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**Tithe an Oireachtas  
An Comhchoiste um Dhlí agus Ceart**

**Tuarascáil maidir le Dídean do Mhná agus  
Tearmainn ó Fhoréigean Baile  
Meán Fómhair 2022**

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**Houses of the Oireachtas  
Joint Committee on Justice**

**Report on Women's Shelters and Domestic Abuse  
Refuges**

**September 2022**

**33/JC/24**

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## CATHAOIRLEACH'S FOREWORD

The Joint Committee on Justice was pleased to facilitate an examination of the topic 'Women's Shelters and Domestic Abuse Refuges'.

In undertaking this examination, the Committee recognised both the insidious and extensive nature of domestic violence in society and also the severe impact that the COVID-19 pandemic had on victims of domestic abuse, as citizens were requested to stay at home for significant periods of time, thus trapping many victims with their abusers.

In reaching out to stakeholders to gain diverse perspectives on the topic of women's shelters and domestic abuse refuges in Ireland, the written submissions and witnesses provided the Committee with an insight into several key areas where they deemed it was most important to make improvements. These included the need for funding for domestic violence services to be significantly increased and for this funding to be confirmed prior to the beginning of the financial year; that every county in Ireland should have a refuge centre and that a comprehensive strategy for how to increase the provision of move-on or long-term accommodation should be developed; and the need for a single body or Department to be designated with responsibility for domestic violence services and policies, in order to centralise and strengthen the response to this issue.

The Committee has made a number of recommendations and a copy of this report and recommendations will be sent to the Minister for Justice. The Committee looks forward to working proactively and productively with the Minister to address the issues identified in relation to women's shelters and domestic abuse refuges in Ireland.

I would like to express my gratitude on behalf of the Committee to all the witnesses who attended our public hearing to give evidence and those who forwarded written submissions to the Committee.



James Lawless TD (FF) [Cathaoirleach]  
September 2022

## COMMITTEE MEMBERSHIP

### Joint Committee on Justice

#### Deputies



James Lawless TD (FF) [Cathaoirleach]



Jennifer Carroll MacNeill TD  
(FG) [Leaschathaoirleach]



Patrick Costello TD  
(GP)



Alan Farrell TD  
(FG)



Pa Daly TD  
(SF)



Brendan Howlin TD  
(LAB)



Martin Kenny TD  
(SF)



Thomas Pringle TD  
(IND)



Niamh Smyth TD  
(FF)

### **Senators**



Robbie Gallagher  
(FF)



Vincent P. Martin  
(GP)



Michael McDowell  
(IND)



Lynn Ruane  
(IND)



Barry Ward  
(FG)

Notes:

1. Deputies nominated by the Dáil Committee of Selection and appointed by Order of the Dáil on 3<sup>rd</sup> September 2020.
2. Senators nominated by the Seanad Committee of Selection and appointed by Order of the Seanad on 25<sup>th</sup> September 2020.
3. Deputy James O'Connor discharged and Deputy Niamh Smyth nominated to serve in his stead by the Fifth Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 19th November 2020.
4. Deputy Michael Creed discharged and Deputy Alan Farrell nominated to serve in his stead by the Fifteenth Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 28<sup>th</sup> June 2022.

## COMMITTEE RECOMMENDATIONS

The following recommendations were made by the Committee in relation to the topic:

1. The Committee recommends that the provisions of the Istanbul Convention be implemented in full in Ireland and that every county in Ireland should have a domestic abuse refuge.
2. The Committee recommends funding for domestic violence services should be significantly increased. This funding should be put towards the establishment of more refuges to help address the elevated demand for refuge accommodation during the pandemic, among other areas.
3. The Committee recommends the commissioning of a comprehensive strategy for move-on or long-term accommodation for victims of domestic abuse needs to be developed and incorporated into future national housing strategies. This should include wraparound services including the provision of safe and transitional housing, emergency crisis housing, therapeutic supports, legal supports and welfare support.
4. The Committee, noting comments in [Point 2](#), regarding the enforcement of barring orders, recommends that the Department of Justice initiate a review to evaluate the current provisions of barring orders, with a view to strengthening these provisions and ensuring perpetrators of domestic violence are held to account by all elements of the justice system.
5. The Committee recommends that the infrastructure of refuges in Ireland be evaluated and that funding be provided to upgrade refuges in accordance with the standards of the Istanbul Convention. It should be ensured that newly built refuges are all built to comply with these standards.
6. The Committee recommends refuges should be designed and reconfigured towards independent family units with the communal living model phased out.

7. The Committee recommends ring-fenced funding for specialist children's supports in all refuges (as per Article 22 of Istanbul Convention).
8. The Committee recommends that community-led and structural responses to domestic violence should be maintained and fully supported to work, including the specialist front-line response undertaken by staff within domestic violence service providers.
9. The Committee recommends that confirmation of funding for domestic violence service providers should be agreed prior to the beginning of the budgetary year, to allow organisations to accurately plan for their yearly services and other matters. Consideration should also be given to providing multi-annual budget confirmation to organisations, to better enable them to plan for future activities and services over a longer period.
10. The Committee recommends that the approach of Operation Faoiseamh be continued and adopted as the default approach towards handling incidences of domestic violence.
11. The Committee recommends that training for members of the Garda Síochána in relation to domestic abuse should be comprehensive and standardised across the organisation. Training should cover, among other areas, the dynamics and impacts of coercive control as well as a Garda's responsibilities under the Garda domestic abuse policy.
12. The Committee recommends that whole-scale research be undertaken into the prevalence of domestic violence in Ireland to better inform decisions regarding the provision of services and the development of education around this issue.
13. The Committee recommends that consideration be given to establishing a refuge centre for male victims and their children who are fleeing from situations of domestic abuse.

- 14.** The Committee recommends that awareness campaigns in relation to domestic abuse, such as the 'Still Here' campaign, are maintained to help tackle the stigma associated with domestic violence.
- 15.** The Committee recommends that a single Government Body or Department be designated responsible for all matters relating to domestic violence and services, to help ensure that a consistent approach is adopted to the provision of domestic violence services throughout the country.
- 16.** The Committee recommends that other relevant groups e.g., Local Authorities should be clear about their responsibilities and about which elements of the response to domestic violence they should manage.

## SUMMARY

In selecting the topic of ‘Women’s Shelters and Domestic Abuse Refuges’ from its Committee Work Programme for further examination and discussion, the Joint Committee on Justice acknowledged the widespread and significant impact that domestic violence has on society. The Committee noted figures provided by stakeholders, which found that one in four women in Ireland has been subjected to domestic violence and abuse, while one in five women and one in five men between the ages of 18-25 stated they had experienced abuse from an intimate partner.<sup>1</sup>

The COVID-19 pandemic also had a severe impact on the incidence of domestic violence, and the term ‘shadow pandemic’ has been used to refer to the escalation of domestic abuse during the pandemic, as a result of families being locked down with perpetrators due to COVID travel restrictions.

In an effort to review and discuss relevant areas in relation to women’s shelters and domestic abuse refuges in Ireland, the Committee invited written submissions seeking the views of various stakeholders on this topic. Stakeholders were asked to comment, among other areas, on the geographical provision of shelters for domestic abuse; the impact of the COVID-19 pandemic on the numbers seeking refuge from domestic violence; and impact of Operation Faoiseamh in handling cases of domestic abuse during the pandemic.

Based on the evidence to the Committee, it is clear that the pandemic highlighted some of the existing issues in relation to the provision of domestic abuse refuges in Ireland and policy-making in relation to domestic abuse. This includes the need for increased funding for domestic violence services and the need for the establishment of significantly more domestic violence refuges; the need for continued awareness around domestic violence and for improved relationships and sexuality education curriculums in schools to educate young people in this area; and the need for a single

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<sup>1</sup> See pages 6 and 27 of the transcript of the Committee’s engagement with witnesses:  
[https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint\\_committee\\_on\\_justice/2022-02-22/debate/mul@/main.pdf](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_justice/2022-02-22/debate/mul@/main.pdf)

body or Department to be given responsibility for this area in order to ensure centralisation of services and an effective and co-ordinated response to domestic violence.

In identifying potential solutions to the issues outlined by stakeholders, the Committee also recognises the Department of Justice's efforts to tackle this problem, including the publication in June this year of the 'Third National Strategy on Domestic, Sexual and Gender-Based Violence'. The Committee hopes that its Report will complement this work and provide additional perspectives and insights into this topic.

The discussion surrounding women's shelters and domestic abuse refuges in Ireland and potential solutions to the issues identified are outlined in the following section.

## CHAPTER 1 - Engagement with Stakeholders

### Introduction

The Joint Committee on Justice invited submissions from stakeholders on the topic of 'Women's Shelters and Domestic Abuse Refuges'.

On 3<sup>rd</sup> November 2021, the Committee held a public engagement with several of these stakeholders, as laid out in the table below:

**Table 1: List of public engagements with Stakeholders**

Organisation	Witnesses
<b>Safe Ireland</b>	Mary McDermott, CEO Lisa Marmion, Services Development Manager
<b>Saoirse Domestic Violence Services</b>	Allison Graham, CEO
<b>Men's Aid</b>	Kathrina Bentley, CEO
<b>Women's Aid</b>	Christina Sherlock, Head of Strategic Communications and Fundraising
<b>Department of Justice</b>	Mr. Ben Ryan, Assistant Secretary

The primary focus of this meeting was to allow for an engagement between the Members and stakeholders to discuss, the provision of refuges for victims of domestic abuse and suggestions as to how the provision of services for victims and general policymaking in this area can be improved upon.

This report summarises the engagements and the key points considered by the Committee when drafting the recommendations set out in this report.

A link to the full transcript of the engagement can be found [here](#).

## CHAPTER 2 - Summary of Evidence

In the course of the public hearing, a number of important points were raised. A summary of the main areas discussed in evidence to the Committee follows.

### 1. The Istanbul Convention and the provision of domestic abuse refuges

Members and witnesses discussed several areas in relation to the provision of refuge centres and Ireland's obligations under the Istanbul Convention. These include the approach towards areas which have no domestic abuse refuges available, the role of Local Authorities in providing refuge accommodation and the difficulties in sourcing suitable accommodation for refuges due to the general shortage of accommodation.

Witnesses pointed out Ireland does not have enough refuge places available to meet the standards set by the Istanbul Convention and underlined that in order to meet Ireland's commitments under this Convention, to provide support for one in 10,000 of the population, there would need to be an additional 500 accommodation units built. Several witnesses referred to the audit of domestic violence accommodation being undertaken by Tusla (which was not published at the time of meeting but has since been published [here](#)) and commented that they were eager to see the results of this review regarding the provision of domestic violence accommodation.

Witnesses highlighted that there are 10 particular areas in Ireland that have no refuge accommodation available (Carlow, Cavan, Laois, Leitrim, Longford, Monaghan, Offaly, Roscommon, Sligo and the Dun Laoghaire-Rathdown area) and that the north-west region of the country is particularly underserviced in this regard. In areas where there are no domestic abuse refuges, this places strain on the services provided in surrounding counties as a result. The Istanbul Convention requires States to provide for specialist support services and refuges, in sufficient numbers and in an adequate geographical distribution (Articles 22 and 23).

Safe Ireland informed the Committee that the Community Foundation for Ireland is providing funding for them to undertake a project on a post-COVID response to domestic violence. They anticipated this project would target counties Cavan and

Monaghan and they hoped it would have positive impact on the abilities of these counties to tackle domestic violence.

Witnesses highlighted that even in counties that have refuge accommodation, there are still insufficient refuge spaces available to meet demand. For example, Kilkenny, Cork and Galway have only one refuge centre each. Dublin City has a population of almost 1.4 million but currently has only four refuges, offering 31 refuge spaces, while the closure of the Rathmines refuge has created a significant void in the provision of refuge accommodation within the Dublin City area.

Witnesses outlined the negative impacts of the housing crisis on victims trying to seek alternative accommodation, as it contributes to a lack of suitable, affordable, or quality accommodation being available across different tenures; a higher number of insecure tenancies; a lack of housing options; and a general lack of available accommodation. These factors can result in victims and families opting for refuge accommodation due to the insecurity of sourcing accommodation, thereby increasing the pressure and demand on refuges. Witnesses said that in situations where women have requested to be housed in a refuge outside of their local area, it has become increasingly difficult to accommodate such requests, as Local Authority regulations and housing lists, have made it difficult to source follow-on accommodation in the new area.

Witnesses from Women's Aid outlined that they must inform two out of three of their callers to their national helpline that there is no refuge space available. As a result, these victims must try to find a bed elsewhere, or they may sleep in their cars to stay safe, while others may return to an unsafe home due to lack of alternative options. Saoirse Domestic Violence Services found that in 2020 they were unable to provide refuge accommodation to 78% of the requests they received, amounting to 369 individuals they were unable to assist. Women's Aid noted the number of family places available is just 145 in 22 refuges. According to WAVE this represents only 30% of the places that should be available for the population of Ireland.

Witnesses emphasised that funding for refuges should be increased urgently to cope with the existing demand for spaces and the increased demand brought on by the pandemic.

#### Role of Local Authorities in providing refuge accommodation

Several Members questioned what role the Local Authorities have in providing or sourcing refuge accommodation.

Witnesses found that the capacity of Local Authorities to respond and source housing can vary, as the housing crisis has made it more difficult, in general, to identify suitable accommodation for victims.

Others stated that they still rely on those they know within Local Authorities when engaging with this body, as there is no national strategy regarding how Local Authorities should respond to victims of domestic violence. Witnesses commented that there is a lack of training for staff in this area, a lack of support and also, at times, a lack of passion and desire to address these issues, as some felt that domestic violence services have to struggle to get the resources they require from the Local Authorities.

Members commented that the approach of Local Authorities in recent years had changed, as previously Local Authorities would purchase a house and it was through this housing that refuge would be considered. However more recently this structure has disappeared and witnesses argued that there is a 'disconnect' regarding Local Authorities' responsibilities in this area. It was underlined that it is imperative for there to be an integrated cross-Government response to this problem, in which the relevant groups are clear about their responsibilities and about which elements of the response to domestic violence they must lead.

## 2. Safe-at-home sanctuary scheme and long-term accommodation options for victims

Members raised questions about the Safe at Home Sanctuary Scheme and how best to support or enable women who have experienced domestic abuse to remain within their own home rather than moving to a refuge facility.

In response, witnesses underlined that refuges should not be viewed as the main or default response towards dealing with situations involving domestic violence. They highlighted the work being done by outreach services to try to support women to stay in their homes, where possible, until they can source alternative accommodation or obtain a barring order against the perpetrator. Allowing victims to remain in their home helps them to maintain some normality, having a lesser impact on their employment or a lesser impact on their children who can continue attending the same school.

It was pointed out that there is an equivalent scheme being run in the UK, which has been in place for a longer period, and that promising results are emerging regarding this scheme's effectiveness. Witnesses stated that the safe-at-home scheme can be very effective for the groups for which it is well suited, for example, older women who do not have a disability. However, they cautioned that there are several variables which impact on the effectiveness of this scheme, such as the level of threat facing the victim and pointed out that the success of this scheme depends on the individual needs of the victim.

In addition, witnesses recommended that more needs to be done by the Department of Justice, the Judiciary and the Courts, in terms of strengthening the provisions of a barring order and holding perpetrators of domestic violence to account. Witnesses stated that victims have often expressed to them that they believe that there is little point in obtaining a barring or safety order as they do not feel it will be respected. As a result, victims and families come to them seeking refuge as they believe it is their only option while the perpetrator is left in the family home.

Witnesses also underlined the lack of long-term accommodation options for victims. Stakeholders found that women are often staying longer in crisis refuge accommodation than they should because there are no other longer-term facilities for

them to move onto. For some families, they may have to move on from a refuge to hotel accommodation as they cannot go back to their family homes and would otherwise be homeless. The lack of long-term accommodation options prevents victims and families from moving forward to the next stage of their recovery.

It was recommended that a comprehensive strategy for move-on or long-term accommodation for victims must be developed and considered as part of any national housing strategy in order to provide a wider range of long-term housing options for victims.

### 3. Cost and design of refuges

Members asked what costs were involved in building a refuge facility and whether refuges are designed in a way to make them accessible for all victims, such as those with disabilities or additional needs.

Witnesses estimated that the development of one refuge would be between €2 million and €2.5 million and that running costs would be additional to this figure. They explained that costs can be reduced by e.g., making public lands available on which to build these facilities. Stakeholders emphasised the importance of investing in refuge centres to help provide support to and aid victims in their journey recovering from domestic abuse.

Witnesses told the Committee that, in their experience, the majority of refuges in Ireland developed from community groups or activists, who came together to establish these facilities due to the lack of a central approach or budget to support the provision of refuges. It was pointed out that there is no centralised fund available which organisations can access to help establish a refuge and support its running costs and that in the past, there was no dedicated budget to provide capital funding towards establishing these facilities. For example, when the Rathcoole refuge opened in 2019 it had been subsidized through the capital assistance scheme funding through the Department of the Environment, Climate and Communications and Tusla was approached to fund the staffing and running costs.

It was highlighted that there is no one Department in charge of all areas relating to domestic violence and refuges, which domestic violence service providers can go to in order to seek support. Witnesses stated that this disparate support system poses many challenges to domestic violence shelters, particularly those in rural areas (for further information on this see [Point 9](#)).

In terms of refuge design, witnesses representing domestic violence service providers told the Committee that they are aware that the network of refuges throughout Ireland often do not meet the standards requested by various stakeholder groups. They argued that managers and staff are keen to accommodate the needs of marginalised

groups but that this would require domestic violence shelters to possess an integrated, sustained and developed infrastructure. Witnesses underlined that the infrastructure of refuges is outdated and requires urgent upgrading.

Witnesses acknowledged recommendations that refuges should be built to meet the standards required under the Istanbul Convention, among this, the need for future shelters to be designed as flexible buildings with the potential to provide both refuge space and also community engagement centres that would be suitable for children and young people. Witnesses highlighted that a pilot programme is being planned in this area which will focus on ensuring that the architectural space of refuges will be flexible, adaptable, that they will contain a community development element and that best practice and informed responses towards the nature of domestic, sexual and gender-based violence will be part of these facilities.

Witnesses cautioned against the rushed building of refuge spaces to fill the current lacuna and stressed that time must be allocated to allow for the proper planning and design of refuges, in order to provide suitably designed and flexible refuge spaces.

#### **4. Wraparound services and other approaches towards supporting victims of domestic violence**

Members raised questions as to the wraparound services that witnesses recommended should be provided within refuges for victims and their families.

Witnesses explained that there is a range of supports that are provided to victims at the point of contacting domestic violence services and along their journey to recovery, which include the provision of safe and transitional housing, emergency crisis housing, therapeutic supports, legal supports and welfare support.

As outlined in [Point 2](#), witnesses believed that refuge accommodation should not be seen as the primary response to incidents of domestic violence and should instead be viewed as the crisis point when people feel compelled to seek help for their circumstances.

Rather, witnesses stated that community-led or local responses to domestic violence are the best approaches, supported by a structural response e.g., from the Gardaí or Operation Faoiseamh. It was argued that these approaches have been embedded in Irish culture for many decades and that this is one of the reasons the Irish response to domestic violence has been so effective and that Ireland has lower rates of femicide in comparison to other jurisdictions.

Witnesses highlighted that the pandemic demonstrated further the effectiveness of these approaches and recommended that the community-led response and structural responses should be maintained and fully supported to work.

It was pointed out that staff in domestic violence service providers give a specialist front-line responses in various manners, relative to the resources provided to them. It was recommended that these specialist responses be supported and resourced, for example, through the provision of accreditation and training, providing proper professional supports to these responders and recognising these responders as specialists in their own work.

Women's Aid also outlined in their submission the necessary continual and sequential support needed to meaningfully support a victim of domestic abuse. A comprehensive

strategy for move on and long-term accommodation for victims of domestic abuse needs to be developed (see also Point 2). This could include *inter alia*:

- maintaining the special access to Rent Supplement for victims of domestic violence, implemented as a response to the pandemic, beyond the end of 2021;\*
- addressing Local Authorities housing criteria that hinder domestic violence victims accessing priority local housing;
- exploring measures to support women to safely remain or return to their homes, removing the perpetrator – which may also include mortgage assistance;
- increase the provision of alternative and step-down supported accommodation such as the Safe Home Model and the Transitional Housing model;
- increase social housing stock to meet demand.

Safe Ireland also echoed Women's Aid request for wrap-around services, priority recommendations include the need for refuge spaces to have equal regard to a practical emergency accommodation including:

- Trauma-informed architectural aesthetic
- Wraparound information
- Advocacy and judicial protective services
- Community engagement

\*[Members noted that at the time of publication of this Report, this matter had been addressed]

Witnesses were also asked to elaborate on best practice in respect of responses to domestic violence and whether there were any other countries or models from which Ireland could learn regarding its response to domestic violence.

Witnesses responded that front-line workers on helplines and in front-line services, Gardaí, social workers and teachers, possess significant experience in terms of responding to incidents of domestic violence. They argued that it is essential that this knowledge and expertise, which is scattered between these various groups, is drawn

together into a systemic and coherent way, in order to most effectively respond to incidents of domestic violence.

## 5. Resourcing and staffing of domestic violence service providers

Member and witnesses discussed the provision of financial funding and the staffing levels within domestic violence service providers.

Witnesses informed the Committee that the funding for their organisations is never confirmed prior to the beginning of the calendar year, while Men's Aid stated that they do not know if their funding is guaranteed from month to month. They stressed that the uncertainty in respect of their funding each year makes it extremely difficult to plan their services for the coming year, let alone to plan for future services or to design strategic plans for multiple years. Witnesses highlighted that they have sought a multi-annual budget confirmation and service level agreement for many years but this has not yet been provided.

It was pointed out that many of these organisations receive no funding from the Government and must rely on voluntary or philanthropic donations to continue their services. However, witnesses suggested that this is not the best use of manager's time and, in addition, relying on these type of donations could result in the organisation being guided by the ideology or ethos of these philanthropic individuals.

Witnesses stressed that the level of funding provided to domestic violence organisations is insufficient and it was argued that the pandemic had highlighted the lack of investment into domestic violence services and infrastructure in recent years. Furthermore, witnesses underlined their shock that the budget for 2022 had contained little to no funding, which they argued was surprising considering the fact that the topic of domestic violence had been identified as a national priority during the pandemic.

Witnesses argued that an integrated State response to this large-scale social problem is required comprising of large-scale and roll-on funding for all services in this area. This funding should be directed towards the increased demand for refuges; towards the provision of specialist children's support in these refuges; and towards qualified external supervision support for all domestic violence specialist support workers.

