

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: Oasis House
Women's Refuge: 72 Morrisson's Road
Waterford**

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
- 1.5 Prevention
- 1.6 Policy making or service planning
- 1.7 Research or data collection
- 1.8 Structures or processes to support the strategy (consultation, meetings, six monthly review reports etc.)
- 1.9 **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?

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
- 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
- 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?

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
- 6.5 Prevention
- 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.

What was good about the strategy, was relevant to this service and had a positive impact locally.

- Was first National Government statement setting out to enhance and facilitate cooperation and coordination of activities of departments, agencies and voluntary and community organisations in order to implement goals towards an affective system of care and support victims of domestic abuse.
- Aims of strategy good in that it was a response to high level of disclosure or non-reporting of incidences.
- South East Regional Advisory Committee had meetings up until 2012. Services shared information, looked at local issues and began discussions on interagency referrals and protocols.
- The HSE signed off on the First HSE policy on Domestic, Sexual and Gender Based Violence. An oversight implementation committee was established to oversee progress of four working groups in regard to Training, Standardisation, Advocacy and Communications. Groups to deliver a national training pack for frontline staff, a national awareness training pack, a routine assessment form for community environments with specific target groups, a risk assessment tool and to develop a good practice model.
- The South East Domestic Violence Intervention Programme/Mend was set up under the auspices of the South East Regional Planning Committee on Violence against Women (1997) to work with male perpetrators of domestic abuse. Mend deliver 4 group programmes in the South East. There is an integrated Partner Support Service that provides support on a one to one basis to the partners or ex-partners of the men in the programme.
- The Civil Law (Miscellaneous Provisions Act 2011) amends the Domestic Violence Act 1996 to extend the powers of the court to order protection to non-cohabitants and same sex couples. Main changes i.e.
 - ❖ Parents with a child in common can now apply for a safety order if they have never lived together.
 - ❖ Cohabiting parents can now apply for safety orders without any specific duration of cohabitation needed.

- ❖ Same sex cohabitants are now eligible for all orders under the Domestic Violence Act in the same way as opposite sex cohabitants.
- Tusla the Child and Family Agency was set up and has opened up the opportunity for early welfare support. Children deemed to be at risk to be referred to the Social Work Department. This will ultimately help to reduce the impact of domestic abuse on children. However there is a danger that the mother is re- victimised in that she may perceive that she is not deemed to have the capacity to look after her children.

What was not good about the strategy and issues of concern.

- Initiatives commenced however this Service is not aware of any that have come to completion. Objectives of strategy not get achieved perhaps because it was too ambitious.
- There is still a high level of non-disclosure and non-reporting. The European Union Agency for Fundamental Rights launched results of extensive survey conducted into physical and sexual violence against women during March- September 2012. The results show that in Ireland 26% of women have experienced physical and or sexual violence since the age of 15 i.e one in four. Only 14% of victims reported the most serious incidents of violence from partners. A quarter of the victims did not report because of shame and embarrassment. Women not reporting abuse maybe because of perceived lack of effective response from statutory bodies. The experience of this service is that sometimes when a woman returns to an abusive situation it is because of the lack of effective response in terms of the barriers to leaving domestic abuse situations.

Barriers for women to leaving domestic abuse situations

Domestic Violence legislation:

- Existing domestic abuse legislation does not make any provision for the immediate protection of victims in the form of emergency legal orders. If the Gardai are called to respond to a domestic violence situation they may face difficulties in making an arrest due to lack of evidence. If an arrest is made it is likely that the perpetrator would be freed in a few hours, is not charged and is free to return home. The only option is for the women and children to leave the family home and access accommodation either with family, in a local refuge or maybe a refuge outside the jurisdiction.
If the woman meets the criteria for Barring Order she has to wait until the next sitting of the District Court to obtain a Protection Order. A court hearing is then scheduled for a month or so later to have

application for Barring Order heard. The woman and children are out of their home often traumatised and their lives are disrupted.

- There is restricted eligibility for the securing of a Barring Order. The cohabitation requirement exists whereby in the case of an unmarried couple the person must have lived with the perpetrator for a period of six months out of the last nine months prior to the application. Furthermore there is a property test requirement which means that the applicant must have equal or greater legal or beneficial interest in the property than the perpetrator. Such criteria create difficulty for women in these situations who do not fulfil the criteria for a barring order as they may ultimately find themselves homeless.
- Legal orders are extremely difficult to secure where there is emotional or psychological abuse which can be difficult to prove.

Possibility of becoming homeless

- Local Authorities are bound by the Social Housing Assessment Regulations (2011) which set the criteria for eligibility for social housing and rent supplement for private rented housing. For those who are joint owners of a property and there is not a formal separation or divorce in place in the case of a married couple or where a couple are not married they are not eligible for social housing. Either one could apply to relinquish rights, however this may not be possible because of outstanding mortgage.

Recommendations for New Strategy

- To ensure that initiatives that have commenced have been brought to a conclusion.
- Concise objectives.
- Objective to look at domestic abuse and housing legislation. Domestic violence should be considered and recorded as separate crime.
- Safe Ireland who represent Women's refuges and support services must be involved in consultative process and be represented on relevant committees and decision making forums.

Safe Ireland to submit generic submission on behalf of all Refuges and Support Services.