

Second National Strategy on Domestic, Sexual and Gender-based Violence **2016 - 2021**



The National Office for the Prevention of Domestic, Sexual and Gender-based Violence
An Oifig Náisiúnta um Fhoréigean Baile, Gnéasach agus Inscnebhunaithe a Chosc



AN ROINN DLÍ AGUS CIRT AGUS COMHIONANNAIS
DEPARTMENT OF JUSTICE AND EQUALITY

Preface

Domestic violence and sexual violence are pernicious evils which tend to undermine the core humanity of their victims. Even a few victims of these complex evils would be a few too many. Unfortunately domestic and sexual violence is frighteningly pervasive.

It would be naive to think that the relatively blunt instruments available to public policy could abolish the desire to inflict pain and to exercise power and control from the hearts of perpetrators. It is also patently clear that we must take action to do what is within our ability to tackle these issues. This calls for a whole of Government approach.



The first national strategy on domestic, sexual and gender-based violence began to build and strengthen ties across the public sector and between the public sector and the community and voluntary sector. Worthwhile actions were developed and delivered. We must build on the initial steps taken by all sectors to work together under this new strategy.

This new strategy focuses on what is possible, based on experience of and reflection on the first strategy and taking full cognisance of current circumstances and resources.

The action plan, which is the engine and core of this strategy, is intended to be a living document. A second expanded set of actions will be published and actions will continue to be revised, added to and updated on an ongoing basis in what is designed to be a living document.

In the process of addressing the needs of victims, holding perpetrators to account and above all in attempting to change societal attitudes, I am confident that this strategy can shed some light into dark corners of our society and offer some signs of hope for those touched in any way, either directly or indirectly, by domestic or sexual violence.



Frances Fitzgerald T. D.

Minister for Justice and Equality

Introduction

The first national strategy on domestic, sexual and gender-based violence ran from 2010 to 2014. It was developed by Cosc, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence, after consultation over a number of years with relevant stakeholders. That strategy was reviewed in 2012. The final review of the strategy and work to develop a new strategy began in 2014. Now after negotiation with state agencies and consultation with the community and voluntary sector this strategy is published.

Overview of strategy

The overall aims of this strategy are relatively simple to state. We want to:

- Change societal attitudes to support a reduction in domestic and sexual violence
- Improve supports available to victims and survivors and
- Hold perpetrators to account

in order to create a safer Ireland.

In support of these objectives we will gather data, encourage research and engage in monitoring.

The actions have a four-fold genesis:

- There are worthwhile actions from the first national strategy which warrant continuation.
- There are actions agreed by Government which must be implemented to enable Ireland to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention).
- Relevant actions to implement the EU Victims Directive are also included.
- Finally, new actions which resulted from the consultation process to develop the strategy have been included.

Sexual violence

In an article on rape in 18th century Ireland, reference is made to laws on rape from 1468, 1613, 1634, 1707 and 1710. This underlines the fact that sexual violence has been recognised as a problem historically.

Currently the extensive law on sexual crime is being refined and supplemented to take account of new developments including to comply with EU efforts to coordinate the law in this area. Changes to the law on sexual offences as well as legal changes and arrangements in relation to managing sexual offenders are part of this strategy.

Domestic violence

According to the Oxford English Dictionary in 2006, the term "domestic violence" was used in 1891. It was thanks to campaigning women's groups that the issue came to the fore in the 1970s and later. This is not to say that abuse of and cruelty to intimate partners first occurred at this time.

Violence in intimate relationships is covered by a wide range of offences under the Non-Fatal Offences Against the Person Act, 1997. Some elements of harassment, physical stalking, threats and coercion are covered by the same legislation. Other elements of what has been termed coercive control are in isolation unpleasant and offensive; it is as a sinister pattern that they serve to intimidate and control the victim.

This strategy includes a consolidation and reform of domestic violence legislation, as well as other measures to improve the policing of this issue.

Gender based violence

Gender based violence against women means violence that is directed against a woman because she is a woman or that affects women disproportionately. A gendered analysis of violence suggests that violence against women whether in the home, between friends or in dating relationships or violence perpetrated by strangers reflects and reinforces the power inequalities experienced by women with respect to men in all societies, including our own.

An extreme example of gender-based violence is the systematic use of rape as a weapon of war. In Ireland this issue is addressed as part of Ireland's second national strategy on women, peace and security. This strategy, under the auspices of the Department of Foreign Affairs and Trade arises from United Nations Security Council Recommendation 1325 (UNSCR 1325) on this topic.