Witnesses argued that if tackling domestic violence was prioritised and if sufficient investment was provided towards addressing this issue, then this would also have a knock-on effect in addressing several other social problems that are intertwined with

domestic violence, including addiction, child protection, housing difficulties, justice and social protection.

Members raised questions as to whether the staffing levels within domestic violence services providers were sufficient and asked if staffing issues were posing significant problems to the operation of these services.

Witnesses stated that domestic violence organisations do not have sufficient staffing, to do even key work with the individuals that they know require this support. Men's Aid said that they supported approximately 5,500 contacts in 2020, with only two full-time and four part-time staff and no option of refuge accommodation to direct victims towards. It was re-iterated that the lack of certainty regarding the funding levels of these organisations further impacts on their ability to hire and secure staff to join their organisations. It was pointed out that despite the life-saving work their staff carry out for some of the most vulnerable in society, Men's Aid mainly offer year-on-year contracts at minimum wage to those working with them.

In addition, witnesses underlined that following the pandemic and the exacerbation of domestic violence incidents during this period, they believe that their staff are exhausted and almost burnt out. They highlighted that staff working within domestic violence service providers were not given the status of front-line workers during the pandemic and yet they maintained their services and kept refuges open for victims despite concerns regarding their health.

Members asked what they should recommend people in their locality to do when they are seeking help at the weekends and refuge services and charities are not open. Witnesses from Women's Aid informed the Committee that they operate a national freephone helpline which is available 24 hours a day, seven days a week and can provide some support to victims of domestic abuse outside of typical office hours when other services are closed. They highlighted that the male advice line also has opening hours over the weekend.

## 6. Approach of the Garda Síochána towards instances of domestic violence

Members and witnesses discussed elements of the Garda domestic abuse policy and the training of Gardaí in relation to incidents of domestic abuse. Members questioned whether members of the Garda Síochána receive sufficient training or whether greater investment in this area is needed.

### Garda training

Witnesses said that there should be comprehensive training for members of the Garda Síochána rather than *ad hoc* training. This training should be standardised so that when a member of the public engages with a Garda, they will receive the same response irrelevant of where they are. Stakeholders said that it is important that training for Gardaí, which was disrupted due to the pandemic, is restarted as soon as possible and that it is fully resourced.

It was recommended that Gardaí should be trained on the dynamics and impacts of coercive control as well as their responsibilities under the Garda domestic abuse policy.

Women's Aid highlighted that their national helpline figures had found that one in three callers to the Garda Síochána said their interaction with Gardaí was 'unhelpful'. It was explained that an unhelpful response could comprise of

- A member of the Garda Síochána promising that they will call-out to a victim of domestic violence but not following through on this promise;
- A Garda not treating a situation of domestic violence as seriously as is warranted. For example, if a Garda is called out to a situation of domestic violence and responds by separating those involved into different rooms and asking whether they can sort out the problems themselves, or by asking those involved to calm down and suggesting that they would take the perpetrator for a walk.

- By not acting on breaches of the protective orders in place under the Domestic Violence Acts and therefore not treating these breaches as serious and criminal matters. A breach of a protective order could involve someone breaking the terms of the order by showing up at a place they should not be, trying to gain access to the house or putting someone else in fear for their safety.

Witnesses also recommended that the situation regarding reports of 999 calls not being responded to or logged properly as domestic violence calls needs to be reviewed.

However, witnesses welcomed the enhanced response of Gardaí towards domestic violence during the pandemic under Operation Faoiseamh. The objective of this approach was to treat all instances of domestic abuse as a priority and saw a renewed focus on the enforcement of court orders and the prosecution of offenders.<sup>2</sup> They praised the level of understanding and serious treatment of cases of domestic violence, as well as the proactive and victim-centred approach adopted in Operation Faoiseamh. They urged that this approach should be maintained as routine Garda procedure and recommended that Operation Faoiseamh be continued and supported following the pandemic.

### Research and statistics

Members raised questions surrounding the availability of statistics within the Garda Síochána in relation to recent domestic violence offences. They asked how statistics in 2020 which recorded 23,000 incidents or 500 incidents per week, compared with the relevant figures from 2018 and 2019.

Witnesses responded that it is known to be extremely difficult to obtain accurate statistics in relation to incidents of domestic, sexual and gender-based violence. Research from several years ago had found that approximately 7% of victims contacted a helpline or local service. Witnesses pointed out that figures in relation to

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<sup>2</sup> Operation Faoiseamh - An Garda Síochána 'STILL HERE' to listen to help and to protect [gov.ie](http://gov.ie) - DSGBV Strategies ([www.gov.ie](http://www.gov.ie))

the prevalence of domestic violence are only the ‘tip of the iceberg’ and that the true scale of domestic violence in society is much higher, due to underreporting of incidents, among other factors. In addition, much of the research on this topic is often from many years ago and the dearth of up-to-date data on the topic makes it difficult to gain an accurate picture on the level and nature of domestic abuse in Ireland.

Stakeholders commented that the pandemic had had a clear impact on increasing the numbers seeking support for domestic violence, with demand rising by 23%. At the same time, capacity in refuges was reduced by 25%.

Witnesses stated that better data collection in this area is needed and recommended that whole-scale prevalence research for Ireland be undertaken in relation to incidents of domestic violence. This research should provide information on the prevalence and types of abuse, who perpetrates this abuse and the reasons individuals perpetrate such abuse in order to inform service provision, to assist in providing specialised and tailored support to victims and to inform early education programmes on relationships and consent.

## 7. Incidence of domestic violence against men

Members and witnesses discussed the incidence of domestic violence against men and asked if there were figures as to how many men leave abusive homes with their children. They underlined the lack of a male refuge facility within the State and asked whether establishing a male refuge would be beneficial towards addressing this problem.

Witnesses highlighted the following figures in relation to domestic violence against men

- In 2020 Men's Aid supported more than 5,000 individuals and it was anticipated that they would support 8,000 individuals by the end of 2021, which would amount to a 32% increase on 2020 figures.
- In quarter one of 2021 Men's Aid had supported men from 24 different nationalities and it was underlined that domestic violence against men impacts all age groups and men in all professions.
- Statistics outline the widespread and acute underreporting of domestic violence by men e.g., Government research from 2005 found that 95% of men experiencing abuse do not report this to the Gardaí and research by the Office of National Statistics in the UK found that one in three victims of domestic violence are males.

The Committee was informed that men find it difficult to seek help knowing that there is no refuge accommodation available to them. Men's Aid pointed out that, despite the fact that men in Ireland are aware that there are no refuge options available to them and do not generally ask about this when contacting them, they still received 30 requests for a safe bed by quarter four of 2021.

Stakeholders highlighted that there are men who contact them seeking help who have children and these families would often have the same experience and difficulties as female victims and their children would. Men who have contacted them in these situations often find accommodation with family, friends or may have stayed in hotels during the pandemic if they could not couch-surf. Stakeholders underlined that, as a result, such cases of domestic abuse remain hidden and invisible. They compared the

'invisible man' suffering from domestic violence to the cohort of individuals that would be considered as the 'hidden homeless'.

Stakeholders anticipated that the numbers of victims contacting them to seek assistance would increase significantly in the aftermath of the pandemic and emphasised that male victims must be encouraged and provided with the confidence to seek help from domestic abuse.

It was recommended that a refuge centre be established for male victims and their children who are fleeing from situations of domestic abuse.

## 8. Education and dialogue around the topic of domestic violence

Members and witnesses discussed the need for education and dialogue in relation to the issue of domestic violence and questions were raised as to how we educate our society and schools on this topic. Members also spoke to the importance of a new relationship and sexual education programme being designed which would be age appropriate and start at the earliest stage in schools.

Witnesses acknowledged the need for education and awareness programmes around domestic violence to be integrated into secondary level syllabuses and even primary level syllabuses, where the focus of these programmes would be on topics such as respect, equality and consent. The intent of these programmes would be to educate young people in order to reduce and eradicate attitudes which enable domestic violence to be carried out.

Women's Aid highlighted that they have been part of a campaign aimed at 18 to 25-year-olds to help educate them around the signs and red flags of abusive relationships. The aim of this programme is to make people aware of these signs at a younger age and to encourage young people in abusive relationships to leave their situations before they reach the point of a long-term partnership, marriage or having children, which would further bind them into the abusive relationship.

### Awareness Campaign

Members raised questions as to whether an awareness campaign surrounding domestic violence should be launched to help start conversations around this issue and encourage victims to seek support.

Witnesses underlined how the pandemic brought an increased focus on the issue of domestic violence, as the reality and difficulties for victims of domestic abuse to follow stay-at-home orders was highlighted to the public. It was pointed out many individuals, communities and businesses responded to this increased focus and came up with ways to try and help tackle this problem, for example, Boots pharmacies offered safe

spaces to victims of domestic violence and Tesco put tag lines on its receipts on the topic of supports for victims of domestic violence.

Witnesses welcomed the efforts to increase support and protections for victims of domestic violence during the pandemic, including the 'Still Here' awareness campaign and Operation Faoiseamh and recommended that these campaigns be continued following the pandemic.

Witnesses stated that surveys have demonstrated how stigma and shame are still significant factors which deter individuals from reporting incidents of domestic violence. Of concern to stakeholders was a survey carried out amongst 18- to 25-year-olds in 2020 which found that younger people also suffered from a fear of reporting abuse by a partner. This was despite other findings from the survey which indicated that one in five of these young adults experienced abuse from an intimate partner and in half of the cases involving young women, this abuse started before they were 18 years old.

Witnesses commented that the shame, stigma and secrecy surrounding domestic violence must be removed and that this issue should be more prominent in society and discourse in order to raise awareness and continue conversations in relation to this subject.

## 9. Need for one single body or Department to lead domestic violence services

Members and witnesses discussed which Department or agency has responsibility for issues relating to domestic violence.

Witnesses underlined that it is unclear which body has responsibility for various elements of Ireland's domestic violence policy, for example, which body is responsible for those who are made homeless as a result of domestic violence. As stated in [Point 1](#), witnesses emphasised the need for there to be clarity as to which body or agency is responsible for and leads specific elements of the response to domestic violence.

Witnesses argued that there has not been a dedicated response from the Government or from Governmental Departments in response to domestic violence. It was pointed out that there may be policy on domestic violence within one Department, while services may be provided in a State agency outside central Government. Several domestic violence service providers stated that they have reporting structures to different Departments, which is time-consuming and resource intensive. The siloed nature of this governance structure means that there is also no one standard approach to the services provided by organisations. As a result, a victim could find the policies and service provision of a refuge in one part of the country to be completely different to those of a refuge in another part of the country, including how long they are permitted to stay in a refuge.

Stakeholders underlined that domestic violence is a large-scale social problem and that there must be both a coherent, firm and integrated response by the State towards this issue in order to effectively tackle it, alongside the relevant funding to support such a response.

Witnesses argued that a proper structure for the governance of domestic violence is required, which will lead to more robust responses at community level. Witnesses cited international research in this area which found that locating the issue of domestic violence and responsibility for this issue within a single Department, or even within a dedicated Department, can be an effective response to this problem. Witnesses

recommended that a dedicated Department be identified for the management and responsibility of areas relating to domestic violence. This should integrate all policy relating to domestic violence within one area and help introduce the leadership and drive that is necessary to create a proper, co-ordinated and effective response to this problem.

## CHAPTER 3 - Summary of Submissions

This note summarises the key issues raised in the submissions received.

The Committee received submissions from the following Stakeholders.

- Anew support services
- Men's Aid
- Women's Aid
- Department of Justice
- Saoirse Domestic Violence Services
- Safe Ireland

This briefing will focus on key issues identified in the submissions by

- Men's Aid
- Women's Aid
- Saoirse Domestic Violence Services
- Safe Ireland

These submissions highlighted in particular, the impact of domestic violence on men, women and children, the Istanbul Convention and the number of refuge accommodation available, the impact of the COVID-19 pandemic on the incidence of domestic abuse and services provided and the assistance of Gardaí and of Operation Faoiseamh when handling cases of domestic violence during the pandemic.

## 1. Incidence and impact of domestic violence in Ireland

Stakeholders outlined several statistics that demonstrate the prevalence of domestic violence that occurs in Ireland. Recent data from the UK Office of National Statistics demonstrated that 1 in 4 women and 1 in 6 men will experience domestic violence during their lifetime.

An EU wide survey published in 2014 found that

- 31% of women have experienced some forms of psychological violence by a partner since they were 15. This includes women who experienced controlling behaviour (23%), economic violence (10%), psychologically abusive behaviour (24%) and threats to or abuse of children (6%).
- 12% of women in Ireland have experienced stalking since the age of 15, and in half of these cases this was committed by a partner or former partner.
- 

In addition, a survey conducted by Women's Aid in 2020 on young people's (18-25 years old) experiences of intimate partner abuse found that

- 1 in 5 young women and 1 in 11 young men have suffered intimate relationship abuse;
- 1 in 6 young women and 1 in 13 young men have suffered coercive control by a partner or ex-partner;
- and 51% of young women affected experienced the abuse when they were under the age of 18.

Submissions highlighted that the impact of domestic violence on women is multi-faceted and includes loss of self-confidence, isolation, depression, severe anxiety, panic attacks, difficulties in sleeping or concentrating, PTSD, substance misuse, suicidal ideation and suicide attempts. Many women experience economic abuse as part of coercive control where their abuser may limit their access to family money. Separating from an abuser and engaging in protracted legal proceedings can also bear significant costs. According to a recent Safe Ireland study the aggregated cost of

domestic violence over the many years it may take a woman to escape from her abuser would cost €113,475 per woman.

Domestic abuse impacts on a victim's attendance and productivity at work and has been shown to cause lower personal incomes. Domestic abuse is also a significant factor in women and children's homelessness and this has been exacerbated by the housing crisis, which has made it more difficult for women and children escaping domestic abuse to find affordable accommodation.

### Incidence against Men

Men's Aid pointed out several statistics in relation to the incidence of domestic violence against men.

Research undertaken by the Irish Government in 2005 found that one in every three victims of domestic violence will be a man. Population-based studies demonstrate that 20%-50% of all partner violence victims in a given year are men. However, only 5% of male victims report domestic violence to Gardaí. This results in the vast majority of male victims of domestic abuse being invisible to society at large.

Men's Aid outlined that the impact of domestic violence against men is similar to the impact on women and can also include PTSD and heart attack symptoms. Men also specify the grief and loss they feel when being denied access to see their children and the impact of parental alienation on their wellbeing. Men's Aid highlighted that fear is a significant factor for all victims in abusive relationships and that this fear is heightened for men, who are at increased risk of homelessness if they attempt to leave an abusive relationship. Data from the UK shows that approximately one in six men who are homeless stated that this was as a result of experiencing domestic violence.

Among the recommendations by Men's Aid to help with the incidence of domestic abuse against men were

- That a female perpetrator programme be available as soon as possible, so that society learns the dynamics of the female abuser.

- To find alternative pathways to support men to access safe accommodation, where services like A&E, GPs and Gardaí will recognise male victims and can respond and refer them to the most suitable service for them;
- That any legislation going forward should be gender neutral.

### LGBTQ+ Relationships

Submissions stated that research from other countries highlights that the LGBTQ+ community experience a high rate of domestic abuse but also face additional challenges when accessing services and reporting abuse. Stakeholders referred to a recent GALOP report based on UK data, which highlighted that more than one in four gay men and lesbian women and more than one in three bisexual people reported experiencing at least one form of domestic abuse since the age of 16. It also highlighted that gay and bisexual men may be twice as likely to experience domestic abuse compared to heterosexual men and that rates of domestic abuse may be higher for transgender people than for any other sections of the population.

Women's Aid recommended that specialist LGBTQ+ domestic abuse support services and more cultural competence is provided in mainstream services so that their services are more accessible to the LGBTQ+ community.

## 2. Impact of domestic violence on children

Stakeholders highlighted that the majority of households affected by domestic violence have children living in them. Domestic violence has been identified as one of the most prevalent risk factors, impacting a child's social, emotional, psychological and physical wellbeing, as well as their educational outcomes.

The impact of domestic violence on children, results in some of the following issues, among others: feelings of helplessness, anger at both of their parents, guilt, loneliness; a lack of stability that can hinder their opportunities to develop healthy attachments and relationships; a negative impact on their education due to poor concentration, worry and absenteeism; and a chance that these children may replicate this behaviour in later intimate relationships they have. Children in these situations often grow, develop and live with fear as a part of their lives.

Women's Aid noted that being exposed to domestic violence is a recognised form of emotional abuse and that an EU wide survey from 2014 demonstrated that 73% of women who had suffered domestic abuse from a current or former partner believed that their children were aware of this violence occurring. Stakeholders pointed out that, according to a study from 2000, domestic violence occurred in 38% of child neglect cases and international research demonstrates the co-occurrence of domestic violence and child abuse. Sadly, between 1996-2020 18 children were killed alongside their mother in cases of intimate partner femicide and 134 children were left behind after their mother died as a result of intimate partner femicide.

Stakeholders also noted the impact of school closures during COVID-19 on children. Schools provide both a place of normality and respite where children can escape from domestic abuse and are also an important environment where abuse can be identified, acting as a significant referral source to Child Protection. In addition, school provides an opportunity for children to create resilience-building relationships with non-abusive people outside of their immediate family and schools can help meet children's basic needs by providing a source of hot food and opportunities to play where they are free from control.

Submissions highlighted that the true impact of school closures on children in households where domestic violence occurs is unknown. School closures resulted in children in domestic violence situations becoming invisible, at a time when domestic abuse was often intensifying due to the lockdown and stay-at-home requirements. Men's Aid also highlighted that they received an increase in the number of calls relating to breaches of legal orders or access to children during the pandemic, which were used as a form of abuse.

Stakeholders recommended that funding should be provided for specialist children's support in all refuges. Additionally, in terms of tertiary prevention, it was recommended that there should be dedicated indoor and outdoor trauma informed spaces including child support staff, to help support young people on their journey from living under abuse to freedom, with the aid of programmes on an individual and group basis.

### 3. Number of domestic abuse refuges and the Istanbul Convention

Stakeholders clarified that while the terms ‘shelter’ and ‘refuge’ can be used interchangeably, the term refuge is more commonly used in Ireland and the UK and Ireland. There are 22 domestic abuse refuges consisting of 139 communal and/or independent units. These are spread across 26 counties, mostly based in cities and larger towns. There are five refuge shelters in Dublin but only four are currently operational.

However, 9 counties currently possess no refuge accommodation: Carlow, Cavan, Laois, Leitrim, Longford, Monaghan, Offaly, Roscommon, and Sligo. Stakeholders highlighted that it is essential that every county provides refuge accommodation as this allows victims and their children to remain in their area, rather than uprooting them and disrupting their support networks, friends, the mother’s employment and the child’s schooling.

There are currently no domestic abuse refuges for men in Ireland in any region. In 2021, 24 men specifically contacted Men’s Aid requesting safe accommodation and were turned away as a result of this. As there are no domestic violence refuges available for men in Ireland, men must either obtain legal orders and stay living with their abuser or become homeless if they cannot afford alternative accommodation. This also has an impact on the children of abusive mothers, as it was pointed out that these children are disadvantaged because of the gender of their father and are not be able to access a refuge shelter.

Stakeholders highlighted that the existing number of refuge accommodation represents a significant shortfall and that they cannot assist everyone who requests their help as a result. Saoirse Domestic Violence Services pointed out that they have not been able to accommodate about 70% of the requests that they have received in the last few years. In 2018 Safe Ireland experienced 3,256 unmet requests for access to refuge because the services were full.

In addition, stakeholders highlighted their preference for refuges to be designed or reconfigured as independent family units and for the communal living model of refuges to be phased out. They pointed out that the COVID-19 pandemic had demonstrated

some of the issues with this model, as the space for victims in refuges with communal units was limited due to social distancing requirements which resulted in many women and families being denied accommodation. Furthermore, they highlighted that this model of refuge had posed problems even before COVID, as it provided less privacy and was unsuitable for women whose children were older boys.

It was also recommended that Ireland not only needs additional refuge spaces, but also a wider range of accommodation support options to meet the diverse needs of domestic abuse survivors. Stakeholders highlighted, for example,

- the ‘Safe Home Model’, where families escaping abuse are housed in a community with increased security and a Visiting Support Outreach worker;
- ‘Transitional Housing’, a step-down model from traditional refuge which provides tenancies of 18 months in small estates with support staff and enhanced security;
- and the need for more ‘move on’ or ‘long term accommodation’, as remaining in refuge accommodation longer than necessary can damage a woman’s self confidence and increase her fear of integrating into the community after receiving 24/7 support and care for so long in refuge accommodation.

### The Istanbul Convention

The Istanbul Convention was ratified by Ireland in 2019 and under articles 22 and 23 it obliges participating States to provide specialist support services and a sufficient number of refuges which should be accessible and should be adequately distributed by geographical location. Such shelters should also make pro-active efforts to reach out to victims of domestic abuse to encourage them to engage with their services.

All stakeholders highlighted that Ireland is currently in breach of its obligations under the Istanbul Convention for both female and male victims of domestic abuse as Ireland currently provides only 29% of its required refuge spaces. Safe Ireland estimated that Cork city should have 54 spaces under the Istanbul Convention based on its population from the 2016 census but it only has six spaces, while Dublin city and

county should have 135 spaces and only has 29. Based on the statement in the Convention that the number of refuge accommodation should depend on ‘actual need’, Ireland is also clearly in breach of its requirements, as current capacity falls far short of the demand for refuge accommodation.

Safe Ireland estimated that in order to reach the State’s requirements for refuge accommodation under the Istanbul Convention, an investment of between €60 million and €123 million would be required, which would rise to €98 to €161 million if taking staffing and current account costs into account. However, they pointed out that under the Summer Economic Statement from the Government, which stated that the Government intends to make €500 million in tax cuts in Budget 2022, a five-month deferral of these tax cuts would fund the construction and staffing costs of all 338 emergency accommodation spaces that are needed throughout the country.

Women’s Aid highlighted that shelters should also be designed as specialist women’s shelters, which can provide more suitable supports for women than general homeless shelters. Additionally, as stipulated by the Convention, it should also be considered how refuge accommodation can meet the needs of all types of violence, which would include Female Genital Mutilation, forced marriage and specialist refuge for minority groups.

#### **4. The impact of the Covid-19 pandemic on the incidence of domestic violence and on services provided to victims**

All stakeholders highlighted the extent to which the Covid-19 pandemic had adversely impacted on the incidence of domestic violence, with significant increases in the demand for domestic abuse refuges reported.

The ‘shadow pandemic’ refers to the escalation of domestic abuse during lockdown. Women’s Aid noted that between 2019 and 2020 there was a 28% increase in the total number of disclosures made to them, with a 41% increase in the number of sexual abuse disclosures and a 36% increase in the number of emotional abuse disclosures.

