

Domestic, Sexual and Gender Based Violence Agency Bill

Bill No. 67 of 2023

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Abstract

The Domestic, Sexual and Gender Based Violence Agency (DSGBV) Bill 2023 seeks to establish an agency with responsibility for coordinating Government actions to tackle DSGBV, including delivery of services to victims of DSGBV and increasing the availability of emergency accommodation.



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Glossary and abbreviations

Table 1: Glossary and abbreviations.

Term	Meaning
Committee	Oireachtas Joint Committee on Justice
Department	Department of Justice
DSGBV	Domestic, sexual and gender-based violence
DV/DVA	Domestic Violence / Domestic Violence and Abuse
GBV	Gender-based violence
IPV	Intimate partner violence
Minister	Minister for Justice
VAW	Violence against women
EU FRA	European Agency for Fundamental Rights

Summary

The [Programme for Government, Our Shared Future](#) (2020), recognised “an epidemic of domestic, sexual and gender-based violence” and the Third National Strategy on Domestic, Sexual and Gender Based Violence (2022-2026), is entitled, [Zero Tolerance](#). It is built on four pillars – Prevention, Protection, Prosecution and Policy Co-ordination, in recognition of the wide-ranging efforts needed to support the zero tolerance goal.

Gender- based violence (GBV) is rooted in gender inequality and while both women and men experience GBV, most survivors of GBV are women and girls. Service providers have raised concerns regarding both an increase in the number of victims of domestic, sexual and gender-based violence (DSGBV) presenting to them, particularly in the years since the onset of the COVID-19 pandemic, and their ability to meet this demand due to resource constraints.

Research underscores a range of serious physical and psychological consequences from DSGBV for victim-survivors and their families. In addition to these direct impacts, DSGBV has a range of negative effects for society at large, including for the healthcare, social welfare and justice systems.

The [Domestic, Sexual and Gender Based Violence Agency Bill 2023](#) (the Bill) was published on 20 September 2023. It seeks to implement a key action of the Third National Strategy - the establishment a standalone, statutory body, under the Department of Justice, with responsibility for domestic, sexual and gender-based violence. The establishment of such an agency is also seen to be in line with the State’s obligations under the [Council of Europe’s Convention on Preventing and Combating Violence Against Women and Domestic Violence \(the Istanbul Convention\)](#) (a legally binding international treaty ratified by Ireland).

The Bill provides for the establishment, by order of the Minister for Justice (the Minister), of a Domestic, Sexual and Gender-Based Violence (DSGBV) Agency, with the following functions:

- Planning, coordinating and monitoring the development of refuge accommodation;
- Providing support, including financial assistance, to service providers for the provision of relevant services and programmes;
- Setting standards (for the approval of the Minister) for the delivery of funded services and programmes, and monitoring adherence to same;
- Co-ordinating, overseeing and supporting the delivery of relevant Government strategies and plans;
- Delivering public campaigns for the purpose of raising awareness of domestic, sexual and gender-based violence and reducing its occurrence in society;
- Compiling and publishing information on relevant services and supports, including refuges;
- Conducting or commissioning research and analysis to support the evaluation of relevant policies, strategies and services.

The Minister would be responsible for appointing a board comprising a chairperson and six ordinary members. The Agency’s chief executive and staff, including staff transferred to it from Tusla, would be civil servants of the Government.

One of the functions of the Agency would be to develop refuge accommodation for families fleeing domestic violence. DSGBV experts and services providers in Ireland have consistently argued that

current measures are not sufficient to address the prevalence of GBV and the demand for services, including for refuge accommodation. A Tusla (2022) [Review of the Provision of Accommodation for Victims of Domestic Violence](#) estimated that Ireland provides just fewer than 30% of the higher standard of family places.

All stakeholders that engaged with the Justice Committee for its pre-legislative scrutiny of the General Scheme of the Bill were in favour of the establishment of the Agency.¹

The running cost of the Agency is expected to be about €3.4m per year.² However, the Agency would be responsible for allocating a large budget to fund services, i.e., to largely non-governmental bodies that provide services such as refuges, rape crises centres and helplines, for those who have experienced or are at risk of DSGBV.

Close to €50m was allocated for 2023 under the respective Votes of the Department of Justice and the Department of Children, Equality, Disability, Integration and Youth for DSGBV-related activities that will transfer to the Agency on establishment.³

Further L&RS resources relevant to the Bill:

- [Note: Addressing domestic, sexual and gender-based violence Part One: Overview](#)
- [Spotlight: Addressing domestic, sexual and gender-based violence Part Two: Interventions](#)
- [Spotlight: Addressing domestic, sexual and gender-based violence Part Three: National Strategies/ Action Plans to Address GBV](#)
- [Note: Domestic Violence and COVID-19 in Ireland](#)

The L&RS has also produced a [Bill briefing page](#), which provides links to up-to-date media coverage and Oireachtas, Government and Stakeholder publications/commentary (available on internal Oireachtas network only).

¹ Joint Committee on Justice (2023) [Report on pre-legislative scrutiny of the General Scheme of the Domestic, Sexual and Gender Based Violence Agency Bill](#).

² Department of Justice (2023) *Domestic, Sexual and Gender Based Violence Agency Bill 2023 - Regulatory Impact Analysis*.

³ Private communication from the Department of Justice to L&RS, 25 September 2023.

Introduction

The [Third National Strategy on Domestic Sexual and Gender Based Violence](#) identified that the community and voluntary sector had long articulated the view that the dispersed nature of responsibility for DSGBV legislation, research, services and data in central government – across various departments and agencies had led to problems.⁴ Among these were a lack of ambition, cohesion and coherence and a lack of clear Government policy to end this violence. Further issues included the lack of comprehensive state-wide service delivery and poor data.⁵

The [Domestic, Sexual and Gender Based Violence Agency Bill 2023](#) (the Bill), published on 20 September 2023, is among the actions set out in the Third National Strategy to address these issues.

The Government intends that new Agency will bring a dedicated and expert focus to tackle the serious and complex societal problem of DSGBV.⁶ The functions provided for in the Bill would make it the key planning and funding body for services for victims of domestic, sexual or gender-based violence. It would set and monitor the standards for these services, publish information on service availability and implement or fund public campaigns around these types of violence. It would also coordinate and the delivery of Government strategies and plans (see full list of functions in the Principal Provisions section below).

The Bill is comprised of five Parts, which altogether contain 45 Sections. This *Digest* examines the background and context to the Bill, including exploring the policy environment and providing data on the level of DSGBV and its impact human and financial costs. It presents a table showing the Justice Committee's recommendations for the legislation alongside the Department of Justice's commentary on the extent to which these have been provided for in the Bill. Further, it looks at the principal provisions of the Bill as published and some implications. It is presented in the following sections:

- Background to the DSGBV Agency Bill;
- Pre-legislative Scrutiny of the General Scheme of the Bill;
- Principal Provisions of the Bill; and
- Implications of the Bill.

⁴ Government of Ireland (2022) [Zero Tolerance: Third National Strategy on Domestic, Sexual and Gender Based Violence, 2022-2026](#). p.10.

⁵ Government of Ireland (2022) [as before](#), p.10.

⁶ Department of Justice (2023) [Press release: Government approves publication of legislation to establish new Domestic, Sexual and Gender-Based Violence Agency](#), 18 September 2023.

Background to the DSGBV Agency Bill

Definition of DSGBV

Box 1 below provides explanations and definitions of key terminology in relation to domestic, sexual and gender-based violence (DSGBV). See also Glossary above.

Box 1: Key definitions domestic, sexual, and gender-based violence

Gender-based violence (GBV) is violence which is directed against a person because of their gender. It is rooted in gender inequality, the abuse of power and harmful norms. While both women and men experience GBV, most survivors of GBV are women and girls. GBV can include sexual, physical, mental and economic harm inflicted in public or in private. It also includes threats of violence, coercion and manipulation. GBV can take many forms including domestic violence, sexual violence, child marriage, female genital mutilation (FGM) and so-called 'honour crimes'.

Gender refers to the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men.

Domestic violence (DV) includes all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.

Intimate-partner violence (IPV) refers to any act of physical, sexual, psychological or economic violence that occurs between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.

Sexual violence (SV) refers to all forms of sexual acts which are performed on another person without her or his freely given consent and which are carried out intentionally.

Coercive control is a persistent pattern of controlling, coercive and threatening behaviour including all or some forms of domestic abuse (emotional, physical, financial, sexual including threats) by a partner or ex-partner.

Sources: [Council of Europe Convention on preventing and combating violence against women and domestic violence](#); EIGE (2017) [Glossary of definitions of rape, femicide and intimate partner violence](#), [European Commission](#); Women's Aid [What is Coercive Control?](#).

Prevalence of DSGBV

The European Commission⁷ and United Nations⁸ define GBV as violence which is directed against a person because of their gender. They further state that GBV is rooted in gender inequality, the abuse of power and harmful norms and that while both women and men experience GBV, most survivors of GBV are women and girls.

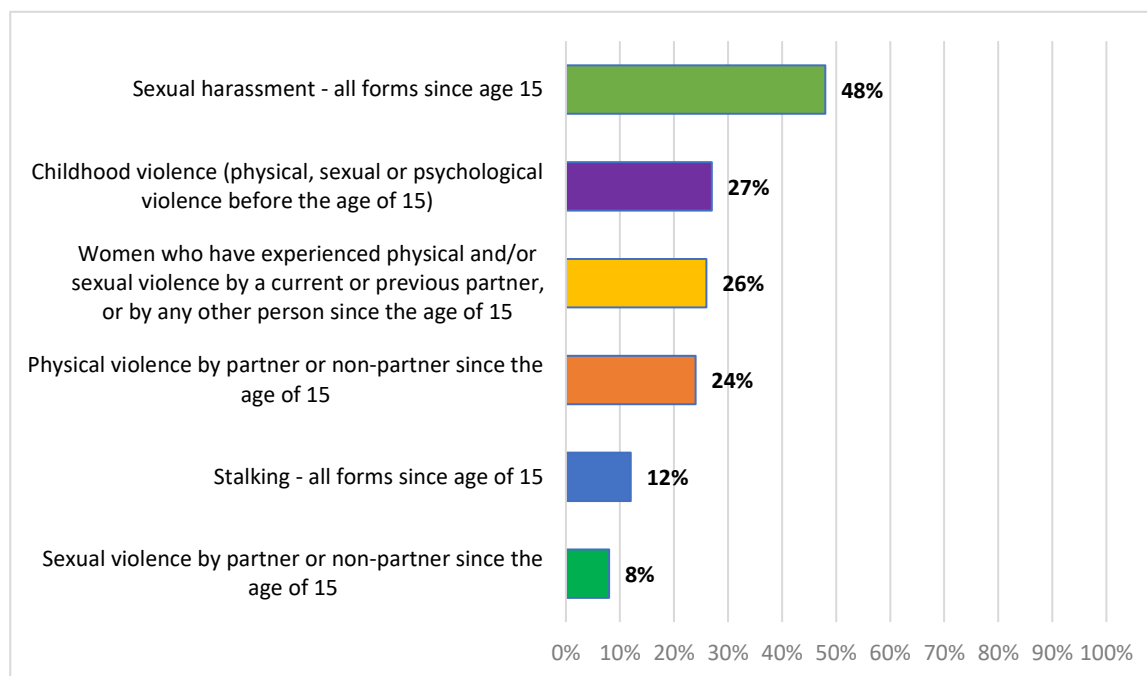
The 2012 European Union Agency for Fundamental Rights (EU FRA) survey on violence against women (VAW) was the first survey of its kind to capture the scope and nature of GBV violence against women in all 28 EU Member States, using the same questionnaire, with the same mode of application and based on random sampling. It had a particularly large sample; the report is based

⁷ European Commission (no date) [What is gender-based violence?](#) (last accessed 25 September 2023).

