

Gender-based Violence in Ireland

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Introduction

Violence against women is a “devastatingly pervasive” global issue (WHO, 2021). Data from the World Health Organisation (WHO) and its partners shows that one in three women worldwide have experienced physical or sexual violence, mostly by an intimate partner, and that this number has remained largely unchanged since 2011 (WHO, 2021). The most recent EU-wide survey on violence against women found that, in addition to one in three women having been subjected to physical and or/sexual violence at least once since they were 15 years’ old, half of *all* women have been sexually harassed (EU Agency for Fundamental Rights, 2014).

The levels of domestic, sexual and gender-based violence (henceforth DSGBV) in Ireland is “disturbingly high” (see Department of Justice, 2019ⁱ). Since 2020, the level of domestic violence has increased, and there have been a number of widely publicised violent attacks on women, which have driven a public debate on the effectiveness of Ireland’s current strategy to address DSGBV. This paper examines gender-based violence in Ireland, analyses how COVID-19 has impacted women’s safety, outlines Ireland’s policy measures, and details some policy recommendations that are being called for to combat this issue.

Gender-based violence in Ireland: An Overview

Gender-based violence affects women from all ethnic and social groups but younger women are among those most at riskⁱⁱ, as are women who face multiple discriminations and marginalisation due to their ethnicity, socioeconomic status, and immigration status, such as Traveller, Roma and migrant women (WHO, 2021). In Ireland, 244 women have been murdered since 1996ⁱⁱⁱ (Women’s Aid, 2022). In resolved cases, 87% of women were killed by a man known to them, and 13% were killed by a stranger. Current or former male intimate partners were responsible for 57% of the resolved cases.

A 2014 survey conducted by the European Union Fundamental Rights Agency found that 26% of women in Ireland have experienced physical and/or sexual violence since the age of 15, and that 41% of people in Ireland knew a woman within their circle of friends and family who had been a victim of some form of domestic violence^{iv} (FRA, 2014). The National Office for the Prevention of Domestic, Sexual and Gender-based Violence (Cosc) stated that 29% of women in Ireland have been affected by domestic abuse (Cosc, 2016). Data from Courts Services from 2019 shows that 23,500 applications were received under Domestic Violence legislation (cited

by Tusla, 2022). More recent research conducted by Women’s Aid^v, on young women and men in Ireland found that 1 in 5 young women and 1 in 11 young men have experienced intimate partner abuse (Women’s Aid, 2021). Since early 2015, the number of recorded sexual offences in Ireland has been increasing (An Garda Síochána, 2021). In 2021^{vi}, the number of reported sexual offences was 3,306, compared to 3,020 in 2020, which constitutes a 9.5% increase (CSO, 2021). The number of sexual assaults reported was up by 18% compared with 2020 (ibid). Financial abuse, whereby an “abuser uses money as a means of controlling his partner”, is a form of domestic violence that is also a concern in Ireland^{vii}. Research by the Banking and Payments Federation of Ireland (BPFI) found that over 20% of women aged 18-34 do not have control over their money (BPFI, 2022).

The responsibility for policy development, funding provision, and service provision/delivery for DSGBV is split between different departments and agencies in Ireland. This includes involvement from the Department of Justice and Equality, Tusla (the Child and Family Agency), the Department of Education and Skills, the Department of Health, An Garda Síochána, and a range of specialist sexual violence and domestic violence service providers, among others^{viii}. In particular, the Department of Justice is tasked with developing and implementing government policy in relation to gender-based violence and is responsible for rolling out the national strategy on DSGBV (Higgins and O’Malley, 2021). However, Tusla is assigned responsibility for the care of victims of DSGBV and is responsible for the funding and delivery of all DSGBV services but has no responsibility for policy development (ibid).