Stakeholders outlined that the requirements during the pandemic to stay at home and the restrictions on leaving one’s 5K without a valid reason provided the worst environment for victims of domestic abuse and provided more opportunities for abusers to justify their use of violence or coercive control. Victims were trapped at home with their abuser without the respite normally provided, for example when the abuser went to work or went shopping. It was also more difficult for victims to access support through formal networks or to avail of options like staying with friends due to the restrictions.

Accessing vital services like the Community Welfare Officers, social housing providers, and financial advice was also more difficult. Many court matters and legal proceedings including child custody cases, access and maintenance payments (including breaches of maintenance orders) hearings for barring and safety orders, and cases of separation or divorce were adjourned, which caused significant distress and prevented many victims from recovery and from moving on with their lives. Stakeholders recommended that measures introduced by the Department of Social Protection to allow victims to access their full social welfare entitlements by waiving the immediate need for court of evidence of non-payment of maintenance should continue.

Several solutions were put forward during the pandemic to help address the significant increase in demand for help and the particular challenges it brought about. A partnership between Airbnb, Safe Ireland and Women’s Aid provided free emergency

accommodation through Airbnb, supplemented by support from specialist domestic violence services, and this has been renewed until June 2022. However, stakeholders highlighted that these initiatives were ‘stopgap’ measures and could not be viewed as long term solutions for the lack of refuge space and alternative accommodation for victims of domestic abuse.

All stakeholders highlighted the need for additional funding both to urgently increase the provision of refuge shelters throughout the country and also to assist their organisations in coping with the increased demand in their services caused by COVID-19 and the risk of their frontline team suffering from the trauma of disclosure alongside a pressured workload.

## 5. The assistance of Gardaí in handling cases of domestic abuse and Operation Faoiseamh

Stakeholders generally welcomed the new approach adopted by an Garda Síochána under Operation Faoiseamh to assist victims of domestic abuse, which, from their experience, offered increased support and protection to victims.

This Operation was split into two phases. During Phase One (from April 2020), individuals who were listed in the Garda system as having previously experienced a Domestic Violence Act call-out were proactively contacted to check their wellbeing, were offered reassurance and offered Garda support, if required. Between January and October 2020 15,320 contacts or attempted contacts to victims of domestic abuse were recorded. Phase 2 focused on the execution of arrests, and the commencement of prosecutions for offences relating to breaches of court orders, under the Domestic Violence Act 2018. By 15<sup>th</sup> September 2020 there was a 14.7% yearly increase in detections for offences relating to breaches of court orders under the Domestic Violence Act 2018. Stakeholders urged that this pro-arrest policy be continued as this is critical to ensure arrests are a meaningful deterrent and reassure victims to have confidence in the justice system. It was recommended that members in all sections of the Gardaí (including the Computer Aided Dispatch (CAD) should be briefed on their obligations under the Garda Domestic Abuse Policy.

Stakeholders commented that during the pandemic they had a positive experience of enhanced levels of engagement with, and accessibility to Gardaí. This was experienced through increased Garda contact with local Domestic, Sexual & Gender Based Violence Services (DSGBV) and staff, greater collaboration and efforts between Gardaí and local services, and more meaningful introductory contact with DSGBV services initiated by newly transferred Garda staff. They expressed their desire that the enhanced and victim-centred approach to victims of domestic violence under Operation Faoiseamh would continue in the future.

They highlighted, however, that there were regional disparities and weaknesses in the Garda approach to cases of domestic violence. For example, it was reported that, in some situations, Gardaí were hesitant to request emergency Orders out-of-hours if it was known that a local judge was reluctant to facilitate such hearings. Submissions

highlighted that this was problematic as it gave victims the false impression that there was no legal recourse available to them in such a situation. In these situations, they recommended that Gardaí should invoke the provisions of the Domestic Violence Act 2018, and request that the Courts Service arrange a special out-of-hours hearing, even if this request is not subsequently accommodated.

From a regional perspective, there were disparities when responding to reported breaches of Protection, Safety or Barring Orders. Men's Aid highlighted a discrepancy in how some of their clients were dealt with by Gardaí, with some contacted by Gardaí who completed welfare checked while others stated that Gardaí did not attend to their requests for assistance, despite a domestic violence order being in place.

Men's Aid also highlighted that the term 'Faoiseamh' was a barrier to those from other countries who contacted them for assistance and did not understand Irish.

## 6. Additional Points

- 'Awareness events' /media coverage to support victims in coming forward

Many stakeholders highlighted the importance of 'awareness events' to help encourage victims of domestic abuse to seek support and to help break down the silence that surrounds crimes of domestic abuse.

Among the successful campaigns cited were the Department of Justice's awareness raising programme *Still Here*, which was launched during the pandemic to remind victims of domestic abuse to reach out and access the ongoing supports available to them, despite the pandemic restrictions. The 'Go Purple Day' campaign, which urged people to wear purple in an effort to promote and raise awareness of domestic violence services, was also cited as a success, as Men's Aid noted an increase in the number of callers requesting their services during this period. Men's Aid also noted an increase in the age of callers who contacted them for assistance during the pandemic, with more men in their 60s, 70s and 80s contacting them for assistance for the first time. They believe the enhanced national campaigns helped these men to realise they had been living in abusive marriages for many years and to begin seeking support.

It was also pointed out that media representation of domestic violence can help to raise awareness and start conversations about domestic violence. Men's Aid highlighted a recent storyline from Fair City which represented two men in a relationship, and the journey of one partner through the criminal justice system after he had reported his partner for abusive behaviour. They believe this storyline may have provided some members of the LGBTQ+ community with the confidence to come forward and avail of their services.

Stakeholders emphasised the importance of such national media campaigns in order for victims to recognise themselves and their situations in these media campaigns. Men's Aid also recommended that a national media campaign be launched which would encourage men to come forward to report incidences of domestic abuse and to feel supported in this decision. In addition, national campaigns should demonstrate

what coercive control is and should include all genders in its messaging, in particular a female perpetrator and gay partnerships.

- Impact of alcohol and drug use

Stakeholders had mixed opinions on the impact of alcohol and drug use on domestic violence. Saoirse Domestic Violence Services believe that alcohol is not a cause of domestic abuse and Safe Ireland highlighted conflicting studies, some of which demonstrate that incidents of abuse often happen when the abuser is sober. Women's Aid stated that alcohol and drugs do not directly cause domestic abuse, however, consuming these substances may act as a dis-inhibitor and exacerbate domestic abuse by increasing the number and severity of incidents.

During the pandemic, there was an increase in callers to domestic abuse helplines who stated that their partners were consuming more alcohol and drugs than previously, with 1 in 5 calls to Men's Aid helpline using the reference "She's drinking more at home". Such situations were exacerbated by the nature of lockdowns, where victims were trapped in confined spaces with their abusers and less able to escape from abuse exacerbated by the consumption of alcohol and drugs.

Stakeholders highlighted that often perpetrators used their consumption of drugs or alcohol as a means to justify their use of violence, by claiming that alcohol led them to act out of character or that they could not remember incidents of abuse. They argued that this justification is inexcusable, as being abusive is a choice made by the perpetrator to maintain control over a victim.

## APPENDICES

### APPENDIX 1- ORDERS OF REFERENCE OF THE COMMITTEE

Standing Orders 94, 95 and 96 – scope of activity and powers of Select Committees and functions of Departmental Select Committees

#### **Scope and context of activities of Select Committees.**

**94.(1)** The Dáil may appoint a Select Committee to consider and, if so permitted, to take evidence upon any Bill, Estimate or matter, and to report its opinion for the information and assistance of the Dáil. Such motion shall specifically state the orders of reference of the Committee, define the powers devolved upon it, fix the number of members to serve on it, state the quorum, and may appoint a date upon which the Committee shall report back to the Dáil.

(2) It shall be an instruction to each Select Committee that—

(a) it may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;

(b) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil;

(c) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Order 125(1)<sup>3</sup>; and

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<sup>3</sup> Retained pending review of the Joint Committee on Public Petitions

(d) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—

- (i) a member of the Government or a Minister of State, or
- (ii) the principal office-holder of a State body within the responsibility of a Government Department or
- (iii) the principal office-holder of a non-State body which is partly funded by the State,

Provided that the Committee may appeal any such request made to the Ceann Comhairle, whose decision shall be final.

(3) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice to the Business Committee by a Chairman of one of the Select Committees concerned, waives this instruction.

**Functions of Departmental Select Committees.**

**95.** (1) The Dáil may appoint a Departmental Select Committee to consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Dáil on any matter relating to—

(a) legislation, policy, governance, expenditure and administration of—

(i) a Government Department, and

(ii) State bodies within the responsibility of such Department, and

(b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.

(2) A Select Committee appointed pursuant to this Standing Order shall also consider such other matters which—

(a) stand referred to the Committee by virtue of these Standing Orders or statute law, or

(b) shall be referred to the Committee by order of the Dáil.

(3) The principal purpose of Committee consideration of matters of policy, governance, expenditure and administration under paragraph (1) shall be—

(a) for the accountability of the relevant Minister or Minister of State, and

(b) to assess the performance of the relevant Government Department or of a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.

(4) A Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—

- (a) consents to such consideration, or
- (b) has reported on such accounts or reports.

(5) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Dáil: provided that the Joint Committee shall not consider—

- (a) the Committee Stage of a Bill,
- (b) Estimates for Public Services, or
- (c) a proposal contained in a motion for the approval of an international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.

(6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.

(7) The Chairman of the Select Committee appointed pursuant to this Standing Order shall also be Chairman of the Joint Committee.

(8) Where a Select Committee proposes to consider—

- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 133, including the compliance of such acts with the principle of subsidiarity,
- (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
- (c) non-legislative documents published by any EU institution in relation to EU policy matters, or
- (d) matters listed for consideration on the agenda for meetings of the relevant Council (of Ministers) of the European Union and the outcome of such meetings, the following may be notified accordingly and shall have the right to attend and take part in such consideration without having a right to move motions or amendments or the right to vote:
  - (i) members of the European Parliament elected from constituencies in Ireland,
  - (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
  - (iii) at the invitation of the Committee, other members of the European Parliament.

(9) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—

- (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and

(b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of Standing Order 130 apply where the Select Committee has not considered the Ombudsman report, or a portion or portions thereof, within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas.<sup>4</sup>

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<sup>4</sup> Retained pending review of the Joint Committee on Public Petitions.

**Powers of Select Committees.**

**96.** Unless the Dáil shall otherwise order, a Committee appointed pursuant to these Standing Orders shall have the following powers:

(1) power to invite and receive oral and written evidence and to print and publish from time to time—

(a) minutes of such evidence as was heard in public, and

(b) such evidence in writing as the Committee thinks fit;

(2) power to appoint sub-Committees and to refer to such sub-Committees any matter comprehended by its orders of reference and to delegate any of its powers to such sub-Committees, including power to report directly to the Dáil;

(3) power to draft recommendations for legislative change and for new legislation;

(4) in relation to any statutory instrument, including those laid or laid in draft before either or both Houses of the Oireachtas, power to—

(a) require any Government Department or other instrument-making authority concerned to—

(i) submit a memorandum to the Select Committee explaining the statutory

Instrument, or

(ii) attend a meeting of the Select Committee to explain any such statutory instrument: Provided that the authority concerned may decline to attend for reasons given in writing to the Select Committee, which may report thereon to the Dáil,

and

(b) recommend, where it considers that such action is warranted, that the instrument should be annulled or amended;

(5) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss—

(a) policy, or

(b) proposed primary or secondary legislation (prior to such legislation being published),

for which he or she is officially responsible: Provided that a member of the Government or Minister of State may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil: and provided further that a member of the Government or Minister of State may request to attend a meeting of the Select Committee to enable him or her to discuss such policy or proposed legislation;

(6) power to require that a member of the Government or Minister of State shall attend before the Select Committee and provide, in private session if so requested by the attendee, oral briefings in advance of meetings of the relevant EC Council (of Ministers) of the European Union to enable the Select Committee to make known its views: Provided that the Committee may also require such attendance following such meetings;

(7) power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Select Committee to discuss his or her strategic priorities for the role;

(8) power to require that a member of the Government or Minister of State who is officially

responsible for the implementation of an Act shall attend before a Select Committee in relation to the consideration of a report under Standing Order 197;

(9) subject to any constraints otherwise prescribed by law, power to require that principal office-holders of a—

(a) State body within the responsibility of a Government Department or

(b) non-State body which is partly funded by the State,

shall attend meetings of the Select Committee, as appropriate, to discuss issues for which they are officially responsible: Provided that such an office-holder may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil;

and

(10) power to—

(a) engage the services of persons with specialist or technical knowledge, to assist it or any of its sub-Committees in considering particular matters; and

(b) undertake travel;

Provided that the powers under this paragraph are subject to such recommendations as may be made by the Working Group of Committee Chairmen under Standing Order 120(4)(a).'

## APPENDIX 2 - LIST OF STAKEHOLDERS AND SUBMISSIONS

The Committee received submissions from the following stakeholders

- Anew support services
- Men's Aid
- Women's Aid
- Department of Justice
- Saoirse Domestic Violence Services
- Safe Ireland

[Submissions are available in the online version of the Committee's Report, which will be accessible at <https://www.oireachtas.ie/en/committees/33/justice/>].

Joint Committee on Justice written submission on the topic of  
"Women's shelters/domestic abuse refuges".

**Submission participants:** Anew Support Services

**Date:** 18.08.21

### **Brief Organisation Background**

At Anew, we work to provide practical and emotional support to pregnant women and new mothers who are experiencing or are at risk of homelessness.

We support pregnant women and new mothers experiencing homelessness. By providing services in parenting, emotional wellbeing, and access to housing we work to ensure our women and their babies feel safe, supported, and welcomed in a world that once made them feel so alone.

We have been supporting pregnant women and new mothers since 1981 and continue to work towards our aim of reducing homelessness amongst pregnant women, enhance post-natal outcomes and improve the general health and wellbeing for all women and their families.

We work tirelessly to secure homes for our women and children as we believe the greatest long-term impact for them is to exit homelessness as quickly as possible.

### **What we do**

The women we support come from all walks of life with many seeking supports with domestic violence, addiction and mental health while also experiencing homelessness as a pregnant woman or a new mother.

Our award-winning services in Dublin encompass all that Anew is. Cherry Blossom Cottage is a four-bedroom Supported Temporary Accommodation (STA) for pregnant women and new mothers, where we provide intensive support for women both during their pregnancies and motherhood. Our experienced social care workers, housing workers and support workers aid our women in developing practical life skills, provide therapeutic parenting support while also assisting them in finding their forever home.

In Haven House located in Dublin City Centre, we offer day services where pregnant women and new mothers can attend peer-to-peer group sessions and avail of any parenting support they may need. We also provide outreach parenting support to women living in direct provision centres, family hubs and other temporary accommodation.

At Anew, we are committed to measuring the impact of our services to ensure we are always supporting our women in the best way possible. To do this, we use the evidence-based Outcome Star measurement tool to continually improve our services for those who need it most.

### **Responses to points 1, 2, 5, 6, 7, and 8.**

#### **1. The impact and incidence of domestic abuse against women, children, and men respectively**

In Anew we worked directly with women and their babies. We work with women from varied backgrounds many of whom have experienced Domestic Abuse (DA). While we can only accommodate four women our housing officer provides advice and support to women referred to our service. Throughout 2020 we accommodated nineteen women and worked with sixty-six. Out of the nineteen women that were accommodated in our STA, eight of those women disclosed they had experienced Domestic Abuse. This was in many forms, including but not exclusively physical, emotional, and financial. Women had to leave homes due to DA, while pregnant and enter homeless services to access supports. The impact that this had on both women's physical and mental & emotional well-being. The women that availed of our service expressed feeling unsafe in other emergency accommodations where they had to share rooms and facilities with other people. Often the women we worked with experienced homelessness for the first time and became homeless as a direct result of DA and becoming pregnant, hence a double trauma experience.

The impact of Domestic Abuse, becoming pregnant and homeless were all detrimental to women's health. Feeling of stress, being overwhelmed, unsafe, hopeless, and isolated were highlighted by all.

Loss of family and support networks and local connections were detrimental to women experiencing motherhood for the first time. This was exacerbated by the pandemic as travel and visits were not permitted.

2. *The geographical provision of shelters for domestic abuse.*

The geographical provision of DA shelters is largely in the Dublin region. This again impacts women experiencing DA as they may have to leave their home areas to access such supports not available in their locality. During the pandemic there was a great initiative put in place to provide financial support to women who had to leave their homes due to DA. This was particularly supportive of women who had mortgages and not entitled to social welfare payments. However again the onus was on women to leave to seek safety away from abusers.

5. *The impact of the Covid-19 pandemic and of the recommendations to stay at home during periods of lockdown on incidences of domestic violence/ the numbers of people seeking refuge from domestic violence*

As mentioned above this impacted some of the women, we worked with in Anew who became increasingly isolated and at risk of increased incidences of DA. In 2020 we saw an increase in referrals relating to DA. We also saw a sharp increase in women accessing our Counselling services in relation to DA and relationship difficulties. The impact that the recommendations had include women / men being unable to leave the place of danger, children being exposed to DA, as well as increasing incidents due to periods of lockdown. Evidence from Women's Aid and the Dublin Rape Crisis Centre highlighted the increase in incidents of DA and a direct correlation to lockdown. Services were limited with what they could offer in terms of direct face to face support also.

6. *The impact of the Covid-19 pandemic on services provided to those suffering from domestic abuse, including how these services are coping with the increase in demand during Covid-19*

Most services required adaptation last year with some facilitated online or via phone call in place of an outreach visiting service. Some services were forced to close in line with public health guidelines. Our day services in Haven House were gravely impacted by this and we are only now beginning to reopen our doors. Our day services create a safe place for women referred to our service that cannot avail of our STA to come to meet with staff, peers, and access supportive services to prepare them for motherhood. Anew's Housing Officer meets with women in Haven House and offers support and advice to women who are at risk or experiencing homelessness in accessing alternative accommodation their own homes. Due to the pandemic, we were unable to run this element of the service on a face-to-face basis and adapted to create this via phone and Zoom.

Our Counselling Service was available remotely through the pandemic. There were several referrals made by DA services as well as self-referrals. Our Counsellor had 210 client sessions during 2020, due to the pandemic many of these sessions were held remotely using the phone, Facetime or Zoom. When restrictions allowed face to face sessions were held in Haven House using all safety precautions. Presenting issues for women accessing our services included:

- Access Issues Anxiety /Stress
- Addiction Anxiety about moving to independent living
- Depression Being a New Parent
- Partner's behaviour Concerns baby health
- Conflict with family of origin.
- DA / Relationship breakdown
- Family Relationship Fear of been alone
- Fears for the future Breakdown of relationship
- Feeling unsafe in the home Issues with Access arrangements
- Feeling of hopelessness Relationship issues Loss/Fear
- Lack of Supports Prenatal Mental Health
- Issues with Partner controlling behaviour Marriage breakdown / Concern for impact on Children

- Relationship Anger / Resentment Moving on / Independent living
- Mental Health / Pre Natal
- Parenting Alone

While there are benefits to accessing online supports in terms of flexibility as well as no need to travel, at times direct support is required. It can also be difficult to facilitate online services where DA is the concern as often the perpetrator might be present in the home. This impacted some of the service users availing of our Counselling service.

Services were required to adapt, and some extended their hours, for example advice and helplines provided by DA services. According to research carried out by Women's Aid, their 24hr National Freephone Helpline responded to a 43% increase in calls between the end of March and the end of June, compared to their 2019 figures.

*7. The impact of isolation and disconnection from family and community supports due to the pandemic on victims of domestic abuse and on their ability to access support*

As mentioned above due to restrictions on travel and closure of services victims of DA were extremely isolated from family and limited in accessing support services. The women we work with often become more isolated when they enter homeless services due to the nature of services i.e., location, no visitors' policies as well as further restrictions due to the pandemic.

*8. The impact of school closures on access to support for children suffering from domestic abuse*

Again, in line with evidence from services the result of school closures had a direct impact on children being exposed to incidents of DA. This was also highlighted by Tusla who reported that in February of this year, there had been a 76% rise in mandated reports from the same source in the first six weeks of this year, compared with the same period in 2020 (<https://www.irishexaminer.com/news/arid-40231031.html> last accessed 18.08.21)

## WS\_02(1)

### Submission to the Joint Committee on Justice in relation to “Women’s shelters / domestic abuse refuges” - August 2021

#### A. Introduction.

Men’s Aid welcomes the opportunity to make a submission to the Joint Committee on Justice in relation to Women’s Shelters / domestic abuse refuges.

Domestic violence service provision is widely acknowledged as an important and vital feature of our society. Whilst true prevalence is unknown it is recognised as an issue of pandemic proportions.

Men’s Aid is the expert, principal specialist charity in Ireland dedicated to support men and their families experiencing domestic violence and coercive control. Our organisation collaborates nationally with other organisations, local authorities, Gardai, health services and the broad range of professional services supporting all victims. Men’s Aid is also part of a CEO group across Ireland, Northern Ireland, Scotland and UK, who like ourselves work frontline directly with male victims sharing approaches, data, research and contacts, all with the aim to build safe communities.

We provide a range of specialised services specific to supporting how men experience, communicate and respond to domestic violence. As members of our team have experience supporting both female and male victims, it is our opinion that men’s needs are very different and therefore require male specific supports.

Our services include a national Helpline, Monday to Friday 9am – 5pm, outreach clinics across the North East of Ireland, court accompaniment in Dolphin House and Dundalk courts, counselling as well as national advocacy.

Our services are designed to support the vulnerable man and his family through the catastrophic trauma of domestic violence and coercive control. Our counselling team are senior level professionals with extensive and specific experience in supporting vulnerable men with mental health, addiction, homelessness and suicidal issues as well as domestic violence.



In 2020, our service supported **5,500+ contacts**, in 2021 we expect to support approx. **8,000 contacts**. A pattern that will only continue to rise in the years ahead as men start to come forward to NGO's for help, information and support.

Despite our considerable contribution in supporting vulnerable victims across society, our funding is shockingly inadequate. Currently Men's Aid receive €239k from the Dept. of Children, Equality, Disability, Integration and Youth and €22k from Dept. of Justice. A total **yearly funding of €261k**. This represents less than 1% of the national funding for all DSGBV services. The €30m funding is not enough for women's services and we do not wish to take from their funding, national funding needs to be increased and allocated fairly and proportionately.

The current funding level is not viable to support the vulnerable men and their families in 2022 and beyond. In terms of staff resources, our tiny team responding to this national pandemic and high volume of demand consist of only 3 full time and 5 part time working on a rota basis.

