



Rialtas na hÉireann
Government of Ireland

ZERO TOLERANCE

Third National Strategy on Domestic, Sexual
& Gender-Based Violence

2022-2026



ZERO
TOLERANCE FOR

DOMESTIC, SEXUAL
AND GENDER-BASED
VIOLENCE

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Foreword by Minister of Justice

The goal and guiding mission of this strategy is clear: Zero Tolerance of domestic, sexual and gender based violence.

Zero Tolerance means realising that we have allowed gender based violence and abuse, and the attitudes and assumptions which underpin it, inflict misery on too many for too long, but know now that radical change is required.

It means that, shaken by too many dark moments, we determine together that the issue of gender based violence should no longer be treated as a lesser form of abuse.

As something that we knew existed but turned away from; offering ourselves the excuse that private suffering was not a public responsibility.

As something that we closed our eyes and ears to, ignoring signs of everyday pain.

I believe this strategy is the firmest demonstration yet of Ireland's determination to change.

The pillars on which it is built – Prevention, Protection, Prosecution and Policy Co-ordination – recognise that is only through a society wide effort we will achieve real change.

And the actions through which the strategy will be implemented reflect the shared determination across Government, State agencies, NGOs, voluntary organisations and society as whole to work together to that end.

They are ambitious, detailed and, when implemented, will contribute to changed attitudes, increased awareness, greater care for victims, more refuge spaces and effective punishment for perpetrators.

The plan outlines reforms to be implemented over the next five years. Detailed timelines are in place for the actions which will be achieved in the first year and half of the strategy, and annual action plans will follow every year for

the remainder of the strategy's lifetime.

Clear oversight structures will ensure that what is promised is delivered.

And the new, standalone State agency with responsibility for domestic, sexual and gender based violence, to be established by January 1, 2024, will be central to achieving our goal of Zero Tolerance.

I want to thank my officials and all those working in the NGO sector who co-designed this strategy in partnership with us.

Their decades of experience in working with victims and advocating for change were invaluable, and will be crucial to achieving the goals we set ourselves in this document.

We must be honest with ourselves.

As I have said before, we cannot tell ourselves that no one will suffer at the hands of a partner ever again.

But we can and must do everything in our power to bring about change and achieve Zero Tolerance.

I believe this plan is our most ambitious step to date in reaching that goal.



Helen McEntee

Helen McEntee TD
Minister for Justice



Executive Summary

Executive Summary

This is Ireland's third National Strategy on Domestic, Sexual and Gender-Based Violence (DSGBV). The Strategy was developed using a theory of change approach. This approach means that the end goal for the overall strategy – that of zero tolerance in Irish society of DSGBV – remained central throughout the development of all aspects of the strategy and action plan.

The Strategy recognises that while both men and women can be victims/survivors, women and girls are affected disproportionately, as a manifestation of historically unequal power relations between men and women. As a result, the emphasis within the Strategy is particularly on meeting the needs of women and girls.

However, the Strategy also recognises and acknowledges the need to provide support for all victims/survivors of domestic, sexual and gender-based violence. It acknowledges the need to reflect lived experiences and particular

victims/survivor groups, including migrants, Travellers and Roma, people with disabilities and LGBTI+ people, and recognises the additional risk factors created by overlapping forms of discrimination. Older people are also recognised as being at risk: the Courts Service reports that some 13% of all domestic violence applicants are parents of adult children.

The detailed consultations and analysis for this third Strategy began in April 2021. A key element of the development of the third Strategy was the establishment of an executive group made up of a representative of the Department of Justice, the National Women's Council of Ireland (NWCI) and Safe Ireland respectively. The approach taken to the development of the Strategy marked a new way forward in genuine collaborative working between Government and civil society organisations.

While policy responsibility for tackling DSGBV continues to reside with the Minister for



Justice, the partnership process between the Department of Justice, NWCI and Safe Ireland in the executive group demonstrated the clear willingness on all sides to develop an ambitious co-designed Strategy that could be co-owned and implemented as such. The achievement of the goals, actions and outcomes in this third Strategy are dependent on all statutory partners adopting a similarly engaged and determined approach. The work of all Government Departments in delivering on actions outlined in earlier national Strategies is fully acknowledged, and this Strategy seeks to build on the many actions and initiatives which have already begun.

Those most affected will be kept at the centre of the planning, design, delivery, monitoring and evaluation of the Strategy. All statutory and non-statutory partners involved in the development of this Strategy have a shared understanding of the need to embed a model of co-design and co-production in agreeing and delivering all of the actions. It is accepted and expected that civil society organisations and specialist and community-based support organisations will hold the Government to account on the realisation of this new way of working.

It is only through an integrated approach across all sectors of society that the problem of DSGBV, which is an expression of historical unequal power relations resulting in coercive control and sexual violence, will be tackled.

The third Strategy will deliver an enhanced understanding of the root causes and impacts of DSGBV across society, ensure significant and ongoing reduction in incidence of DSGBV, and support operational and behavioural changes so that Ireland becomes a place where survivors receive integrated, quality service supports and justice, with the end goal of zero tolerance in Irish society of DSGBV to the forefront of our thinking at all times.

The Strategy uses the four Istanbul pillars of prevention, protection, prosecution and policy coordination as the levers for change to deliver the goal. Each pillar has its own interventions, outputs and expected outcomes which are set out in detail in the Strategy.

The high-level goals in this five-year strategy will be expanded upon in further detail in a series of implementation plans, which will outline responsibility and timelines for implementation. The first implementation plan, spanning summer 2022 to end of 2023, is being published alongside the Strategy.

Some of the key actions to be delivered under this Strategy include:

- The establishment of a new statutory DSGBV agency
- Doubling the number of refuge spaces available in Ireland
- National sexual violence and national domestic violence prevalence studies to be conducted alternately at five-year intervals
- New legislation to provide for the introduction of a specific offence of non-fatal strangulation, and a specific offence of stalking
- 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

The Strategy also provides for improved oversight structures to ensure greater clarity

around, and accountability for, delivery of key actions. This includes arrangements to ensure a shared approach to research and evaluation in relation to DSGBV issues across all relevant Departments and agencies. The Minister for Justice will continue to be the lead Minister for DSGBV policy. Responsibility for policy and for service delivery (women’s refuges, rape crisis centres and associated helplines, as well as groups working with male victims) will be brought together under the remit of the Department of Justice.

Implementation will be ensured by strong oversight and coordination at central Government level. Political oversight of this whole-of-Government priority will be provided by the Cabinet Committee on Social Affairs and Equality chaired by the Taoiseach to ensure successful implementation of the Strategy. A High-Level Oversight Board chaired by the Secretaries General to the Departments of the Taoiseach and Justice, with a secretariat in the Department of the Taoiseach, will be established to ensure regular and intensive monitoring of progress towards the agreed goals of the Strategy.

A central element of delivering on the goal of the Strategy is the establishment of a statutory domestic, sexual and gender-based violence agency under the aegis of the Department of Justice. This agency, to be set up in law, will require staffing and funding to succeed and will be tasked with:

- Coordinating all Government actions setout 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



Introduction

What is Domestic, Sexual and
Gender-Based Violence?