⁸ United Nations High Commissioner for Refugees (UNHCR) (no date) [Gender-based violence](#) (last accessed 25 September 2023).

on interviews with 42,000 women across the then 28 Member States of the European Union (EU). It is, therefore, one of the most reliable sources of prevalence data on VAW in the EU. Please note, the EU FRA survey included only women. Figure 1 summarises some key statistics on VAW in Ireland from the EU FRA survey.

Figure 1: Prevalence of GBV violence against women aged 15+ in Ireland



Source: [European Union Agency for Fundamental Rights](#), data collected 2012, report published 2014.

It is clear from the data in Figure 1 that VAW is highly prevalent in both childhood and adulthood – 27% of women surveyed reported that they had experienced some form of GBV before the age of 15 years, while 26% reported experiencing some form of GBV since the age of 15. In examining statistics on the prevalence of GBV, it is important to be aware that GBV is systematically under-reported. Under-reporting can occur for various reasons including cultural acceptability of violence, a nation's level of gender equality, exposure to risk factors for violence, and a nation's overall level of violent crime. As a result, these prevalence statistics likely represent the minimum level of gender-based VAW in Ireland. Research also reveals that individuals from groups and backgrounds that experience a high level of discrimination and exclusion are also more likely to experience GBV and less able to access adequate help for it. This includes ethnic and racial minorities, migrants, Travellers, individuals with disabilities, members of the LGBTQ+ communities among others.⁹

The last national survey on domestic violence against women and men in Ireland was conducted in 2005, meaning that we do not have up-to-date national prevalence statistics on this. However, the 2005 survey found that 15% of women and 6% of men have experienced severe abuse by a

⁹ See, among others Smith, Sharon G., Kathleen C. Basile, Leah K. Gilbert, Melissa T. Merrick, Nimesh Patel, Margie Walling, and Anurag Jain. [National intimate partner and sexual violence survey \(NISVS\): 2010-2012 state report](#). (2017); Dunkle, K., van der Heijden, I., Stern, E., & Chirwa, E. (2018). [Disability and Violence against Women and Girls Emerging Evidence](#) from the What Works to Prevent Violence against Women and Girls Global Programme; Calton, J.M., Cattaneo, L.B. and Gebhard, K.T., 2016. [Barriers to help seeking for lesbian, gay, bisexual, transgender, and queer survivors of intimate partner violence](#). *Trauma, violence, & abuse*, 17(5), pp.585- 600; Pavee Point (2013), [Submission to the Joint Oireachtas Committee on Justice, Equality and Defence on the issue of domestic violence](#).

current or former partner in their lifetime.¹⁰ The 2022 Central Statistics Office (CSO) survey on [Sexual Violence](#) against women and men in Ireland found 40% of adults surveyed had experienced sexual violence at some point in the lifetime, and prevalence was higher for women (52%) than men (28%). A total of 39% of women and 12% of men had experienced sexual violence as an adult (18+ years of age), while 36% of women and 22% of men had experienced sexual violence as a child. Twenty-three percent (23%) of women had experienced sexual violence as both an adult and a child, compared to 6% of men.

In addition to these national prevalence statistics, many of the statutory and non-governmental bodies who provide services to victims of GBV record their own data, an overview of which is provided in Box 2 below.

Box 2: Other statistics on GBV in Ireland

14,012: The number of contacts to the Dublin Rape Crisis Centre National 24-hour Helpline in 2021 (↑ from 13,438 in 2020).

7,561: The number of calls to the Men's Aid helpline in 2021 (↑ 37% from 2020)

48,694: Number of calls to respond to domestic abuse incidents from An Garda Síochána in 2021 (↑ 10% on 2020).

3,356: The number of incidents of sexual crime recorded by An Garda Síochána in 2021 (↑ from 3,054 in 2020).

22,596: The number of applications to the District Court under the domestic violence legislation in 2021 (↓ from 22,970 in 2020).

8,918: The number of applications for safety orders in 2021 (↑ from 8,887 in 2020). Of this, 2,461 safety orders were granted (↓ from 2,467 in 2020).

33,990: Disclosures of abuse against women and children to Women's Aid in 2022 (↑ from 33,831 in 2021).

Sources: [Dublin Rape Crisis Centre Annual Report 2021](#); [An Garda Síochána Annual Report 2021](#); [Men's Aid Annual Report 2021](#); [Courts Service Annual Report 2021](#); [Women's Aid Annual Impact Report 2022](#).

Service providers have raised concerns regarding both an increase in the number of victims of GBV presenting to them, particularly in the years since the onset of the COVID-19 pandemic, and their ability to meet this demand due to resource constraints. For instance, Safe Ireland reported that September-December 2020 they could not meet 808 requests for refuge due to lack of space (an average of 7 requests a day), while Men's Aid, the national service supporting men and their families experiencing domestic violence, reported that they missed 630 calls to their helpline in 2021 mainly due to resource constraints.^{11, 12} The Courts Service also [noted](#) delays of six weeks to sixteen weeks for domestic violence applications in some District courts.

¹⁰ National Crime Council and ESRI (2005) [Domestic Abuse of Women and Men in Ireland. Report on the National Study of Domestic Abuse](#).

¹¹ Safe Ireland (February 2021) [Tracking the Shadow Pandemic – Lockdown 2 A report on women and children seeking support from Domestic Violence Services September 2020 – December 2020](#).

¹² Men's Aid (November 2022) [Men's Aid Launch Annual Report 2021](#) (last accessed 22 September 2023).

Impact of DSGBV

Research underscores a range of serious physical and psychological consequences from DSGBV for victim-survivors and their families. At the extreme end, the 2023 [Study on Familicide and Domestic and Family Violence Death Reviews](#) reports that between the years of 2000 and 2019, public-domain records revealed that at least 166 people were killed in incidents of family violence, although the report adds that this figure is an under-estimation with Office of the State Pathologist data revealing a further 14 victims in this timeframe whose deaths did not feature public-domain reports. An Garda Síochána [report](#) that in 2021, 13 of 25 - more than half - of Murder/Manslaughter/ Infanticide incidents had a domestic abuse motive. The aforementioned EU FRA survey recorded high prevalence rates of physical injuries and mental illness among participants which they directly attributed to GBV. A [2008 literature review](#) on the impact of exposure to domestic violence on children and young people found that children and adolescents living with domestic violence are at increased risk of experiencing emotional, physical and sexual abuse, of developing emotional and behavioural problems and of increased exposure to the presence of other adversities in their lives.

Between the years of 2000 and 2019, public-domain records revealed that at least 166 people were killed in incidents of family violence.

- [The 2023 Study on Familicide and Domestic and Family Violence Death](#)

In addition to direct impacts on victim-survivors and their children, research shows that GBV has a range of negative consequences for society at large. These include an increased burden on the healthcare system associated with injuries and long-term health problems¹³, underachievement in work and education and decreased worker productivity¹⁴, and homelessness¹⁵ (usually associated with domestic violence). A European Institute for Gender Equality (EIGE) [study](#) estimated that the cost of GBV in EU Member States was more than €366 billion in 2019 (published 2021). This figure includes lost economic output, health services, criminal and civil justice costs, social welfare, personal costs, specialist services and physical/emotional impacts. Violence against women accounts for 79% of this cost (€290 billion).

DSGBV - Policy, legislation and current issues

Several key documents guide international policies on DSGBV. Paramount among these is the [Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence \(the Istanbul Convention\)](#). The Convention is an international legal instrument that requires criminalising or legally sanctioning different forms of violence against women, including domestic violence, sexual harassment, and psychological violence. States that have ratified the Convention are legally bound by its provisions once it enters into force. Ireland ratified the Istanbul convention on 8 March 2019, and it entered into force on 1 July 2019. Four pillars/provisions underpin the Istanbul Convention: prevention, protection, prosecution, and co-ordinated polices. The purpose of the Convention is to:

¹³ European Institute for Gender Equality. [The costs of gender-based violence in the European Union](#). EIGE, 2014.

¹⁴ Showalter, Kathryn. [Women's employment and domestic violence: A review of the literature](#). Aggression and violent behavior 31 (2016): 37-47.

¹⁵ Baker, Charlene K., Kris A. Billhardt, Joseph Warren, Chiquita Rollins, and Nancy E. Glass. [Domestic violence, housing instability, and homelessness: A review of housing policies and program practices for meeting the needs of survivors](#). Aggression and violent behavior 15, no. 6 (2010): 430-439.

- protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence
- contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women
- design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence
- promote international co-operation with a view to eliminating violence against women and domestic violence
- provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence.

The Istanbul Convention has a [monitoring mechanism](#) to assess and provide guidance on how provisions are used in practice. Ireland submitted a [monitoring report](#) in 2022. For more detail on the Convention see Appendix One.

An overview of national strategies / action plans by country is provided in Table 3 of the L&RS [Spotlight: Addressing domestic, sexual and gender-based violence Part Three: National Strategies/ Action Plans to Address GBV](#).

Ireland's Third National Strategy on DSGBV

The key national policy on DSGBV is [Zero Tolerance: Ireland's Third National Strategy on Domestic, Sexual and Gender-Based Violence \(DSGBV\) 2022-2026](#). The Strategy, published by the Department of Justice in June 2022, outlines the Government's goals on DSGBV to 2026. The Strategy uses the four Istanbul Convention pillars of prevention, protection, prosecution and policy coordination as the levers of change to deliver the goal of zero tolerance in Irish society of DSGBV. According to the Strategy:

"A central element of delivering on the end goal of the strategy on zero tolerance in Irish society of DSGBV is the establishment of a statutory DSGBV agency under the aegis of the Department of Justice." (p.8).