Policy Developments

The United Nation’s Committee^{ix} on the Elimination of Discrimination against Women examined Ireland’s compliance with UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 2017. The Committee expressed concern that domestic violence was not criminalised in Ireland, that there was no specific definition of domestic violence in Ireland’s legislation, and that psychological, emotional, and economic violence had not been addressed (CEDAW, 2017). The Committee was also concerned about “the lack of legal protection against emerging forms of gender-based violence, such as online stalking and harassment” and “the lack of gender-disaggregated data on gender-based violence against women, including domestic violence” (CEDAW, 2017, p. 7). Among its recommendations, the Committee stated that adequate funding needed to be made available to non-governmental organisations that provide services to victims of gender-based violence, and to ensure that prosecutors and the Gardaí “are properly trained to identify, investigate and prosecute cases of gender-based violence, including domestic violence, particularly targeting Traveller, Roma and migrant women and girls” (ibid).

Since 2017, the Government has taken steps to address some of the issues highlighted in Ireland’s CEDAW report, with “significant progress” having been made in relation to “legislation, public awareness, policing, and judicial processes” (Higgins and O’Malley, 2021,

p. 37). Key developments include the enactment of the Criminal Law (Sexual Offences) Act 2017, and the establishment of the Domestic Violence Act 2018. Under the 2018 Act, the available legal protections for victims of domestic violence were improved and a new offence of coercive control was established. Then, in 2019, Ireland ratified the Council of Europe Convention on Preventing and Combatting Violence Against Women and Domestic Violence (The Istanbul Convention) which defines and criminalises various forms of violence including psychological violence, stalking, physical violence, sexual violence, forced marriage, female genital mutilation, and sexual harassment^x. In addition, through the Harassment, Harmful Communications and Related Offences Bill (known as Coco’s Law), which was brought into force in 2021, new offences were created in relation to online and offline harassment and harmful communication, including the criminalisation of non-consensual distribution or publication of intimate images.

In addition to key legal developments, the government has initiated a range of reviews, audits, and campaigns relating to DSGBV. In 2019, Tusla initiated a review of domestic violence accommodation provision in Ireland. The government launched a large media awareness campaign in 2019 on sexual harassment and sexual violence entitled ‘No Excuses’ which ran until 2021 (see Department of Justice, 2019)^{xi}.



Figure 1: Campaign image from the 'No Excuses' campaign. Source: The Irish Times (2019)

Following the high-profile trial of two rugby players charged with rape in Belfast, a review group was formed in 2018 to examine potential reforms that could protect victims of sexual violence during the investigation and prosecution of sexual offences. The recommendations contained in the subsequent O’Malley report (published in 2020)^{xiii} led to the launch of a plan–

Supporting a Victim’s Journey^{xiii} – to assist victims and vulnerable witnesses in sexual violence cases.

The Government^{xiv} then commissioned an audit in 2020 to examine how effective Ireland’s structures are for policy development and policy implementation in relation to DSGBV. The aforementioned audit found that despite some positive developments, there remains policy deficits, ineffective policy implementation, funding gaps, unclear institutional arrangements and responsibilities, and issues with data collection, all of which are hindering Ireland’s progress to tackling gender-based violence (see Higgins and O’Malley, 2021). The lack of shelters and safe accommodation for victims of domestic violence also remains an issue (Oireachtas Library & Research Service, 2020b; Tusla, 2022), as do the barriers that Traveller, Roma and migrant women face in reporting abuse and in accessing services such as emergency accommodation (see IHREC, 2017).

How the pandemic has exacerbated violence against women

The COVID-19 crisis and the subsequent economic and societal impact has affected women’s safety. In May 2020, UN Women noted that the levels of violence against women and girls have increased, which they deemed the ‘Shadow Pandemic’ (UN Women, 2020). They noted that the intensified levels of violence against women, especially domestic violence, since the start of the pandemic was due to a range of factors. These include concerns about security, health, money and employment; alcohol and drug use/misuse; cramped living conditions; relationship conflict; isolating with abusers; movement restrictions, and; deserted public spaces (UN Women, 2020; Oireachtas Library & Research Service, 2020a).