Introduction

What is Domestic, Sexual and Gender-Based Violence?

An Ambitious and Victim/ Survivor Centred Approach

For many years, the community and voluntary DSGBV sector has articulated the view that the separation of the responsibility for legislation, policy, data, research, services, and responsive actions amongst various Government Departments - but primarily between two departments and several agencies - has led to a lack of ambition, cohesive vision, coherence, alignment, and a lack of clear direction of Government policy to end domestic, sexual and gender-based violence. Lack of joined up Government approaches also lead to an uneven implementation of policy, lack of comprehensive state-wide service delivery and services and supports, and a deficiency of data. In addition, civil society organisations are faced with a very difficult challenge, essentially to provide key public services with inadequate resources and lack of a coherent policy oversight framework.

As a signatory to the Istanbul Convention, this siloed approach clearly did not meet Ireland's aspirations to be a leader in promoting best practice in human rights protection. International best practice, the findings of the

national DSGBV Infrastructural Audit (which identifies the detrimental effects of siloed responses to DSGBV in Ireland); along with findings from the Accommodation Review (which observes the limited remit of Tusla for example in relation to the issue of housing and accommodation), all indicated an urgent need for a more integrated political and administrative response to DSGBV in Ireland across the whole of Government.

Based on these insights, a decision has been made by Government to create a coherent structure in the form of a new statutory DSGBV agency (reporting to the Minister for Justice) whose role it will be address the 'epidemic' of DSGBV identified in the Programme for Government. This will require a radical shift away from the current system of fragmented silos, to one where the four pillars of the Convention are addressed with ambition.

This Strategy seeks to embed a victim/survivor-centred approach. This means placing the needs and priorities of victims/survivors of domestic sexual and gender-based violence at the forefront of responses. See Table 1.1 for details of this approach.



Table 1.1 Key elements of a victim/survivor-centered approach

Placing victims'/survivors' needs (as expressed by them) at the centre of the coordinated response, accountability and any interventions it undertakes;
Foundational principles should enhance victims' safety and minimise harm, for all agencies involved;
Ongoing training should ensure service providers know how to translate victim/survivor-centred principles into their routine practices – this includes understanding and highlighting all the ways victims/survivors may be, or may feel they are, being blamed or held responsible for violence and working to ensure this does not happen in any intervention or service.
Prioritising confidentiality and seeking consent in information-sharing protocols.
Ensuring information about support services, legal and human rights is widely available and accessible to victims/survivors.
Ensuring victims'/survivors' experiences in relation to the responses of individual agencies (support services or state sectors such as police, health) and referrals between them informs the ongoing development of support services
Enabling victims/survivors to participate in the co-design and development of the coordinated response and/or provide feedback on how it works.
<i>Source: UN Women The Virtual Knowledge Centre to End Violence against Women and Girls</i>

A. Definitions

Domestic violence

Domestic violence (DV), often referred to as domestic abuse or intimate partner violence (IPV), is a human rights abuse and a form of gender-based violence with its roots in gender inequality. The Istanbul Convention defines domestic violence as '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'.¹ The exertion of coercive control² is a key component in this process.

Sexual violence

Sexual violence (SV) is defined as any sexual act performed on the victim without consent. It consists of an array of sexual coercion assaults, penetrative and non-penetrative - sexual violence can take the form of rape or sexual assault which involves sexual penetration, whether vaginal, anal or oral, through the use of object or body parts, using force, coercion or by taking advantage of the vulnerability of the victim³.

Gender-based violence

Gender-based violence has been defined⁴ by the Committee on the Elimination of

¹ The Council of Europe Convention (Istanbul) Convention on Preventing and Combating Violence against Women and Domestic Violence (2011). Article 3 (b).

² DV Act, 2019, Government of Ireland <https://www.irishstatutebook.ie/eli/2018/act/6/section/39/enacted/en/html>

³ European Institute for Gender Equality (EIGE) (2017). Glossary of definitions of rape, femicide and intimate partner violence.

⁴ 1992 General Recommendation of the United Nations (UN)

Discrimination against Women (CEDAW) as:

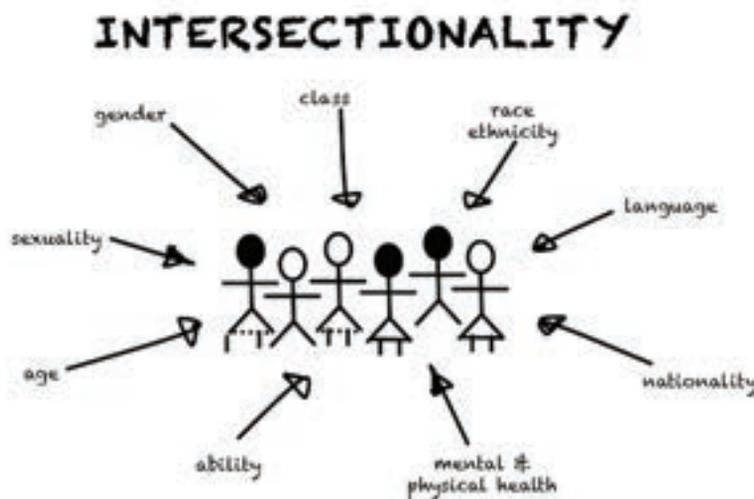
'Violence that is directed against a woman because she is a woman or that affects women disproportionately' (Article 6). CEDAW recognise it as 'a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men' (Article 1).

Recognised forms of gender-based violence which are contained in the third Strategy include pervasive partner, home-based, post-separation, psychological/physical coercion, abuse and violence; prostitution, human trafficking for sexual exploitation⁵, sexual harassment, female genital mutilation (FGM) stalking and related acts, and cyber violence. (See the Glossary for details of all these different forms of sexual violence).

Intersectionality

Neither domestic nor sexual violence discriminate based on race, ethnicity, religion, disability, or socio-economic status. Domestic

violence and sexual violence impacts on the lives of women and children of all backgrounds, and some men: in contrast, society does not treat all victims or survivors of abuse equally. Social biases influence how society perceives survivors of violence, and stereotypes often create barriers to care and assistance, often coupled with women's individual and family social position, negatively affecting help-seeking pathways. Intersectionality has become an increasingly relevant term and is a useful lens for understanding oppression and privilege in our society. An intersectional approach allows for a more holistic understanding of an individual and their positioning in societal hierarchies that seeks to erase binary understandings and account for the complexities of life, especially regarding the needs of more excluded identity groups (that include Travellers, other ethnic minorities, migrants, individuals with disabilities, members of the LGBTQ+ communities and others). An intersectional approach to DSGBV recognises that DSGBV is a problem that requires consideration of all parts of an individual's identity to ensure equality of outcome for all. All actions included in this Strategy are required to take a horizontal, intersectional approach, to ensure inclusion of socially excluded groups.



⁵ Yonkova, et al. (2017), Protecting Victims: An Analysis of the Anti-trafficking Directive from the Perspective of a Victim of Gender-Based Violence (EIGE/2017/OPER/02), p81.

