

# National Strategy on Domestic, Sexual and Gender-based Violence, 2010-2014

## Final Review and Proposals for New Strategy

### Introduction

- ✓ Please complete the questions below which relate to your area of work or experience.
- ✓ Be specific in your answers referring to particular actions under the National Strategy and to data, evaluations and reviews where possible.
- ✓ A key section of the questionnaire asks you to say what you can do under the next strategy. Actions need to be feasible, do-able and ambitious. Any wish lists under this heading should be labelled as such.
- ✓ The questions are purposefully open-ended. Please be as specific and as comprehensive as possible in your answers.
- ✓ Please remember specific developments or actions in relation to vulnerable or high risk groups, including Travellers, people with a disability, older people, migrants, young people, pregnant women and those involved with substance abuse.
- ✓ Do not expect to fill in each and every subheading; the subheadings are meant to prompt your memory.
- ✓ It is better to spend time developing the comment than agonising over which subheading it should go under.
- ✓ Do not get lost with all the subheadings; there are basically five questions:
  - 1. What was good about the strategy?**
  - 2. What was not good?**
  - 3. Have you any evidence either way?**
  - 4. What do you want to do in the next strategy?**
  - 5. What should others do?**
- ✓ Your submission will be published on the Cosc website with the final review.

# Name of your organisation: National Disability Authority \_\_\_\_\_

## Positive developments ....

As a result of actions under the current Strategy what, if any, positive developments have occurred in relation to domestic, sexual or gender-based violence under the following headings:

1.1 Victims' experience of state services

1.2 Victims' experience of voluntary sector services

1.3 Accountability of perpetrators

### 1.4 Awareness and attitudes

- The Public Awareness Sub-Committee (PASC) of the COSC National Steering Group has raised awareness amongst providers of services to victims of abuse and violence of the importance of making their services accessible to people with disabilities. Some organisations have contacted the NDA for advice in this regard.
- Revision of the COSC Guidance Document for Organisations on Promoting and Developing an Understanding of Domestic, Sexual and Gender-based Violence to incorporate Victims with Disabilities has resulted in the inclusion of guidance on promoting effective communication with people with disabilities as victims of abuse and violence. Linking of adherence to the Guidance with consideration of applications for funding by organisations under the COSC annual funding programme is important for ensuring that the needs of people with disabilities as victims and service users are considered and responded to by organisations providing services to all victims in the mainstream. The provision of appropriate supports and protections in mainstream settings for people with disabilities will be particularly important as people with disabilities, in line with Government policy, move out of institutions to living in the community.

### Prevention

- The new joint funding stream commenced in 2013 with the Disability Policy Unit to raise awareness about domestic, sexual and gender-based violence and abuse against people with disabilities is important for raising awareness among organisations providing services of the specific needs of victims with disabilities and funding them to make their information and services more accessible to this group.

1.5 Policy making or service planning

1.6 Research or data collection

- To support its ongoing work on violence and abuse against people with disabilities and its participation on the National Steering Group and PAS, the NDA funded research carried out by the Rape Crisis Network Ireland in 2011 on Sexual Violence against People with Disabilities: Data Collection and Barriers to Disclosure. The research sought to evaluate existing data on people with disabilities who are victims of sexual violence in Ireland and make recommendations on how data can be improved.

1.7 Structures or processes to support the strategy (consultation, meetings, six monthly review reports etc.)

- Regular meetings of the National Steering Group and sub-groups and regular review reports have been very useful for tracking progress of actions in the Strategy and how those progressing less well than others can be addressed.

1.8 **Outside the Strategy** what, if any, have been the positive developments in relation to domestic, sexual or gender-based violence, generally or under any of the categories above, in the period 2010-2014?

- Internationally, there has been a growing discussion of violence and abuse against people with disabilities (e.g. Council of Europe Convention on Violence against Women, European Parliament Report on Combating Violence against Women). Article 6 of the of the UN Convention on the Rights of Persons with Disabilities Convention requires State Parties to ensure that girls and women enjoy full rights and Article 16 requires State Parties to take all appropriate legislative, administrative, social, educational and other measures to protect people with disabilities, both within and outside the home, from all forms of exploitation, violence, and abuse, including their gender based aspects.

## Undesirable developments ....

**As a result of actions or inaction under the current Strategy what, if any, undesirable developments have occurred in relation to domestic, sexual or gender-based violence under the following headings:**

- 2.1 Victims' experience of state services
- 2.2 Victims' experience of voluntary sector services
- 2.3 Accountability of perpetrators
- 2.4 Awareness and attitudes
- 2.5 Prevention
- 2.6 Policy making or service planning

## 2.7 Research or data collection

The results of a survey carried out by the EU Fundamental Rights Agency on violence against women in the EU show that extensive gender-based violence persists in the EU member countries. 34% of women with disabilities reported having experienced some form of physical or sexual violence since the age of fifteen, compared to 19% of women without disabilities. Moreover, 46% of women with disabilities said they suffered from a physical, sexual or psychological violence before the age of 15.