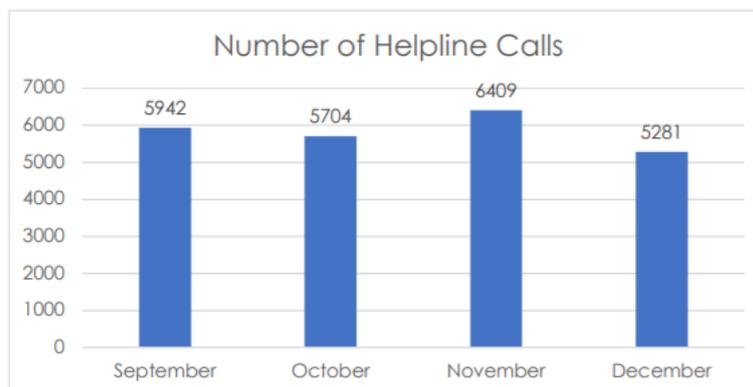


Figure 2: Calls to Domestic Violence Helpline between September and December 2020. Source: Safe Ireland, 2021, p.5

Data shows that since the outbreak of COVID-19, there was an increase in calls to domestic violence helplines in many countries. In Ireland, figures showed that the Gardaí received approximately 43,000 calls regarding domestic abuse incidents in 2020, which was a 16% increase on 2019 figures (Tusla, 2022). A report from Safe Ireland showed that during Ireland’s

initial lockdown between March and August 2020, 33,941 helpline calls were answered (an average of 184 per day), with 3,450 women and 589 children having contacted a domestic violence service for the first time (Safe Ireland, 2020)^{xv}. During the second lockdown, from September to December 2020, 23,336 helpline calls were answered (an average of 191 calls per day), and that around 2,018 women and 550 children received support from a domestic violence service for each of those months (Safe Ireland, 2021). In order to draw attention to the problem of domestic violence during lockdown, the Department of Justice launched a campaign entitled ‘Still Here’ in 2020 to let victims know that frontline services were continuing to operate during COVID-19 and to encourage those in need of help to reach out^{xvi}.

Reporting Gap, and Funding Issues

The number of those affected by DSGBV is higher than what the data shows. As noted by the service providers who participated in Higgins and O’Malley’s (2021) audit, the people who approach a frontline service constitute just a proportion of those who are in need of assistance, with participants noting that “it’s the lucky ones that we get to hear about” as not everyone will be able to present to a service (2021, p. 23). In the 2019 Garda Public Attitudes survey, 97% of respondents stated that sexual offences should be the top policing priority for the Gardaí (see An Garda Síochána, 2020) yet, many victims of domestic and/or sexual violence do not make police reports. The National Women’s Council of Ireland (NWCi) have noted that “domestic and sexual violence is happening to a much greater degree than what’s in any official records... there is a complete fall-off between people coming to frontline services and reporting to the guards” (quote from NWCi’s Director, Orla O’Connor, see Pollak, 2022). An issue that could further widen this reporting gap, and erode the public’s trust in the Gardaí^{xvii}, is that between 2019 and 2020, thousands of emergency 999 calls were cancelled by the Gardaí, hundreds of which were emergency calls relating to domestic violence (Reynolds, 2021).

There are also ongoing concerns about Ireland’s funding landscape for DSGBV service provision (Oireachtas Library & Research Service, 2020b). The Irish Human Rights and Equality Commission note that austerity cuts that were imposed during the recession have had a “debilitating effect” on the services for victims of domestic violence (2017, p. 11). In particular, concerns have been raised about the number of available refuge spaces that Ireland is providing. Each country that signs up to the Istanbul Convention agrees to provide adequate refuge spaces for women fleeing abuse. The Convention stipulates that governments need to provide one refuge space for every 10,000 people living in their country or they can provide one refuge space for every 10,000 *women* living in their country, providing that other services are in place to assist women in need of help. Ireland is the only country in Europe to opt for the latter and there are currently only 140 available refuge spaces in the country (as opposed to the 498 spaces that would have been required)^{xviii}. The Government has claimed that providing this reduced number of places is sufficient “as community-based organisations and outreach supports are in place alongside refuges” (stated in 2021 by Roderic O’Gorman, Minister for Children and Equality, see Coyne, 2020). Tusla (2022) note that while 73.6% of the population