A Community Development Approach

A community development approach recognises that competent and confident communities provide a powerful means of intervention and prevention to DSGBV. The active engagement and participation of communities and communities of interest in the planning, development, delivery, implementation, monitoring and evaluation of integrated initiatives designed to tackle DSGBV are essential.

While geographical, identity or issue-based communities all have an interest in developing capacities to respond to DSGBV, as specialists, communities of interest, including local and national domestic and sexual violence organisations, perpetrator programme delivery organisations, community-based support services (including family resource centres, community development projects, centres and organisations working to support adults and children generally, as well as targeted organisations that work to support specific groups including Travellers, etc.) have a lead role.

The Lead Organisation

The lead agency or department is the organisation responsible for leading out on and collaborating with others on actions, and

reporting on the implementation of the action. Where there is a joint ad, one organisation needs to be identified as the organisation responsible for reporting on progress.

The Support Organisation

The support organisation/departments is tasked with working with the lead agency to support the implementation of the action.

Co-design

Co-design refers to the participatory approach used to design this Strategy, in which those involved (Department of Justice, NWCI and Safe Ireland supported by independent facilitators) were engaged as collaborators in the design and development of this strategy.

In the same way, the process for the development of the strategy included large-scale engagement with stakeholders including victim/survivor input.

This co-design approach will also be central to implementation, monitoring and evaluation of the third strategy action plans. This will require all implementing Government Departments and agencies to develop effective ways of engaging with civil society organisations and frontline services so that a genuine collaboration is formed in the implementation of this strategy.



B. The international context

Internationally, acts of domestic, sexual and gender-based violence have been recognised as pervasive human rights violations which cause severe harm to the bodily, personal, social and sexual integrity of women and girls. Domestic and sexual violence can occur between family members, between same-sex couples and be perpetrated by women against men. However, because women are disproportionately affected by both domestic and sexual violence, they are both generally regarded as forms of gender-based violence.

Globally, it is estimated that almost one in three women and girls will be subjected to intimate partner violence, non-partner sexual violence, or both, at least once in their life (30 per cent of women aged 15 and older). Most violence against women is perpetrated by current or former husbands, intimate partners or known men⁶. Violence negatively affects women's health and well-being and prevents them from full enjoyment of their citizenship and participation in society with wider consequences for their own lives, their families and their community. Men also experience domestic abuse, but international research consistently indicates that high levels of fear, serious injury and hospitalisation, sexual violence and post-separation assault and homicide are defining features of male violence against their intimate partners⁷. Rape and sexual assault are recognised as pervasive human rights violations which are primarily directed at women and girls with a lifetime prevalence rate of approximately 35% worldwide⁸. An unknown number of boys and young men are subjected to rape and sexual assault, but it is recognised that the perpetrators are predominantly male regardless of the gender of the victim/survivor⁹.

Gender-based violence also results in the most extreme manifestation of violence in that an estimated 5,000 women lose their lives each year through 'honour' killings¹⁰ with an uncounted number of women who are intentionally killed globally because of their gender, sexual orientation and/or gender identity¹¹. For many girls, violation begins at a very young age with almost 200 million women and girls, aged 15–49 years, estimated to have undergone female genital mutilation in 31 countries where the practice¹² is concentrated. There are still countries where female genital mutilation is almost universal, where at least 9 in 10 girls and women, aged 15–49 years, have been subject to this practice. An increasing area of concern is the trafficking of girls and women from impoverished regions of the world for the purpose of sexual exploitation in the sex trade of destination countries. According to the United Nations, women are reported to be victims/survivors in more than 80% of trafficking cases; 79% of reported trafficking in human beings is for sexual exploitation; and women constitute 85% of the victims/survivors of trafficking for sexual exploitation¹³.

'Violence against women' means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.'

⁶ World Health Organization (WHO) (2018). On behalf of the United Nations Inter-Agency Working Group on Violence Against Women Estimation and Data (2021). Violence against women prevalence estimates.

⁷ Stark, E. (2007). Coercive control: How men entrap women in personal life. Oxford University Press; Walby, S. and Allen, J. (2004). Domestic violence, sexual assault and stalking: findings from the British Crime Survey; WHO (2013). Global and regional estimates of violence against women: Prevalence and health effects of intimate partner violence and non-partner sexual violence. Department of Reproductive Health and Research, London School of Hygiene and Tropical Medicine, South African Medical Research Council.

⁸ Garcia-Moreno C, Palitto C, Devries K. Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence. Geneva: World Health Organization; 2013.

⁹ Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Merrick, M.T., Chen, J., and Stevens, M.R. (2011). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report. Atlanta, GA: National Center for Injury Prevention and Control, Centres for Disease Control and Prevention. 10 UN Women Annual report (2017). 11 United Nations Office on Drugs and Crime (2019) Global Study on Homicide (2019). 12 United Nations, Department of Economic and Social Affairs, Statistics Division (2020). Achieve gender equality and empower all women and girls. 13 UNODC (2009) Global Report on Trafficking in Persons

C. International responses

Violence against women has been recognised by various international human rights instruments. In 1992, the **United Nations (UN) Committee on the Elimination of Discrimination against Women (CEDAW)** in its General Recommendation No 19 asserted that violence against women is a form of discrimination;

'violence that is directed against a woman because she is a woman or that affects women disproportionately' (Article 6) and that it 'is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men' (General Recommendation No 19).

The first internationally agreed definition of violence against women was introduced in the **1993 United Nations Declaration on the Elimination of Violence against Women** (Article 1), which states that:

The term 'gender-based violence against women' is used to refer to violence that is directed against a woman because she is a woman or that affects women disproportionately. It differs from other types of violence in that the victim's gender is the primary motive for the acts of violence described under it.

The Beijing Platform for Action (1995, par 113) recognised that violence against women 'is a manifestation of historically unequal power relations between women and men and is a crucial social mechanism to force women into a subordinate position. These

human rights instruments highlight that this form of violence is deeply rooted in the social and cultural structures, norms and values that govern society, and is often perpetuated by a culture of denial and silence.

UN Women was established in 2010 by the United Nations with the aim of better addressing gender inequalities and to identify a single recognized driver to lead and coordinate UN activities. UN Women works for the elimination of discrimination against women and girls, empowerment of women, and achievement of equality between women and men as partners and beneficiaries of development, human rights, humanitarian action and peace and security.

The vital role of women and the need for their full and equal participation and leadership in all areas of sustainable development was reaffirmed in the **Sustainable Development Goals**, specifically Sustainable Development Goal 5, "Achieve gender equality and empower all women and girls".

D. The European Context

In a European context, research has found high levels of violence perpetrated against women and girls with one in 10 women having experienced some form of sexual violence since the age of 15 and one in 20 having been raped¹⁴. Just over one in five women has experienced physical and/or sexual violence from either a current or previous partner, with an estimated one in five women being subjected to male domestic violence¹⁵. In terms of reported sexual crimes of 215,000 violent sexual crimes recorded by the police in the European Union (EU) in 2015, a third (nearly 80 000) were rapes, more than nine in 10 rape victims and more than eight in 10 sexual assault victims were girls and women, while nearly all those imprisoned for such crimes were male (99%)¹⁶. Sexual violence extends to women's working lives with approximately one

¹⁰ UN Women Annual report (2017).