Family violence leaves behind unimaginable trauma for all those impacted and also many generations of the family. It is imperative and long overdue that state and society starts to acknowledge and recognise the invisible vulnerable boys and men who need domestic violence service provisions. We do not fight suicide, homelessness, addiction or cancer based on gender because everyone deserves to feel safe from harm. Current funding levels risk prevention of early help and ultimately we risk people's lives.

Our mission is to help any person who seeks information and support in order to ensure they are safe, with specific focus on vulnerable victims with children. Our submission today is aimed at improving resources for female victims and male victims.

To date we have failed as humanity. Legislation, policies, academic papers, language and campaigns have been divisive, causing more silence rather than solutions. All stakeholders in the area of family violence need to be part of a solution and treat victims as human beings.

Men's Aid is working towards the day when no one lives in fear, the day when men, women, children and families are safe and secure in every village, town, farmland and city in Ireland.



## B. Executive Summary.

Domestic abuse should never be a competition between the genders of victims. Systemic bias against male victims and poor funding for domestic violence service provision must be addressed by Government and Society. These vulnerable victims are members of our family, they are our friends, neighbours and work colleagues. Ireland needs cultural change across society and support services in order to reach all vulnerable people. Language matters and language must be gender inclusive in order to reflect the communities across Ireland.

1. Male victims of domestic abuse are largely invisible to society. The public appear unaware that our service exists or needs to exist. Male victims include LGBT+ community, ethnic and minority men, men with disabilities, traveller and roma men, the man in hospital due to domestic violence.
2. **One in three victims of domestic abuse are men.** (COSC 2005 & UK ONS 2020)
3. **Only 5% of male victims report domestic violence to Gardai**, therefore 95% of domestic violence on a male is not 'on our radar', hence the male victim is invisible, lost in our system. (COSC 2005)
4. Best population-based studies show that 20%-50% of all partner violence victims in a given year are men.
5. The nonexistence of accommodation for male victims and their children is because to date they have been invisible. Housing and homelessness is an increasing problem for men, exacerbated through covid.
6. The thousands of children having to live with abusive mothers / step mothers are neglected with having no accommodation option to flee the abusive home. **These children are being discriminated against because of the gender of their guardian.**



7. Istanbul Convention: Ireland is currently in breach for both female and male victims of domestic violence. Section 23, which requires that shelters be accessible and in sufficient numbers to provide a place of refuge for victims. It also requires that shelters reach out pro-actively to victims.
8. Legal considerations: The Domestic Violence Act 2018, Victims of Crime Act 2017, Human Rights Acts, Equal Status Acts 2000 – 2018, Children’s Act, are areas that are often overlooked with male victims experiencing discrimination based on their gender.

Irish Government needs to make emergency accommodation accessible to all men, this includes migrant men, men with disabilities, men with mental health issues, men with substance misuse, traveller and roma men and LGBTQ+ men. We support men from ranging from 18 years – 82 years old.

The Irish housing crisis is having a severe impact on the men who are homeless. In the UK, data shows approx. 1 in 6 men who are homeless cite they are homeless due to experiencing domestic violence. As Ireland has no shelter/refuge the men have only the options of attaining legal orders and have to continue to live with their abuser or become homeless.

### **Academic.**

The most recent academic research we could find is the “Somewhere Safe” *informing Ireland’s Provision of Domestic Violence Emergency Accommodation through an International Lens*, by Abigail Flynn and Dr. Louise Crowley, January 2020.

Whilst it is an excellent piece of research funded by Tusla sadly it only represents women and children. A key recommendation from the research is “*The needs of men as victims of domestic abuse is a topic that should be strongly considered for future research*”.

This research should have included all genders seeking somewhere safe when fleeing abuse.

Irish Government, stakeholders and society must start to keep male victim/survivors of domestic abuse safe, secure and stable including their children and family in practice and spirit, not easy when often they are excluded from national campaigns, strategies and barely exist in national budgets.



## C. Taking each of the particular areas of interest to the Committee

### 1. The impact and incidence of domestic abuse against women, children, and men respectively.

- Men disclose intimate terrorism, severe psychological aggression, controlling behaviour, sexual violence, PTSD, depression, heart attack symptoms, isolation, experiencing poverty, homelessness, living with untreated physical injuries, untreated physical illnesses, and mental health issues. In particular, the impact of not seeing their children, the grief and loss when access is denied to spend time with their children by the other parent (parental alienation) has a huge impact on wellbeing. Many men disclose changing and/or losing their jobs due to domestic violence. We have noticed our statistics for suicide ideation triple since covid. Men disclosing the weight of false allegations, legal orders not enforced, administration abuse all exacerbated due to having no refuge / shelter to flee to.
- Fear of not being believed, fear of consequence, shame, stigma are resulting in boys and men not coming forward for help and instead remaining in the abusive home and '*putting up with it*'. Thus leading to mental health struggles.
- Disclosures of girlfriends/wives/partners increase intake of alcohol / substances continues to be a factor in domestic violence. Partners with dependency on alcohol / substances falsely accusing the victim of actions / behaviour are reported to our Helpline daily.
- Fear plays a huge part for all victims in abusive relationships. In particular for male victims, the fear of being homeless because currently Ireland has zero refuge / domestic violence shelter for single men or dads with children fleeing domestic violence.
- Irish Government research from 2005 found that **one in every three** victims of Domestic Violence will be a man. (COSC 2005).
- Recent ONS Data from the UK shows 1 in 4 women and 1 in 6 men will experience domestic violence during their lifetime. (Office of National Statistics 2020).



- Male victims deserve the same access to the complex range of needs required to support them. Key workers are required to manage case load given the broad and complex needs of a single man or dad with children require to start their journey of rebuilding their lives.
- Parenting Support Programmes in Ireland are made only available to "Mum and Children". Children of abusive mothers are excluded. The CSO recorded over 30,000 lone dads in Ireland. The voice of the child is totally silent and invisible when denied access to support programmes **because of the gender of their guardian.**

## 2. The geographical provision of shelters for domestic abuse.

- There are no shelters in Ireland for any male victims of domestic abuse single men or dad's and their children.
- No shelters for our transgender community. A transgender client of ours was turned away by a women's shelter.

## 3. The incidence of domestic abuse in LGBTQ+ relationships.

- Whilst in 2020 only 5% of contacts to Men's Aid are from LGBTQ+ community, we have noted a significant increase in 2021. The men in gay relationships disclose and produce proof of severe coercive control and violence.
- We are thankful to the RTE summer storyline on Fair City of two men in a relationship, showing the journey when a victim reported his abusive partner and his journey through the criminal justice system. In the TV drama the perpetrator was found not guilty, the reaction from the public and viewers was outrage. The storyline sadly reflects reality for far too many however it resulted in conversation and engagement and we believe the drama may have had an impact on members of the LGBT+ community and gave confidence for the men to start coming forward to our service.



- If there were national campaigns for boys and men, we would start to see a better picture of prevalence but also reach so many men who sadly see no choice or way out and decide to go other routes to cope with abuse such as substance, homelessness and suicide. Victims need to recognise themselves in media campaigns.
- Currently we are supporting a number of men in gay relationships through the Criminal Justice System, supporting them to report coercive control, physical assault and rape. These clients have remained living with their abusers as there is no refuge in Ireland.

#### **4. The Istanbul Convention and its impact on the provision of refuge accommodation in Ireland.**

- The Istanbul Convention has had no impact on refuge accommodation for male or transgender victims of domestic violence. There continues to be no shelters or refuge for male victims or members of the transgender community.

#### **5. The impact of the Covid-19 pandemic and of the recommendations to stay at home during periods of lockdown on incidences of domestic violence/ the numbers of people seeking refuge from domestic violence.**

- Men's Aid have seen an increase of 40% in contacts to our service since Covid 19 restrictions with many of these men seeking refuge or safe accommodation.
- It is widely known that Ireland does not provide refuge for boys and men fleeing domestic violence so male victims rarely request refuge. However, to date in 2021 our data shows 24 men specifically contacted our service requesting refuge / safe accommodation. These men were turned away due to no accommodation option.
- The impact of lockdown and disconnection from wider family supports has increased the volume of men contacting us who are sleeping on the streets or in tents on beaches, in cars and sleeping in garden sheds whilst their perpetrator remains in the home.



- Before Covid callers spoke of sofa surfing in friends and families' homes to escape violence and abuse however this stopped due to social distancing. Covid restrictions left many men and children in unsafe and dangerous situations with nowhere to turn to for safety.
- We witnessed an increase in the older man calling our Helpline through covid. Men in their 60's, 70's, 80's. With national campaigns highlighting Helpline numbers for victims of domestic violence, it appears there was a moment of realisation for many men that they had been in abusive marriages for 20, 30 and 40 years. Evidence of how unaware a victim is when abuse becomes 'the norm' and they know no different. Sadly these elderly men had nowhere to go and still live with the abusers.
- Ireland, Northern Ireland, Scotland and our colleagues in the UK found statistically suicide soared during lockdown. There was additional risk and yet no accommodation provision made available for victims of domestic abuse who are male.

## **6. The impact of the Covid-19 pandemic on services provided to those suffering from domestic abuse, including how these services are coping with the increase in demand during Covid-19**

- In 2020 all of our in person support services were restricted due to Covid. We pivoted and provided support via telephone and zoom. In some cases we did have to meet clients in car parks in the fresh air in order to help them with practical support regarding court information, court paperwork. These services are available to women when in refuge, a key worker could help with paper work, applying for legal orders via online. A service not available to victims who are male.
- Due to the increased pressure on Men's Aid team in 2021 Tusla provided temporary additional funding for 2 helpline call handlers. To date the increase pressure on Men's Aid team and increase in calls to the service continues. The additional part time support workers is still not adequate to meet the demand.



- As the demand rises from Q1 to Q3 in 2021 our service is barely coping. Due to a small team and conscious of vicarious trauma, our organisation urgently needs Government to support male victims who are experiencing domestic violence.
- There have been too many days in 2020 and 2021 whereby the frontline team are literally drenched in trauma from the disclosures. The terms and conditions of the frontline team needs addressing in Q4 2021 otherwise we risk losing team members.

## **7. The impact of isolation and disconnection from family and community supports due to the pandemic on victims of domestic abuse and on their ability to access support.**

- Men's Aid has noticed an increase in men contacting with mental health issues and suicidal ideation.
- In January 2021 Men's Aid sought assistance from Gardai to attend 5 serious suicide attempts. This was following Christmas and no supports / refuge available.
- Funding for Men's Aid outreach support is currently restricted to **four counties** – Meath, Louth, Monaghan and Cavan. So the vulnerable male victim outside of these four counties relies on our support by telephone. This is a huge area to focus on for 2022 and beyond. We have been successful in attaining a grant for 12 months to provide outreach support in Co. Waterford, funded by The Community Foundation. However what about the victims in all other counties, starting with Cork, Limerick and Galway. These victims continue to be neglected due to gender and geographical location.



## 8. The impact of school closures on access to support for children suffering from domestic abuse

- While all calls to Men's Aid increased there was a marked increase to our helpline from distressed dads revealing breaches of legal orders during covid restrictions.
- Breaches of access were being used as a form of abuse to such a level that Minister for Justice Mr Charlie Flannagan released a statement in April 2020 reflecting the position of the Department of Justice - "*Court Orders in relation to access remain in place and should be complied with to the greatest degree possible in the circumstances*". Whilst policy is in place, sadly reality is very different.
- Men contacting Men's Aid also revealed their concerns for their children's safety and spoke of their partners increased alcohol consumption and drug taking having a negative impact on their children.
- Disclosures of children being neglected, left to their own devices and an increase in verbal, mental and physical abuse towards them.
- Increase in Child Protection Referrals to Tusla made in 2020 and continues in 2021.
- Schools provide refuge for thousands of children living in abusive home environments. The true impact of lockdown is unknown on these children.



## 9. The assistance of Gardai and the impact of Operation Faoiseamh in handling cases of domestic abuse during the pandemic.

- During Lockdown some men revealed Gardai were contacting them and completing welfare checks, while others complained of seeking assistance from Gardai but no Gardai attending even when a domestic violence order was in place.
- The name “Faoiseamh” was a barrier to victims with no Irish language. In 2020 we supported men from 25 countries, hence they would not recognise this word.
- We keep in regular contact with members of AGS and met in person with Assistant Commissioner Anne Marie Cagney and Chief Supt. Declan Daly as well as local AGS across Ireland. We are experiencing an increase in referrals from AGS to our service.
- The “Go Purple” campaign was a huge success in that we experienced an increase in calls. Awareness events like these are imperative to break down silence and for victims to be encouraged to reach out to AGS especially considering the low reporting levels.

## 10. The impact of the increased consumption of alcohol and drugs during the pandemic on the incidence of domestic abuse.

- Although men using Men’s Aid services reveal an increase in violence when their abuser consumes alcohol these calls increased during lockdown in both incidents and severity of violence.
- 1 in 5 calls to our Helpline disclosed reference to “She’s drinking more at home”.
- Callers speak about alcohol being consumed daily which increased already volatile and dangerous situations.



## D. Recommendations

- Given the high volume of male victims Ireland needs a specific strategy for boys and men experiencing partner abuse.
- Action the recommendation from Dr. Louise Crowley's research and carry out the "Somewhere Safe" report for male victims. A need's assessment to gather a holistic list of safe accommodation options nationally, ensuring there are sufficient supports to meet the needs of different demographics (male, LGBT+, ethnic minorities, older men, men with a disability). Safe accommodation options reviewed: Refuge, specialist safe, dispersed accommodation types. The Courts Service, Tusla, An Garda Siochana to assist in the research.
- Agencies working in the space of accommodation and housing such as Peter McVerry Trust, Simon Community and addiction service Tiglin share their approaches with Domestic Violence services working with male victims. These agencies support vulnerable people and thus are not bias towards gender.
- Lease buildings from housing authorities for use as refuge. Reviewing housing level options of a) refuge, b) assisted living or c) peer support accommodation.
- Fund Men's Aid to expand the team to offer key workers, case workers to run and manage the refuge service.
- Northern Ireland is currently the only region in the UK with a gender inclusive strategy to tackle domestic and sexual violence. Engagement with the service providers to understand how they approach the same issues and outcomes.
- Prevention measures – National campaigns graphically showing what coercive control is and the use of all genders in the messaging, in particular a female perpetrator and gay partnerships.
- Healthy and unhealthy relationships being part of the school curriculum without gender approach.



- The impact of prevention measures will in decades to come impact less need for refuge as the victim should be remaining in the home and the perpetrator removed / sentenced.
- We would suggest a female perpetrator programme be available asap so society learns the dynamics of the female abuser. Both Men's Development Network and MOVE Ireland offer excellent programmes for male perpetrators, we see a need for female perpetrators also.
- A national media campaign encouraging men to come forward so they know they will be supported and are not alone.
- Any legislation going forward to be gender inclusive.
- We call for urgent research and training in all the areas including child protection, criminal justice system, family law courts, training for a wide body of individuals who interact with family including the judiciary, solicitors, individuals who prepare s47 s32 reports, individuals employed at child contact centres, the mediation process and the mediator.
- Samaritans Ireland and Men's Aid would like to collaborate and commission research around domestic violence and suicide. Ireland's suicide rates amongst men is of grave concern and the sooner we have research on the area the sooner we can save lives.
- An accommodation service such as Peter McVerry Trust / Focus Ireland need to collaborate to research how many men are sleeping rough because of partner abuse.
- The Irish State must give a commitment and commence working towards supporting male victims of domestic violence and coercive control.
- Find pathways to support men to access safe accommodation. Not all men will contact a domestic violence service, services such as A&E, GP's, Gardai to play their part in recognising the male victim so they can respond and refer to the most suited service.



Hopefully, it is time to stop using divisive, discriminatory language and to come together to build a system that recognises and protects all victims and their children, regardless of gender, ethnicity, class, sexuality, religion, disability or social and workplace position. We must work towards supporting all victims and all perpetrators in order to build a safe community.

Thank you for your time reading our submission.

**ENDS.**

**20<sup>th</sup> August 2021.**



August, 2021

# Submission to the Joint Committee on Justice on women's shelters/domestic abuse refuges



## Executive Summary

As a leading frontline responder and social change organisation, Women's Aid welcomes the opportunity to offer our views to the Committee on the important topic of shelters/refuges for women escaping domestic violence and abuse.

This submission makes a number of recommendations, which are summarised below.

### Recommendations

- 1) Initiate and start immediate planning for a national domestic abuse prevalence survey
- 2) Carry out further in-depth research to understand the intimate relationship abuse experienced by young people aged 18 to 25 from a larger sample size than the recent Women's Aid research, to learn more about the prevalence, types of abuse that they are experiencing and the impacts of the abuse.
- 3) Plan and carry out urgent research on the prevalence of intimate relationship abuse amongst under 18s to inform prevention and intervention work with minors.
- 4) Provide refuges in counties where there are currently none as part of overall increase in refuge places.
- 5) Increase the number of refuges/refuge places available to meet the Istanbul Convention standard. Refuges should be designed/reconfigured towards independent family units with the communal living model phased out.
- 6) Consider how to best meet the need for refuge of diverse minority groups (such as LGBTQ+, ethnic minorities, marginalised groups, disabled people) through dedicated services and/or enhancing cultural competencies and access to mainstream refuges.
- 7) Consider how to best meet the needs for refuge of victims of other forms of gender-based violence such as prostitution/human trafficking and forced marriage.

- 8) Provide funding for specialist children's supports in all refuges
- 9) Provide adequate statutory funding for refuges and other specialist domestic violence services to meet the increase in demand from women, and to maintain compliance with Covid-19 (and any future public health mandated) precautions.
- 10) Increase funding for the 24hr National Freephone Helpline to provide for additional staff.
- 11) Fund qualified external supervision support for all domestic abuse specialist services workers.
- 12) Measures should be set up within the Department of Social Protection to waive the immediate need for court evidence of non-payment of ordered Maintenance in order to access full social welfare entitlements should be continued as a permanent measure to be responsive to the (often urgent) economic needs of domestic abuse survivors.
- 13) A pro-active and victim-centered approach embodied by Operation Faoiseamh should be continued and become Garda routine procedure, even after the end of the pandemic.
- 14) All members in all sections of the Garda (including the Computer Aided Dispatch (CAD) to be briefed on their obligations under the Garda Domestic Abuse Policy. The pro-arrest approach, which is part of the Garda Domestic Abuse policy must be maintained.
- 15) Training on the dynamics and impacts of coercive control should be rolled out to all frontline members of An Garda Síochána, to support their work responding to calls and the effective roll-out of their new risk assessment tools.
- 16) A comprehensive strategy for move on and long term accommodation for victims of domestic abuse needs to be developed. This could include inter alia:
  - a) ensuring that any national homeless/housing Strategy is both gender-sensitive and explicitly inclusive of the specialist and various housing needs of victims of domestic abuse, including children
  - b) maintaining the special access to Rent Supplement for victims of domestic violence, implemented as a response to the pandemic, beyond the end of 2021
  - c) addressing local authorities housing criteria that hinder domestic violence victims accessing priority local housing
  - d) exploring measures to support women to **safely** remain or return to their homes, removing the perpetrator – which may also include mortgage assistance (see [here](#))
  - e) increase the provision of alternative and step-down supported accommodation such as the Safe Home Model and the Transitional Housing model
  - f) increase social housing stock to meet demand



## Introduction

1. Women's Aid is a leading national organisation that has been working in Ireland to stop domestic violence<sup>1</sup> against women and children since 1974. In this time, the organisation has built up a huge body of experience and expertise on the issue, enabling us to best support women and share this knowledge with other agencies responding to women experiencing domestic violence.

More information on Women's Aid is available on [womensaid.ie](http://womensaid.ie).

2. Women's Aid appreciates the opportunity to make a submission to the Joint Committee on Justice on women's shelters/domestic abuse refuges. Given our remit, we will respond to the questions in the consultation paper in relation to domestic abuse on women and children only.

3. Women's Aid also acknowledges the work recently undertaken by the Child and Family Agency TUSLA to review emergency accommodation provisions in Ireland for victims/survivors of domestic abuse, and support the inclusion of the substance and recommendations of this review by the Committee in its considerations of this important matter.

### **1. The impact and incidence of domestic abuse against women, children and men respectively**

4. Domestic abuse is highly prevalent in Ireland and it has serious, long-lasting and multi-faceted impacts on women and children, as summarised below.

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<sup>1</sup> While recognising that the legal term in Ireland is 'domestic violence' we acknowledge that many victims/survivors identify more with the term 'domestic abuse' or 'intimate partner violence' or 'Intimate relationship abuse'. Women's Aid uses these terms interchangeably in this submission to refer to the same set of abusive behaviours perpetrated by current or former intimate partners (including emotional, physical, sexual and financial abuse and coercive control).



## Incidence of domestic violence

5. The FRA European Union-wide survey on violence against women<sup>2</sup> has found that in Ireland:

- 31% of women have experienced some forms of psychological violence by a partner since age 15. This includes: 23% of women experiencing controlling behaviour, 10% economic violence, 24% psychologically abusive behaviour and 6% threats to /abuse of children. Many women experienced more than one forms of abuse.
- 12% of women in Ireland have experienced stalking since age 15. In 50% of these cases the perpetrator was a partner or former partner.

6. The FRA report also included limited data about women with children:

- Of the women who have experienced violence by a current or a previous partner, 73 % indicated that their children were aware of the violence<sup>3</sup>.

In 2020, like in previous years, the great majority of the women who used Women's Aid one to one services for the first time had children. We know from the FRA report above that children are often aware of the violence experienced by their mothers and therefore we can confidently assume that a number of children in Ireland are aware of their mothers being abused physically, emotionally, sexually and financially by her partner or ex, who is often their father. **This is a recognised form of emotional abuse of children.**

7. Note that the FRA report was published in 2014, with data collected in 2012. The data is therefore nearly 10 years old. It is essential that a national domestic abuse prevalence survey is planned and carried out in Ireland urgently.

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<sup>2</sup> European Union Agency for Fundamental Rights, Violence Against Women: an EU-wide survey Main results, 2014 Tables 2.1, 2.3 and 4.2. For detailed forms of psychological abuse see the data explorer, <https://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>

<sup>3</sup> Unfortunately, this data is at EU level and is not disaggregated by member states.



8. More recent data on young people's (18 to 25 years old) experiences of intimate partner abuse was collected and published by Women's Aid in 2020<sup>4</sup>. Our research found:

- 1 in 5 young women and 1 in 11 young men have suffered intimate relationship abuse
- 1 in 6 young women and 1 in 13 young men have suffered coercive control by a partner or ex-partner
- 51% of young women affected experienced the abuse when they were under the age of 18.