The Strategy states that this agency, to be placed on a statutory footing, will require staffing and funding to succeed and will be tasked with the following:

- "Coordinating all Government Actions set out within this third national Strategy, and reporting on their delivery to the Minister for Justice. Political oversight will be provided by the Cabinet Committee on Social Affairs and Equality;
- Delivering excellent services to victims of DSGBV, including delivering on the number of safe and accessible accommodation spaces needed, as well as ensuring that helpline and other supports are available to everyone who requires them;
- Ensuring a robust set of national service standards and governance arrangements are in place to ensure adherence to the appropriate standards for such supports;
- Leading on awareness-raising campaigns designed to reduce the incidence of DSGBV in Irish society as well as ensuring that all victims know the full range of supports available and how to access them;
- Working with the Minister for Justice to ensure alignment in its work with overall Government DSGBV policy;
- Leading on consistent and ongoing research to inform DSGBV policy development, working with others, such as the CSO, who have research and data projects underway" (p.8)

In addition to the establishment of the statutory DSGBV agency, other key actions to be delivered under the strategy include:

- Doubling the number of refuge spaces available in Ireland.
- National sexual violence and national domestic violence prevalence surveys to be conducted alternately at five-year intervals.
- New legislation to provide for the introduction of a specific offence for non-fatal strangulation, and a specific offence for stalking (these offences have been legislated for though these provisions are not yet commenced¹⁶).
- Ambitious public awareness campaigns which will seek to raise awareness of DSGBV, as well as challenging existing myths, misconceptions and established beliefs.
- Overhaul of the relationships and sexuality education curriculum.
- Reforming the criminal law, including increasing the maximum sentence for assault causing harm from 5 years to ten years.
- Training frontline workers to identify domestic violence and refer victims/survivors to appropriate services.
- Removing the legal barriers that can prevent people experiencing domestic violence from remaining at home (where it is safe to do so)
- Progressing and implementing the new Family Court Bill
- Improving prosecutions of breaches of any and all DSGBV civil orders provided for in domestic violence and family law legislation

More broadly, the [Programme for Government, Our Shared Future](#) (2020), in recognition of “an epidemic of domestic, sexual and gender-based violence”, makes several commitments in this area. These are summarised in Box 3.

Box 3: Commitments on DSGBV in the Programme for Government

Building on the ratification of the Istanbul Convention, we will work with NGOs and services to:

- Develop the third National Strategy on Domestic, Sexual and Gender Based Violence, which will place a priority on prevention and reduction and will include a National Preventative Strategy.
- Conduct an immediate audit, to be concluded within nine months of the formation of the Government, of how responsibility for domestic sexual and gender-based violence is segmented across different government agencies, and develop proposals on what infrastructure is needed to ensure that the issue is dealt with in the most effective manner possible. This audit will be undertaken in conjunction with NGOs and service providers.
- Implement a plan for future refuge space on the publication of a review of domestic violence accommodation provision.
- Investigate the provision of paid leave and social protection provision to victims of domestic violence.
- Learn from the UK model, where the crime of coercive control has been successfully prosecuted since 2015. We will invest in a comprehensive training programme for professionals who may have contact with a victim of coercive control, including An Garda

¹⁶ These offences were introduced by the [Criminal Justice \(Miscellaneous Provisions\) Act 2023](#) (enacted 19 July 23). However, Ss. [19-60](#) have not yet been commenced. A commencement order required under s. 1(5).

Síochána, legal professionals, and courts services personnel, to ensure that there is a clear understanding of the nature of this relatively new offence.

- Legislate to introduce Domestic Homicide Reviews.
- Update the Sex Offenders Act 2001, to ensure that convicted sex offenders are effectively managed and monitored.
- Enact the Harassment & Harmful Communications Bill (as amended), in order to outlaw image-based sexual abuse and to prevent the abusive sharing of intimate images online.
- Implement the findings of the O'Malley Review of supports for vulnerable witnesses in sexual violence cases to support victims.
- Adopt and implement a comprehensive strategy to combat trafficking of women and girls.

Source: [gov.ie](https://www.gov.ie) - Programme for Government: Our Shared Future (www.gov.ie)

In 2021, the [Citizens' Assembly on Gender Equality](#) made several recommendations to address DSGBV, including that "All Government action to prevent and counter domestic, sexual and gender-based violence should be coordinated by a Cabinet Minister with direct responsibility for implementation of a national strategy" (Recommendation 37) and that accommodation for victims/survivors be developed in line with the standards of the Istanbul Convention (Recommendation 40).¹⁷ The [Joint Committee on Gender Equality](#) further developed these recommendations and called for action on the Third National Strategy to begin immediately, pending the establishment of the new Agency.¹⁸

Ireland has a body of criminal law related to DSGBV. Table 2 below provides an overview of some recent DSGBV-related legislation, which provides for new offences such as coercive control and non-fatal strangulation.

¹⁷ The Citizens' Assembly (June 2021) Report of the [Citizens' Assembly on Gender Equality](#).

¹⁸ Joint Committee on Gender Equality (December 2022) [Unfinished Democracy: Achieving Gender Equality Final Report](#).

Table 2: Recent legislation

Act	• Includes / provides for
Criminal Law (Sexual Offences) Act 2017	• Updated many aspects of criminal law on sexual offences
Criminal Justice (Victims of Crime) Act 2017	• Provides for a set of statutory rights for victims of crime; provides for a victim impact statement
Domestic Violence Act 2018	• Offence of coercive control; additional legal protections for victims of domestic violence
Criminal Law (Sexual Offences) Act 2019	• Stricter penalties for repeat sexual offenders
Harassment, Harmful Communications and Related Offences Act 2020	• Offence of distributing intimate images without consent
Criminal Procedure Act 2021	• Provides for preliminary trial hearings for sexual offences
Work Life Balance and Miscellaneous Provisions Act 2023	• Provides for domestic violence leave
Criminal Justice (Misc. Provisions) Act 2023	• Provides for offences relating to non-fatal strangulation, non-fatal suffocation and stalking

Sources: Department of Justice (2022) [Report by the Irish government on the implementation of the Istanbul Convention](#); Department of Justice (2022) [Zero Tolerance: Ireland's Third National Strategy on Domestic, Sexual and Gender-Based Violence \(DSGBV\) 2022-2026](#); Foley (2022) [Gender-based Violence in Ireland](#).

Note: Table 2 does not list all elements of each Act and some provisions have yet to be commenced.

In 2021, the Department of Justice published a [review](#) of the effectiveness of the structures in place to oversee policy and its implementation in relation to DSGBV in Ireland. The findings were based on consultation with 100 individuals, from government departments and agencies and from NGOs involved in the design of policies and delivery of services for victims and perpetrators. Table 3 summarises the issues raised by participations across six areas, and the Review recommendations. Several of these have clear relevance to the Bill content and were also raised in the Joint Committee on Justice's [PLS report](#) (May 2023).

Table 3: Summary of findings and recommendations from Domestic, Sexual and Gender Based Violence: An Audit of Structures (2021)

Findings/Issues raised
1. Prevention and public awareness: taking a holistic approach to prevention measures; stronger focus on societal issues.
2. Needs and services: Needs of victims from minority backgrounds not being addressed; lack of accommodation for male victims of GBV; Supports for children; Addressing links between GBV and homelessness; Poor quality of refuge accommodation; Issues with operation of justice system including court delays; Need for reforms to family law processes; Poor quality of court facilities.
3. Funding, commissioning and accountability: Insufficient resources/resource constraints; Piecemeal and ad hoc nature of funding; Problematic relationship between

NGOs and Tulsa; Issues with commissioning and monitoring of funding; Inadequate needs assessment and associated information; Transparency issues with funding.
4. Data collection and analysis: Inconsistencies in collection and analysis; Issues with Tulsa; Impact of data deficient on service delivery; Lack of up-to-date national data.
5. Strategy: Weaknesses in Second National DSGBV Strategy.
6. Structure: Role of COSC; Dissolution of COSC; Issues with monitoring committee
Recommendations
1. Policy leadership for DSGBV be placed clearly with the Department of Justice.
2. Responsibility for the funding and commissioning of all DSGBV services should also be with the Department of Justice, together with responsibility for service development plans and other measures discussed in report.
3. DSGBV should be a specific theme within existing local structures and networks and that it be incorporated into the pilot Community Safety Partnerships for review following the pilot phase.
4. Dedicated "DSGBV office" be established, to lead joint working, holistic responses and the implementation of agreed strategies and developments.
5. Functions for the "office" suggested in the consultation include the provision of supports to services and policy makers; opportunities to reflect, learn and continually improve effectiveness, support to develop relationships, skills and innovation and the provision of spaces for the "frank conversations" that are necessary from time to time to reach agreement on difficult issues.
6. "Office" must have sufficient authority, staff resources and expertise to carry out its agreed roles. It should be led by an officer at Assistant Secretary level with a direct reporting relationship to the Secretary General of the Department of Justice.
7. Advisory Committee of senior officials, experts and service providers should enhance and support the work of the office.
8. A special Ministerial Committee and/or Cabinet Committee be established as a functioning body, to oversee the implementation of the next strategy, ensure that all elements of the State apparatus contribute to its achievement and to intervene if progress gets "stuck" for any reason.

Source: L&RS analysis of [Department of Justice \(2021\)](#)

DSGBV emerged as a key concern during the COVID-19 pandemic, with evidence internationally and in Ireland suggesting increases in domestic violence following the outbreak.¹⁹ Measures were introduced to support victims of domestic violence in Ireland during the pandemic, which included a national public awareness campaign, additional funding for domestic violence support services, measures to support access to legal services for victims of domestic violence, and a proactive police operation to reach out to individuals who previously reported domestic violence.²⁰ While

¹⁹ For more detail see: Oireachtas Library & Research Service, 2020, L&RS [Note: Domestic violence and COVID-19 in Ireland](#).

²⁰ For example see: Department of Justice and Equality (15 April 2020) 'Major new TV, Radio and Social Media Campaign reaching out to Victims of Domestic Abuse begins today', <http://www.justice.ie/en/JELR/Pages/PR20000055> (Accessed April 15, 2020); Merrion Street (10 April

these measures were welcomed by leading organisations and experts working on domestic violence, there were also indications that they were not sufficient to address the increased prevalence of domestic violence and the demand for services, including for accommodation.²¹

Provision of refuge accommodation

There is an ongoing shortage of accommodation for families fleeing domestic violence. As stated by Tusla (2022), “It was widely acknowledged that there is inadequate provision of, and inequity in access to, appropriate accommodation for victims of domestic violence”.²² Under the Bill, one of the functions of the Agency will be ‘to plan, coordinate and monitor the development of refuge accommodation for victims of domestic, sexual or gender-based violence’ (Section 6 (1)(a)) (see more on Section 6 in the Principal Provisions part of this Digest below). The Joint Committee on Justice’s PLS report recommended: “the functions of the Agency include the development of a National DSGBV Services Development Plan to include a national Strategic Accommodation Solutions Development Plan to meet immediate refuge roll-out needs” (Recommendation 14).

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). Minimum standards for support services, including the number of shelter places, are outlined in a [policy document](#) accompanying the Istanbul Convention.^{23, 24}

As outlined in 2021 to the Joint Committee on Justice during its [examination of women’s shelters and domestic abuse refuges](#), nine Counties had no refuge accommodation (Carlow, Cavan, Laois, Leitrim, Longford, Monaghan, Offaly, Roscommon, and Sligo).²⁵ Even in Counties with refuge accommodation it is often insufficient to meet demand.²⁶

Currently, Tusla has a specific responsibility for the care and protection of victims of DSGBV. Tusla published a [review](#) of the provision of accommodation for victims of domestic violence in February 2022.²⁷ The review reported that:

- In 2018, 4,381 enquiries about access to refuge did not result in access to refuge, almost two thirds of these because of a lack of available or suitable space.²⁸
- In 2019, 1,134 women and 2,918 children were accommodated in domestic violence refuges.

