

Opening Statement to the Joint Oireachtas Committee on Justice on the General Scheme of the Domestic, Sexual and Gender-Based Violence Agency Bill April 2023

Introduction

Safe Ireland thank the Committee for this opportunity to address the General Scheme of the Domestic, Sexual and Gender-Based Violence Agency Bill 2023¹.

We welcome the formation of the new Agency and - first and foremost - urge that it be established, at the outset, with the reach, remit, flexible response-capacity and resources it needs to go to the root of DSGBV in Ireland and to eradicate it.

Key Points

1. The Agency's direct functions under Head 14 must include the *generation* of policy, rather than the weaker role of simple policy 'coordination' proposed, alongside its other functions of services provision / awareness-raising / research and data collection / & standards and governance.
2. All functions of the Agency must be integrated and shaped by its own evidence-based policy, which itself must be grounded in international best practice, high-level data, the expertise of DV support services and appropriate State Agents and Services. Additionally, given the stresses of the politics of representation in contemporary life, innovative methodologies are required to draw on the ranges of emergent experience provided directly by survivors, their families and communities. The wholistic connection between policy and service provision is envisaged in the 3rd National Strategy : 4.1.1.
3. Within the new Agency, the daily work of policy generation and development cannot be separated structurally from national-level data sets, primary sources and the evidentiary feedback-loops provided by these front-facing engagements. Such separation is not itself best practice. It appears to us as a problematic replication of the very problems of fragmentation and ad-hoc response we seek to overcome through the creation of this new Agency. Positioning the Agency as primarily a 'service-provider' will repeat former problems.
4. In this way, full integration of DSGBV policy generation within the Agency with all other prescribed functions will provide the Minister with the best possible advice, proposals and recommendations for which he or she (and ultimately, the Government of the day and the Oireachtas) will be responsible.
5. The Agency, which is accountable through its Board to the Minister for Justice, to the Taoiseach (through the Cabinet Committee on Social Affairs and Equality), and ultimately to the Oireachtas, should include representative structures from all relevant Departments with appropriate authority to take decisions. In this regard, Safe Ireland welcome the creation of a *duty* on public sector bodies and others to cooperate with the Agency under Head 4. However, we also call strongly for an explicit and clear DV expertise representation on the Board of the Agency. As it stands the proposals are heavily focused on Administrative/Governance skill. We need DSGBV expertise well-represented on this Board.
6. In light of this, it is Safe Ireland's view, that it is *the Agency* who should propose a draft multi-annual Performance Framework to the Minister (see Head 27) for consideration, and directly advise the

Minister's annual Statement of Priorities (see Head 29), to which the Minister will have the power to respond and forward, as she or he sees fit.

7. With regard to direct response to victims, a first priority for this Agency should be the development of a *National Services Development Plan*, (3NS Implementation Plan 2.2.1). In turn, the first major task under that Plan, we propose, should be the development of a *National Strategic DV Accommodation Plan* which addresses deficits in short-term emergency accommodation for victims and develops longer-term accommodation solutions for survivors (3NS Implementation Plan: 2.3.2 /2.3.3).
8. Such a *National Services Development Plan* will need a robust and fully co-designed approach which examines *all* aspects of survivor/victim response, both general and targeted, as they relate to safety, well-being, welfare and finance for all cohorts. Responding to domestic violence housing issues specifically requires a national, integrated perspective which is nonetheless locally flexible and supported.
9. Without such a *National Services Development Plan*, the long-standing issues of the uneven provision of DSGBV services nationally will continue. In considering what should be included in the forthcoming Bill, close attention must be paid therefore to the founding models/Acts referenced, and upon which this new Agency are being built. Again, while we appreciate the speed, focus and work in bringing this legislation forward, we fear replicating current structural problems.
10. Given correct structures, effective inter-agency working at every level will be possible, we believe. (We suggest how this might be done under Heads 14 and 25 among others).
11. The work of large-scale cultural transformation should also be a central focus of this Agency. Depth understanding of the nature, dynamics and impacts of domestic, sex, gender and sexuality-based violence and abuse, including targeted "sector-specific" education, alongside awareness-raising activities, is necessary.

In summary, the DSGBV Agency Bill itself, and all future national strategies, require a robust analytic frame, including DV-informed intersectional analyses, which can identify patterns of coercion and abuse and respond by upholding the rights, dignity and well-being of all victims and survivors of coercion and abuse based on sex, gender or sexuality.

The new Agency will require strong leadership; innovation in research, consultation and co-design; transparency in decision-making; high-quality national data; a determination to seek out best practice, recognition and recourse to expertise and training, excellent communication and collaboration within and across relevant Departments, State Agencies and NGOs, and last but by no means least, adequate, reliable funding. As it stands, even the 6% rise in funding to domestic violence services in 2022 does not bring services back up to the levels they had reached before the austerity cuts of 2008.

Above all the new Agency must itself be comprehensively integrated as to its domain, and fully resourced to do this work.

Finally, Safe Ireland regard the formation of this Agency as an historic moment – when coercion and abuse based on sex, on gender, and on sexuality is finally taken out of a privatised, oppressive domain, recognised as

a large-scale social problem which will respond to systematic address. This Agency, given a comprehensive and robust foundation, could be internationally innovative and future-facing. We are hopeful and strongly supportive of this work.

Thank you.

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