### Recommendations

- 1) Start immediate planning for, and initiate a national domestic abuse prevalence survey
- 2) Carry out further in-depth research to understand the intimate relationship abuse experienced by young people aged 18 to 25 from a larger sample size than the recent Women's Aid research, to learn more about the prevalence, types of abuse that they are experiencing and the impacts of the abuse.
- 3) Plan and carry out urgent research on the prevalence of intimate relationship abuse amongst under 18s to inform prevention and intervention work with minors.

### Impacts on women

9. Domestic abuse has serious impacts on **women's mental and physical health**. Women may suffer a range of injuries, from bruises and scratches to broken bones, internal injuries, concussion, miscarriages. Some of these injuries may have irreversible impacts, such as nerve damage, loss of hearing and disfigurement.

<sup>4</sup> Women's Aid, 2020, One in Five Report: <https://www.womensaid.ie/about/policy/publications/one-in-five-women-report-experience-intimate-relationship-abuse-womens-aid-2020/>



10. Tragically for some women, domestic abuse ends in their murder. Women's Aid latest femicide report<sup>5</sup> found that 236 women died violently between 1996-2020 in Ireland. Of the resolved cases, 55% were killed by a partner or ex-partner.

11. Women also suffer severe mental health impacts, which may include loss of self-confidence, isolation, depression, severe anxiety, difficulties in sleeping or concentrating, PTSD, substance misuse/, suicidal ideation and suicide attempts.

Women in Ireland reported the following long term impacts of abuse to the FRA survey <sup>6</sup>:

Depression	33%
Anxiety	35%
Panic attacks	18%
Loss of self confidence	<b>55%</b>
Feeling vulnerable	49%
Difficulty in sleeping	36%
Concentration difficulties	18%
Difficulties in relationships	31%
Other	1%

*Table 1: Long term psychological consequences of the most*

12. Domestic abuse has also significant impacts on women's **financial situation, employment prospects, risk of poverty and homelessness.**

<sup>5</sup> [womensaid.ie/assets/files/pdf/womens\\_aid\\_femicide\\_factsheet\\_2020.pdf](https://womensaid.ie/assets/files/pdf/womens_aid_femicide_factsheet_2020.pdf)

<sup>6</sup> Fundamental Rights Agency of the EU, Gender-based violence against women survey explorer 2012, <https://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>



13. Many women experience economic abuse as part of the overall experience of coercive control. They may have no access to the family money and assets and the perpetrator may incur debts in their name, affecting their credit rating. When separating, women may accept unfair division of property and assets due to coercion, fear of the perpetrator or lack of accurate knowledge about the family's financial assets.

14. They are prevented from working, or their work is disrupted and sabotaged by the perpetrator, with the abuse affecting their attendance and productivity. “Domestic violence has been shown to cause disrupted work histories, high rates of absenteeism, lower personal incomes, frequent changes

15. Women may have to leave the home for their safety. If remaining in the home without the perpetrator they may be unable to continue paying the mortgage or rent. Domestic abuse is a key driver of women and children’s homelessness. The housing crisis has made finding affordable accommodation increasingly difficult for women and children escaping domestic abuse.

16. Costly, protracted and stressful legal proceedings (both in the Family and the Criminal court) continue to have a negative impact on women after separation both mentally and financially. A recent Safe Ireland report estimates the aggregated cost of domestic violence over a woman’s journey to safety (which may last years) at €113,475 per woman, with lost income/productivity as the largest economic cost<sup>7</sup>. The report also found that women faced significant challenges in relation to homelessness and housing.

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<sup>7</sup> NUI Galway and Safe Ireland (2021) Assessing the Social and Economic Costs of DV:  
<https://www.safeireland.ie/nearly-e113500-over-20-years-the-high-cost-of-domestic-violence-to-a-woman/>



17. It is worth noting that separation does not always end the violence but whether the abuse ends or not after separation, **the impacts on the woman's health, employment prospects, housing and financial security often persist for the long term.<sup>8</sup>**

18. For some migrant women, domestic abuse may impact on their ability to remain in Ireland legally.

19. For the young women in our 2020 research, the impacts mentioned were: losing self-esteem, suffering anxiety and depression, withdrawing from family and friends, stopping attending work or college, suicidal thoughts/attempts suicide, needing treatment for physical injuries and living in fear.

### Impacts on Children

20. The link between child abuse and domestic violence has been clearly established. Domestic violence is very common in settings where child abuse takes place. International research demonstrates both the co-occurrence of child abuse with domestic violence and the impact of domestic violence on the developmental needs and safety of children<sup>9</sup>. It has also been found that the more severe the domestic violence, the more severe the abuse of children in the same context<sup>10</sup>.

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<sup>8</sup> See ANROWS Domestic violence and women's economic security: Building Australia's capacity for prevention and redress: Final report, October 2016

<sup>9</sup> See for example Hogan, F. and O'Reilly M. (2007) Listening to children: Children's stories of domestic violence. Office of the Minister for Children/Department of Health and Children. Dublin  
S. Holt et al, "The impact of exposure to domestic violence on children and young people: A review of the literature", Child Abuse and Neglect 32 (2008) 797–810).

The Australian Domestic & Family Violence Clearinghouse and The University of New South Wales for the Benevolent Society, The Impact of Domestic Violence on Children: A Literature Review, 2011  
UNICEF Child Protection Section, Behind Closed Doors the Impact of domestic violence on children, 2006  
Barnardos, 2016, What's the harm? A child-centred response to domestic abuse

<sup>10</sup> M. Hester et al., Making an Impact - Children and Domestic Violence: A Reader: 2nd edition, Jessica Kingsley Publishers, 2007



21. Between 1996 - 2020, **18 children were killed** alongside their mothers in intimate partner femicide cases with a further **134 children being left to cope with the death of their mother**.
22. Exposure to domestic violence is recognised as a form of emotional abuse, as acknowledged in Children First: National Guidance for the Protection and Welfare of Children. These guidelines recognise that **being exposed to domestic violence is in itself a form of child abuse** and is detrimental to the child's emotional wellbeing, **even when the child is not directly targeted** by the perpetrator of violence.
23. The impacts on children recorded by Women's Aid in our work with mothers include: injuries, feeling guilty, insecure, anxious; lowered sense of self-worth, having difficulties in sleeping, bed-wetting, experiencing difficulties in school, and the mother-child bond being undermined. Children may also be impacted by: the instability of having to relocate, losing friends, changing schools, lack of secure accommodation/homelessness, and by poverty and deprivation due to the perpetrator financial abuse during the relationship and after separation.

## 2. The geographical provision of shelters for domestic abuse

24. Currently the following counties do not have a refuge: Carlow, Cavan, Laois, Leitrim, Longford, Monaghan, Offaly, Roscommon and Sligo.

25. It is important that women and children are provided with emergency accommodation in their county/ local area. Being able to access refuge locally means that women and children are able to maintain employment, school and contact with family, friends and community, thus reducing the disruption to their lives of having to leave their home. However, women and children may need to go to a refuge in another county for confidentiality or safety reasons, for example if they need to physically distance themselves from the perpetrator, and they should be able to do so without restrictions.



### **Recommendation**

- 4) Provide refuges in counties where there are currently none as part of overall increase in refuge places

### **3. The incidence of domestic abuse in LGBTQ+ relationships**

26. We are not aware of any data regarding the prevalence of domestic abuse in LGBTQ+ relationships in Ireland. Research from other countries however, suggest that the LGBTQ+ community experience a high rate of domestic abuse and face additional barriers to reporting abuse and accessing services.

27. For example, a recent GALOP report<sup>11</sup> summarises prevalence data in the UK as follows (note that 'domestic abuse' includes intimate partner abuse **and** family members abuse):

More than one in four gay men and lesbian women and more than one in three bisexual people report at least one form of domestic abuse since the age of 16.

Lesbian women report similar rates of domestic abuse to that of heterosexual women.

Bisexual women are twice as likely to disclose intimate partner violence compared to heterosexual women.

Gay and bisexual men might be twice as likely to experience domestic abuse compared to heterosexual men.

Prevalence rates of domestic abuse may be higher for transgender people than any other sections of the population.

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<sup>11</sup> M. Field & J. Rowlands. Commissioning for inclusion: Delivering services for LGBT+ survivors of domestic abuse. Galop.London.2020 Available at <https://galop.org.uk/wp-content/uploads/2021/05/LGBT-Commissioning-Guidance-final-2.pdf>



28. SafeLives<sup>12</sup> highlights that the LGBTQ+ community is not accessing services at the same rate of the non LGBTQ+ population and when they do, they have more complex needs. They recommend both specialist LGBTQ+ domestic abuse support services and ensuring cultural competence in mainstream services so that they are more accessible and responsive to the LGBTQ+ community.

#### **4. The Istanbul Convention and its Impact on the provision of refuge accommodation**

29. The Istanbul Convention requires states to provide for specialist support services and refuges, in sufficient numbers and in an adequate geographical distribution. (Articles 22 and 23).

*Parties shall take the necessary legislative or other measures to provide for the setting-up of appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for and to reach out pro-actively to victims, especially women and their children.*

*Article 23 – Shelters*

30. The Explanatory Report to the Convention makes it clear that shelters need to be specialist women's shelters as they provide much more than a safe place to stay. Generalist homeless shelters are not equipped to provide the necessary support and empowerment<sup>13</sup>. In terms of defining sufficient numbers, the report states:

*135. This provision calls for shelters to be set up in sufficient numbers to provide appropriate temporary accommodation for all victims. Each type of violence requires a*

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<sup>12</sup> SafeLives, 2018, Free to be safe: LGBT+ people experiencing domestic abuse, <https://safelives.org.uk/sites/default/files/resources/Free%20to%20be%20safe%20web.pdf>

<sup>13</sup> Council of Europe, Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence—CETS 210 – Paragraphs 133 and 134

*different kind of support and protection, and staff need to be trained to provide these. The term “sufficient numbers” is intended to ensure that the needs of all victims are met, both in terms of shelter places and specialised support. The Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV (2008)6) recommends safe accommodation in specialised women’s shelters, available in every region, with one family place per 10 000 head of population. However, the number of shelter places should depend on the actual need. For shelters on other forms of violence, the number of places to be offered will again depend on the actual need (emphasis added).*

31. Women’s Aid would argue that Ireland does not meet this standard for the following reasons:

- the number of family places available is 145 in 22 refuges. According to WAVE this represents only 30% of the places that should be available for the population of Ireland<sup>14</sup>.
- the Explanatory report states that “the number should depend on actual need”. Women’s Aid has noted with alarm for a number of years that refuges are often unable to take in women needing emergency accommodation, because they are full. For example, in 2020 the 24hr National Freephone Helpline made a total of 463 calls to refuges on behalf of 288 women. For the calls to refuges on which we have data, 68% of the times the refuge said that they were full<sup>15</sup>.

Safe Ireland has highlighted for years the number of women and children who cannot access refuges due to lack of places. In 2018 they counted **3,256 unmet requests** because the services were full<sup>16</sup>. This problem predates the Covid-19 pandemic and points to the fact that there are not enough refuges to meet “actual need”.

<sup>14</sup> Wave Country Report 2019: [https://www.wave-network.org/wp-content/uploads/WAVE\\_CR\\_200123\\_web.pdf](https://www.wave-network.org/wp-content/uploads/WAVE_CR_200123_web.pdf)

<sup>15</sup> Women’s Aid Annual Impact Report 2020:  
[https://www.womensaid.ie/assets/files/pdf/womens\\_aid\\_annual\\_impact\\_report\\_2020.pdf](https://www.womensaid.ie/assets/files/pdf/womens_aid_annual_impact_report_2020.pdf)

<sup>16</sup> Safe Ireland, Election 2020, Manifesto for a Safe Ireland for all: <https://www.safeireland.ie/policy-publications/>



- Some counties do not have a refuge, denying women and children emergency accommodation in their community, as discussed above.
- There are not specialist refuges to accommodate women victims of all types of violence covered by the Convention, such as FGM or forced marriage or specialist refuges for minority groups.

32. Moreover, the Covid-19 pandemic has exposed the limitations of the communal living model of refuges: this model is not fit for purpose, as compliance with the national social distancing guidelines only served to minimise capacity and deny access to safety for hundreds of families. This model had previously been criticised due to lack of privacy and difficulty of access for women with older boys. The Pandemic has given us insight into what is working well and what is not in appropriate refuge provision: we should take the opportunity to reconfigure refuges moving away from communal living and towards independent family units.

33. Innovative solutions to face the Covid-19 pandemic, such as the partnership between Airbnb, Safe Ireland and Women's Aid to provide free emergency accommodation through Airbnb with support provided by specialist domestic violence services, is a welcome but temporary stopgap and not a long term solution to the lack of refuge spaces and other alternative accommodation solutions in Ireland.

### Recommendations

- 5) Increase the number of refuges /places available to meet the Istanbul Convention standard. Refuges should be designed/reconfigured towards independent family units with the communal living model phased out.
- 6) Consider how to best meet the need for refuges for diverse minority groups (such as LGBTQ+, ethnic minorities, marginalised groups, disabled people) through dedicated services and/or enhancing cultural competencies and access to mainstream refuges
- 7) Consider how to best meet the needs for refuge of victims of other forms of gender-based violence such as prostitution/human trafficking and forced marriage.
- 8) Provide funding for specialist children's supports in all refuges.

## 5. The impact of the Covid-19 pandemic and of the recommendations to stay at home during periods of lock-down on incidences of domestic violence/ the numbers of people seeking refuge from domestic violence

34. The Covid-19 pandemic does not directly cause domestic abuse, but it has certainly exacerbated it. Women's Aid has seen an unprecedented increase in disclosures of abuse in the last year:

Disclosures of abuse	2019	2020	Comparison
Total disclosures	24,049	30,841	+28%
Abuse Against Women	19,258	24,893	+29%
Emotional Abuse	12,742	17,321	+36%
Physical Abuse	3,873	4,792	+24%
Economic Abuse	2,034	1,925	-5%
Sexual Abuse	606	855	+41%
Abuse against Children	4,791	5,948	+24

Table 2: Comparison of disclosure of abuse to Women's Aid 2019-2020



35. The impact of the lock-downs include the following:

- There were more opportunities for the abuser to monitor, control and harass victims/survivors **all the time**.
- Women and children were locked in the home with the abuser without the respite that would normally be provided by the abuser leaving the home for work, shopping or socialising or by the woman herself being able to do so.
- The continuous presence of the perpetrator made it more difficult and risky for women to access support through either formal and/or informal networks.
- The pandemic has provided an excuse for abusers to justify and minimise their actions by putting them down to stress, lack of work, or lack of money due to the pandemic restrictions. It also provided a new tool to abuse women, especially vulnerable ones, with the perpetrator refusing to follow Covid-19 precautions, spitting on them and putting them at risk.
- Women found it more difficult to leave their abuser, with emergency accommodation being extremely difficult to access. Many refuges had to reduce capacity to comply with Covid-19 prevention measures. Safe Ireland report that between March and August 2020, 1,352 requests for refuge could not be met because there was no space, an average of 8 per day<sup>17</sup>. Between September and December 2020, unmet requests for refuge's were 808, an average of 7 per day<sup>18</sup>.
- Staying with family or friends or 'couch surfing' was also unfeasible during lock-down when people were supposed to isolate.
- Increased difficulties in shared parenting with the perpetrator after separation, with the abuser not adhering to Covid-19 restrictions during Access visits and Maintenance not paid.
- Courts restricted and adjourned many family law proceedings, in order to manage Covid-19 precautions. These included cases related to child custody, access and maintenance payments (including breaches of maintenance orders), which left many without resolution to very challenging situations for long periods.

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<sup>17</sup>Safe Ireland, 2020, Tracking the shadow pandemic a report on women and children seeking support from Domestic Violence Services during the first 6 months of Covid-19, <https://www.safeireland.ie/policy-publications/>

<sup>18</sup>Safe Ireland, 2021, Tracking the Shadow Pandemic Lockdown 2 <https://www.safeireland.ie/policy-publications/>



## 6. The impact of the Covid-19 pandemic on services provided to those suffering from domestic abuse, including how these services are coping with the increase in demand during Covid-19

36. Domestic violence services, including Women's Aid, continued to provide support mostly by phone or online, or at reduced capacity in case of refuges. During 2020 there was a huge increase in demand for Women's Aid services as shown below<sup>19</sup>.

	2019	2020	Comparison
Contacts with Women's Aid	20,763	29,717	+43%
24hr National Freephone Helpline (includes calls responded to, Instant messages & Helpline emails)	18,446	26,400	+43%
<b>Impact of Covid on Helpline Calls responded 12th March – 30th December</b>	<b>15,058</b>	<b>20,782</b>	<b>+38%</b>
Face-to-Face Services (one to one, court accompaniment & Dolphin House drop ins.)	2,933	3,317	+13%
Visits to womensaid.ie	256,871	290,586	+13%

Table 3: Comparison of disclosure of abuse to Women's Aid 2019-2020

37. Similar increases have been seen by other services and by An Garda Síochána<sup>20</sup>.

<sup>19</sup> Women's Aid, Annual Impact Report 2020, op. cit. Page 13

<sup>20</sup><https://www.irishtimes.com/news/crime-and-law/domestic-violence-is-worsening-amid-covid-19-pandemic-garda-figures-show-1.4425582>



### **The impact of the increase in demand on Women's Aid**

38. Demand for all our direct services has been unprecedented. The 24hr National Freephone Helpline has continued to work hard to meet the huge increase in the demand with available resources. Staff were supported to work from home, which helped with their peace of mind as they didn't have to travel to work which could potentially expose them to contracting Covid-19. The Helpline team has had more frequent meetings (online), to maintain contact and support morale, and had external group supervision which was facilitated online.

39. The Helpline team has noted an increased level of graphic disclosures not experienced before, with increased levels of physical and sexual violence. The team have found external Group Supervision very useful to deal with this and external supervision should be available to frontline workers in all specialist services to combat vicarious trauma.

40. Additional to the National Helpline, the Services Team has seen an unprecedented level of demand for all of the front-line face to face services it offers. Despite the strict lock-down conditions, Support Workers continued to provide outreach meetings, court accompaniment, court drop in visits and access to the High Risk Support Project throughout, though there was an adaption to telephone support for many women during 'level 5' restrictions. Support Workers have spent thousands of hours supporting women via telephone, when it was safe for the woman to do so. The level of demand for Outreach appointments has been such that the waiting list has had to be suspended twice in 2021.

41. Due to Covid-19, delays in hearing Family Law cases has meant that women require support for longer. For example, currently the waiting time from ex-parte application for a Domestic Violence Order to hearing can be up to six months, which is double the time it would have taken before Covid-19. Similarly, applications for Maintenance or varying of Access are taking many months to be heard. Legal Separations and Divorces proceedings are taking up to 12 months to be heard, which leaves women in a kind of limbo, making it difficult to move on with their lives.

42. Below is a snap shot of the Women's Aid Outreach Service data comparing the first **six months** of 2020 and 2021.

Indicator	2020	2021	% Change
Support Visits Meetings	115	519	351.3%
Support Visits Women	99	248	150.5%
Court Accompaniments Number	35	69	97.1%
Court Accompaniments Women	30	54	80.0%
Communications, text, email, phone totals	704	1196	69.9%
Communications, text, email, phone women	192	265	38.0%

*Table 4: Women's Aid Outreach Service data, comparing the first six months of 2020 and 2021*

43. The increase in demand for services caused by the Covid-19 pandemic is going to continue for the foreseeable future. To continue to respond to the increased number and complexity of calls the Women's Aid National Freephone Helpline needs additional staff and support services need to be adequately funded.

#### Recommendations

- 9) Provide adequate statutory funding for refuges and other specialist domestic violence services to meet the increase in demand from women, and to maintain compliance with Covid-19 (and any future public health mandated) precautions.
- 10) Increase funding for the National Freephone Helpline to provide for additional staff
- 11) Fund qualified external supervision support for all domestic abuse specialist services workers



## **7. The impact of isolation and disconnection from family and community supports due to the pandemic on victims of domestic abuse and on their ability to access support**

44. As outlined in point 5, being in lock-down with the abuser impacted on women being able to access both formal and informal supports. Women reported to us that they felt extremely trapped, suffocated and that the abuse was escalating and becoming more intense with no respite. The mental health impacts of coercively controlling domestic abuse for women has also been heightened due to restrictions, with some women reporting suicidal thoughts. For women who had experienced abuse in the past, the restrictions that the Government placed on movement prompted painful retraumatising memories of being abused and controlled.

45. Even for women who had left, isolation from family, friends and community took away vital sources of support in their recovery. The lockdown also made it more difficult to access vital services such as the courts, Community Welfare Officers, social housing providers, financial advice, counselling, etc. While the courts continued to operate for emergency matters such as ex-parte orders, other critical matters such as hearings for barring and safety orders, access and custody, maintenance, separation and divorce were adjourned, which has a huge impact on women and children practically, emotionally and financially. In short all steps to recovery were slowed down or put on hold.

### **Recommendation**

12) Measures set up within the Department of Social Protection to waive the immediate need for court evidence of non-payment of ordered Maintenance in order to access full social welfare entitlements should be continued as a permanent measure to be responsive to the (often urgent) economic needs of domestic abuse survivors.



## **8. The impact of school closures on access to support for children suffering from domestic abuse**

46. For children suffering from domestic abuse school can be a place of respite and normality, sometimes it is the only opportunity to escape the constant abuse directed at them and/or their mother. Schools are also important referral sources to Child Protection for children when neglect or abuse is noticed.

47. School closure meant that children suffering from domestic violence became more invisible to the systems that should protect them, just when the abuse may have been intensifying at home because of having to be with the abuser all of the time.

## **9. The assistance of Gardaí and the impact of Operation Faoisearm in handling cases of domestic abuse during the pandemic**

48. Women's Aid appreciates Operation Faoisearm and its positive impact on women and children experiencing domestic abuse, whereby individuals in the Garda system for previous DVA call-outs were proactively contacted to check their wellbeing and offered Garda support if required.

49. Women also reported to us that they found it easier to move to safety outside their local area (for example to go stay with family or friends) once they were informed that it was sufficient to tell the Gardaí at the checkpoints that they were leaving their county due to domestic abuse and they did not need a letter or other document to prove this. This approach of believing women proved to be very useful and welcome.



50. Service users of Women's Aid emphasise that the follow-through of Gardaí to arrest and charge domestic abuse perpetrators for breaches of protective court orders is critical to ensure that they act as a meaningful deterrent and protection for victims/survivors. We know that when this is done it builds trust and confidence in the justice system, and when Gardaí fail to follow through on breaches it undermines this seriously. Maintaining a pro-arrest policy and victim-centered approach when protective orders are breached is therefore vital.