2020) ‘Ministers Flanagan and Stanton announce campaign to reassure victims of domestic abuse that support is still available despite COVID-19’, [Ministers Flanagan and Stanton announce campaign to reassure victims of domestic abuse that support is still available despite COVID-19 - MerrionStreet](#) (Accessed April 10, 2020).

²¹ For example see: Safe Ireland (February 2021) [Tracking the Shadow Pandemic – Lockdown 2 A report on women and children seeking support from Domestic Violence Services September 2020 – December 2020](#); Women’s Aid (14 June 2022) ‘[Over 33,800 domestic abuse disclosures made to Women’s Aid in 2021 are a stark reminder that home remains the most dangerous place for women](#)’, *Press Release*.

²² Tusla (February 2022) [Review of the Provision of Accommodation for Victims of Domestic Violence](#). P.10.

²³ Council of Europe (2008) [Combating violence against women: minimum standards for support services](#). Directorate General of Human Rights and Legal Affairs, Strasbourg. (Accessed 21 September 2023.)

²⁴ For more information see: Library & Research Service, 2021, [L&RS Spotlight: Addressing Gender-Based Violence. Part Two: Interventions](#). No. 5 of 2021.

²⁵ Joint Committee on Justice (Sept. 2022) [Report on Women’s Shelters and Domestic Abuse Refuges](#), p.40.

²⁶ Joint Committee on Justice (Sept. 2022) [Report on Women’s Shelters and Domestic Abuse Refuges](#), p.14.

²⁷ Tusla (February 2022) [Review of the Provision of Accommodation for Victims of Domestic Violence](#).

²⁸ Tusla (2022) notes ‘This demand represents only the visible aspect of need i.e., women who have sought help either directly from a domestic violence support service or through a referring professional or service. (p.16).

- In 2020, An Garda Síochána recorded 43,000 reports of domestic violence-related incidents (an increase of 16% on 2019 figures).
- At the start of the Covid-19 pandemic, there were 155 units of emergency domestic violence accommodation operational (145 in refuges and 10 in Safe Homes).²⁹

Tusla's review found that at the time of analysis there were 141 family places in Ireland. (A family place was defined as a single Tusla funded refuge unit, which can accommodate one woman and a number of children.) The Review then compared Irish provision with requirements under the 2011 explanatory report to the Istanbul Convention.³⁰ That higher standard of one family place for every 10,000 of population would amount to 476 family places in Ireland based on 2016 Census data. The authors conclude that Ireland currently provides just fewer than 30% of the higher standard required. To achieve 70% of the recommended number of units an additional 198 family places would be required; to achieve 100% an additional 335 family places would be required (see Table 4 below).

The [Third National Strategy on DSGBV 2022-26](#) commits to a doubling of refuge spaces to 280 and to increase the number of safe homes and other accommodation.³¹ The Department of Justice has outlined that the establishment of the DSGBV Agency "will also ensure that there is permanent structure to help deliver further refuge accommodation over the long term".³²

Ireland provides just fewer than 30% of the higher standard of family places required.

- Higher standard indicates a need for 476 family places based on Census 2016.
- Current provision falls short of this - Tusla review identified 141 places.
- Government has committed to achieving 280 refuge spaces and additional accommodation.

²⁹ Tusla (Feb. 2022) [Review of the Provision of Accommodation for Victims of Domestic Violence](#). p.10; 16.

³⁰ Council of Europe (2011) [Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence](#). p.25.

³¹ See also: Minister Simon Harris, TD, [Domestic, Sexual and Gender-based Violence](#), Dáil Éireann, 18 April 2023; Department of Justice '[Dedicated State agency to oversee and support dramatic increase in refuge accommodation under new legislation from Minister Harris](#)', *Press Release*, 6 March 2023.

³² Department of Justice '[Dedicated State agency to oversee and support dramatic increase in refuge accommodation under new legislation from Minister Harris](#)', *Press Release*, 6 March 2023.

Table 4: Overview of additional provision required to reach 70% of Istanbul Convention implications for family places

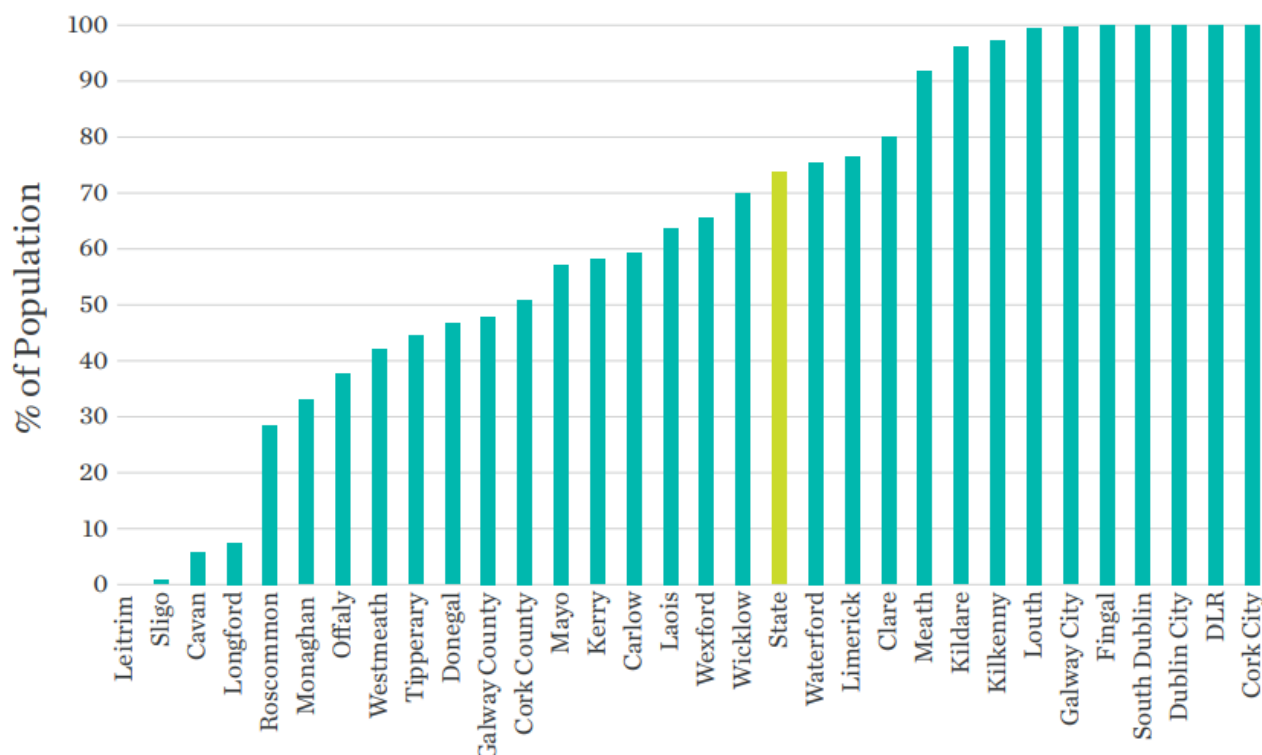
Tusla Region	Total pop 2016	Istanbul Convention/ Council of Europe family place Implications based on population in this area (1 per 10,000 population)	Existing units	Number of extra units needed to meet 70% of Istanbul convention	Total number of extra units, needed to meet 100% of Istanbul Convention
1.0 Dublin North East	1,084,174	108	36	40	72 (40 + 32)
2.0 Dublin Mid Leinster	964,919	96	19	50	77 (50 + 27)
3.0 South East	927,319	93	36	60	87 (60 + 27)
4.0 West/North West	709,880	71	18	32	53 (32 + 21)
5.0 South West	690,575	69	12	38	57 (38 + 19)
6.0 Mid West	384,998	38	20	8	18 (8 + 10)
7.0 State	4,761,865	476	141	198	335 (198 + 137)

Source: [Tusla, 2022](#), p.24.

Tusla's review also estimated that almost three quarters of the population is within 30 minutes of a refuge location, although there are considerable regional variations.³³ Figure 2 below shows the % of population currently within 30 minutes' drive of a DSGBV unit by Local Authority.

³³ Tusla (Feb. 2022) [Review of the Provision of Accommodation for Victims of Domestic Violence](#). p.17- 8.

Figure 2: Percentage of the population* currently within 30 minutes' drive of a domestic violence family place by Local Authority area (*as per 2016 Census population)



Source: [Tusla, 2022](#), p.36.

In the report's key recommendations (provided in Appendix 2 below), Tusla advocated the establishment of a lead department/agency with responsibility for domestic violence accommodation (Recommendation 2).

Pre-legislative scrutiny of the General Scheme of the Bill

This section presents the Justice Committee's recommendations on the Bill arising from its pre-legislative scrutiny of the General Scheme of the Bill. It also presents a narrative response from the Department of Justice to each recommendation.

As noted above, the [General Scheme of the DSGBV Agency Bill](#) was published in March, 2023 and referred to the Joint Committee on Justice for pre-legislative scrutiny. The Committee undertook [pre-legislative scrutiny \(PLS\) \(meeting on 18 April 2023\)](#) and its [PLS report](#) was May 2023.

In his Cathaoirleach's Foreword to the report, James Lawless, TD, stated that the:

The Committee welcomes the General Scheme's intention to establish a statutory agency, under the aegis of the Department of Justice, which would be responsible for steering a whole of Government approach towards DSGBV, for the delivery of support services for victims of DSGBV and for the implementation of the Third National Strategy on DSGBV, among other aims.

In undertaking pre-legislative scrutiny, the Committee has sought to scrutinise the proposed legislation and provide recommendations on areas where it believes change or amendments are warranted. Among the areas identified for further examination within the General Scheme include the need for there to be an independent monitoring mechanism of the legislation; the functions of the Agency [Head 14]; and the membership of the Agency's Board [Head 18].

In response to the PLS report the Minister for Justice has stated that:

“The recommendations of the Justice Committee in its scrutiny of the General Scheme of the Bill have also been given close consideration and taken on board to the greatest extent practicable.”³⁴

She also noted that the Bill was the result of direction from the Third National Strategy and from consultations with stakeholders in the DSGBV sector.

Official response to PLS recommendations

As part of the Bill Digest process, the L&RS compares the recommendations made in the PLS report with their inclusion, partial or otherwise, in the subsequent Bill. This is done through liaison with the relevant Department, in this case, the Department of Justice, by asking the Department to outline the extent to which, in their view, each PLS recommendation is reflected in the Bill. Table 5 below provides the Committee's 21 PLS recommendations and commentary on each recommendation provided to the L&RS by the Department of Justice.

Table 5: Comparing the Bill as published with Committee PLS recommendations.

