

OHCHR - Special Procedures Branch - UNSR on violence against women

Submission of Ireland

November 2020

A. The existence of, or progress in, the creation of a national femicide watch and/or observatory on violence against women, or any plans to do so.

National Observatory on Violence Against Women

The Irish National Observatory on Violence Against Women was established in 2002 and is chaired by the National Women's Council of Ireland (NWCi). The Observatory is an independent network of grassroots and national organisations that come together quarterly to monitor progress on combatting violence against women in Ireland. It provides an important space for organisations to work for improved policies and service provision for prevention and support of women victims of male violence. It raises visibility of the phenomenon of violence against women, monitors government commitments at national and international level and provides relevant data. The Observatory links into the European Women's Lobby (EWL) European Observatory on Violence against Women.

The organisations in the Observatory are Akidwa, Amnesty International, Cork Sexual Violence Centre, Dublin Rape Crisis Centre, European Women's Lobby through NWCi Representative, Freedom from Pornography Campaign, Immigrant Council of Ireland, National Women's Council of Ireland, Pavee Point Travellers Centre, Ruhama and Women's Aid.

B. Other measures or research and studies undertaken to prevent femicide or gender related killings of women or homicide of women, by intimate partners or family members.

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

Measures undertaken to combat gender related violence are contained in the Second National Strategy on Domestic, Sexual and Gender-based Violence 2016 – 2021. This strategy is a whole of Government response to Domestic Sexual and Gender-based Violence and contains a range of actions to be implemented by Government Departments and agencies. The bulk of the Strategy's actions are aimed at changing societal attitudes through awareness raising to help prevent domestic, sexual and gender-based violence, improving services to victims and holding perpetrators to account. The community and voluntary sector, working in collaboration with the State agencies, have a crucial role in ensuring the delivery of a successful strategy.

The strategy is a living document and has actions added on an ongoing basis. Currently there are 74 actions with 14 having been added since its publication in 2016. Some of the most important aspects are:

- Implementation of two Freephone 24 hour co-ordinated, integrated national helpline services for Domestic Violence and Sexual Violence respectively, in collaboration with Women's Aid and Dublin Rape Crisis Centre. Provision of these helplines was a requirement for Ireland to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) which occurred on 8 March 2019.
- The commencement of the Domestic Violence Act 2018 on 1 January 2019 which addresses all aspects of domestic violence, threatened violence and intimidation in a manner that provides protection to victims.
- The enactment of the Criminal Law (Sexual Offences) Act 2017 which introduced a statutory definition of consent to a sexual act. It also addressed a

number of evidential issues to protect child and adult victims of sexual assault from any additional trauma arising from the criminal process.

- The enactment of the Criminal Justice (Victims of Crime) Act 2017 which provides a wide range of measures to protect and inform victims during the progress of their case through the Criminal Justice system.
- The carrying out of a National Awareness Raising Campaign to change societal behaviours and activate bystanders to prevent domestic violence. This is a multi-annual campaign which focused in the first 3 years on domestic violence with the focus of the campaign then shifting to sexual violence in 2019.
- The establishment of Divisional Protective Service Units in all policing divisions nationwide.
- The creation of measures aimed at combatting sexual violence and harassment in higher education institutions.

National Awareness Raising Campaign 'What would you do?'

The 6-year national awareness campaign "What would you do?" which is a part of the Second National Strategy on Domestic, Sexual and Gender-based Violence 2016-2021 was launched in November 2016.

The campaign aims to:

- increase the awareness of domestic and sexual violence;
- bring about a change in long-established societal behaviours and attitudes; and
- activate bystanders with the aim of decreasing and preventing this violence.

The campaign recognises that both women and men are victims of such crimes.

“What would you do?” was commissioned as a high impact media campaign to reach a national audience through many mediums (TV, cinema, radio, outdoor, social and digital advertising). The call to action directs people to search the campaign website www.whatwouldyoudo.ie for information and advice on domestic violence.

The national awareness campaign is running for a period of 6 years up to 2021. The campaign changed focus in 2019 from domestic violence to sexual violence. The ultimate goal is to reduce and prevent the incidence of domestic and sexual violence, which affects the lives of many people directly and indirectly, and thereby make Ireland a much safer society.

Domestic Violence Act 2018

A key action in the Second National Strategy is enactment of the Domestic Violence Act 2018. This important legislation was commenced on 1 January 2019 and represents a significant improvement in legal protections available to victims of Domestic Violence. The legislation enhances the legislative measures available within the civil law system to support and protect victims.

The main improvements to the law contained in the Domestic Violence Act are as follows:

- There is now an extensive but non-exhaustive list of factors that courts must consider when dealing with applications for domestic violence orders.
- Safety orders are available to persons who are in intimate relationships but who are not cohabiting.
- Victims of domestic violence are able to apply for an emergency barring order, lasting for 8 working days, where there is an immediate risk of significant harm. Emergency barring orders may be granted even if the victim has no legal or beneficial interest in the property or has an interest which is less than the perpetrator's.