In recent years the Lesbian, Gay, Bisexual and Transgender (LGBT) communities have begun to publicly acknowledge intimate partner violence in their communities. This brings to light the issues of male on male violence and abuse and female on female violence and abuse in intimate relationships.

For many years advocates for male victims of domestic violence have been drawing attention to their plight. It is also the case that for many years rape crisis centres have been supporting a small number of male victims.

Prevalence

Prevalence statistics on domestic and sexual violence from national and international surveys tend to shock those who are not familiar with them. Lifetime experience of these types of violence is pervasive. Other data, such as the number of domestic violence orders sought and the number of sexual violence incidents reported to police as well as other data is worth interrogating.

Because of the complexity of causality relationships in this area, time series of data are kept under review. Significant departures from trend are highlighted and reviewed and suggested causes are explored. A range of data is gathered on the Cosc website under "Research" and the option "What the research tells us"

(<http://www.cosc.ie/en/COSC/Pages/WP08000146>).

In the past there has been debate on the prevalence of domestic violence by gender. Sexual violence and domestic violence occurs against men as victims. The data at present suggests that more domestic and sexual violence and more physically damaging domestic violence occur against women.

It has been proposed that there is a continuum of violence in intimate relationships. At one end of the continuum some men (and some women) are violent towards their partner once and realise for whatever reason that they have crossed a line which they never wish to cross again. Then there is the more common ongoing violence over many years perpetrated by one partner against the other, often accompanied by a range of controlling behaviours. Finally, there are some couples who engage in mutual violence.

However, the question is not solely about the extent of violence. Any violence or abuse is damaging to the victim and calls for a response on the basis of human rights.

It also needs to be remembered that there are many loving couples who spend a lifetime growing in love and respect for one another, and manage their arguments and conflicts without ever resorting to violence.

Actions to improve the gathering of relevant data are included in the current strategy.

Impact on victims

The impact of any violation of an individual is dependent on the nature of the violation, its circumstances and the resilience of the victim. While it can be helpful to draw on the experience of volunteers, staff and professionals to categorise the typical responses of victims it is essential to bear in mind that each victim is unique and has their own set of responses.

Victims of sexual violence can experience a range of feelings including disbelief, numbness, fear, powerlessness, shame, disgust, humiliation or guilt. The victim may have nightmares or flashbacks about what happened and find it difficult to sleep. They may have a range of physical symptoms, some as a result of the violence and others arising as a stress response.

The results of domestic violence also include physical symptoms, and feelings of worthlessness, helplessness and isolation.

Both forms of violence can disrupt the ability to concentrate and process information, which in turn can compromise a victim's ability to perform tasks in paid employment or to negotiate the criminal justice system.

On a spiritual level both forms of violence may undermine the victim's fundamental belief in the goodness of the world, of life and of other people. It may raise deep questions about fairness and why very bad things happen to good people.

In cases of persistent domestic abuse, the power and control exercised over the victim has been figuratively described as the perpetrator replacing the soul of the victim with the soul of the perpetrator.

Victims also suffer what is known as secondary victimisation when their experiences of the criminal justice system cause them further distress.

Improving services to victims by state and voluntary and community sector organisations is a central element of this strategy (see below).

Resources

All of the actions in this strategy can be delivered within current resource allocations. This is fundamentally important. It means the strategy actions are achievable. There is a level of ambition, which is greater than the current level of resources, behind the current list of actions. As resources become available and as opportunities present themselves there are actors willing and able to provide additional actions to advance the vision of this strategy for a safer Ireland.

Whole of Government

No one Government Department or agency can deliver all the change necessary to improve the situation in relation to domestic and sexual violence. That is why this strategy is described as a whole of Government approach. All relevant Government agencies are delivering actions in the strategy.

The first national strategy was also described as a whole of Government strategy. One of the lessons learned from that strategy is that the words "whole of Government" are easy to write and say, but take time over years to build into a partial reality. Much has been achieved under the first strategy in this regard, but considerable challenges remain in the current strategy to make that whole of Government intention a more embedded and mainstreamed reality. This strategy provides the framework within which the main actors can develop their relationships and mutual understanding to the benefit of victims and of society.