Committee recommendations ³⁵	Department of Justice response as to whether addressed (either in whole or in part) in the Bill ³⁶
Recommendation 1	
The Committee recommends that Head 18(2)(a) of the General Scheme should be revised, to ensure that membership of the Board of the Agency includes service providers and those who can adequately consider the diverse needs and experiences of those affected by DSGBV.	<p>It is agreed that the Bill's provisions on Board membership should more explicitly provide for persons with specific experience/expertise in DSGBV matters such as (but not limited to) service provision. The Bill has addressed this by changing the relevant composition criteria to provide that the Board shall comprise persons with expertise in:</p> <ul style="list-style-type: none"> policy implementation, service delivery, advocacy, research, education or training in relation to domestic, sexual or gender-based violence,

³⁴ Department of Justice (2023) [Press release: Government approves publication of legislation to establish new Domestic, Sexual and Gender-Based Violence Agency](#), 18 September 2023.

³⁵ Joint Committee on Justice (May 2023) [Report on Pre-Legislative Scrutiny of the General Scheme of the Domestic, Sexual and Gender Based Violence Agency Bill](#).

³⁶ The response text in this column is taken directly from the Department of Justice's email communication to the L&RS on 21 September 2023.

	<ul style="list-style-type: none"> organisational governance, management or public administration, or other matters relevant to the Agency's functions <p>It is also important to note that the Bill provides for the Board to establish specialised committees to assist its work as it sees fit. This will ensure that the Board and the Agency can access additional insights and expertise from a broader range of sectoral experts, organisations and individuals of diverse backgrounds. This is considered the most effective way for the Agency and its Board to 'drill down' in detail into the needs and concerns of diverse/minority groups.</p>
Recommendation 2	
The Committee recommends the use of quotas, nested quotas or subgroups, to ensure that membership of the Board will be diverse and representative of Ireland's changing demographic; inclusive of gender, race, culture, class, disability and sexual orientation.	<p>The Bill provides that in appointing members of the Board, the Minister shall have regard to gender balance. However, it would be impossible to ensure representation on the Board for every demographic that might be considered relevant.</p> <p>As noted above, the Bill empowers the Board to establish committees to assist and advise it in its work. This will ensure that the Board can directly access structured input from a wide range of persons of diverse backgrounds in a flexible way that draws best on their respective experiences and expertise.</p>
Recommendation 3	
The Committee recommends that the Civil Legal Aid Scheme must be amended to address delays in the progression of family law cases and to extend the reach of legal aid to marginalised communities and individuals in rural or underserved areas.	This is a wider justice issue and does not come within the scope of this Bill.
Recommendation 4	
The Committee recommends that the remuneration for private practitioners from the Legal Aid Board is evaluated and increased, to ensure that sufficient numbers of family law practitioners continue to practice under this scheme.	This is a broader justice sector issue and does not come within the scope of primary legislation.
Recommendation 5	
The Committee recommends the appointment of more judges, particularly to the District Court.	While the case capacity of the District Court is clearly an important issue for victims including domestic violence victims, this is a wider justice

	sector issue and not one that comes within the scope of primary legislation.
Recommendation 6	
The Committee recommends that measures are taken to ensure there are sufficient numbers of practicing family lawyers that are from minority backgrounds, so that legal services provided are inclusive and culturally informed.	This is a wider justice sector issue and does not come within the scope of primary legislation.
Recommendation 7	
The Committee recommends that the Agency be responsible for carrying out a national needs assessment in relation to the funding of service providers and other organisations that provide support for victims or persons at risk of DSGBV.	It is noted that the Committee has not specifically presented this as a legislative recommendation. The carrying out of a national needs assessment, while not a statutory function, will be an administrative priority for the Agency once established (as per section 2.2 of the Third National DSGBV Strategy implementation plan).
Recommendation 8	
The Committee recommends that, based on the results of the needs assessment undertaken, a transparent and coherent criteria for the allocation of funding to service providers should be developed.	<p>It is noted that the Committee has not specifically presented this as a legislative recommendation. The matter in question will be addressed by the work envisaged under section 4.9 of the Third National DSGBV Strategy implementation plan, which includes the following commitments:</p> <p><i>“Undertake a review of funding processes for DSGBV Services in order to support more effective organisational capacity and to support service delivery (Benchmarking funding against other relevant sectors).</i></p> <p><i>“Engage with the Department of Public Expenditure and Reform to explore the potential for introduction of standardised multi-annual funding structures, processes and service agreements that consider the full economic costs of DSGBV service delivery.”</i></p>
Recommendation 9	
The Committee recommends that an independent monitoring mechanism be established to provide oversight of the implementation of this legislation. It should be ensured that the body responsible for this task is sufficiently independent from the implementation of this legislation, as stated under article 10 of the Istanbul Convention.	It is not considered necessary to establish a new mechanism specifically to oversee the implementation of this legislation. The Bill will establish an independent non-executive Board whose functions will include independently monitoring the work of the Agency. It is also anticipated that the Irish Human Rights and Equality Commission (as the State’s independent human rights monitoring body), relevant international bodies, civil society organisations and the Justice Committee itself

	will variously monitor and comment on the implementation of this legislation.
Recommendation 10	
The Committee recommends that Head 14(1)(e)(i) of the General Scheme be amended, so that the need to specifically engage boys and men would be placed on a statutory footing, ensuring efforts are taken to address the root causes of DSGBV and implement prevention mechanisms.	Engagement with men and boys will undoubtedly be a key focus for the Agency in performing its statutory activities of awareness-raising, research, consultation (including with young people), and funding initiatives such as perpetrator programmes. However, it is not considered necessary or appropriate for the legislation to 'single out' men or boys in this manner. The Department is not aware of a comparable legislative precedent and would be concerned that such a provision could be interpreted as unduly discriminatory or stigmatising.
Recommendation 11	
The Committee recommends that Head 14 of the General Scheme be amended to allow the Agency to generate policy, independent of the Minister, to ensure the delivery and implementation of evidence-based support services and policies for DSGBV; submit a draft multi-annual Performance Framework; and to provide input into the Minister's annual Statement of Priorities. Such powers should be addressed appropriately under Heads 15, 27, 28 and 29.	<p>The Third National DSGBV Strategy, which was developed in a process of co-design with the DSGBV sector, affirms the lead responsibility of the Minister for Justice for DSGBV policy development. It also states that the Agency will be required to align its work with Government policy (while also generating evidence and advice to assist the Minister in the evaluation and development of DSGBV policies).</p> <p>However, the Bill provides a substantial role for the Agency in generating research and other information to support the Minister's policy-making capacity, while a provision has been added to give the Board a specific function in providing policy advice to the Minister.</p> <p>As regards the recommendations that the Agency should submit a draft Performance Framework (to inform the Minister's own Performance Framework) and provide input into the Minister's annual Statement of Priorities, these recommendations are no longer applicable as the Bill does not provide that the Minister will develop such documents. However, the Bill provides that the Agency will prepare a multiannual corporate plan and an annual business plan for the Minister's approval.</p>
Recommendation 12	
The Committee recommends that the legislation include a formal structure to ensure that there is regular consultation between civil society organisations and the Agency which includes a mechanism for victims to contribute directly to its work.	The Bill's provisions on collaboration and engagement have been strengthened to provide that the Agency shall, in performing its functions:

	<ul style="list-style-type: none"> • collaborate with any person that the Agency considers appropriate in relation to any matter connected to its functions, • engage with and consider recommendations from public service bodies, international bodies, persons with relevant expertise, service users and the public. <p>The Bill's provision for committees of the Board provides further scope for the Agency and its Board to engage with civil society on a structured and ongoing basis. More generally, the principle of co-design with civil society organisations was key in identifying the main functions of the Agency and this approach will carry forward into the operation of the Agency.</p>
Recommendation 13	
<p>The Committee recommends the insertion of a new subclause under Head 14(1) to provide that the Agency would oversee the implementation of a co-ordinated system of specific and defined data collection and analysis by public service bodies and to support research in the field of all forms of violence covered by the scope of the Istanbul Convention as set out in Article 11.</p>	<p>The Agency will have a statutory role in gathering and analysing statistical data from relevant public bodies (in support of the Agency's research and other functions), and public service bodies will have a statutory duty to cooperate with the Agency including by sharing such data. On an administrative basis it is also envisaged that the Agency will, as part of its wider strategic support and co-ordination functions, seek to support and advise public bodies in relation to DSGBV-related data collection.</p> <p>In the above regard, the TNS implementation plan envisages that the new Agency will lead on the establishment of <i>"a data standards liaison group with responsibility for identifying the key quantitative and qualitative data gaps... and data linking challenges that exist in relation to DSGBV, with a view to addressing and monitoring the gaps on DSGBV to provide analysis to inform policy, legislation, and service provision."</i> It is envisaged that this would involve relevant bodies working towards a consensus approach on how DSGBV data collection should be reformed in the future.</p> <p>In a similar vein, the Third National DSGBV Strategy implementation plan envisages the introduction of <i>"co-ordinated systems, (to include shared definitions and agreed methodologies) for collecting, analysing, and sharing data on access to and use of services"</i>. This is something that could be examined further by the envisaged data standards group.</p>

	<p>However, a role for the Agency in “<i>overseeing the implementation of a coordinated system of specific and defined data collection and analysis by public service bodies</i>” is not considered sufficiently precise or practicable as a statutory function. While it is of course desirable that public bodies would move as far as possible towards more harmonised arrangements for DSGBV data collection and analysis, it is considered that this can only realistically be achieved on a consensus basis and in a way that can accommodate the operational needs of individual bodies. It is not considered practicable to legislate for a specific system of data collection and analysis which would apply uniformly to bodies such as An Garda Síochána, Tusla, the Courts Service or the Office of the Director of Public Prosecutions. Such bodies are independent in their functions and have their own particular data collection and analysis needs in line with their differing mandates and operational requirements.</p>
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Recommendation 14