### **Recommendations**

- 13) A pro-active and victim-centered approach embodied by Operation Faoiseamh should be continued and become Garda routine procedure, even after the end of the pandemic.
- 14) All members in all sections of the Gardaí (including the Computer Aided Dispatch (CAD) to be briefed on their obligations under the Garda Domestic Abuse Policy. The pro-arrest approach, which is part of the Garda Domestic Abuse policy must be maintained.
- 15) Training in the dynamics and impacts of coercive control should be rolled out to all frontline members of An Garda Síochána, to support their work responding to calls and the effective roll-out of their new risk assessment tools.

### **10. The impact of the increased consumption of alcohol and drugs during the pandemic on the incidence of domestic abuse**

51. While it is important to emphasise that alcohol and drugs do not directly cause domestic abuse, their consumption can act as a dis-inhibitor and may exacerbate it by increasing the number and the severity of incidents.



52. During the pandemic, **home** consumption of alcohol and drugs increased, which increased opportunities for perpetrators to abuse and decrease victims/survivors ability to escape because they were in the home together. Women told us that they were very frightened about the increased levels of alcohol misuse during lock-downs, waiting and watching for the warning signs of escalation, with heightened vigilance on managing the situation for themselves and the children. Women tried to keep out of the perpetrator's way so as not to become a target, which was very difficult if living in a confined space. Substance misuse can also be used by the perpetrator to justify and minimise the abuse.

### **11. In addition to the above specific areas, the committee welcomes any views that you may have on this matter**

53. Women's Aid would like to clearly highlight the fact that Ireland needs **not only** additional refuge spaces but a **wider range of accommodation and support options** to meet the diverse needs of domestic abuse survivors in the short, medium and long term.

54. Not all women need the intense support and high security of a refuge and some women simply do not wish to go to a refuge. Other options should also be available. For example, the Safe Home model<sup>21</sup> provides houses or apartments in the community with a Visiting Support Outreach Worker attached to it offering support through home visits. Local Gardaí would be aware and generally agree to prioritise any call outs to those specific addresses. Safe Home allows women and children space and time to be away from their home/abusive partner and either obtain a domestic violence order, or apply to go on a housing list while receiving support to deal with the impact of abuse. Generally, this model works for women who are at a low to medium risk, while women at high-risk would need traditional refuge.

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<sup>21</sup> See for example <https://www.domesticabuse.ie/our-services/safe-home/>



55. More Transitional Housing is also needed. This is another form of supported housing, usually provided as a 'step down' from refuge, though not necessarily. It consists of 18 month tenancies in small estates, where there are support staff for women and support staff for children, Monday to Friday, 9 to 5 and good security through CCTV cameras and support from local Gardaí.

56. There is an urgent need to address the lack of move on/ long term accommodation for women and children escaping domestic abuse. Safe Ireland reports that between September and December 2020 an average of 59 women per month who are ready to move on cannot do so because there is no suitable accommodation available<sup>22</sup>. For the March - August 2020 period this number was 51 per month<sup>23</sup>.

57. Having women and children staying in refuges when they are ready to leave not only keeps scarce refuge places occupied, but prevents them from moving on and can undo any progress towards an independent and violence free life. Having to remain in a refuge for too long (anything between 4-6 months) for lack of moving on options can damage the woman's confidence and self-esteem, heighten her sense of depression, and failure, make her doubt her decision to leave in the first place and increase her fear of reintegration into the community (fear of feeling lonely and isolated) having spent an excessive amount of time in communal setting with 24/7 care/support.

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<sup>22</sup> Safe Ireland, 2021, Tracking the shadow pandemic lockdown 2 <https://www.safeireland.ie/policy-publications/>

<sup>23</sup> Safe Ireland, 2020, Tracking the shadow pandemic, op cit.



## Recommendation

- 16) A comprehensive strategy for move-on and long-term accommodation for victims of domestic abuse needs to be developed. This could include inter alia
- a) ensuring that any national homeless/housing strategy is both gender-sensitive and explicitly inclusive of the specialist and various housing needs of victims of domestic abuse, including children.
  - b) maintaining the special access to rent supplements for victims of domestic violence, implemented as a response to the pandemic, beyond the end of 2021.
  - c) addressing local authorities housing criteria that hinder domestic violence victims accessing priority local housing
  - d) exploring measures to support women to **safely** remain or return to their homes, removing the perpetrator, see [here](#) (this may also include mortgage assistance)
  - e) increase the provision of alternative and step-down supported accommodation such as the Safe Home Model and the Transitional Housing model
  - f) increase social housing stock to meet demand

## Conclusion

58. Women's Aid is grateful for the Justice Committee's consideration of this submission and would be very pleased to discuss our recommendations in more detail with the Committee members directly, should this opportunity be available.

Submission by the Secretary General, Department of Justice  
on the topic of women's shelters/domestic abuse refuges to  
the Joint Committee on Justice

August 2021

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## **Introduction**

The Department's Justice Plan 2021 commits to 'Strengthen community safety, reduce reoffending, support victims and combat domestic, sexual and gender-based violence'. We are focused on implementing the changes necessary to achieve this action by leading the cross-Government work through the national strategy and to reforming the criminal justice system to ensure that it supports, informs and empowers vulnerable victims at every step of their journey.

It is important to note at the outset that responsibility for refuge spaces is under the remit of Tusla and the Department of Children, Equality, Disability, Integration and Youth. This submission will therefore focus on the areas that are the responsibility of the Department of Justice.

This submission outlines the measures currently being progressed to ensure the Department is meeting our commitments in this area and outlines how we plan to address any deficits identified in our approach. It includes information on:

1. Ongoing work led by the Department of Justice to improve access, services and supports for all victims of DSGBV;
2. Improvements to the criminal justice system under *Supporting a Victim's Journey*;
3. Funding and the impact of COVID-19;
4. The proactive response taken by An Garda Síochána to domestic violence including through Operation Faoiseamh, and
5. Court operations and reform of the family law system.

### **1. A summary of the ongoing work being led by Department of Justice to improve the way we deliver services and supports to victims of DSGBV**

The Department of Justice has lead policy responsibility for domestic, sexual and gender-based violence. It is leading the development across Government of the third national strategy on DSGBV which will place a priority on prevention and reduction and will include a National Preventative Strategy. The new strategy will be published before the end of the year and will be the most ambitious to date, building on the experience of the last two strategies, the learning from the priority given to this work during the pandemic and the commitment and expertise of all bodies involved. The strategy will seek to hold each agency to account in relation to the implementation of the actions identified to prevent and tackle the scourge of these crimes.

The development of this new national strategy includes a number of important strands of work that will improve how we deliver services to victims of DSGBV and will ensure there is a consistent and high standard of services available

throughout the country. Our stated aim is to have relevant services available for all categories of victims throughout the state and significant work is being done in this area.

The Department of Justice has partnered with Safe Ireland and the National Women's Council (NWC) to provide expert support in developing the new strategy. Among other actions, this includes expert advice on moving to an outcome-focussed framework, the development of a prevention focused strategy, and support for wider public involvement in the consultation phase.

The process is being supported by external research consultants who are working on a number of different elements including a review of the second national strategy, identifying the major issues to be addressed and coordinating public input into the new strategy. The public input to date has included 16 target group and regional workshops. Analysis of the feedback at these events is currently being examined. Interviews with senior decision makers in relevant Departments and agencies have also been undertaken.

As part of the consultation process to develop the new strategy, there will be engagement with relevant organisations representing children. There will also be a separate process undertaken to hear the voice of the child directly using Hub na nÓg, the national centre of excellence and coordination on giving children and young people a voice in decision-making. I think this demonstrates our understanding that combatting domestic abuse requires an integrated approach, with input from all sections and sectors of society. Importantly LGBTI+ experience and needs will also be incorporated into the next strategy.

The Minister's intention is to have a draft strategy ready for a further round of public consultation in late September. The new strategy will focus on outcomes and work back from those to identify the key actions and resource commitments that are needed for delivery by all Departments. A more effective monitoring structure, with separate arrangements for consultation with wider groups of stakeholders, will also be essential to hold bodies to account and address any blockages or problems which arise. Ministers Humphreys and Naughton recently wrote to all Ministers asking how they can contribute to the strategy. We will also be asking the same of all of the relevant agencies in the justice sector, including An Garda Síochána and the Courts Service. Any views the Justice Committee may have will also feed into the Strategy development.

As mentioned earlier, the development of this new national strategy includes a number of important strands of work. One of these is understanding how a victim engages with the system and where the deficiencies may lie – with a view to closing those gaps in the next strategy.

Supporting a Victim's Journey is the Department's roadmap for implementing all the recommendations of the O'Malley Review of protections for vulnerable

witnesses in the investigation and prosecution of sexual offences. Considerable work has been completed on mapping the victim's journey and this has provided valuable information which points primarily to training needs and supervision issues for frontline services. These will be addressed in the training work being implemented under the O'Malley reforms.

The Department also continues to work closely with NGOs in the sector to reform and develop physical and emotional supports and services. A review of the grant application scheme for providing frontline services to victims of crime is being conducted. Children are now specifically mentioned as one of the categories of victims for which the Department funds NGOs to provide court accompaniment and similar supports.

To promote more sustainable service delivery and planning, we are also offering multi-annual funding commitments to key NGOs we work with and where funding covers staff salaries. These funding grants cover accompaniment to court, to Garda interviews and to sexual assault treatment units and emotional support and counselling.

Concerning the needs of child victims, a review into responses to child sexual abuse led by Caroline Biggs SC contains recommendations pertinent to the management of cases involving complaints of child sexual abuse as well as supporting the child and their families. Following on from these, and from the O'Malley review, the Garda Divisional Protective Services Units (DPSUs) with responsibility for all aspects of investigating sexual abuse, including child sexual abuse, have been rolled out across the country. Action has also been taken to strengthen the interaction between An Garda Síochána and Tusla.

The Department also supports the Barnahus model led by the Department of Children, Equality, Disability, Integration and Youth which is the first multi-agency integrated service, developed to respond to the needs of children who have experienced sexual abuse and their families. It works on the basis that the child and family have all their meetings with the various professionals in the Barnahus. The Galway pilot project was launched in 2019.

The audit of how domestic, sexual and gender-based violence policy and services under Government are organised was published in July. On foot of the audit and in line with its key recommendation Ministers O'Gorman and Naughton agreed that the Department of Justice will continue to have lead policy responsibility for DSGBV.

The two Ministers have also agreed that all other recommendations in the audit should be considered as part of the development of the new national strategy, and in the light of detailed public consultation. This approach is consistent with the audit's recommendation that any new or changed structures should be created in a process of co-design with the sector.

Tusla, as the primary funder of frontline services for domestic violence refuges, is also undertaking a review of its services. The review has been presented to Minister O’Gorman and Minister Naughton and is due to be presented to the Monitoring Committee to the Second National Strategy on DSGBV. We are hoping to get a national consensus on what Ireland needs and how we can address relevant issues. We are considering this work together with the audit outcome to identify priority service, training and other needs in relation to statutory services. We are committed to working with the sector to achieve consensus on the next steps to ensure we are meeting our high level obligations under the Istanbul Convention.

The recommendations of the audit, in conjunction with the mapping exercises being undertaken by the Department of Justice and Tusla’s accommodation review will all feed into the development, implementation and monitoring of the new strategy which will provide the practical framework for designing systems and services to best meet the needs of victims of DSGBV.

## **2. Improvements to the criminal justice system that are being implemented under ‘Supporting a Victim’s Journey’.**

As referenced above, *Supporting a Victim’s Journey - A Plan to Help Victims and Vulnerable Witnesses in Sexual Violence Cases* sets out a detailed roadmap for implementing each of the 52 O’Malley recommendations. It has a range of actions that are designed to support victims through the legal system and prevent victims feeling re-victimised or re-traumatised. Changes are also being introduced to ensure that all victims have access to the information and services they need regardless of whether criminal proceedings are happening.

A number of recommendations have already been advanced.

The changes being made under *Supporting a Victim’s Journey* will mean that victims will be supported through the court proceedings, including through the provision of legal advice, through court familiarisation services and through the entitlement to have personal support during criminal proceedings. This right to legal advice will apply even if no prosecution is being taken forward. During a trial, victims will be kept informed, they will be supported and will have their rights protected.

Support will not end when the trial is over. Victims will be offered counselling, therapy and other support services by qualified professionals. The experience of victims will be sought to provide them with an avenue to feedback into the system. This will ensure that victims have a voice in how proceedings take place and their voice will be listened to.

Specially trained intermediaries will be available to assist in the communication process for those with special communications needs, whether between lawyers and witnesses during trial or, earlier, during police interviews. The University of Limerick has been commissioned by the Department to develop the framework for the operation and training of intermediaries and they will soon be engaging with stakeholders to develop this.

*Supporting a Victim's Journey* also includes provision for specific training for all of the key personnel a victim comes into contact with. The Judicial Council has agreed this training is a priority and it is anticipated it will be rolled-out in 2021. Separately, the Bar of Ireland's existing Continuous Professional Development (CPD) programme incorporates training for barristers dealing with vulnerable witnesses.

Another key action was the enactment of the Criminal Procedure Act in May 2021. The principal purpose of this legislation is to introduce preliminary trial hearings for first time in Irish law. This will ensure that certain matters can be dealt with in advance of a criminal trial to ensure that the parties are ready to proceed on the day of the trial, and to minimise interruptions to the trial while it is in train.

When a trial does not go ahead as planned, or is subject to multiple interruptions for whatever reason, there are negative impacts for the business of the courts and for defendants, jury members, witnesses and victims. Victims have told us how difficult it is for them when they have mentally prepared for a trial date that is unexpectedly postponed. The introduction of preliminary trial hearings should make trials more predictable, including in relation to any proposed questioning about a victim's past sexual history. They should also help reduce the length of trials and ensure they run more smoothly.

Implementation of other recommendations under O'Malley is underway. Recommendations around the provision of proper legal advice and support to victims of sexual offences were made. Whilst this is not a right to separate legal representation generally, this recommendation was carefully considered by O'Malley to strike the right balance between the rights of victims and the right to a fair trial.

As part of the reforms being introduced, the victim will be entitled to their own, dedicated legal advice and support throughout the process (not just during the court case) and the availability of legal aid will be extended for this purpose. This will cover legal advice for victims for the duration of the trial, someone whose only role in the case is to advise them. Provision will be made for the victim to have the same legal representation during preliminary trial hearings and the trial itself if a victim is to be questioned about past sexual history.

In line with the Department's prioritisation of tackling sexual violence and following on from the O'Malley Report and its implementation plan, scoping is under way for a new Sexual Offences Bill.

The Bill will encompass provisions:

- To implement the O'Malley Report recommendations;
- For additional harassment orders to the 2017 Sexual Offences Act, and
- To implement the recommendations of the 2019 Law Reform Commission Report on Knowledge or Belief Concerning Consent in Rape Law.

It is expected that the General Scheme will be brought to Cabinet by the end of 2021.

*Supporting a Victim's Journey* is a living document and the Department is continuing to listen to the lived experiences of victims and frontline service providers to further develop and grow the plan.

### **3. Funding and the impact of COVID-19**

Domestic, Sexual and Gender-based Violence (DSGBV) was already a blight on our society, and it increased during Covid. Throughout the pandemic, the Government has been acutely aware of the needs of victims.

The continuation of additional COVID-19 specific resources, support, enforcement and services for key organisations working to provide support services to victims of domestic abuse and sexual violence during the pandemic was, and continues to be, a priority for the Department. We have increased the level of funding available to organisations who support victims, ensuring they can continue and build upon their valuable work during this difficult period.

In relation to the funding available through the Department for supporting victims of crime, an additional €400,000 was secured this year for COVID-19 specific purposes.

Increased funding has also been secured to support victims of crime and to raise awareness and combat domestic, sexual and gender-based violence - funding of €4.1 million to support victims of crime and some €3 million for raising awareness of domestic, sexual and gender based violence has been made available under Budget 2021.

Under the O'Malley mapping exercise, specific geographical areas and categories of victims that are not adequately covered by NGO supports have been identified. An extra €450,000 in funding has been sought (on top of an earlier €1m) and we will now engage with NGOs that could meet the gaps identified by

extending – with additional funding – their services. This piece of work will be completed shortly.

#### **4. The proactive response taken by An Garda Síochána in responding to domestic violence and the impact of Operation Faoiseamh**

In the context of restricted movements, school closures and so on due to the COVID-19 pandemic, An Garda Síochána started the ongoing Operation Faoiseamh initiative. This is a proactive initiative designed to ensure that incidents of domestic abuse continue to receive the highest priority by An Garda Síochána and that victims of domestic abuse are supported and protected during the pandemic.

The figures indicate that in 2020 there were more than 4,000 criminal charges for breaches of Domestic Violence Act Orders, a 24pc increase on 2019. There were in excess of 7,600 criminal charges created in 2020 for crimes involving an element of domestic abuse, up 24pc on 2019. There were in excess of 12,000 Domestic Violence Act Orders issued in 2020. This reinforces the message that perpetrators cannot act with impunity.

An Garda Síochána has indicated that the proactive outreach policy undertaken as part of Operation Faoiseamh will continue so that the Gardaí can continue to more effectively support victims and tackle domestic abuse.

Victim-centred policing will also ensure the views and needs of victims are not only heard, but are met by specially trained members of An Garda Síochána who will deal sensitively with the reporting and investigation of sexual assault cases. As noted earlier, the national rollout of DPSUs was completed in September 2020.

#### **5. Operation of the courts and reform of the family court system**

The judiciary and the Courts Service have performed admirably during the pandemic in adapting their work practices and ensuring continued access to justice for our citizens at all times.

Notably, the introduction of remote hearings has seen more than 5,000 remote hearings taking place to date. Since the easing of restrictions in May, courts have returned to normal sittings and are dealing with all business again.

The Courts Service and the Judiciary are committed to ensuring that as much business as possible is dealt with and the Courts Service is also working on a plan on how to deal with demands that will arise after the pandemic.

The Government is committed to ensuring the courts are adequately resourced to ensure the efficient administration of justice. The recent increase in the number of High Court judges by five is one of the largest increases in judges approved in recent memory, bringing the total number of High Court judges to 42.

The Judicial Planning working group is examining the wider judicial resource needs within all courts over the next five years and will report to the Minister for Justice next spring.

A Family Justice Oversight Group has been established to agree a high-level vision and key medium and longer-term objectives for the development of a national family justice system. This is in parallel with the establishment of a dedicated Family Court structure as envisaged by the forthcoming Family Court Bill.

As part of the Oversight Group's work, a public consultation on the future of the family justice system has recently been completed. This followed initial consultation with a number of NGOs held earlier in the year. Planning with the Department of Children, Equality, Disability, Integration and Youth for a dedicated consultation with children and young people is at an advanced stage, and I expect the consultation will be completed this year.

One of the policy issues raised in relation to mapping a victim's journey is the situation in which a victim is engaged in parallel civil and criminal proceedings, which can be re-traumatising and create opportunities for a respondent to continue oppressive or coercive behaviour.

This is a complex issue. The separation of criminal and civil court processes is important, and any steps to support the victim in these situations should not make it more difficult for the victim to seek and obtain civil orders in the family courts. The Department is liaising with a number of NGOs on this issue and discussions are underway on how elements of a solution or solutions could be identified. The issue has also been referred to the Family Justice Oversight Group.

As outlined earlier, a Family Court Bill is currently being drafted and its enactment will be a key element in the development of a more efficient and user-friendly family court system. This will be a system that puts families at the centre of its activities, provides access to specialist supports and encourages the use of alternative dispute resolution in family law proceedings, where appropriate.

Of note also is the strong legislation currently in place to hold perpetrators of domestic abuse to account. The Domestic Violence Act 2018 introduced the offence of coercive control provides that controlling or coercive behaviour, whether violent or not, in an intimate relationship is a criminal offence. In recent months there have been convictions in the state for this offence with significant penalties imposed. It is hoped that the outcome of these cases will encourage more victims of coercive control to come forward and report it and that it will also raise awareness about the real and devastating impacts this form of abuse has on victims.



## Supporting Women and Children affected by Domestic Violence

PO Box 10819, Tallaght, Dublin 24  
Administration 01 - 463 0400  
24hr Helpline 01 - 4630000  
[www.saoirsewomensrefuge.ie](http://www.saoirsewomensrefuge.ie)

Joint Committee on Justice

**WS\_05**

Leinster House

Dublin 2

Ref: JCJ/04/06/E/06

19<sup>th</sup> August 2021

**Re: Invitation to make Written Submission**

Dear Alan,

Please find enclosed my written submission on the topic of "Women's shelters / domestic abuse refuges", as invited by the Joint Committee on Justice.

Should you require any further information or clarification on any points enclosed, please contact me without hesitation.

Yours sincerely,

A handwritten signature in black ink that appears to read "Allison Graham".

Allison Graham

Chief Executive Officer

Saoirse Domestic Violence Services

**Saoirse Domestic Violence Services Submission to the Joint Committee on Justice on  
“Women’s shelters / domestic abuse refuges”**

**Ref: JCJ/04/06/E/06**

**19<sup>th</sup> August 2021**

The impacts of domestic abuse are wide ranging across the spectrum of physical, emotional, psychological, sexual and financial abuse, as well as coercive control and although many general impacts can be identified as consistent among many victims, the personal experience of the abuse is always individual and the short and long term effects on the person’s life requires that unique experience to always be respected. Some impacts can be identified as follows,

- Physical injuries, ranging from bruises, scratches, sprains, hair pulled out, broken bones, hospitalisation, rape, disfigurement, scars, miscarriage / still births, loss of sight / hearing, and ultimately death for some.
- Name calling, threats, put-downs, constant criticisms and blaming.
- Coercive control – a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim
- Psychological torture, gas lighting, sleep deprivation, victim feels they are losing their mind.
- Loss of self-identity, no self-esteem / self-worth, inability to think or make decisions for self.
- Mental health difficulties, hospitalisation, Suicide.
- Threatening to out a victim’s sexual orientation to family / friends.
- Controlling where they go or who they see. Isolation by perpetrator from their family and friends, work, study, practising faith and families / families distancing themselves for fear or lack of understanding.
- Living in constant fear – even when relationship has ended, child access and custody used as a tool to continue abuse.
- Parenting skills can be compromised – victim is brainwashed into believing they are not a good parent, or their children would be better off without them, they ability to make safe choices for their children’s well-being can be compromised.