are within a 30 minutes' drive to a refuge, there are vast regional variations and there are nine countries that have no refuges^{xix}:

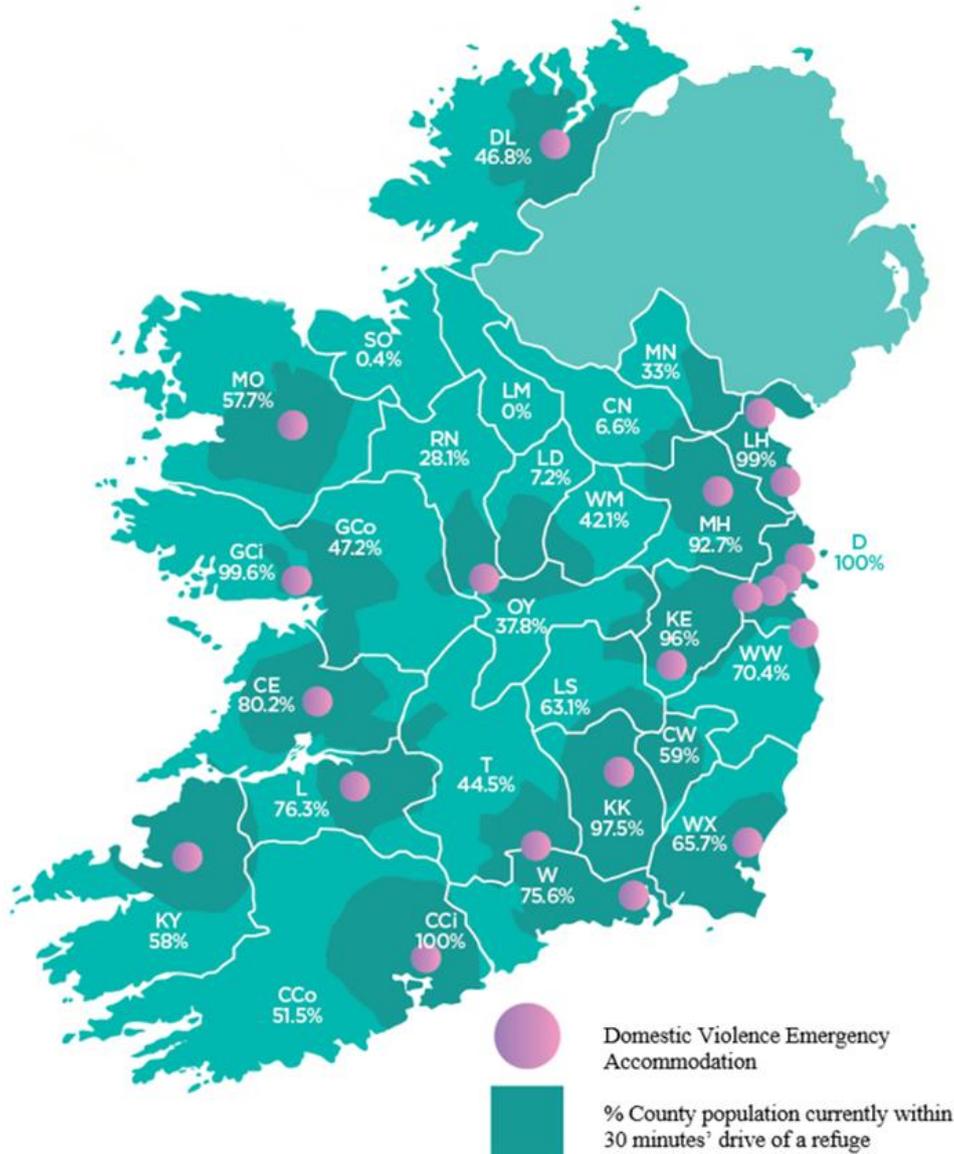


Figure 3: Percentage of population within 30 minutes' drive of a Tusla Domestic Violence Emergency Accommodation in each Local Authority area in 2021. Source: Tusla, 2022, p. 21.

The issue of domestic abuse in Ireland has gained additional media attention following an RTÉ Prime Time Investigates programme (aired 7th February 2022) in which it was revealed that the shortage of refuge places across the country meant that victims of abuse were forced to stay living with their abusers (see McGarry, 2022). The programme also included testimony from Safe Ireland that stated that around 8 families a day are refused refuge in Ireland due to

insufficient spaces. Tusla’s (2022) review found a “critical shortfall” of refuge spaces and stated that at least 60 new family places/units would be needed to address the regional gaps. The Minister for Justice has responded by stating that they will create refuges in every county and that they will deliver at least 400 domestic violence beds (see Loughlin, 2022)^{xx}. There have also been some key funding announcements which should improve service provision. An extra €160,000 was announced in 2020 for frontline service providers that support victims of domestic violence (Ó’Fátharta, 2020), Budget 2022 included an extra €5 million in funding to help tackle DSGBV (The Department of Justice, 2021a), and it was announced in 2021 that 18 organisations were to receive funding totalling €445,000 (Department of Justice, 2021b).

How Ireland can better fulfil its commitments under the Istanbul Convention

DSGBV is a pervasive and complex social problem that cuts across different policy areas including crime and justice, immigration, education, health, social protection, and housing. Ireland’s Third National Strategy on Domestic, Sexual and Gender-Based Violence is due to be published at the start of March 2022 and the Minister for Justice, has stated that this new strategy will have a “zero-tolerance” approach to violence