<p>The Committee recommends the functions of the Agency include the development of a National DSGBV Services Development Plan to include a national Strategic Accommodation Solutions Development Plan to meet immediate refuge roll-out needs.</p>	<p>The statutory functions of the Agency are, for sound legislative reasons, framed as more general and continuous areas of responsibility, rather than specific and timebound projects. However, the matters referenced in this recommendation will be encompassed (in conjunction with other State actors and civil society organisations) within the priority work of the Agency under its statutory functions of planning, coordinating and monitoring the development of refuge accommodation and providing support, including financial assistance, to other DSGBV services.</p> <p>The Government has already committed to doubling the number of available refuge spaces over the lifetime of the Third National DSGBV Strategy, bringing the number of spaces to 280. There is also a commitment to increase the amount of safe home accommodation, with plans to expand the numbers to 50 by end 2023.</p> <p>To achieve these ambitious goals, the Department is working with all stakeholders to put in place the necessary structures and supports to accelerate the delivery of additional refuge accommodation year on year. Work undertaken to implement the Third National Strategy has already paved the way for this, including through the development of agreed processes and approaches that will support</p>
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	<p>organisations to deliver the highest standard of refuge accommodation in the most efficient and holistic way.</p> <p>The development of over 28 refuge units is underway in Wexford, Dundalk and Navan and it is anticipated that there will be another 98 refuge units in priority locations delivered by end 2025 along with a further 19 additional and upgraded units within the lifetime of the Third National Strategy. The Agency, once established, will continue to drive and maintain the momentum on this vital work.</p>
Recommendation 15	
<p>The Committee recommends that Head 14 (1) (a) be redrafted to include the provision of culturally sensitive services for victims of DSGBV.</p>	<p>On foot of this recommendation, a new provision has been added at section 6(2)(c) of the Bill which provides that in performing its functions (which include setting standards for funded services) the Agency shall have regard to the diverse needs and circumstances of victims and persons at risk.</p> <p>It is not considered practicable for the legislation to make explicit provision for culturally sensitive service provision, not least given the difficulties that would arise in trying to developing an appropriate legal definition or parameters of what is 'culturally sensitive'.</p> <p>In addition, the TNS implementation plan states that the new agency will establish "<i>a specialised group whose role it is to proof and advise all interventions in terms of intersectionality and inclusivity for socially excluded groups including people with disabilities, migrant women, Travellers and Roma, ethnic minorities, LGBTQI+ persons.</i>" Such a group could be established as a committee of the Board with appropriate representation from diverse external stakeholders, and with the agreed actions appropriately addressed by the Agency under its statutory function of setting standards for funded services.</p>
Recommendation 16	
<p>The Committee recommends that Head 14(1) of the General Scheme be amended so that the language reflects the broad scope and contributory nature of a service provider's work.</p>	<p>We have sought to address this by ensuring that the relevant provision of the Bill (section 6(1)(b)) avoids being unduly prescriptive or exclusionary as regards the types of services that the Agency may support.</p>
Recommendation 17	
<p>The Committee recommends that Head 5 of the General Scheme be amended to allow</p>	<p>The question of data collection has been given detailed further consideration and the relevant</p>

<p>the anonymisation or pseudonymisation of generated or collected data, to ensure the protection, safety and dignity of survivors or persons at risk of DSGBV. The Agency should recognise client confidentiality as paramount, regardless of the duties outlined in Head 4(1). Such amendments should be addressed appropriately under Heads 36 and 37.</p>	<p>provisions of the Scheme have been substantially revised in the Bill. It is not envisaged that the Agency will collect and process disaggregated personal data other than (a) anonymised or pseudonymised data from service providers with the consent of data subjects or (b) directly from individuals (e.g. through surveys) with their consent for research purposes. All such data processing will be carried out with the consent of data subjects and within the parameters and protections of data protection law.</p>
Recommendation 18	
<p>The Committee recommends that Head 36(2) of the General Scheme be amended, so as to clarify the criteria for funding and the frequency of payments to be made. Funding on a multi-annual basis allows service providers to carry out their work sustainably and in a manner that addresses the <i>ad hoc</i> provisions of support for victims or persons at risk of DSGBV.</p>	<p>Funding frequency and criteria are administrative decisions and typically vary (depending on the nature of the service, the amount of funding etc.) and change over time. These are not considered to be suitable matters for legislation.</p>
Recommendation 19	
<p>The Committee recommends that strategies under the new statutory body are conducted in a manner that is innovative; reflects a zero-tolerance attitude to DSGBV; and improves support services and safeguarding standards for adults and children.</p>	<p>The new Agency will, in its corporate plan and in its activities more generally, work towards ever more innovative ways of working and achieving a society with zero tolerance for DSGBV. Securing service improvements and the highest child safeguarding standards (in accordance with Children First legislation and guidelines) will also be key areas of focus for the Agency in its standard-setting function and in its service level agreements with funded providers.</p>
Recommendation 20	
<p>The Committee recommends that Head 14(1)(d) be amended to ensure the suitable distribution of information regarding services available to victims or persons at risk of DSGBV, investing a responsibility on the Agency to provide translation and interpretation services.</p>	<p>Providing information about supports and services to victims and persons at risk will be a core part of the Agency's work and is already reflected within its proposed statutory functions under section 6 of the Bill. The Agency will seek to ensure that information is provided in multiple languages.</p>

Recommendation 21	
<p>The Committee recommends that Head 14(2) of the General Scheme includes a subclause to guarantee the provision of continuous culture and trauma informed care training for board members and staff who will engage directly with clients of the Agency, ensuring sufficient attention to diverse concerns should representation not meet the quota.</p>	<p>This recommendation may have arisen from a misconception as to the intended role of the Agency. The Agency will not be directly providing services to victims and hence it will not have 'clients'. However, the Agency will, through its funding agreements with service providers, be in a position to stipulate the reasonable provision of culturally sensitive and trauma-informed services and the attendant level of training/experience with which providers' staff should be equipped. This important matter is likely to be a significant point of consideration when the Agency exercises its function of setting standards for funded services.</p> <p>Notwithstanding the above, it is agreed that cultural and trauma-informed training will also be relevant for Board members and Agency staff who may be dealing with victims and their representatives via committees of the Board and other fora. However, it is considered that these and other training matters would be more appropriately addressed through administrative measures rather than in primary legislation.</p>

Principal provisions of the Bill

This section of the *Digest* looks at selected principal provisions of the Bill.

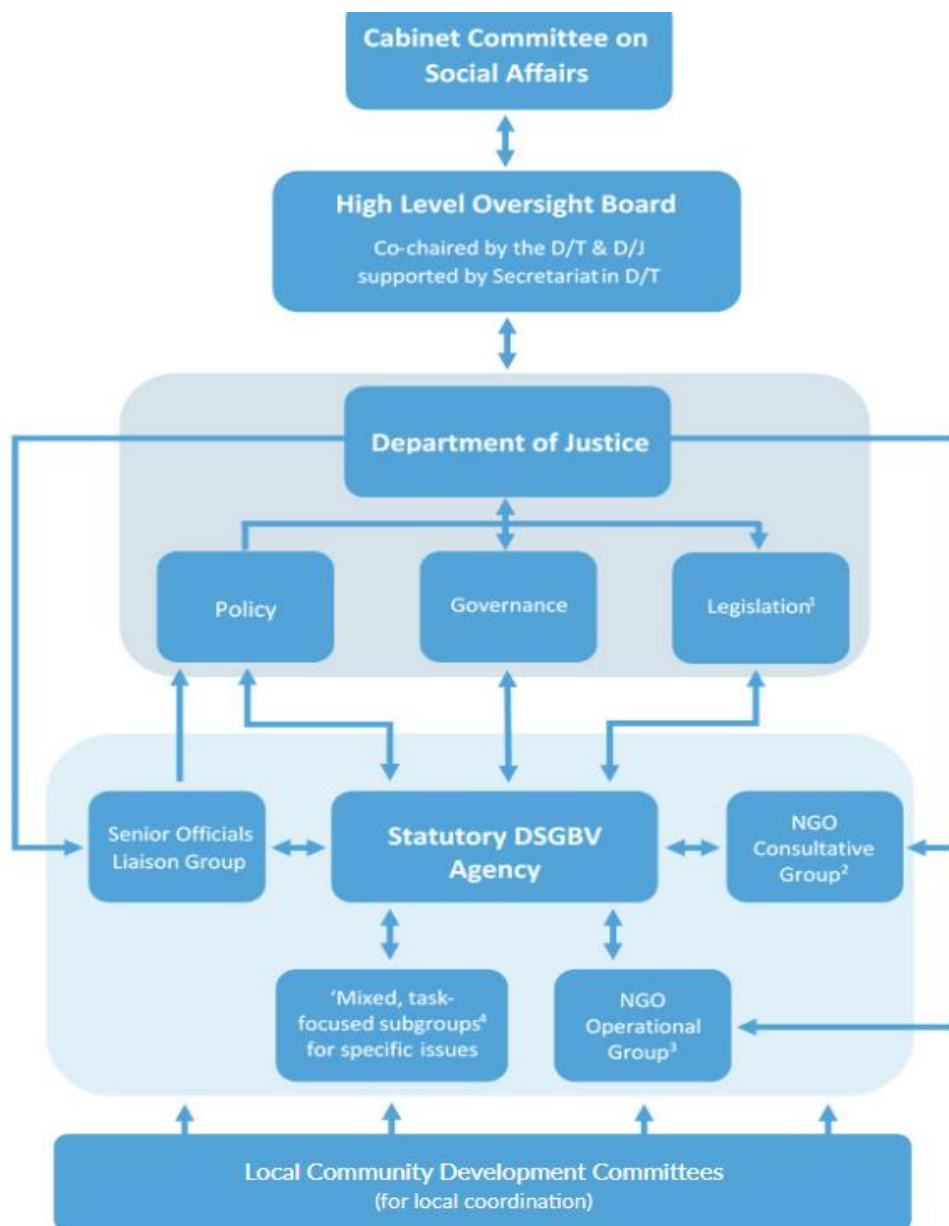
Establishment

Section 4 provides that the Minister will, by statutory instrument, appoint the establishment day of An Ghníomhaireacht um Fhoréigean Baile, Gnéasach agus Inscnebhunaithe (Domestic, Sexual and Gender-Based Violence Agency or the "Agency" in the Bill). Section 5 sets out that the Agency shall be a corporate body.

The Regulatory Impact Analysis (RIA) of the Bill states that it envisages that the area of DSGBV will be subject to "strong oversight and co-ordination at central Government level to further ensure effective implementation."³⁷ The RIA states that with the Department of Justice, the "Governance Function" would have primary responsibility for monitoring and supporting the Agency's work. This would include oversight agreements, performance delivery agreements and regular governance meetings. Figure 3 below situates the proposed new Agency in its broad oversight environment relevant, per the [Third National Strategy](#).

³⁷ Department of Justice (2023) *Domestic, Sexual and Gender Based Violence Agency Bill 2023 - Regulatory Impact Analysis*.

Figure 3: Policy and oversight environment per Zero Tolerance, Third National Strategy on Domestic, Sexual and Gender-Based Violence, 2022-2026.

