultation Paper on [Prosecution Appeals from Unduly Lenient Sentences in the District Court](#) (LRC CP 33-2004) (the second Paper followed a request in 2003 from the Attorney General to consider conferring a power on the Director of Public Prosecutions to appeal lenient sentences from the District Court).

As to prosecution appeals in cases brought on indictment, the Report approved the extended „without “ appeal in the *Criminal Justice Act 2006* (where an acquittal cannot be overturned but incorrect trial rulings can be corrected for the future), and concluded that further reform was not currently required. The Report recommended that the issue of incorrect trial rulings could also be addressed by introducing pre-trial questionnaires which could be used to deal with legal issues currently dealt with during trials. As to prosecution appeals against unduly lenient sentences in the District Court, the Commission accepted that, in principle, these should be amenable to review, but recommended that it would be preferable to deal with the issue by way of other reforms, including the proposed Irish Sentencing Information System (ISIS).