against women (McGee, 2022). The Minister has also announced that the government is considering creating a new statutory agency on DSGBV^{xxi}. While the details of the new DSGBV strategy are yet to be announced, there are some key areas that would need to be addressed in order to help Ireland to fulfil its commitment to the Istanbul Convention. These include:

1. **Assigning clear departmental responsibility:** There is a need for a centralised approach that assigns clear departmental responsibility for DSGBV. The current division of responsibilities has resulted in incoherence between policy, funding, and service provision (Higgins and O’Malley, 2021; see also McGee, 2022; Power and Wilson, 2022). The NWCI, among others, have called for departmental responsibility to be assigned to the Department of Justice, and for policy leadership and leadership in relation to the funding and commissioning of all DSGBV services to be assigned to them (see Higgins and O’Malley, 2021; Power and Wilson, 2022; Pollak, 2022). Tusla (2022, p. 11) also called for a lead agency to be assigned explicit responsibility “for the planning and delivery of emergency safe accommodation for those fleeing domestic violence”. While the Department of Justice should have overall oversight, the commitment to end DSGBV must be government-wide and integrated into the priorities of other departments and agencies. Higgins and O’Malley (2021) also recommend that a ‘dedicated national coordinating office’ be created which would consist of representatives from various offices and organisations involved in DSGBV.
2. **Improving service provision:** This would involve increasing the funding available to service providers, implementing strategies to coordinate service provision, and removing the barriers to accessing services. The audit conducted by Higgins and O’Malley (2021)

found that service users have to navigate an array of different agencies to get their needs met so recommended that a coherent policy approach be developed with the aim of integrating service delivery. The proposed new DSGBV agency could play a key role in coordinating service provision.