- Courts are required to give reasons for decisions relating to applications for orders under the Act.
- It is possible for victims to give evidence by live television link both in civil cases and in criminal cases for breaches of orders.
- A victim has the possibility of being accompanied to court by a person of his or her choice to provide support during the hearing.
- Children have the opportunity to make their views known to the court where an order is sought on behalf of a child. The court will have the option of appointing an expert to assist the court to ascertain the views of the child.
- The Courts Service have an obligation to offer victims information on domestic violence support services.
- The courts have the possibility of recommending that a perpetrator engages with services such as programmes aimed at perpetrators of domestic violence, addiction or counselling services.
- Restrictions are in place on media reporting and attendance by the general public at criminal court proceedings for breaches of civil domestic violence orders.
- The Act provides for a new criminal offence of forced marriage.
- The Act provides for a new criminal offence of coercive control. This is psychological abuse in an intimate relationship that causes fear of violence, or serious alarm or distress that has a substantial adverse impact on a person's

day-to-day activities.

- Where a violent or sexual offence is committed by a person against his or her spouse, civil partner or person with whom he or she is in an intimate relationship, that fact may be an aggravating factor at sentencing.
- The legislative provisions that enable persons who are aged under 18 to marry were repealed.

Perpetrator Programmes

The Department of Justice is currently supporting and overseeing the implementation of a uniform national domestic violence intervention programme under the Second National Strategy for the Prevention of Domestic, Sexual and Gender-based Violence, 2016-2021. The roll out of this programme, entitled the Choices Programme, began in 2017.

Choices is now being delivered across the State by the following three organisations working with men who engage in domestic abuse and in providing support to their partners/ex-partners; MOVE Ireland (MOVE), Men's Development Network (MEND) and the North East Domestic Violence Intervention Programme (NEDVIP). Prior to this, these organisations were running separate types of domestic abuse intervention programmes locally with funding support provided by the Department.

Currently, the Choices programme, which includes a number of different components including one to one work, group work and partner support work, is being delivered in multiple locations across the State. It is proposed that over the lifetime of the National Strategy, the Choices programme will be introduced to additional locations. This matter is being examined by the existing service providers in partnership with the Department. Other options in the further development of this work, such as the provision of one to one supports are also being explored in cases where group programmes may not be immediately viable.

Garda National Protective Services Bureau and Garda Divisional Protective Services Units

The Garda National Protective Services Bureau (GNPSB) has been established, led by a Chief Superintendent of the Irish police force, An Garda Síochána, as well as the establishment of a nationwide network of Garda Victim Services Offices with dedicated staff in each of the 28 Garda Divisions. The National Garda Services Bureau is tasked with improving services to victims, improving the investigation of sexual and domestic violence incidents, and identifying and managing risk. Since September 2020, Garda Divisional Protective Services Units (DPSU) have been established in each Garda Division, mirroring the responsibilities held by the National Protected Services Bureau.

Domestic Homicide Reviews

In February 2019, it was announced that arrangements were being put in place for a study to be conducted in relation to measures to prevent and address matters relating to the unlawful deaths of family members. An independent expert is currently leading a team to undertake this study and will primarily research two particular issues:

- the provision of supports to families who are victims of familicide
- international best practice in the conduct of Domestic Homicide Reviews.

This team brings vast experience and a wide specialist expertise. Consultation with a wide range of stakeholders including State agencies, family members of victims and Non-Governmental Organisations (NGOs) has taken place.

While familicide is relatively rare in Ireland, these events have a devastating impact on those left behind, both family members and the wider community.

The study is examining how such supports can be provided in a more systemic and integrated way. The study will also set out how the state can better ensure that victims of familicide (including the families of the victims and perpetrator) are supported in as compassionate and timely a way as possible; as well as how local

communities who experience the horror of familicide cases in their local areas can be best supported.

An Advisory Group has been set up by the Study team. It comprises of nine members from various NGOs who have met with the study team and have been sharing vital information.

The Government is of the firm view that this independent study is necessary in order that our future policy be fully informed.

C. Information on the results of analysis of femicides cases, including the review of previous court cases and actions undertaken in this respect.

D. Administrative data (by numbers and percentage) on homicide/femicide or gender-related killings of women for the last 3 years (2018-2020), disaggregated as follows:

- i. The total number of homicides of women and men**
- ii. The number of intimate partner homicides/femicides, (i.e based on the relationship between the victim and perpetrator, the number of women and number of men killed by their partners/ex-partners, husband/ex-husband etc.)**
- iii. The number of family related homicide/femicide of men and of women (i.e. based on the family relationship between the victim and perpetrator, the number of women and number of men killed by their family members, but not by intimate partners)**

- iv. Other femicides or killings of women by unrelated perpetrator/s but gender-related or with a sexual motive;**

- v. Data if available, disaggregated as above, of femicide during the Covid-19 pandemic (indicating the time period e.g. since March 2020 to the end of October 2020) and its comparison with such data before the COVID-19 pandemic.**