- Unemployment, homelessness, poverty, dropping out of education. Controlling family finances and allowing victim no access to money or to earn their own money.
- Using immigration status or language barrier to control victim.
- Drug / alcohol addiction, including prescription medication.
- Controlling a victim's fertility and choices around pregnancy.
- Prostitution, trafficking, STIs.

Children who live with domestic abuse learn quickly that talking about it is unacceptable and may be dangerous. They face both the threat of suffering trauma from witnessing / hearing the abuse and being physically assaulted themselves directly or while trying to intervene and protect a parent or sibling. They often develop, grow and live with fear as part of their lives.

The impacts on children may also more specifically include,

- Risks to unborn children
- Feelings of helplessness, fear, anger (at both parents), guilt, loneliness - can be starved for attention, may blame themselves for causing or not stopping the abuse
- Behavioural problems including increased aggression and impulsivity
- Assume the role of caregiver from a young age
- Impaired social skills and emotional intelligence
- Bedwetting/nightmares, sleep deprivation
- Education affected - poor concentration, tired, worried, absenteeism
- Lack of stability, feeling secure, developing healthy attachment and relationships
- Criminal behaviour in adolescence
- Replicate abusive behaviour in later intimate relationships/abuse becomes normalised
- Similar physical and mental health issues as adult victims

In Saoirse Domestic Violence Services (SDVS), we have been operating women and children's refuge accommodation and support services since 2006 and we accommodate on average approximately 100 women and 200 children per year. Our outreach support service supports approximately 300 families per year also in the South /South West Dublin and West Wicklow area. Our 24 hour helpline receives approximately 3000 calls per year. These figures are only a small portion of those seeking support across the country but also only the tip of the iceberg in terms of how many women, children and men are experiencing domestic abuse every day in Ireland, as unfortunately we only have statistics for those who are contacting services and telling someone about their abuse. SDVS work predominantly with women and children experiencing domestic abuse, so although we have supported some male clients contacting our outreach and court accompaniment services on the

years, our statistics reflect women and children for the most part. Although we have seen a slight increase in the number of women in abusive LGBTQ+ relationships contacting us over the past 2 years, the number is still minimal compared to heterosexual women and we know these contact numbers are not a reflection on the true incidence.

There are 22 domestic abuse refuges for women and children across the 26 counties, mostly based in cities and larger towns. There are 5 refuges in Dublin with only 4 operational currently as Rathmines Refuge has been closed for a number of years. SDVS operates 2 of the 4 refuges in Tallaght and Rathcoole and provide 11 refuge spaces between the 2 refuges. Many counties therefore have no refuge centres available and women and children have no access to refuge. The existing refuges cannot meet demand for the women who are contacting us, with SDVS unable to accommodate on average approximately 70% of requests for refuge over the past number of years due to being full to capacity. Under the Istanbul Convention, Ireland is currently not meeting the minimum refuge accommodation provision standards and this is putting women and children at risk, of their lives even.

Every person has been touched by the Covid-19 pandemic and none more so than survivors of domestic sexual and gender based violence. The Shadow Pandemic referred to the escalation of Domestic Violence across all sectors of society as a consequence of the lockdown. At SDVS we saw an exponential increase in calls to the 24 hour Helpline and increases in the number of women and children in need of refuge space. Unfortunately we were not able to cater for everyone who needed refuge, as previously outlined due to lack of refuge spaces and this was compounded by fact that we had to initiate Covid-19 safety measures in all services since March 2020, including self-isolating measures, social distancing, etc., which reduced our ability to accommodate as many families as other years. This is still continuing although we have made some progress in increasing accessibility as more clients are vaccinated and restrictions eased.

The 'shadow pandemic' of domestic abuse as it became known, brought one positive development, in that it got people talking to a greater extent about domestic abuse, including the media, and it pulled it out of the shadows into the public arena, breaking down myths, barriers and shame.

There is no doubt that the Covid-19 pandemic impacted on the increased incidents of domestic abuse across our society, including the escalation of abuse incidents, their regularity and severity for many families, as they were locked down with no escape from the perpetrator. Victims were locked down with their abusers, unable to make a call to family, friends, a support service or even the Gardai, as their every move was being monitored. Women who contacted us or were able to get to our refuges during the pandemic have spoken of the terror and not knowing if they would ever get out or away from the abuser alive. For those of us not in abusive relationships, the lockdowns took their toll on even healthy relationships and mental well-being as it was such an unprecedented and abnormal position to have our freedom and personal choice restricted to that extent. The impact it had on those in abusive relationships, and will have for many years to come can only be estimated at this point. Children out of school due to Covid-19, home schooling and living in abuse 24/7, not being able to see friends, get out of the environment for even short periods, trying to feel some normality or get support one on one from a teacher, for example, has been devastating to them. Many of the children we see through our services, would have special connections or support

systems in place with grandparents or aunts / uncles and this was lost during the pandemic, leaving them often no one to confide in when they were scared or lonely.

Operation Faoiseamh and the Department of Justice's Awareness Raising Programme *Still Here* were very welcome and offered increased support and protection to victims during the pandemic from our experience on the ground in SDVS. We are keen that such operations continue and that the real recognition and commitment to help and protect families in domestic abuse post Covid-19 continues at this level, as unfortunately that hasn't always been the experience in the past.

There is a myth that alcohol causes domestic abuse, it doesn't. Being abusive is a perpetrator's choice to maintain control over a victim and too often alcohol or drug consumption is used as an excuse for their behaviour. While the consumption of alcohol or drugs in the home may have increased during the pandemic, and escalated tensions and stress levels in homes escalated abuse already existing in relationships, it didn't cause more domestic abuse. Families were more at danger as they had less opportunity to escape.

**WS\_06(1)**

**Oireachtas Committee on Justice**

**Women's Domestic Abuse Refuges**

**SAFE IRELAND SUBMISSION**

**August 2021**



## **Executive Summary**

Safe Ireland is the national policy, service support and development hub for 39 specialist domestic violence services, 20 of whom provide refuge, ie “a safe house of accommodation in which women who have been subjected to domestic violence can live with their children without having to fear being abused.”<sup>1</sup> There are 21 refuges currently operational in Ireland consisting of 139 communal and/or independent units. 9 counties are without refuge accommodation. These 139 units have been significantly reduced in order to comply with Covid-19 public health guidance.

Nearly 3,500 women and 600 children contacted a domestic violence service for the first time during the first six months of the pandemic. This equated to 19 new women and three new children every day. July was the busiest month for women and August was the busiest for children. In total, 33,941 helpline calls were answered across the country, an average of 184 calls every day during the first six months of Covid-19.

Domestic violence services have continued to see high numbers through 2021 with many survivors presenting with highly complex needs and heightened trauma from months of living with their abusers in extended lockdown. On average, 180 women and 275 children looked for emergency accommodation every month between March and December 2020. But in that same time, 2,159 requests for refuge could not be met by services which nonetheless worked creatively to find alternative accommodation in the community. This included a partnership with Airbnb to provide free emergency accommodation for domestic violence survivors across Ireland. While welcome, this can only be a temporary solution.

Our refuge infrastructure is weak in terms of capacity. With all 139 units restored we are still providing less than a third of recommended refuge units<sup>2</sup>. The recommended number of family units based on our current population is 500. Safe Homes, additional units within the community, the Airbnb hotel initiative and the Domestic violence Rent Supplement Protocol are supplementing our dearth of refuge accommodation. However, they do not replace the need for refuge.

Alongside the dearth of refuge accommodation is the lack of recognition of women and children fleeing abuse as homeless and children as victims in their own right. Recognition requires substantive change with regard to how we capture their experiences in terms of national data, how we maximise their safety and recovery, and how we generate longer term sustainable housing solutions for survivors of domestic violence and coercive control.

Safe Ireland advocates for a Whole Housing Approach that includes a focus on refuge accommodation in addition to social housing, private rented sector, private ownership, supported housing, flexible funding, sanctuary schemes, managed reciprocals, Housing First, housing sector CPD, and perpetrator management components. Central to this whole housing approach are thriving adequately resourced specialist domestic violence services.

Domestic violence and coercive control are complex issues and cannot be addressed by one agency. It is the root cause of a range of intersecting social problems including homelessness, substance use, child protection, poverty and social exclusion, and when conceptualised centrally, increases our collective capacity to respond.

We await the publishing of the Tusla Accommodation review. In the interim suffice to say significant investment is needed to maintain and increase refuge accommodation, ensure ongoing specialist

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<sup>1</sup> WAVE (2002) “More than a Roof Over Your Head: A Survey of Quality Standards in European Women’s Refuges” at page 9.

<sup>2</sup> One family place per 10 000 of the population. There should be at least one specialist violence against women shelter in every province/region. The range of provision should also accommodate women with additional needs – migrant and minority women, women with disabilities, women with mental health and/or substance misuse issues, and young women needing protection from female genital mutilation, forced and child marriage, crimes in the name of honour

domestic violence support, provide integrated collaborative and skilled community led responses across the journeys of from housing instability to sustainable safe accommodation.

### About Safe Ireland

Safe Ireland is the national development and co-ordination body with responsibility for Domestic Violence (DV) which over time has developed three distinct functions: investigating the causes and effects of DV; developing guidelines for best practice in the delivery of local support services; and influencing national strategic policy. This is achieved by working directly with a range of public bodies; local independent frontline DV services; academic institutions; philanthropists; and corporate partners.

There are thirty-nine DV services across Ireland affiliated as members to Safe Ireland. Each deliver various combinations of services to women and children including crisis helpline support, information and advocacy, Garda and court accompaniment, counselling, and welfare advice; along with emergency provisions such as food and clothing. Twenty-one of these services also operate staffed refuges.

In an effort to inform national policy, Safe Ireland recently published a Discussion Paper titled *No Going Back* which sets out the separate journeys of both women and children from violence to safety, with proposals for the reconfiguration of a national policy and service delivery infrastructure. The organisation is also a member of the Dept of Justice Executive Committee guiding the process of developing the 3rd National Strategy on DSGBV which will adopt the four pillars of Prevention, Protection, Prosecution and Policy Integration as set out in the Istanbul Convention

### Introduction

Ireland's ratification in 2019 of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence<sup>3</sup>, better known as the *Istanbul Convention*, has prompted an obligatory review of the Domestic Violence (DV) emergency accommodation infrastructure across the country. This review is currently (Aug 2021) being undertaken by Tusla therefore the DV services sector is in a holding position until the findings are published. As the current emergency accommodation infrastructure is significantly fragmented and often ad hoc, and there is no standard methodology across the sector for the collation or interpretation of data, the following overview is presented with a qualification of these limitations.

### Refuge and Shelter: Terminology and Definitions

The words *refuge* and *shelter* are often used interchangeably, however the most usual convention in Ireland and Britain is to use the word *refuge* whilst *shelter* is more commonly used in the United States.<sup>4</sup>

Refuge is defined by Women Against Violence Europe (WAVE)<sup>5</sup> as:

"a safe house of accommodation in which women who have been subjected to domestic violence can live with their children without having to fear being abused."<sup>6</sup>

The Council of Europe's Explanatory Report of the Istanbul Convention (2011) defines the purpose of shelters as:

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<sup>3</sup> <https://www.coe.int/en/web/istanbul-convention/text-of-the-convention>

<sup>4</sup> No Place To Call Home: Domestic Violence & Homelessness The State We Are In, SAFE Ireland, 2016

<sup>5</sup> The WAVE Network, established in 1994 as an informal network, is a legal entity since 2014 and a formal network NGO composed of European women's NGOs working in the field of combating violence against women and children

<sup>6</sup> WAVE (2002) "More than a Roof Over Your Head: A Survey of Quality Standards in European Women's Refuges" at page 9.

“ensure[ing] immediate, preferably around-the-clock, access to safe accommodation for victims, especially women and children, when they are no longer safe at home.”<sup>7</sup>

### Purpose and Function

The purpose of refuge is to make available an emergency exit to women (and children) in situations of danger where the only other alternative is to remain in danger with the perpetrator or exit to the street. Its *purpose* therefore at a minimal level of offering is to provide secure crisis accommodation where the victim is beyond the physical reach of the perpetrator.

However, as evidenced in a national study of support needs and outcomes for women accessing domestic violence services conducted by Safe Ireland in 2011<sup>8</sup>, refuges typically provide more than just safe emergency accommodation and most have developed a support *function* to assist with other immediate needs. Specialised support is a core tenet of effective response which involves helping women to heal psychologically, as well as empowering and equipping women through the provision of information. This response often manifests as access to legal protection and signposting to various housing options. Other core functions of refuges include advocacy and support for children affected by domestic violence.

However, within the array of facilities which operate as refuges there are many degrees of offering, and in the absence of nationally agreed standards the purpose and function are often contested and can give rise to varying expectations. Whilst many refuges are severely restricted by the physical limitations of an old or poorly located building, or the absence of an option for on-site or co-located support services, nevertheless all of them do provide supports, though some under more difficult conditions than others.

### Current National Infrastructure

The current infrastructure of refuge has evolved organically over a period of about 50 years from what started in the 1960s/1970s as an informal underground network of safe beds in the homes of feminist activists, through the opening of the first purpose-built refuge in Rathmines in 1986 (which closed approx. five years ago) to the emergence in the 80s and noughties of a national network of various types of facilities which have been acquired, purchased, re-purposed or custom built. There are currently 21 refuges operating across the State, and these are run by locally-based independent, non-profit Domestic Violence Services, one of which (Saoirse) will be closing at the end of August for essential maintenance.

### Design and Current Capacity

There are generally two types of facility. The first is a communal building within which a woman/family will minimally have a bedroom of her own but will share communal bathroom, kitchen and living facilities; the second type is a stand-alone self-contained unit with bedroom, bathroom, kitchen and living facilities. Some refuges are communal only, some are entirely self-contained, and some are a combination of both.

In March 2020 at the outset of the Covid-19 pandemic, there was a total of 139 units of accommodation across the entire country. Eight of these operated under the communal model, whilst twelve operated under the self-contained model, or a combination of both. However, following a Covid-19 health and safety audit there was an immediate reduction in national capacity

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<sup>7</sup> Council of Europe (2011) “Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence” at page 24.

<sup>8</sup> Lifelines to Safety: A National Study of Support Needs and Outcomes for Women Accessing Domestic Violence Services in Ireland; Safe Ireland; 2011; P32

as adaptations to comply with the revised public health guidance resulted in the reduction of physical space available. The original pre-Covid national capacity of 139 units has since been reduced by 25%. This is accounted for by a combination of both the social distancing requirements in some instances and the complete closure of facilities in other instances where in the case of the latter, the buildings were unfit for Covid adaptation.

As a supplementary measure some additional units of accommodation were secured in local communities, but these offerings cannot be defined as refuge as they are neither staffed, nor do they offer additional security as is a consistent feature of refuge accommodation. However, in all instances, outreach support has been available to all such emergency occupiers.

### Airbnb

In June 2020, Safe Ireland and Women's Aid entered to a partnership with Airbnb to avail of the company's offering to provide free emergency hotel accommodation for domestic violence survivors when, and where, specialist refuge accommodation was not available. All accommodation costs are sourced and paid for by Airbnb and Hotel Tonight, part of the Airbnb family. Safe Ireland worked with Airbnb and its members testing the referral protocol, recruiting DV service points of contact, providing training to Hotel Managers and facilitating the required connections. The safety needs of all women and/or families are assessed and all those accommodated continued to be closely linked in to the local services.

In June 2021, having already provided 2,000 nights of accommodation over the previous 12-month period, Airbnb renewed the partnership for a further 12 months to June 2022. Safe Ireland will continue to oversee the initiative, liaising with Airbnb and all points of contact to co-ordinate adequate support and information as required.

### Ownership and Management

The ownership and management of refuges varies across the country. Some have been vested or donated locally from a variety of sources and some may have been repurposed by funding from a statutory agency for use as refuge. Newer builds which have been purpose built with funding from the Capital Assistance Scheme<sup>9</sup> (CAS) administered by the local authorities to Approved Housing Bodies (AHBs).

Ownership in most instances will be held locally in a non-profit body, incorporated as a Company Limited by Guarantee without Share Capital or, as a registered Industrial and Provident Society. In all instances the legal entity will also be registered with the Charity Regulator.

Governance is managed by a voluntary Board of Directors which operates within the regulatory framework of the Companies Registration Office (CRO), the Charity Regulator, along with the compliance requirements of various funders. Day-to-day management is devolved to a paid Service/Refuge Manager who will be supported in their role by a range of paid staff whose functions may include various combinations of information; advocacy, counselling; childcare; housekeeping; and maintenance.

### Funding

The responsibility for domestic, sexual and child abuse services was transferred from the HSE to the Child and Family Agency (Tusla) on the first of January 2014. The Agency became an independent legal entity, encompassing the HSE Children & Family Services, Family Support Agency and the National Educational Welfare Board. It also assumed responsibility for a range of community-based

<sup>9</sup> <http://www.housingagency.ie/housing-information/social-housing-options>

service providers including those responding to domestic, sexual and gender-based violence including Domestic Violence Services, Refuges and Rape Crisis Centres. Although historically the running costs of refuges were funded by the Department of Housing, Planning and Local government under section 10 of the Housing Act 1988. On cessation of this arrangement an initial budget of €1.5 million was transferred to Tusla in 2015.

Tusla is now the core operational funding agent for refuges, administering Exchequer funding on an annual commission basis through local Service Level Agreements (SLA).

The level of funding in many instances is only adequate to finance a part-time operation and for this reason refuges rely heavily on additional funding from other statutory and non-statutory sources, and spend considerable time and effort fundraising and soliciting donations to subsidise their running costs.

### National Capacity Deficit

It is evident that the current number of domestic violence refuge accommodation units across the State is not only seriously deficient in terms of meeting demand, but it is also falling substantially short of our European obligations. The Istanbul Convention created a legal framework at pan-European level to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence. Article 23 of the Convention states that signatories ‘shall take the necessary legislative or other measures to provide for the setting-up of appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for and to reach out proactively to victims, especially women and their children.’<sup>10</sup>

In supporting documentation, it references the *Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence*, published in 2008, which ‘recommends safe accommodation in specialised women’s shelters, available in every region, with one family place per 10,000 head of population’.<sup>11</sup>

The 2008 Report states that ‘shelters are the only support service for which there is a recommended standard of provision in European instruments: set as one place or family place per 7,500 of the population to 10,000 of the population’.<sup>12</sup> The Istanbul Convention took as its benchmark the lower allocation of one space per 10,000, instead of the higher allocation of one space per 7,500. Ireland ratified the Convention on 8 March 2019, coming into force just over three months later, on 1 July.<sup>13</sup>

It is clear, then, that under the Istanbul Convention Ireland is obliged to provide one refuge space per 10,000 people, and an audit by Tusla of present capacity within the system is currently underway. In April 2021, however, Tusla responded to a request from Deputy Catherine Connolly with a list of all domestic violence refuge accommodation in Ireland by county, along with the capacity of each refuge.<sup>14</sup> According to the response, at the start of 2020 there were 139 emergency domestic violence accommodation units in the state. As of January 2021, that figure stood at 143.

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<sup>10</sup> Council of Europe. *Council of Europe Convention on preventing and combating violence against women and domestic violence*. (2011): 4. [<https://rm.coe.int/168008482e>]

<sup>11</sup> Council of Europe. *Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence* (2008): 51.

[[https://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/Final\\_Activity\\_Report.pdf](https://www.coe.int/t/dg2/equality/domesticviolencecampaign/Source/Final_Activity_Report.pdf)]

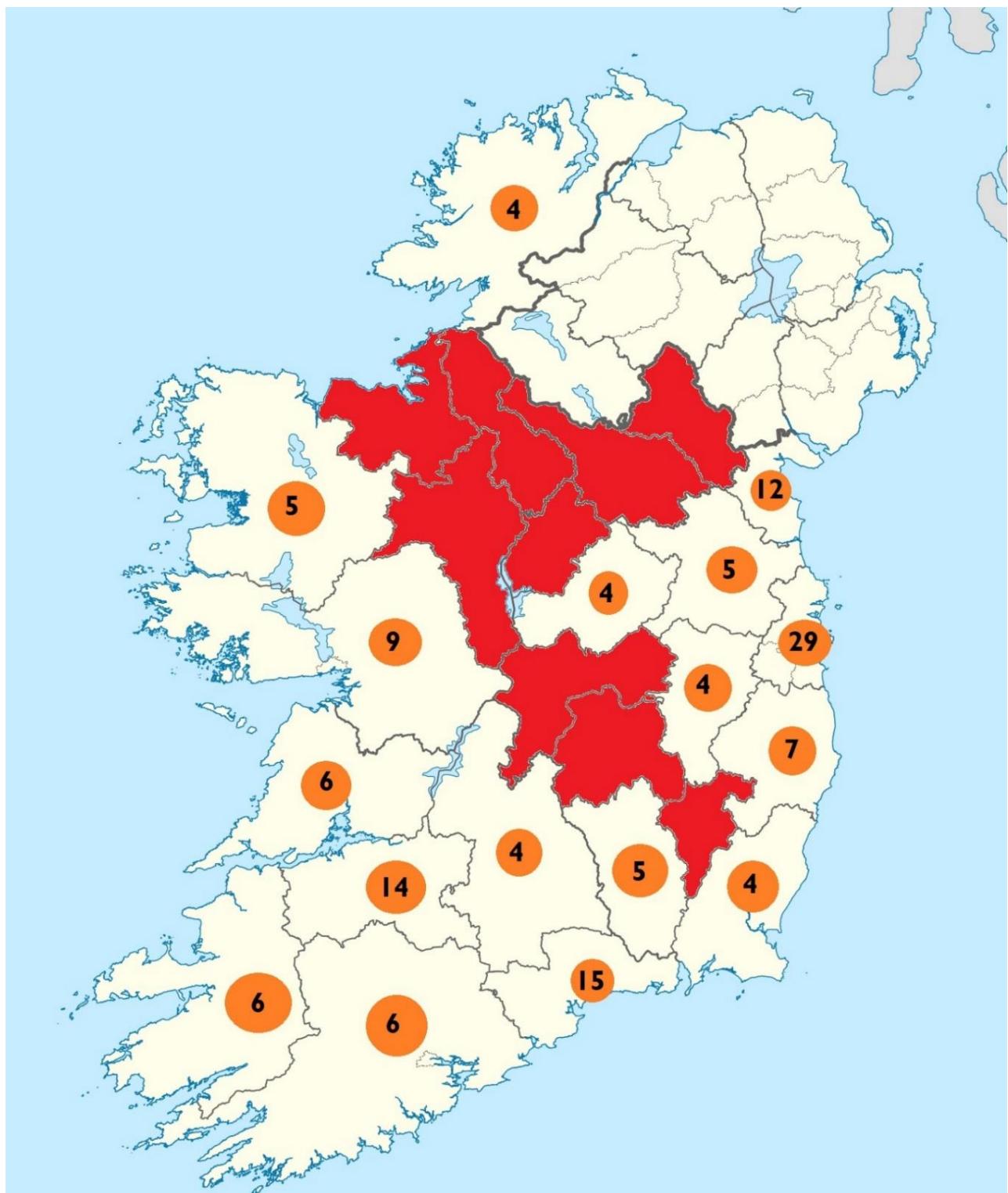
<sup>12</sup> *Final Activity Report*: 18.