¹¹ United Nations Office on Drugs and Crime (2019) Global Study on Homicide (2019).

¹² United Nations, Department of Economic and Social Affairs, Statistics Division (2020). Achieve gender equality and empower all women and girls

¹³ UNODC (2009) Global Report on Trafficking in Persons

¹⁴ European Union Agency for Fundamental Rights (2014). Violence against women: an EU-wide survey. Luxembourg: Publications Office of the European Union. <http://fra.europa.eu/DVS/DVT/vaw.php>. ¹⁵ Ibid ¹⁶ Eurostat, 2015

in five women in the European Union reporting sexual harassment in the workplace¹⁷. The extensive economic costs include greater strains on health care, legal expenses and losses in productivity. It is estimated that the total annual cost of domestic violence in the 27 Member States of the EU could be as high as €16 billion.

Trafficking into and within the EU reflects a similar gendered profile as the global trends. Data from Eurostat indicates that trafficking for the purpose of sexual exploitation is the most prevalent form of trafficking in the EU (69 per cent) of whom 95 per cent are women. There are over one million women in Europe involved in prostitution, the vast majority of whom are migrants, with one in seven estimated to be trafficking victims, amounting to 140,000 women¹⁸.

Abusers find ways to adapt and use a variety of coercive control methods, which allow them to find new ways to exploit victims. Emerging forms of sexual violence are areas of increasing concern, with digital technology being used to abuse girls and women, with at least one in 10 women in the European Union reporting having experienced cyber-harassment since the age of 15. This included having received unwanted and/or offensive sexually explicit emails or SMS messages, or offensive and/or inappropriate advances on social networking sites. The risk is highest among young women aged 18–29 years¹⁹. The increasing availability of access to and use of violent pornography is of particular concern in relation to the differential usage and impacts on young boys and girls and the sexual scripts they are consuming regarding sexual consent and violent sexual acts²⁰.

Table 1.2 Sustainable Development Goal 5: Achieve gender equality and empower all women and girls – DSGBV-related targets and indicators

Target		Indicator
5.2	Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation	<p>5.2.1 Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age</p> <p>5.2.2 Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence</p>
5.3	Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation	<p>5.3.1 Proportion of women aged 20-24 years who were married or in a union before age 15 and before age 18</p> <p>5.3.2 Proportion of girls and women aged 15-49 years who have undergone female genital mutilation/cutting, by age</p>

¹⁷ European Foundation for the Improvement of Living and Working Conditions (2007). 'Women and violence at work.'

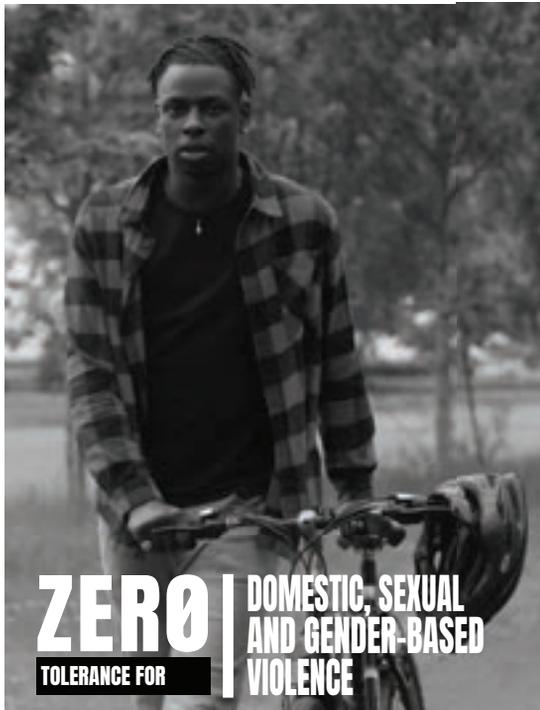
¹⁸ Ibid 5

¹⁹ Ibid 6

²⁰ Vera-Gray, F., McGlynn, C., Kureshi, I. and Butterby, K. (2021). Sexual violence as a sexual script in mainstream online pornography. *The British Journal of Criminology*, 61, pp. 1243–1260.

E. European responses

The 2011 Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) defines violence against women as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.



The purposes of the Istanbul Convention are to:

- '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 forms of violence against women and domestic violence.

- Promote international cooperation with a view to eliminating violence against women and domestic violence
- Provide support and assistance to organisations and law enforcement agencies to effectively cooperate in order to adopt an integrated approach to eliminating violence against women and domestic violence.'

The Istanbul Convention applies to

'All forms of violence against women, including domestic violence, which affects women disproportionately. With parties encouraged to apply this Convention to all victims of domestic violence and to pay particular attention to women victims of gender-based violence in implementing the provisions of the Convention.'

Under Article 3 (Implementation of the provisions of the Convention), countries who have ratified the Convention are expected to take measures to protect the rights of victims,

'Without discrimination on any ground such as sex, gender, race, colour, language, religion, political or other opinion, nationality or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status or other statuses.'

Ireland ratified the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in 2019.

F. DSGBV prevalence in Ireland

The first national survey of domestic violence in Ireland, found that 18% of women reported that they had experienced domestic violence by a partner. A national study by the National Crime Council (2005) found that 15% of women and 6% of men had experienced severe emotional and physical abuse by a partner²¹ at some point in their lives. Women were found to be seven times more likely to suffer sexual abuse by a partner, twice as likely to experience severe physical abuse and three times more likely to experience severe emotional abuse²². This reflects international research cited above. The first comprehensive study to estimate the prevalence of sexual violence in Ireland²³ found that one in five

women (20.4%) had experienced contact sexual assault as adults with a further one in 20 (5.1%) reporting unwanted non-contact sexual experiences. Over a quarter of cases of contact abuse in adulthood (i.e., 6.1% of all women) involved penetrative sex. More than four in 10 (42%) reported some form of sexual abuse or assault in their lifetime. The most serious form of abuse, penetrative abuse, was experienced by 10% of women. Attempted penetration or contact abuse was experienced by 21%, with a further 10% experiencing non-contact abuse. One in 10 men (9.7%) reported experiencing contact sexual assault as adults with a further 2.7% reporting unwanted non-contact sexual experiences. One in 10 cases of contact abuse in adulthood (i.e., 0.9% of all men) involved penetrative sex. Over a quarter of men (28%) reported some form of sexual abuse or assault in their lifetime. Penetrative abuse was experienced by 3% of men. Attempted penetration or contact abuse was experienced by 18%, with a further 7% experiencing non-contact abuse. Almost one quarter (23.6%) of perpetrators of sexual violence against women as adults were intimate partners or ex-partners. This was the case for 1.4% of abused men. Research on sex trade and its harms²⁴ shows that prostitution is seriously detrimental to women's sexual, reproductive and mental health and wellbeing.