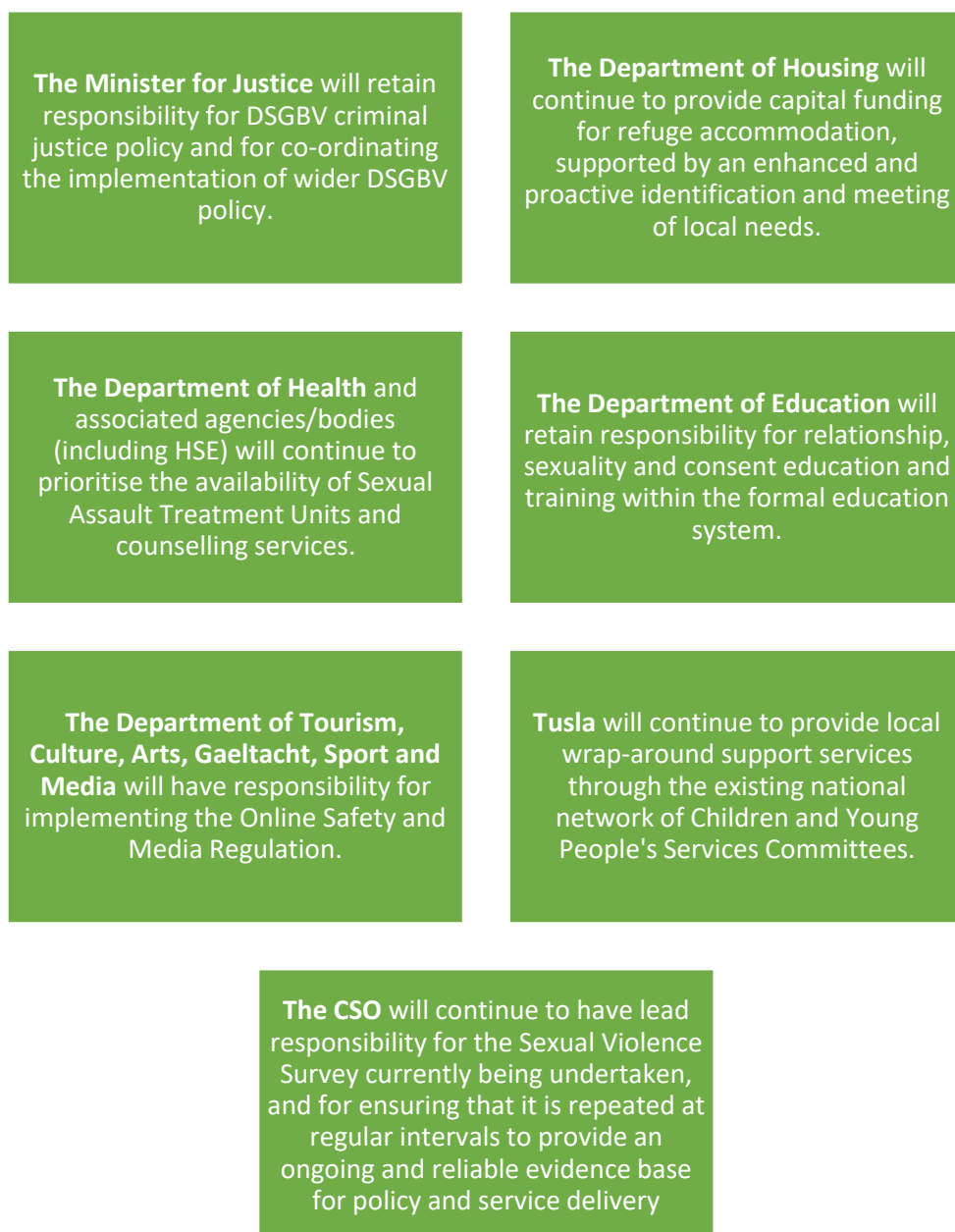


Source: [Zero Tolerance, Third National Strategy on Domestic, Sexual and Gender-Based Violence, 2022-2026](#). p. 24.

Section 22 of the Bill provides for the transfer of staff of Tusla, the Child and Family Agency to the proposed new Domestic, Sexual and Gender Based Violence Agency.

Other State agencies and bodies will continue to operate in relation to DSGBV. These include those set out in Figure 4 below.

Figure 4: Responsibilities of other agencies and bodies in relation to State's overall response to domestic, sexual and gender based violence



Source: Department of Justice (2023) Domestic, Sexual and Gender Based Violence Agency Bill 2023 - Regulatory Impact Analysis. p.7

Functions of the Agency

Section 6 of the Bill sets out the functions of the proposed Agency. These functions would make it the key planning and funding body for services for victims of domestic, sexual or gender-based violence. It would set and monitor the standards for these services, publish information on service availability and implement or fund public campaigns around these types of violence, as follows:

- Planning, coordinating and monitoring the development of refuge accommodation;

- Providing support, including financial assistance, to service providers for the provision of relevant services and programmes;
- Setting standards (for the approval of the Minister) for the delivery of funded services and programmes, and monitoring adherence to same;
- Co-ordinating, overseeing and supporting the delivery of relevant Government strategies and plans;
- Delivering public campaigns for the purpose of raising awareness of domestic, sexual and gender-based violence and reducing its occurrence in society;
- Compiling and publishing information on relevant services and supports, including refuges;
- Conducting or commissioning research and analysis to support the evaluation of relevant policies, strategies and services.

Section 6(5) of the Bill allows the Minister to assign further functions on the Agency which would be connected to the original functions proposed in the Bill. This would be done by order and only following consultation with the Minister for Public Expenditure, Development Plan Delivery and Reform.

Section 6(2) of the Bill stipulates that the Agency must operate in certain ways. That is, collaborating with any person the Agency believes is appropriate to its work, engaging with and considering the recommendations of public bodies, international bodies, experts in the area, service users and the general public. This section also states that the Agency must have regard to the diverse circumstances of victims and persons at risk of DSGBV and to relevant Ministerial/Government policies. It further provides that the Agency must use its resources effectively and efficiently.

The Committee made a number of recommendations in relation to the functions of the Agency. These are addressed in the section above on pre-legislative scrutiny. Further to this, some are expanded upon below.

Public campaigns

The issue of whether men and boys should be specifically mentioned as targets for public campaigns run or supported by the new Agency arose in the PLS process. The Men's Development Network was among the stakeholders who called for this.³⁸ The PLS report recommended that provisions in relation to public campaigns specify a requirement to engage with men and boys. The Committee stated that this arose from witnesses who:

“...emphasised the extent to which patriarchal attitudes, stereotypes and ideas of masculinity contribute to DSGBV, and how confronting these issues is a crucial element of prevention.”

Section 6(1)(f) of the Bill provides for the Agency's public education and campaign role. It does not specifically provide for targeted men and boys. As noted in the PLS section above, the Department has stated that though men and boys will “undoubtedly be a key focus” for the Agency in its functions around awareness raising, research, and funding perpetrator programmes, it did not consider that this needed to be explicitly provided for in the legislation and expressed a concern that this could be interpreted as “unduly discriminatory or stigmatising” (see PLS section above).

³⁸ Men's Development Network Submission to the Justice Committee, see appendix to Joint Committee on Justice (May 2023) [as before](#).

Policy determination

While the Third National Strategy states that the proposed agency would “...implement policy determined by the Minister”,³⁹ in its PLS submission, [Safe Ireland](#), a national development and co-ordination body working to eradicate domestic violence (with 38 affiliated services including 20 refuges) advocated for a policy making role for the Agency. Indeed, in its PLS report the Justice Committee recommended that the should Bill provide for the Agency generate policy independently of the Minister.

The Bill provides for a role for the Agency, amongst other things, in generating research (Section 6(1)(i)) and in providing policy advice (s.8, a function of the Board). However, the ultimate responsibility for policy making remains with the Minister (see recommendation 11 in the PLS table above for more detail).

Regular consultation between Agency and civil society organisations

The Justice Committee stated that stakeholders asserted that the legislation should clarify the mechanisms of collaboration between the Agency and civil society organisations and include a structure to ensure that there is regular consultation between parties, in order for these organisations to engage and contribute meaningfully in the performance of the Agency’s functions. In keeping with this, the Committee recommended that the legislation provide for a formal structure for this purpose. As noted above, the Bill (Section 6(2)) seeks to ensure that in performing its functions the Agency will collaborate with parties that it considers appropriate and engage with the recommendations of public service bodies, international bodies, persons with relevant expertise, service users and the public.

Membership of the Board of the Agency

Section 7 of the Bill provides for the establishment and membership of the board of the proposed Agency. The RIA asserts that the skill and knowledge brought by the Board of the new Agency will benefit those who have been victims or at risk of DSGBV:

“The many people who have been victimised or are at risk of DSGBV would undoubtedly benefit from having their cause championed by a dedicated agency with an expert board and an experienced CEO who can serve as the public face of the body, maintain a high profile for its work and (as required) exert pressure on other responsible actors to make good on their commitments under the Third National Strategy.”⁴⁰

This section provides that the Board will consist of a chairperson and six ordinary members (Section 7(1)). This is fewer than the chair and eight ordinary members provided for in the General Scheme.

Members will be appointed by the Minister (Section 7(2)) and have expertise in:

- a) Policy implementation, service delivery, advocacy, research, education or training in relation to domestic, sexual or gender-based violence,

Under the Bill, the Board would be smaller – a chair and six ordinary members - than that proposed in the General Scheme – a chair and eight ordinary members.

³⁹ [Zero Tolerance, Third National Strategy on Domestic, Sexual and Gender-Based Violence, 2022-2026](#), pg. 22.

⁴⁰ Department of Justice (2023) *Domestic, Sexual and Gender Based Violence Agency Bill 2023 - Regulatory Impact Analysis*.

- b) Organisational governance, management or public administration, or
- c) Other matters relevant to the Agency's functions.

Section 7 also provides that the Minister may appoint an official from his/her Department to the Board (s.7(3)).

The Minister is obliged to make, in so far as practicable, endeavours to ensure a balance between men and women (s.7(4)).

Members of the Board will have terms of office of not more than four years (s.9).

This section of the Bill includes provision for designating persons to be members / chair of the Board prior to establishment of the Agency. These are standard provisions in legislation establishing new statutory bodies and are intended to smooth the establishment of the Agency.

The smaller number of Board members provided for in the Bill (6 ordinary members and chair) is contrary to the recommendation of Safe Ireland, who called for the Board to be larger than the nine members (including chair) provided for in the General Scheme. Safe Ireland advocated for the Board to include officials of the various Government Departments active in the broader area, for example Health, Education, Further and Higher Education, Environment, Community and Local Government, Social Protection.⁴¹

Committees

Section 15 of the Bill provides that the Board may establish committees to assist it in performing its functions. Under s.15(2) each committee would comprise members of the Board (as many as the Board decides) and may include others who are not Board members. This section sets out, amongst other things, that committee members may be paid expenses by the Board and it provides for the Board to set terms of reference and to remove committee members.

Chief executive and staffing

Section 16 provides for the appointment of a chief executive of the Agency who shall be a civil servant of the Government. This [post has been advertised](#) by the Department of Justice. This section provides that, other than in the case of the first appointment, the Minister must consult with the Board prior to appointing the chief executive.

Section 21 provides that the staff of the Agency would be civil servants of the Government and it provides for the secondment of staff to the Agency from other bodies.

⁴¹ Safe Ireland submission to the Justice Committee. See appendix to Justice Committee (2023) as before.

Transfer of function and staffing from Tusla

Currently, Tusla has a role in commissioning DSGBV services (under Section 8 the [Child and Family Agency Act 2013](#)). These services are refuges, rape crisis centres and helplines, and ancillary activities undertaken by the organisations providing them. The Bill seeks to transfer the funding and oversight of these services to the new DSGBV Agency. In 2022, Tusla provided funding of €30.1m to DSGBV service providers such as rape crisis centres, domestic violence refuges and helplines.⁴² This indicates part of the budget that the new Agency would be responsible for. Overall, **close to €50m was allocated for 2023** under the respective Votes of the Department of Justice and the Department of Children, Equality, Disability, Integration and Youth for DSGBV-related activities that will transfer to the Agency on establishment.⁴³

Under the Bill, the following function, and related staff, would transfer to the new Agency from Tusla:

“care and protection for victims of domestic, sexual or gender-based violence, whether in the context of the family or otherwise”.