<sup>13</sup> ‘Istanbul Convention a major step towards protecting women in Ireland’. *Law Library Gazette Ireland*, 2 July 2019. [<https://www.lawsociety.ie/gazette/top-stories/istanbul-convention-a-major-step-towards-protecting-women-in-ireland/>]

<sup>14</sup> With thanks to Deputy Connolly’s office for making this stat available.

There are currently nine counties with no domestic violence refuge accommodation units whatsoever. These are Carlow, Cavan, Laois, Leitrim, Longford, Monaghan, Offaly, Roscommon, and Sligo.

**Fig.1.** Allocation of refuge spaces by county. The red areas have no refuge spaces.



By way of example, the county and city of Cork, with a recorded population of 542,868 in the 2016 Census, should have 54 spaces under the Istanbul Convention. It currently has six. Dublin city and county, with a recorded population of 1.347 million, should have 135 spaces. It has 29.

When examined from a regional perspective, it is clear that decades of underinvestment have severely held back the development of a proper and humane refuge infrastructure. Ireland is currently providing only 29% of the required refuge spaces.

Region	Allocation (Jan 2020)	Istanbul Convention Requirement (Census 2016: 1 per 10,000)	Present Allocation as a % of Istanbul Convention
Border – Cavan, Donegal, Leitrim, Monaghan, Sligo.	4	40	10%
Midland – Laois, Longford, Offaly, Westmeath	4	30	13%
West – Galway, Mayo, Roscommon	14	46	30%
Dublin – Dublin City, Dún Laoghaire-Rathdown, Fingal, South Dublin	29	135	21%
Mid-East – Kildare, Louth, Meath, Wicklow	28	69	41%
Mid-West – Clare, Limerick, Tipperary	24	48	50%
South-East – Carlow, Kilkenny, Waterford, Wexford	24	43	56%
South-West – Cork, Kerry	12	70	17%
<b>Total</b>	<b>139</b>	<b>481</b>	<b>29%</b>

### Refuge and Children

The majority of households affected by domestic violence have children living in them<sup>15</sup>. DV is recognised as an Adverse Childhood Experience (ACE) and is one of the most prevalent risk factors impacting children's social, emotional, psychological and physical well-being, as well as educational outcomes.<sup>16</sup>

Housing instability is four times more likely for women and children who have experienced DV<sup>17</sup>. Childhood homelessness, which can be directly attributed to Domestic Violence is, according to Anthony (2018), associated with poor outcomes in the domains of social-emotional development, physical and behavioural health, academic achievement, and family stability.

Children and young people are victims of domestic violence in their not right, not merely passive bystanders or witnesses. We need to move towards a more complex framing that positions children as both victims and active beings. We need a range of primary and secondary preventative measures for children and young people in this context. (Beyond the scope of this submission). However, in terms of tertiary prevention, at a basic level, there should be a minimum of dedicated indoor and outdoor trauma informed space for children and young people with dedicated child support staff that can support their journey from entrapment to freedom and safety engaging age, sex, gender and experience appropriate mediums and programmes on an individual and group basis as required

### Rent Supplement as a Response to Refuge Capacity Deficiency

Prior to Covid-19 Safe Ireland had scoped, consulted, proposed and lobbied for the expansion of the Rent Supplement to include victims of domestic violence. The objectives were firstly, to address the lack of recognition of women and children fleeing abuse as homeless and secondly, to help alleviate bottlenecks in refuges.

<sup>15</sup> Kaukinen, Powers, & Meyer, 2016

<sup>16</sup> Council of Australian Governments 2009; Bartels 2010; Olofsson et al. 2011

<sup>17</sup> Pavao et al. 2007

In August 2020 the Minister for Employment Affairs and Social Protection approved a protocol to vacate the means test requirement for the first three months to allow women in emergency accommodation to pursue private rental options. Safe Ireland worked in collaboration with DEASP officials to design this initiative; with Tusla and DEASP to develop supporting documentation; and with our DV Service members to action their referral role. After the initial three-month period, a further three-month extension of Rent Supplement may be provided to the service user, subject to the usual means assessment.

To date the protocol has provided a pathway to assistance to 55 applicants and their families, and a number continued to benefit beyond the concession period having qualified in their own right and satisfied the means test eligibility requirement. The Rent Supplement facilitated both progression from refuge, hotel or other emergency accommodation where onward-bound options were available in the locality; and it served as a next-best option in counties without either refuge beds or Airbnb rooms.

The current protocol is in place until December 2021 and there has been cross-party support for its continuity beyond that date. Where housing stock is available, progression through this route, eases the stress of congestion in refuges and other temporary facilities.

### **Refuge Within a Whole Housing Approach**

Although an association between homelessness and domestic violence has become increasingly clear, policy and service responses to homelessness and domestic violence in Ireland and other European countries have remained largely or wholly distinct<sup>18</sup>.

The *Whole Housing Approach* endeavours to improve the housing options and outcomes for people experiencing domestic abuse so that they can achieve stable housing, live safely and overcome the abuse and its harmful impacts. The approach incorporates a continuum of supports across domestic violence contexts, underpinned by government policy, to ensure that survivors of abuse can access and sustain housing, instrumental to their immediate and long-term safety and recovery. This is achieved by:

1. **Improving access to stable housing across all housing tenure types** (social, private rented and private ownership). This also considers the need for move on options from refuges, supported accommodation and any other type of temporary accommodation and;
2. **Ensuring access to a range of housing options tailored for domestic abuse** to give choice for people experiencing domestic abuse to relocate or remain in their existing accommodation.

In an Irish context, a domestic abuse Whole Housing approach would require cross-departmental collaboration to ensure optimum outcomes. Lead departments would include the Department of Children and Youth Affairs;<sup>19</sup> Department of Housing, Planning and Local Government; and the Department of Justice and Equality.

Additional departments including the Departments of Health, Education and Skills, Employment Affairs and Social Protection, Communication, Climate Action and Environment also provide critical responses to this approach.

### **Whole Housing Approach components include:**

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<sup>18</sup> Mayock et al., 2014; 2016

<sup>19</sup> The responsibility for domestic, sexual and child abuse services was transferred from the HSE to the newly established Child and Family Agency (Tusla) on the first of January 2014. Tusla is now the dedicated State agency responsible for improving wellbeing and outcomes for children.

1. **Social Housing:** Local Authority/Approved Housing Body Accommodation. Recognition of the intersection between domestic abuse and homelessness, creating access to homelessness measures while ensuring that frontline housing practitioners, management and policy makers have an advanced understanding of the experience that guides their response e.g. CPD/accreditation pathway.
2. **Private Rented sector:** Private Rented Sector tenants include anyone who rents from a landlord that is not the Local Authority or a social housing provider. Messaging and targeted training of PRS agents to increase safeguarding.
3. **Private Ownership:** Private Ownership refers to anyone who owns their home, whether they have a mortgage or own the property outright. Working with banks, mortgage lenders, and estate agents to raise awareness of domestic abuse and improve the response of these stakeholders to domestic abuse.
4. **Refuge/Safe Homes:** Short-term safe accommodation with specialist domestic abuse support. Ireland is operating at approximately one third of the recommended level of refuge provision.<sup>20</sup> Significant development is required to ensure that this response to domestic abuse is adequate.
5. **Supported Housing:** Short, medium and longer-term housing and tenancy support and sustainment (TSS)/settlement services managed and facilitated by specialist domestic violence services.
6. **Flexible Funding:** Flexible funding refers to funding that is available to those who've experienced domestic abuse to enable them to access stable housing. The funds may be used to overcome any barrier preventing access to secure housing, including for deposits, car repairs, and school transport costs. This gives people who've experienced domestic abuse more control over their housing situation and reduces the likelihood that they will need to access temporary accommodation. Flexible funding commenced in July 2017 in Ireland, facilitated by Safe Ireland in collaboration with Dr. Cris Sullivan, supported by the Community Foundation of Ireland and has successfully grown to include seven specialist domestic violence services.
7. **Domestic abuse services:** All specialist domestic violence services provide a range of supports to women and children within their community including face-to-face support, helpline, accompaniment, advocacy and referral. Mobile advocacy, aka outreach, TSS is well established. Co-location, established successfully in the UK, although less developed in Ireland has potential.
8. **Sanctuary Schemes:** A Sanctuary Scheme and similar initiatives facilitate survivors to remain in their homes, should they choose. These initiatives are victim/survivor-centred services that consists of fitting 'security measures to enable households at risk of domestic violence to remain safely in their existing homes or to be secure in a new home' (MHCLG 2010). The aim of the service is to improve safety (physical and perceived) and reduce feelings of fear for victim/survivors of domestic abuse. This supports survivors to maintain employment, education and community links. These initiatives require a collaborative approach, often integrating additional legal protection e.g. Safe at home programme<sup>21</sup>

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<sup>20</sup> One family place1 per 10 000 of the population. There should be at least one specialist violence against women shelter in every province/region. The range of provision should also accommodate women with additional needs – migrant and minority women, women with disabilities, women with mental health and/or substance misuse issues, and young women needing protection from female genital mutilation, forced and child marriage, crimes in the name of honour.

<sup>21</sup> <https://d2rn9gno7zhxqg.cloudfront.net/wp-content/uploads/2019/02/19024639/Safe-at-home-meta-evaluation-final-report-1.pdf>

9. **Managed Reciprocals:** Managed reciprocals are voluntary collaborations between local authorities and registered housing providers to move people from one social housing tenancy to another in a different location. Movement between tenancies is currently largely inflexible within current approaches in Ireland, with significant penalties for same.
10. **Housing First:** Housing First is a housing and support approach which:
  - i. Gives people who have experienced homelessness and chronic health and social care needs a stable home from which to rebuild their lives.
  - ii. Provides intensive, person-centred, holistic support that is open-ended.
  - iii. Places no conditions on individuals; however, they should desire to have a tenancy. The Housing First approach was first developed in New York and has now been widely adopted in the USA, Canada, Denmark, Finland and France. Housing First for women who have experienced violence or abuse has been implemented in London, and the learning from this project is included in Whole Housing.
11. **Housing sector CPD:** improve the housing sector's response to domestic abuse through the introduction and adoption of an established set of standards and an accreditation process.
12. **Perpetrator Management:** The full range of whole housing approaches require addressing and supporting perpetrators to change. This includes addressing abusive behaviour via enforcement activity which is underused and implementing support to address abusive behaviour. Additional initiatives including the housing of perpetrators are currently being piloted in other countries<sup>22</sup>

#### **Impact of Isolation and Access to Support**

Adhering to Covid-19 public health measures required us all to limit our movements and contacts and reduced our access to supports while services reconfigured to ensure compliance. However control and isolation from family and friends are core experiences and tactics of Coercive Control that exist beyond Covid-19. Coercive control limits a survivor's space for action. Isolation from sources of support, personal and professional has a detrimental effect on help seeking and can be instrumental in prolonging an abusive experience. In their 2016 review of domestic homicides, Sharp-Jeffs & Kelly found that control was present in 92%, Obsession in 94% and isolation from family & friends in 78% of cases.

#### **Impact of School Closures on Access to Support for Children**

School provides many opportunities for children beyond its primary function of education. It provides opportunities to create and maintain resilience-building relationships with non-abusive people outside the immediate family, opportunities for abuse to be identified, opportunities to have basic needs met e.g. food and opportunities to be play free from control.

Where Coercive control is present, women and children may be deprived of money, food, access to transport and other survival resources (Stark 2007). In a study by Tomison (2000) domestic violence was reported as present in 38% of child neglect cases, Therefore meals provided by schools via breakfast clubs/lunches etc. are critical in this context.

#### **Garda Assistance and Impact of Operation Faoiseamh**

Based on experience of deficits and its knowledge of the DV sector, Safe Ireland informed the Dept of Justice Action Plan response to the Covid pandemic crisis. We lobbied for remote court hearings

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<sup>22</sup> <https://theconversation.com/an-innovative-way-to-counter-domestic-violence->

to enable quick access for emergency orders and collaborated with the DoJ on its development of the *Still Here Campaign*. We facilitated weekly consultation with DV services regarding victims experiences of policing and reported findings to Policing Authority on a monthly basis.

Phase 1 prioritised reaching out and contacting victims of Domestic Abuse with a view to ascertaining any existing issues of concern, to offer support and reassurance, and to ensure that any issues identified were dealt with swiftly and decisively. Phase 2 concentrated on the execution of arrests, and the commencement of prosecutions for offences relating to breaches of court orders obtained pursuant to relevant provisions of the Domestic Violence Act, 2018. Phase 2 combined actions of both previous phases

### **Key statistics<sup>23</sup>**

- An Garda Síochána recorded an **18%** year-on-year increase in calls for assistance in respect of Domestic Violence related issues between 2019/2020.
- **15,320** contacts or attempts at contact to victims of domestic abuse were recorded during Phase 1 of Operation Faoiseamh (1<sup>st</sup> January 2020 and 12<sup>th</sup> October 2020).
- By 15<sup>th</sup> Sept 2020, there was a year to date increase in detections for offences relating to breaches of court orders obtained pursuant to relevant provisions of the Domestic Violence Act, 2018 of **14.7%**
- Between the 13<sup>th</sup> May 2020 and the 27<sup>th</sup> May 2020, a total of **107** prosecutions connected to Operation Faoiseamh

### **General Consensus on Policing and Impact of Operation Faoiseamh**

At the outset it must acknowledged that there is a general consensus of considerable improvement in the Garda prioritisation of DSGBV responses over the past number of years and in particular, since the start of the Covid19 pandemic. Many service providers spoke glowingly of the high-level response and supports they experienced and witnessed over the past fifteen months. In some instances, this was attributed to apparent change in practices and improved competencies amongst members of the force. However, despite the considerable improvements over the past year, including the commitment and dedication of many resolute officers and staff, it is reported that there are still many regional disparities and weaknesses some of which, in the opinion of Safe Ireland, have potential to expose victims to unnecessary risk. In this context however, it must also be acknowledged that the boundaries between the jurisdiction of policing and the jurisdiction of the Courts Service may on occasion be blurred as a result of which perceived shortcomings may be unfairly attributed to An Garda Síochána which more accurately may be shortcomings or limitations within the Courts Service. Nonetheless, the overall conclusion of Safe Ireland is that considerable advances have been achieved over the past 12 months and equally, there is still a body of work to be done to achieve consistent levels and quality of An Garda Síochána response to victims of DSGBV across the State. Safe Ireland members organisations reported a very positive experience of enhanced levels of engagement with, and accessibility to Gardaí, in particular since the start of the pandemic. This has manifest through increased contact with local DSGBV services and staff; greater collaboration of efforts between Gardaí and local services; and meaningful introductory contact with services made by newly transferred Gardaí.

Many services (though not all) reported a notable improvement in the response time from date of incident reporting to the completion of victim assessments, though it is generally considered that there is still considerable room for improvement in reducing lead times. Time delays were also cited

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<sup>23</sup> <https://www.garda.ie/en/about-us/our-departments/office-of-corporate-communications/news-media/operation-faoiseamh-phase-3-%E2%80%93-an-garda-siochana-continues-to-support-victims-of-domestic-abuse.html>

in the signing of Protection/Emergency/Barring Orders, and one anecdote recounted a case where a breach of an order was reported by the victim to Gardaí which, upon follow-up, was found not to have in fact even been signed into force.

Some concerns have been highlighted regarding regional variances in praxis when responding to reported breaches of Protection, Safety or Barring Orders. In particular, some concern was expressed with regard to the burden for prescriptive action being placed on the victim by the responding Gardaí. It is recognised that whilst this discretionary approach may be well intentioned, and it is also recognised that there is not universal consensus regarding discretion, it indicates subjective variations which may militate against the development of universal best practice across the force and/or the potential for disruption to good community policing relationships, when differing practices migrate with transferred members of the force.

In some locations it was noted that Gardaí were reluctant to request emergency Orders out-of-hours where it was known that a local judge was reluctant to facilitate such hearings. Whilst recognising that the reluctance/refusal of a judge to facilitate such emergencies is indeed outside the purview of the Gardaí, it was indicated as problematic that the Gardaí in some circumstances were advising victims that no legal recourse was available to them. It was the view of the service providers that in such emergency situation, the Gardaí should actively invoke the provisions of the Domestic Violence Act 2018, and request that the Courts Service arrange a special out-of-hours hearing, even if such request is not subsequently accommodated.

### **Impact of Alcohol and Drug Consumption on Incidence of Domestic Abuse**

The relationship between consumption of alcohol and drugs, and domestic abuse is complex particularly in relation to causality. Whilst there are a range of theoretical frameworks that identify substance use as a risk factor use with regard to perpetration of particularly physical abuse and victimisation, there are a number of issues that confound a causal relationship e.g. several population-based studies show less than half of domestic violence incidents directly involve drugs and/or alcohol<sup>24</sup>. Other studies indicate that although the abuser may have alcohol problems, incidents of abuse were often unconnected to their drinking<sup>25</sup>. In other studies, while women report that there is often drinking at the time of the incident, most women also report being beaten when the man was sober<sup>26</sup>. However, there is evidence the women are more likely to call the police when their partner is drinking or using drugs<sup>27</sup>.

Laboratory research reveals that those with low levels of inhibition, empathy and self-regulation and elevated levels of sensitivity to threats and insults ('instigative cues') are more prone to violence when they have consumed alcohol up to four hours ahead of a perceived threat or 'provocation'<sup>28</sup>. However, women often highlight how some abusive men retain power over them by attributing their violence to intoxication, by insisting that their drinking caused them to act out of character, or by denying any memory of assaults perpetrated when intoxicated<sup>29</sup>. Women have been found to be more vulnerable to assault when they are intoxicated, but this is at least partly because those living with abusers are less diligent at pursuing safety strategies when they have been drinking<sup>30</sup>.

It is important to note that although some perpetrators use physical violence frequently, others use little or none; instead, preferring to maintain dominance over their partner through more insidious

<sup>24</sup> Leonard, 1999; Mirrlees-Black, 1999

<sup>25</sup> Frieze and Browne, 1989

<sup>26</sup> Galvani, 2001; Sonkin, 1985; Eberle, 1982

<sup>27</sup> Hutchinson, 2003

<sup>28</sup> Leonard and Quigley 2017

<sup>29</sup> Hearn 1998

<sup>30</sup> Iverson et al 2013

methods such as psychological abuse and the control of time, movement and activities<sup>31</sup>. When we focus on the physical incident model we obscure the many non-physical forms of abuse inherent to coercive control, as well as the ongoing nature of the domestic violence.

### **Priority Recommendations**

Based on Safe Ireland estimates, and depending on whether the state was to decide or not to exempt refuge space accommodation from VAT and to make public land available for their construction, the cost of reaching the state's requirements under Istanbul and reverse decades of underinvestment would be in the order of between €60m and €123m. When coupled with the staffing and associated current account costs, the state would need to make an investment of around €98m to €161 million. These numbers may appear intimidating until we consider that in the *Summer Economic Statement* the government said that it intends to make €500 million in tax cuts in Budget 2022. In other words, a five-month deferral of those tax cuts would fund the construction and staffing of the 338 emergency accommodation spaces that are needed nationwide, along with the judicial reforms outlined below.

1. Pending the establishment of a designated ministry with responsibility for domestic, sexual and gender-based violence, we recommend that a capital grant covering 100% of the cost of either construction or purchase of appropriate domestic violence emergency accommodation should be made available to DV service providers in partnership with local authorities and the Department of Housing, Local Government and Heritage. Construction costs could be lowered where appropriate public land is made available by a local authority, and purchase costs could be lowered if domestic abuse emergency accommodation units were made exempt from VAT.
2. The future design of refuge space must be re-imagined to incorporate accommodation and co-located wraparound services. Trauma-informed architectural aesthetics should combine with utilitarian function to combine private residential space, therapeutic interventions space, welfare information services and remote court hearing facilities. Refuges should also provide for community participation and engagement.
3. The current costs associated with the running of the new emergency accommodation units should be made available to service providers via Tusla and the Department of Health.

#### **4. Safe at Home Sanctuary Scheme**

The primary aim of the *Safe at Home* Sanctuary Scheme is to protect victims of domestic abuse from in their own home where the perpetrator no longer resides. A series of security features are installed which are aimed at delaying unlawful entry and allowing time for the emergency services to arrive. *Safe at Home* can help many victims of domestic abuse remain safely in their homes and maintain their social roots. It results in huge savings for An Garda Síochána, healthcare services, local authorities and other services, as it mitigates incidents of serious assaults, reduces threat of homelessness and need for re-housing, eliminates need for children to move school, and reduces risk of loss of employment. *Safe at Home* would be part of a holistic package of measures, and potential beneficiaries should have a full needs assessment undertaken by a specialist domestic violence worker along with a personal support and safety plan. Sanctuary schemes are not suitable for all circumstances and must be viewed as one single element of a Whole Housing Approach.

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<sup>31</sup> Westmarland and Kelly, 2013

**LIST OF REFUGES**

- 1. Saoirse Domestic Violence Services**  
Dublin
- 2. Esker House Refuge and Domestic Abuse Support Services**  
Westmeath
- 3. Adapt Kerry**  
Kerry
- 4. Mayo Women's Support Services**  
Mayo
- 5. Meath Women's Refuge and Support Services**  
Meath
- 6. Drogheda Women & Children's Refuge**  
Louth
- 7. ADAPT Domestic Abuse Services**  
Limerick
- 8. Sonas Domestic Abuse Charity**  
Dublin
- 9. Clare Haven Services**  
Clare
- 10. Women's Aid Dundalk**  
Louth
- 11. Cuanlee Refuge**  
Cork
- 12. Donegal Domestic Violence Services**  
Donegal
- 13. Cuan Saor Women's Refuge & Support Services**  
Tipperary
- 14. Aoibhneas Domestic Abuse Support for Women and Children**  
Dublin
- 15. Bray Women's Refuge Services**  
Wicklow
- 16. Oasis House Women's Refuge**  
Waterford
- 17. Wexford Women's Refuge**  
Wexford
- 18. COPE Galway Domestic Abuse Service**  
Galway
- 19. Teach Tearmainn Housing Association**  
Kildare
- 20. Amber Women's Refuge**  
Kilkenny

## **Additional References**

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