G. Irish responses

The first National Strategy on Domestic, Sexual and Gender-Based Violence ran from 2010 to 2014. The second National Strategy on Domestic, Sexual and Gender-Based Violence in place from 2016 to 2021 included a detailed programme of actions designed to facilitate the ratification by Ireland of the Council of Europe (Istanbul) Convention on Preventing and Combating Violence Against Women and Domestic Violence. Ireland ratified the Istanbul

²¹ The National Crime Council in association with the Economic and Social Research Institute (ESRI). (2005). Domestic abuse of women and men in Ireland: Report on the national study of domestic abuse.

²² Kelleher Associates and O'Connor (1995). Making the Links. Women's Aid, Dublin.

²³ Sexual Abuse and Violence in Ireland (SAVI), (2002). McGee, H., Garavan, R., De Barra, M., Byrne, J., Conroy, R. Royal College of Surgeons in Ireland. The Liffey Press in association with Dublin Rape Crisis Centre.

²⁴ Breslin, Lathan and O'Connor 'Confronting the Harm: Documenting the prostitution experiences and impacts on health and wellbeing of women accessing the Health Service Executive Women's Health Service' SERP, UCD, HSE (2021)

Convention in 2019 during the lifetime of the second Strategy.

The implementation and impact of the detailed actions to support Istanbul is subject to periodic evaluation and benchmarking by international experts from GREVIO – the Council of Europe’s Group of Experts on Action against Violence against Women and Domestic Violence. In 2021, work began on the development of the third National Strategy on Domestic, Sexual and Gender-Based Violence (2022 -2026).

This Strategy, in line with the Istanbul Convention, recognises that while both men and women can be victims/ survivors, women and girls are affected disproportionately, as a manifestation of historically unequal power relations between men and women. As a result, there is an emphasis within the Strategy on meeting the needs of women and girls while supports and services for male victims/ survivors are also addressed.

The Strategy also recognises and acknowledges the need to provide support for all victims/survivors of gender-based violence, irrespective of any characteristics they might

have, acknowledging the intersectionality between sex, gender and sexuality-based violence and ethnicity, ability and age. It recognises the need to reflect the lived experiences of particular cohorts of victims/ survivors, including migrants, Travellers and Roma, people with disabilities and LGBTI+ people, and acknowledges the additional risks factors created by overlapping forms of discrimination.

Currently the Irish DSGBV response/ services for victims/survivors, their families and perpetrators are provided through a range of state agencies and state-funded specialist and community-based support organisations. In addition, other services (medical, Garda or courts services) will often link to and refer users to local services who specialise in sexual and/or domestic violence.

Research has found that domestic/intimate partner violence can have a particularly significant role to play in victims’ experiences of the home, housing and housing insecurity. Violence from an intimate partner is consistently reported as a primary contributor to women’s homelessness in particular.



Intimate partner violence has also been shown to reduce the security of tenure for victims and make it more difficult for them to find secure tenure in the future. Seeking safety can in fact damage future housing prospects. It also places victims under financial strain as the cost of starting over can be prohibitive, a struggle that is often compounded if the victim is a mother and now the primary caregiver.

H. Some groups face additional challenges in DSGBV

All women are vulnerable to DSGBV, experiencing the core dynamics of DSGBV of shame, silence and secrecy in the face of coercive control and violence. Some groups face prejudice and abuse additional to the abuse of DSGBV which can leave them less protected.

See Table 1.3 for details of people and groups that can face additional challenges and need additional inclusion support measure in relation to DSGBV.

The inclusion of Children

The second national DSGBV Strategy made limited reference to children, with children primarily identified as witnesses. This Strategy in contrast seeks to clearly identify children and young people as both witnesses and victims/survivors. This focus on children and young people as victims and survivors reflects the focus of both the UN Convention on the Rights of the Child and the Istanbul Convention, on the need to protect girls and boys.

Table 1.3 Individuals and Groups that may require additional inclusion measures to address DSGBV

Children and young people
Members of the LGBTI+ community
Migrants
Refugees and international protection applicants
Undocumented migrants (those whose immigration status may prevent them from accessing a range of public services and supports)
People with a disabilities
Travellers and Roma
Victims of trafficking
A person who identifies with more than one of these groups may face even greater barriers and be at even higher risk of DSGBV.

Section 1

Structures for coordination and delivery

Section 1

Structures for coordination and delivery

To ensure coherent delivery of services, effective support for implementation of this Strategy and dedicated support for the Minister and Department of Justice in removing blockages and in development of successive national Strategies, we will create and put in place the following coordination and delivery structures:

- Political oversight of the DSGBV strategy and its effective implementation will be situated within the Cabinet Committee on Social Affairs and Equality, chaired by An Taoiseach and supported by the existing Senior Officials' Group for this Cabinet Committee.
- A new High-Level Oversight Board, co-chaired by the Secretaries General of the Departments of the Taoiseach and Justice. The Board will meet on a quarterly basis to ensure that actions are being implemented successfully and within the designated timelines across all relevant bodies. This Board will be supported by a secretariat located within the Department of the Taoiseach.
- A statutory domestic, sexual and gender-based violence agency under the aegis of the Department of Justice. This agency, which will require legislation, staffing and funding to succeed, will be tasked with:
 - Coordinating all Government actions set out within this third national Strategy, and reporting on their delivery to the Minister for Justice. Political oversight of the strategy will be provided by the Cabinet Committee on Social Affairs and Equality.
 - Delivering excellent services to victims of DSGBV, which will include delivering on the number of safe and accessible short- and long-term accommodation 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 how to access the supports they require
 - 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
 - Working with the Minister for Justice to ensure alignment in its work with overall DSGBV policy

The new Agency will be established in law and ensure a permanent and dedicated focus on implementation and supports for Government and the sector. It will implement policy determined by the Minister for Justice.

A key principle for the Department of Justice in the detailed design phase of the set up for the Agency will be to work with the specialist and community-based support organisations in a spirit of co-design to ensure that the new structure avoids the issues that limited effectiveness in the past.

This will ensure that issues of mutual concern in relation to service delivery standards, evaluation of services and agility in responding to new and emerging needs are addressed in a spirit of collaboration and with the benefit of external academic and other expertise as appropriate.

Other aspects of the necessary Government response to DSGBV will continue to be the responsibility of a range of Departments, agencies and bodies. These will include.