Section 22 of the Bill provides for the transfer of staff from Tusla, the Child and Family Agency, to the new DSGBV Agency. This is in line with the provisions of Section 24 of the Bill which seeks to provide for the transfer of functions to the Agency of current Tusla functions. These are set out in in section 8(3)(b) of the [Child and Family Agency Act 2013](#).

This function is to support the effective functioning of families through “care and protection for victims of domestic, sexual or gender-based violence, whether in the context of the family or otherwise.”⁴⁴

The RIA to the Bill identifies risks in relation to this transfer as follows⁴⁵:

- Temporary disruption of service due to the transfer of the function and staff; and
- A risk to the wider service cohesion as Tusla would no longer deliver DSGBV service to families but would still be engaging with the otherwise under its wider mandate including child protection).

The RIA states that:

“This risk would need to be carefully managed under the transitional process and thereafter by ensuring a close collaborative relationship between the new agency and Tusla, supported by appropriate protocols/MOUs including on data-sharing (and underpinned by statutory duties relating to the co-operation and exchange of information).”⁴⁶

Service Providers

Part 4 of the Bill provides for arrangements of the relationship between the new Agency which will have a central planning and funding role, and the service providers who provide front-line services and supports in the DSGBV sector.

⁴² [Tusla Annual Report FS 2022.pdf](#)

⁴³ Private communication from the Department of Justice to L&RS, 25 September 2023.

⁴⁴ [Child and Family Agency Act 2013](#), s.8(3)(b).

⁴⁵ Department of Justice (2023) *Domestic, Sexual and Gender Based Violence Agency Bill 2023 - Regulatory Impact Analysis*. p.10.

⁴⁶ Department of Justice (2023) *Domestic, Sexual and Gender Based Violence Agency Bill 2023 - Regulatory Impact Analysis*. p.10.

Section 40 of the Bill provides that, in line with its annual business plans and directions from the Minister, and subject to have available resources, the Agency may enter into arrangements to provide financial assistance to service providers. These are the service providers specified in Section 6 of the Bill (see above) that provide refuge accommodation and other services for victims and those at risk of domestic, sexual or gender-based violence or programmes aiming to prevent or reduce the incidence of such violence.

Before entering into such arrangements, the Agency must specify the maximum funding that it plans to make during the year in question and the level of service it expects to be provided for that funding (s.40(2)(a)). It may also request relevant information from service providers with regard to funded services (s.40(2)(b)). The service providers must comply with requests for this information or funding may not be provided (s.40(3) and (4)).

Service providers must provide the Agency with audited accounts, and the cost of preparing these falls on service providers (s.40(5) and (6)).

The requirement for submitting audited accounts may be waived by the Agency if the amount of funding falls below a threshold set by the Minister (s.40(7)).

In its PLS report, the Committee highlighted that witnesses advocated for transparent and coherent criteria around the allocation of funding to service providers. They asserted that there had been shortcomings in this area, as follows:

“...to date, the approach of funding service providers has been inconsistent and has lacked structure.”⁴⁷

As noted above, the Department’s 2021 [Audit of Structures around DSGBV](#) also found that there were issues with funding and commissioning including insufficient funds and the ad hoc and piecemeal nature of funding and a lack of transparency.

As seen in the section on PLS above, in line with stakeholder appeals, the Committee recommended that a national needs assessment to be carried out, in order to guide the criteria around funding of services. A review of funding processes is also a commitment under the Third National DSGBV Strategy.⁴⁸ The Committees recommended that the Agency should be tasked with carrying out this assessment as a matter of priority, to ensure sufficient funding is allocated to each service provider. While this has not been provided for in the Bill, the Department has stated that this will be “an administrative priority” for the Agency once established.

Section 41(1) provides that the Agency can request information from service providers any information it considers “material to the provision of a service or programme” by the service provider. Service providers must comply with such request (s.41(2)). If they do not, the Agency may end the funding arrangement (s.41(3)).

Under section 41(4), the Agency would be compelled to provide any such information (identified at subsection (1)) to the Minister on request.

⁴⁷ Justice Committee (2023) PLS report, as before. p.16.

⁴⁸ [Zero Tolerance: Ireland’s Third National Strategy on Domestic, Sexual and Gender-Based Violence \(DSGBV\) 2022-2026](#).

Implications and implementation issues

Independent Monitoring Mechanism

The Istanbul Convention on Preventing and Combating Violence against Women and Girls (Article 10) calls for parties to the Treaty to:

“...designate or establish one or more official bodies responsible for the coordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by this Convention.”⁴⁹

In September 2022, Ireland submitted [a report on the implementation of the Istanbul Convention to the Group of Experts on Action against Violence against Women and Domestic Violence](#) (GREVIO). In this report, Ireland gave the following response to the question of whether or not authorities established or designated one or more official bodies for the co-ordination and implementation of policies and measures to prevent and combat all forms of violence covered by the Convention:

“Responsibility for DSGBV and Victims of Crime falls under the remit of Community Safety Policy, Criminal Justice Policy in the Department of Justice with regard to policy, and the Transparency function with regard to awareness raising campaigns. Tusla, the Child and Family Agency, are the primary State funder of services supporting victims of DSGBV including, for example, by the provision of funding for rape crisis centres, refuges and other support service to victims of such crimes.”⁵⁰

The following question was specifically about the monitoring and evaluation of policies and measures and Ireland’s response referred readers back to the response above, indicating that an independent monitoring mechanism was not in place.

This issue arose during the Committee’s PLS of the Bill. Witnesses before the Justice Committee during the PLS process pointed out that the Convention highlights the need for any monitoring body to be fully independent from the implementation of the legislation and that the [Council of Europe](#) criticised countries that were allowing their DSGBV agencies to be responsible for this oversight role.

Witnesses suggested that, if the Agency is to fulfil this monitoring role, it would need to be made more independent from Government, otherwise an alternative body should be designated with responsibility for this role.

Other witnesses suggested that the Irish Human Rights and Equality Commission (IHREC) could be tasked with this monitoring role, with adequate resourcing and staffing provided.

The Committee heard that other factors should also be taken into account when selecting the body that will undertake this monitoring function, including the need to assess necessary protections to allow this body to retain and share data, whilst respecting the confidentiality of vulnerable individuals; and the need to assess the statutory enabling mechanisms required for a monitoring oversight body.

⁴⁹ [Council of Europe Convention on preventing and combating violence against women and domestic violence \(coe.int\)](#)

⁵⁰ [Report submitted by Ireland pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence \(Baseline Report\)](#). September 2022.

The Committee recommended (Recommendation 9) that an independent monitoring mechanism be established to provide oversight of the proposed legislation and that this body be sufficiently independent from the implementation of this legislation, as stated under article 10 of the Istanbul Convention.

As noted above, in the PLS section of this *Digest*, the Department has stated that it does not consider it “necessary to establish a new mechanism...to oversee the implementation of the legislation”. It referred to the oversight function of the independent non-executive Board of the new Agency. It also stated that “it is anticipated that the Irish Human Rights and Equality Commission, relevant international bodies, civil society organisations and the Justice Committee will variously monitor and comment on the implementation of this legislation”.⁵¹

⁵¹ Department of Justice’s email communication to the L&RS, 21 September 2023.

Appendix 1: Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence (Istanbul Convention)

Ireland became a signatory to the [Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence](#) commonly known as the 'Istanbul Convention') in 2015 and ratified it on 8 March 2019.

The Istanbul Convention recognises violence against women as a violation of human rights and a form of discrimination against women. The Istanbul Convention creates a legal framework at the European level to protect women against all forms of violence, and to prevent, prosecute, and eliminate violence against women. Under the Convention, State Parties obligations have been categorised into four pillars, namely: preventing violence against women, protecting victims, prosecuting perpetrators, as well as implementing related comprehensive and co-ordinated policies.

On 30 September 2022, at a conference hosted by the Minister for Justice Helen McEntee TD, entitled "No safe haven: Integrated prevention measures to end domestic, sexual and gender-based violence", Ministers of the Council of Europe made a declaration on the prevention of domestic, sexual and gender-based violence (the [Dublin Declaration](#)) seeking to underline their commitment to adopting measures and strategies aimed at preventing and combatting DSGBV.

Appendix 2: Key recommendations of the Tusla Review of the Provision of Accommodation for Victims of Domestic Violence (2022)

Key recommendations
<p>1. Provide more safe accommodation: The number and range of safe accommodation spaces (or ‘family places’) available to victims of domestic violence needs to increase substantially to meet current needs, projected future needs and international obligations. There should be a focus on short-term safe ‘emergency’ accommodation but mechanisms to enable victims to stay at home safely and addressing longer-term housing needs are important. Based on our analysis, at least 60 new family places/units need to be prioritised urgently to address areas of under-provision on a per-population basis.</p>
<p>2. Explicitly designate a lead department/agency responsibility for progressing future safe domestic violence accommodation developments.</p>
<p>3. Develop an inter-departmental commissioning plan setting out a framework for the development and delivery of additional safe accommodation for victims of domestic violence accommodation over the next 10-year period, to achieve the optimal configuration of services within available resources (including the range, scope, capacity and location of new services) and to consider capital funding for future domestic violence accommodation services. Specific targets should be determined in response to identified need, with a model of resourcing for both capital and revenue funding identified so that plans can be implemented over the ten-year period.</p>
<p>4. Establish an inter-departmental/crossagency group to develop and oversee the implementation of this commissioning plan: A cross-departmental/inter-agency group should be given the mandate to develop and oversee the implementation of this commissioning plan for the provision of safe emergency accommodation in Ireland, based on explicit criteria on coverage and accessibility.</p>
<p>5. Ensure integration with local areas: In addition to the national structure proposed, a structure is required at local level to progress the commissioning of DV services and support developments into the future.</p>
<p>6. Further consultation to develop an explicit model of accommodation-with-services provision: Integrate evidence informed approaches and quality standards supported by professional practice developments. In addition there should be a focus on strengthening DV training and early intervention approaches for practitioners. The needs of specific groups will be considered in responses – particularly women from Traveller, Roma and other ethnic minority groups; those with disabilities; those with mental health, substance use or other health issues, along with the needs of male and other gender victims, children and others with complex needs.</p>
<p>7. Engagement with key stakeholders to develop a stated national policy position to maintain the safety of adults and children at home. This is beyond the scope of this review, but it is evident that further consideration from a range of stakeholders is required, particularly around the legal framework that would be required. Whilst refuges</p>

and other safe accommodation are critical in maintaining the safety of adults and children who are subjected to the effects of domestic violence, the ability to remain at home safely, or return home as quickly as possible and manage the exclusion of the perpetrator is a desirable outcome.

Source: [Tusla \(2022\)](#), p.11.

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