Partnership

The community and voluntary sector has played a powerful role over the years in bringing these issues into public consciousness and in promoting changes in the law and in practice. To use a phrase coined by the current Garda Commissioner, the community and voluntary sectors have become critical friends of the relevant Government departments and agencies. Relationships have been developed, mutual understanding has increased and some serendipitous developments have occurred because of this during the course of the first national strategy.

But as with the whole of Government approach, much still needs to be done to improve the effectiveness of partnership. There will never be, nor should there be, a completely common understanding of the issues and the potential remedies between all of the parties. However, there is a willingness to move forward together.

The focus on the advocacy role of the community and voluntary sector is important. In this strategy there is also significant attention in the actions to the service delivery role of the sector, which is largely funded by the state.

Monitoring

The monitoring structures for this strategy will consist of a monitoring committee composed of stakeholders from all sectors working together in partnership and a senior oversight group of senior officials. Both groups will be constituted to meet twice a year. This will coincide with the twice yearly monitoring cycle in relation to actions under the strategy.

One of the leading voluntary and community sector groups in reviewing the first national strategy felt that monitoring was carried out as a tick-box exercise. There was a noticeable lack of engagement with the monitoring returns which were designed to hold the State agencies to account on their commitments under that strategy.

The primary question is not the number of meetings but the focus, agility and creativity of the monitoring structures. In the submission referred to above the alternative to a tick-box exercise was "analyzing, assessing, asking, listening, reviewing and putting structures and plans in place to effect meaningful change." This is absolutely what is required in relation to monitoring. It can highlight and praise good practice by all means. But it must also hold to account, help identify blocks and help find remedial or mitigating actions.

The challenge is to make the difficult task of monitoring so many actions over so many agencies work. A more responsive monitoring committee will be empowered to set up ad hoc groups where necessary to work through particular issues, report back within a defined timeframe and then dissolve. This will build on the relationships and understandings established under the first strategy.

Actions in relation to data will support the work of monitoring.

The overall aim of monitoring will be to support the achievement of the three overarching aims of the strategy. These three aims are now considered in turn.

Changing societal attitudes

One way to change long established societal attitudes in relation to domestic or sexual violence is by way of a sustained year on year awareness campaign making use of television advertising in addition to radio, outdoor and internet advertising. It is envisaged that such a campaign will run for six years, subject to completing governance processes in relation to funding, with a major refresher of the message after year three. It will be tendered for and it will factor in impact evaluation.

The aims of the campaign are to bring about a change in long established societal behaviours and attitudes, and to activate bystanders with the aim of reducing the incidence of offending.

This is in response to the unanimous call of the National Steering Committee on Violence against Women, during the meeting to review the final monitoring exercise of the first national strategy. It will build on the experience of a few campaigns funded by Cosc in recent years and move beyond the focus of much awareness raising to date which concerned access to victim services.

Training and education will also form part of the actions under this heading.

This is the first overarching aim of the strategy.

Supporting victims

The second aim of the strategy is to improve the support that is available to victims. This is closely allied to and is complementary to the third and final strategy aim of holding perpetrators to account.

A combination of the coming into effect of the EU Victims Directive, actions to ratify the Istanbul convention, recommendations of the Garda Inspectorate report on crime investigation and the creation of Tusla all contribute to an environment in which improving services to victims is of considerable importance. In the real world it has to be acknowledged that there will continue to be victims of domestic and sexual violence and there will continue to be a demand for services. These include information, emotional support, counselling, accommodation and referral to other services.

Some of the initial services will be provided by the State. The role of An Garda Síochána and other agencies in the criminal justice system as well as the health, and housing sectors are crucial. The hugely significant contribution of the voluntary and community sectors in providing services to victims must also be acknowledged. The improvement of necessary services must be based on the evolving needs of victims with an openness to change structures as required.

A wide range of actions are envisaged under this heading of the strategy.

Holding perpetrators to account

The third overarching aim of the strategy is to hold perpetrators to account. As one of the primary needs of victims is for their sense of justice and fairness to be restored in so far as possible, holding the perpetrator to account is a core aspect of serving the victim. It also serves the needs of society and ultimately the long-term good of the perpetrator.

Perpetrators are held to account through the criminal justice system and in domestic violence through orders granted in the civil justice system. Legal reform of both systems is envisaged under this strategy. In addition to punishing wrong-doers, work to monitor and treat sex offenders and perpetrator programmes for domestic violence perpetrators, also have roles to play. In limited cases in this area carefully designed restorative practices can serve the needs of victims and perpetrators. All of these issues are covered under the third aim of the strategy.