- Responsibility for DSGBV policy will remain with the Department of Justice, and the Minister for Justice will retain overall lead responsibility.
- Capital funding for refuges will continue to be provided by the Department of Housing, but with an enhanced and proactive identification and meeting of local needs led by the agency
- The Department of Health and associated agencies/bodies (including HSE) will continue to have responsibility for Sexual Assault Treatment Units (SATUs) and counselling services for adults abused in childhood
- The Departments of Education and FHERIS will have responsibility for relationship, sexuality and consent education and training within the formal education system
- The Department of Children, Equality, Disability, Integration and Youth, and TUSLA, will ensure the provision of child protection services, and facilitate wrap-around support services provision across all relevant agencies through the

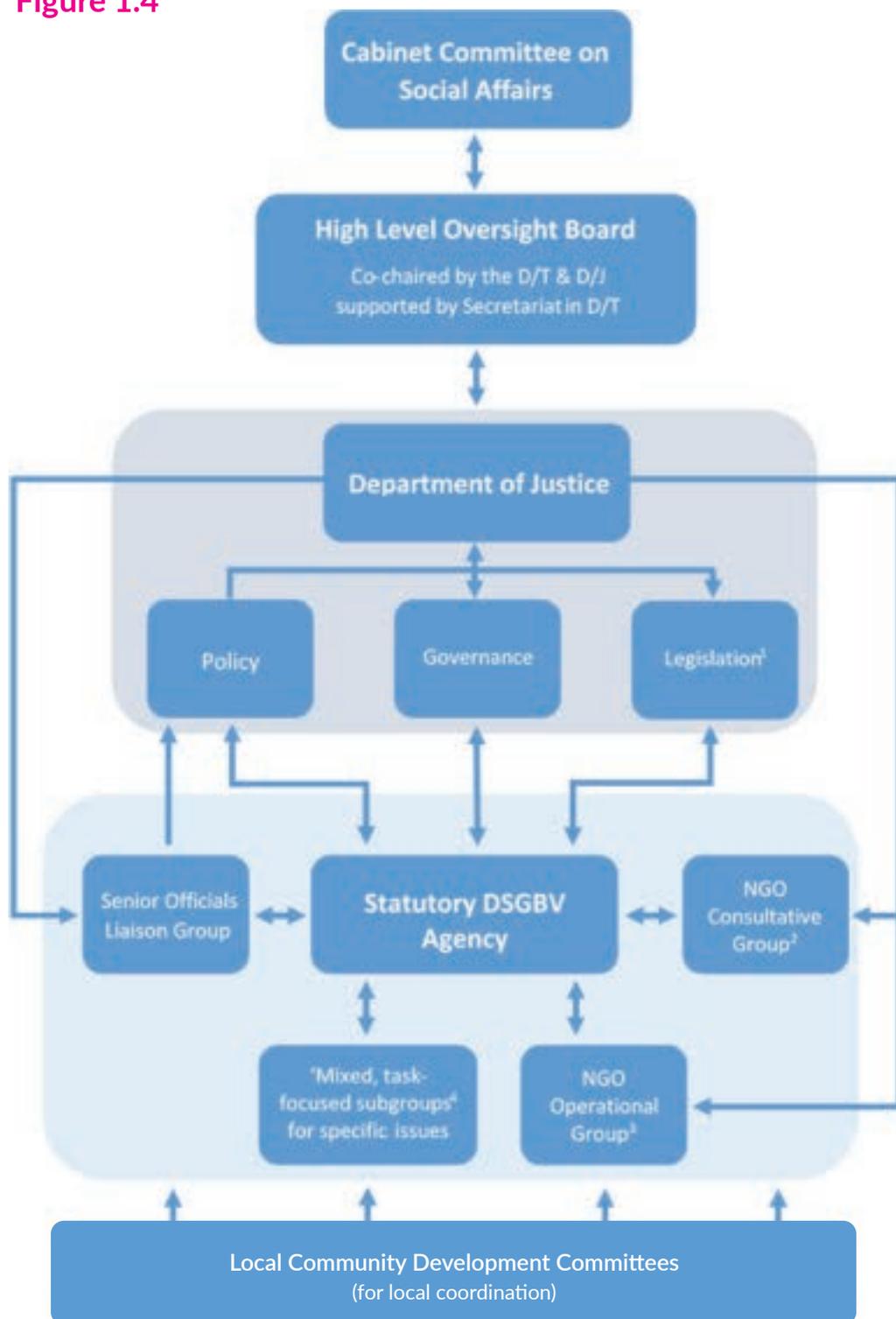
national network of Local Community Development Committees (LCDCs); and

- The Central Statistics Office (CSO) will continue to have lead responsibility for the sexual violence survey currently being undertaken and the domestic violence survey to be planned, and for ensuring that these surveys are repeated at 10-year intervals to provide a robust evidence base for policy and service delivery

The establishment of the new statutory agency outlined above is a whole of Government priority. It will, however, of necessity take some time to co-design this agency alongside stakeholders across Government and civil society. A further period will be required to put an appropriate legislative basis in place, and to recruit the staff and ensure the funding which will be needed to succeed. It is planned that the new agency will be up-and-running on 1 January 2024.

In the interim period, Tusla will report to the Minister for Justice for DSGBV services on foot of a Memorandum of Understanding being put in place in that regard. The relationship between the various elements of this structure for coordination and delivery is set out in Figure 1.4 below

Figure 1.4



¹ Both Criminal and Civil.

² A broad-based committee that would meet on 2 to 3 occasions per year

³ One or more groups to involve front-line service providers on issues relevant to service delivery – e.g., standards, staff/volunteer training, evaluation

⁴ Continuation of O'Malley/Supporting a Victim's Journey subgroups as required.

Section 2

The Framework for Action

Section 2

The Framework for Action

2.1 Prevention Pillar

This pillar focuses on supporting evidence-based actions designed to prevent DSGBV.

The goal of this pillar is:

Working towards the eradication of the social and cultural norms that underpin and contribute to gender-based violence.

The objectives of this pillar are to:

- Enhance the understanding of the general public of all forms of DSGBV and its root causes²⁵, and educate society to recognise the harm and prevent the human rights abuse that is DSGBV while making clear the pathways to safety and sanctions
- Prevent DSGBV within Higher Education by enhancing understanding of DSGBV, consent, coercive control, and healthy relationships and support the implementation of a victim/ survivor centred approach to responding to DSGBV
- Enhance the understanding of all children and young people on what creates gender inequalities and what constitutes gender equality, consent and healthy relationships (using best practice evidence)
- Enable frontline professionals and support staff to have the necessary analysis, skills, and expertise to identify potential DSGBV risks and make appropriate preventative interventions and referrals
- Make digital and media spaces safer as well as creating awareness of the harm caused by online abuse, pornography and of prostitution and commercial sexual exploitation (meeting the requirements Article 17 of the Istanbul Convention²⁶)
- Make spaces safer²⁷ to reduce opportunities for sexual and gender-based violence
- Make workplaces safer, in the public, private and other sectors, reducing opportunities for sexual violence and gender-based violence, and promote public awareness of existing legislation that is in place, as well as training for staff
- Review the Garda vetting and PSA licensing arrangements with a view to strengthening protections for children and vulnerable adults

The implementation plans which will accompany this Strategy will set out in detail the concrete actions to be delivered to achieve each of these objectives, along with clear responsibilities and timelines for action.

Some of the key actions under this pillar will include: ambitious public awareness

²⁵Gender -related factors such as men's entitlement, privilege and social norms regarding masculinity' (CEDAW, Recommendation 35 (2017))

²⁶ Istanbul Convention Article 17; Participation of the private sector and the media 1 Parties shall encourage the private sector, the information and communication technology sector and the media, with due respect for freedom of expression and their independence, to participate in the elaboration and implementation of policies and to set guidelines and self-regulatory standards to prevent violence against women and to enhance respect for their dignity.