When it comes to psychological violence and harassment, the numbers are even higher. 61% of women with disabilities faced a sexual harassment since the age of 15. Stalking was experienced by 26% of respondents with disability.

The responders with a disability expressed that their disability limits them in exercising some everyday activities on an equal basis with other women. The survey indicates that the differences are most evident among young women (18- to 29-year-olds), where women with disabilities are more likely to become victims of physical and/or sexual partner or non-partner violence, sexual harassment and stalking. With increasing age, the gap between disabled and non-disabled women diminishes and women indicate experiencing violence regardless of their disability.

**2.8** Structures or processes to support the strategy (consultation, meetings, six monthly review reports etc.)

**2.9 Outside the Strategy** what undesirable developments, if any, have occurred in relation to domestic, sexual or gender-based violence, generally or under any of the categories above, in the period 2010-2014?

## The Evidence .....

3.1 What actions did you take to evaluate or review the impact of any of the actions under the National Strategy? Please forward copies of any relevant publications or documents.

3.2 Are you aware of evaluations or reviews by others of the impact of any actions under the Strategy? Please forward copies of any relevant publications or documents, or contact details of those who undertook the evaluation.

## What can be done better in the future?

### By you .....

What specific actions is your organisation proposing to undertake in the context of a new national strategy on domestic, sexual and gender-based violence, in the period 2015-2019, under any of the following categories.

- 4.1 State services for victims
- 4.2 Voluntary sector services for victims
- 4.3 Accountability of perpetrators
- 4.4 Awareness and attitudes
- 4.5 Prevention
- 4.6 Policy making or service planning
- 4.7 Research or data collection

The NDA will engage with COSC and the National Steering Group to explore any particular areas for attention to guide its research programme over the lifetime of the new Strategy.

- 4.8 Structures or processes to support the strategy (consultation, meetings, six monthly review reports etc.)
5. What specific actions is your organisation proposing to undertake for victims generally which will also apply to victims of domestic, sexual or gender-based violence, in the period 2015-2019, under any of the above categories?
  - As the lead state body providing expert advice on disability policy and practice to the Minister and Government Departments, the NDA will continue to provide advice on how best people with disabilities as victims or potential victims of violence and abuse can be supported and protected in the mainstream and in specific settings.

## **By others ....**

What other specific actions should be undertaken in the context of a new national strategy on domestic, sexual and gender-based violence, 2015-2019, under any of the following categories?

Who should undertake these actions?

Please also state, with your reasons, if you believe that there should be no further action by anyone under any heading.

## 6.1 State services for victims

## 6.2 Voluntary sector services for victims

## 6.3 Accountability of perpetrators

## 6.4 Awareness and attitudes

- Training of professionals in the criminal justice system (Gardai, judges, barristers etc.) to raise their awareness about supporting people with disabilities as victims/perpetrators of domestic, sexual and gender based violence should be explored. Research conducted by UCC in 2012 - funded by the NDA - on 'Access to Justice by People with Disabilities as victims of Crime in Ireland' highlighted attitudinal barriers that people with disabilities face in the justice system which can result in a lack of appropriate supports provided to them and the questioning of their competence and credibility as witnesses.
- The development of guidance documents for criminal justice professionals should also be considered to act as handbooks to support them in their dealings with different groups of people with disabilities who may have different needs, such as those with intellectual disabilities, mental health issues and autism. The NDA notes that the England and Wales Department of Health has developed a Handbook for Professionals in the Criminal Justice System working with Offenders with Learning Disabilities and the Ministry of Justice has produced Guidance on Interviewing Victims and Witnesses, and guidance on using Special Measures. More recently in 2014, the National Autistic Society and the Department of Justice for Northern Ireland have produced 'Autism: a guide for criminal justice professionals'

## 6.5 Prevention

- Section 5 of Criminal Law (Sexual Offences) Act 1993 needs to be reformed to widen the definition of what constitutes a sexual offence, to cover different forms of possible sexual abuse. This section also needs to be reformed to give clarity on consensual sexual relations between vulnerable adults where they have the capacity to consent to sexual relations. The Department of Justice and Equality would be the lead body on this as it constitutes law reform.

## 6.6 Policy making or service planning

## 6.7 Research or data collection

## 6.8 Structures or processes to support the strategy (consultation, meetings, six monthly review reports etc.)

## 7.1 What specific actions should be undertaken for victims generally which will also apply to victims of domestic, sexual or gender-based violence, in the period 2015-19, under any of the above categories?

7.2 Who should undertake the actions mentioned above?

## **And finally ....**

8. Please make additional comments, if any, here.

The NDA has highlighted the importance of raising awareness and education about domestic violence and related issues for improving the knowledge levels of people with disabilities considered most at risk in order to empower them in relationships while at the same time protecting them from violence and abuse. It is hoped that such training/awareness raising could be developed and rolled out nationally and that it be funded under the COSC Disability Funding Stream. If this is not possible, the NDA recommends that other ways be looked at (e.g. a specific call for tender) to develop such information/training. The NDA would be happy to advise in this regard.