3. **Increasing and improving data collection:** The Istanbul Convention emphasises the importance of data collection and the need for States to have robust mechanisms to gather and analyse information on DSGBV. Ireland currently has data deficiencies as each service provider has their own data collection mechanism (Higgins and O'Malley, 2021). There is a need for a single centralised data system, for the data to be disaggregated by gender, and for increased data collection.
4. **Shifting societal attitudes:** There should be a stronger focus on challenging the attitudes and behaviours that underpin gender-based violence. This could be addressed via expanding the education programme for different age groups across a range of educational settings and by rolling out new public information campaigns across a range of platforms, such as the one called for by Labour TD Ivana Bacik to target sexism and misogyny (see Power and Wilson, 2022). The Department of Education should play a key role in shifting attitudes and there have been some positive steps taken in this regard such as the announcement that the Relationships and Sexuality Education (RSE) curriculum is to be updated to include the issue of consent (Gataveckaite, 2021). This updated curriculum is due to be taught from September 2023.

ⁱ Stated by Charlie Flanagan, the Minister for Justice on 9th May 2019,

ⁱⁱ In Ireland, this has been particularly highlighted by Women's Aid (2020; 2022). In addition, in a RedC Research Poll from January 2022, 37% of 18-34 year olds in Ireland reported street harassment (Brennan, 2022).

ⁱⁱⁱ Women's Aid started collecting data on femicides (the killing of women and girls by men) in 1996.

^{iv} The data was collected in 2012. The data is available to analyse by question, and by country, here: <https://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>

^v This research was conducted in collaboration with RedC Research.

^{vi} The current data is available only up until the third quarter of 2021. See: <https://www.cso.ie/en/releasesandpublications/ep/p-rc/recordedcrimeq32021/>

^{vii} See Women's Aid publication on Financial Abuse (no date) for the definition: https://www.womensaid.ie/assets/files/pdf/financial_abuse.pdf

^{viii} The Department of Social Protection, the Department of Housing, Local Government and Heritage, the Department of Children, Equality, Disability, Education, and Youth, and Sexual Assault Treatment Units (run by the Health Services Executive) also all have responsibilities in relation to DSGBV (as noted by Tusla, 2022).

^{ix} The Committee is the body of 23 independent experts tasked with monitoring the implementation of the International Convention on the Elimination of All Forms of Discrimination against Women.

^x The Department of Justice is responsible for the implementation of the Istanbul Convention. By ratifying the Convention, Ireland became subject to examination by GREVIO (the Group of Experts on Action to Combat Violence against Women and Domestic Violence).

^{xi} The ‘No Excuses’ campaign was paused when Ireland went into lockdown in March 2020 and was relaunched in November 2020.

^{xii} The report’s full title is ‘The Review of Protections for Vulnerable Witnesses and Prosecution of Sexual Offences’. It is available here: https://www.merrionstreet.ie/en/news-room/releases/o_malley_report.pdf

^{xiii} See: https://www.justice.ie/en/JELR/Pages/Supporting_a_Victims_Journey

^{xiv} More specifically, it was commissioned by the Department of Justice and the Department of Children, Equality, Disability, Integration and Youth.

^{xv} The data was collected from Safe Ireland’s frontline member services. Safe Ireland was formerly called the National Network Women’s Refuges and Support Services.

^{xvi} See: <https://www.stillhere.ie/>

^{xvii} In the Garda Public Attitudes survey, 91% of participants stated that they trust An Garda Síochána (An Garda Síochána, 2020).

^{xviii} These calculations were stated in a report commissioned by Dún Laoghaire-Rathdown County Council in 2021 (see Coyne, 2021).

^{xix} These are Carlow, Cavan, Laois, Leitrim, Longford, Monaghan, Offaly, Roscommon, and Sligo.

^{xx} See Department of Justice and Department of Children, Equality, Disability, Integration and Youth (2022) for a breakdown of where the refuge spaces will be.

^{xxi} See Department of Justice and Department of Children, Equality, Disability, Integration and Youth (2022).

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