²⁷ IHREC (2022) Code of Practice on Sexual Harassment and Harassment at Work

campaigns which will seek to raise awareness of DSGBV as well as challenging existing myths, misconceptions and established beliefs; monitoring instances of sexual violence and harassment and enhanced reporting processes in higher education institutions; delivering age-appropriate interventions for boys to address and challenge male violence; and supporting engagement between civil society and the media on the portrayal of DSGBV in the media.

2.2 Protection Pillar

This pillar focuses on actions designed to protect the safety and meet the support needs of adults and children who have experienced DSGBV.

The goal of this pillar is to:

Ensure that victims/survivors (adults and children) have immediate and longer-term access to safety, support and advocacy they need, with agencies held accountable for the protection of victims/survivors

The objectives of this pillar are to:

- Ensure that individuals who experience DSGBV can access adequate, extensive and accessible information online and offline
- Ensure availability of accessible, quality, specialist and community-based DSGBV services across the state so that all people who experience DSGBV have access to integrated services in the short, medium and longer term
- Enable victims/survivors of DSGBV to rapidly access and live in safe,

accessible, short and long-term accommodation as a priority

- Ensure a victim/survivor-centred wraparound service through the creation of clear integrated local pathways (building on the mapping of the victim/survivor journey work) for adults and child (female and male) victims/ survivors to access the DV and SV information, services and supports
- Recognise and support the child/ young person as an individual victim/ survivor who experiences DSGBV, using child-friendly and age-appropriate communications
- Ensure those, primarily women, in prostitution have access to safety, health care, support and exit routes

The implementation plans which will accompany this Strategy will set out in detail the concrete actions to be delivered to achieve each of these objectives, along with clear responsibilities and timelines for action.

Key actions under this pillar will include: doubling the number of refuge spaces available in Ireland during the lifetime of this Strategy; training healthcare workers to identify domestic violence and refer victims/ survivors to appropriate services; removing the legal barriers that can prevent individuals experiencing sexual and/or domestic violence to remain at home (where it is safe to do so); and reviewing the response to children as victims of sexual crime within the criminal justice system to ensure that responses are appropriate and effective in protecting victims

2.3 Prosecution Pillar

This pillar focuses on actions designed to support effective law enforcement and judicial proceedings that enable victims/survivors access the justice they deserve.

The goal of this pillar is to:

Ensure that the Justice systems implement the law and provide the consistent enforcement and judicial proceedings necessary to vindicate the rights of the victim/survivor.

The objectives of this pillar are to:

- Ensure that all professionals and frontline workers involved in DSGBV work with adults and children in the courts and in the justice, legal and policing systems have the skills and understanding of DSGBV to equip them with the necessary expertise they require
- Reform the operation of the Family Law Courts to ensure victims/survivors are better protected
- Work to reduce attrition rates and enhance access to the legal system for individuals experiencing DSGBV
- Reduce demand for prostitution
- Strengthen the policing and prosecution of domestic, sexual and gender-based violence
- Ensure perpetrators of DSGBV are held to account and prevented from victimising/re-victimising, to include domestic violence and sexual violence perpetrator programmes

The implementation plans which will accompany this Strategy will set out in detail

the concrete actions to be delivered to achieve each of these objectives, along with clear responsibilities and timelines for action.

Some of the key actions under this pillar include: preparing guidelines on children's rights and DSGBV in court settings, to include training on children's rights and child-friendly communication; progressing and implementing the Family Court Bill; new legislation to provide for the introduction of a specific offence of non-fatal strangulation, a specific offence of stalking and other legislative reforms relevant to tackling DSGBV; and improving prosecutions of breaches of any and all DSGBV civil orders provided for in domestic violence and family law legislation.

2.4 Policy Coordination Pillar

This pillar focuses on actions designed to support effective policy coordination and implementation at both national and local level.

The goal of this pillar is set out as:

Situated/coordinated in the Department of Justice (as per the Audit), the State offers a comprehensive, co-ordinated, authoritative, monitored and evaluated set of responses to DSGBV which will be informed by engagement with both key stakeholders and service users operating and interconnected at national level and regional/local level, with independent oversight

The objectives of this pillar are to:

- Create strong oversight and implementation structures to deliver on the Strategy, with regional coordination structures to oversee delivery of services on the ground

- Ensure an effective, robust research and evaluation strategy
- Develop enhanced coordination of data collection strategies
- Ensure issues of policy intersectionality are highlighted and prioritised
- Make clear connections and agree targets with other equality and inclusion strategies and related legislation (that focus on socially excluded groups)
- Ensure there is a priority focus on DSGBV services being inclusive, and improve outcomes for socially excluded groups
- Recognise the voice of the victim/survivor (adults and children and young people) and provide an opportunity for their voices to be heard at different levels
- Recognise the child as an individual victim/survivor who experiences DSGBV
- Explore the potential for standardisation of funding structures and processes across Government Departments to

allow for adequate funding for the sector and avoid duplication of funding

- Work at an international level in relation to DSGBV

The implementation plans which will accompany this Strategy will set out in detail the concrete actions to be delivered to achieve each of these objectives, along with clear responsibilities and timelines for action.

Some of the key actions under this pillar include: the establishment of a new statutory DSGBV agency; national sexual violence and national domestic prevalence studies to be conducted alternately at five-year intervals, and use the learning from these surveys to progress further key actions to tackle gender-based violence; ensuring that actions to prevent prostitution and combat trafficking for sexual exploitation are addressed in an integrated manner; and engagement 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.





Section 3

Overview of Second Strategy (2016-2021)

Section 3

Overview of Second Strategy (2016-2021)

3.1 Outline

The overall aims of the second National Domestic Sexual and Gender-Based Strategy (2016-2021) and its associated action plans were to:

- Change societal attitudes (and activate bystanders) via sustained year-on-year awareness campaigns and training and education campaigns to support a reduction in domestic and sexual violence
- Improve supports available to victims and survivors
- Hold perpetrators to account through the criminal justice system and orders granted in the civil justice system and by monitoring and treating sex offenders, perpetrator programmes and in limited cases carefully designed restorative practices

The Strategy was initially organised under three goals:

- Prevention -which included actions related to awareness, education and training
- Protection- including provision of services to victims/survivors
- Implementation/monitoring/data/ research activities

The actions to be progressed under the second Strategy were detailed in the action plans that were updated every six months, with actions added as required. The action plans contained a brief description of each action to be implemented, the implementation bodies and the timescale. A monitoring report was included, which detailed the progress made in implementing the actions over the previous six months.

A question in relation to whether the action was on target was also included and the implementing bodies were asked to detail what remedial actions needed to be undertaken if the action was not on target. Each action was also colour coded to indicate the status of the action.

See Appendix 2 for details of the membership of the second DSGBV Strategy Monitoring Committee.

3.2 Plan Implementation

This overview of the Strategy and its implementation was conducted as part of the process of developing the third Strategy. See Table 3.1 for an overview of the progress of actions at December 2021.

