

TERMS OF REFERENCE

To examine the issues referred to in the speech made by the Tánaiste and Minister for Justice, Equality and Law Reform, Mr. Michael McDowell, T.D., in Limerick on 20 October 2006 affecting

- the right to silence
- allowing character evidence of an accused
- the exclusionary rule of evidence
- requiring the accused to outline the nature of his defence before or at the commencement of a trial
- re-opening new evidence
- nullifying an acquittal where there is evidence of jury or witness tampering
- “with prejudice” appeals in the case of wrongful acquittal
- extending alibi evidence rules to other analogous situations
- allowing submissions by the prosecution before sentencing
- modifying the rule in relation to hearsay evidence

and any other proposals regarding criminal law, criminal evidence and criminal procedure that may come to the attention of the Review Group in the course of their examination of those issues and report to the Tánaiste and Minister for Justice, Equality and Law Reform by 1 March 2007.