Table 3.1 Progress Status of Actions in the Second Strategy (December 2021)

Status of Actions	No of actions	% of actions
Completed	30	41%
Ongoing	41	55%
Delayed	3	4%

Source: Department of Justice, 2021

See Appendix 3 and 4 for a more detailed analysis of the implementation of the second Strategy actions.

The action plans that accompanied the second National Strategy did not include key performance indicators; neither did they detail the inputs/resources allocated to actions.

These are key learnings to be addressed in the development of implementation plans for the third Strategy to be developed early in 2022 to ensure transparency and proper resourcing to underpin delivery of the Strategy.

The recent Department of Justice commissioned audit of structures, Domestic, Sexual and Gender Based Violence: An Audit of Structures, 2021, concluded that there had been improvements in public awareness and attitudes, policing policy and practice and very positive responses to Covid-19, led by the Department of Justice through use of technology and strong inter-agency work at national level and with local frontline DSGBV service providers anticipating and responding to DSGBV issues and reports.

The audit authors also highlighted several deficiencies in relation to the second Strategy and noted that the implementation structure

for the second Strategy was ineffective in driving implementation and poor in holding responsible actors to account. They went on to identify fragmentation of policy and services within and across the sector as a key issue identified by informants of their report. Structures that were clear, integrated and resourced and could invest in building a culture of joint problem-solving would support and drive the development of effective responses by Government in the future - another clear lesson to be applied for the third Strategy.

3.3 Learning from the implementation of the second National DSGBV Strategy actions

An analysis of the implementation of the second National Strategy generated a number of learning points. See Table 3.2 for details.

Table 3.2 Learning from the Review of Action Implementation in the Second Strategy

Details of the Achievement	Action No.
The enactment of the Domestic Violence Act 2018 - (1st January 2019)	2.200
The introduction of a new offence of coercive control	2.200
The implementation of the EU Victims Directive	2.700
Ratification of the Council of Europe (Istanbul) Convention on preventing and combating violence against women and domestic violence - (8 March 2019)	Various actions
The Establishment of Garda Divisional Protective Services Units (DPSU) in each Garda Division, mirroring the responsibilities held by the Garda National Protection Services Bureau.	2.810

Table 3.2 Learning from the Review of Action Implementation in the Second Strategy

Details of the Achievement	Action No.
<p>The development and enactment of a variety of legislation designed to strengthen protections for victims of sexual violence including:</p> <ul style="list-style-type: none"> • The Criminal Law (Sexual Offences) Act 2017 which introduced a statutory definition of consent to a sexual act. It also addressed a number of evidential issues to protect child and adult victims of sexual assault from any additional trauma arising from the criminal process; • The Criminal Justice (Victims of Crime) Act 2017 which provides a wide range of measures to protect and inform victims during the progress of their case through the Criminal Justice system; • The Criminal Law (Sexual Offences) Act, 2019 which introduced stricter penalties for repeat sexual offenders and equalised the maximum penalties for incest at 10 years for both male and female offenders. 	2.1900
The putting in place of two national 24-hour helpline services for domestic violence and sexual violence respectively. These are operated by Women's Aid and the Dublin Rape Crisis Centre respectively.	2.1200
<p>The development and implementation of national awareness raising campaigns to achieve attitudinal and societal change to support the prevention of domestic, sexual and gender-based violence -</p> <p>The first, a domestic violence awareness campaign "What would you do?" was launched in November 2016.</p> <p>In 2019 the campaign switched focus from domestic violence to sexual violence with the launch of the "No Excuses" campaign.</p> <p>With the advent of Covid 19 in 2020 the Department of Justice launched a new public awareness campaign on domestic violence in the context of the COVID-19 crisis entitled "Still Here". This campaign includes traditional (TV and radio) and social media channels and was launched in partnership with frontline and support services in the sector.</p> <p>In 2021, The No Excuses campaign launched a new element to tackle the sharing of Intimate Images without consent. This element of the campaign included online and social media advertising, as well as Cinema and digital audio ads.</p>	1.100
Development of guidance for housing authorities in assisting victims of domestic violence with emergency and long terms accommodation needs (Department of Environment 2017)	2.3200
The completion of a review of the investigation and prosecutions of sexual offences aimed at improving supports to vulnerable witnesses during those processes (the O'Malley Review). This review was published on 6 August 2020 and contained 52 actions with four overarching recommendations. The Department of Justice is currently overseeing the implementation plan of the review entitled "Supporting a Victim's Journey"	2.150
The engagement of the Higher Education Institutions to tackle sexual violence and harassment in Third Level Education through ESHTe programme.	1.9

Ireland's ratification of the Council of Europe's Istanbul Convention in 2019 saw the addition of two new actions to the second Strategy; one of which related to the provision of supports for children, including children as witnesses of domestic and sexual violence.

The issue of children as witnesses and/or victims/survivors of DSGBV was not identified within the text of the Second Strategy, which is another key item to be addressed in the Third Strategy. See Appendix 3 for an analysis of the actions included in the Second Strategy relative to the themes of the Istanbul Convention.

3.4 Broader developments and reform

Noteworthy additional research and policy developments occurred during the lifetime of the Second Strategy and will feed into the Third Strategy. They include:

- The transposition of the EU Victims Directive into Irish law by the Victims of Crime Act 2017. This places obligations on member states to protect victims of crime and to recognise victims with specific protection needs, which may include victims of DSGBV;
- Ireland's ratification of the UN Convention on the Rights of Persons with Disabilities (UNCPRD) in March 2018 Article 16 of the UNCPRD focuses on freedom from exploitation, violence and abuse, Article 6 seeks to ensure the protection and promotion of rights of women with disabilities, and obliges States Parties to ensure the development, advancement, and empowerment of women. The Convention also recognises the intersectional experiences of women, and that they may suffer multiple discriminations by virtue of their gender and disability, as well as other identities they may have;
- The commencement of the Domestic Violence Act on the 1st January 2019 (which included offence of Coercive Control);
- The Programme for Government (2019) recognition of DSGBV as an epidemic needing to be tackled urgently;
- The 2019 UN Convention on the Rights of the Child guaranteeing that every child has the right to live free from the threat of violence
- EU Child Guarantee adopted by the European Council in June 2021, is designed to prevent and combat social exclusion by guaranteeing the access of children in need to a set of key services including :
 - Early childhood education and care
 - Education (including school-based activities)
 - Healthcare
 - Nutrition
 - Housing
- Enactment of the Harassment, Harmful Communications and Related Offences Act 2020;
- The emergence in April 2021 from the work of the Citizens' Assembly on gender equality of five specific recommendations related to tackling domestic, sexual and gender-based violence as a means of ending gender inequality²⁸
- A recent study (EIGE, 2021) which estimated and highlighted the cost of gender-based violence across the EU at €366 billion a year with violence against women making up 79% of this cost.

²⁸ Citizen Assembly Report on Gender Equality 2021: Recommendations on DSGBV: Appoint co-ordination of DSGBV by a Cabinet Minister; Cover gender power dynamics, consent and DSGBV within revised RSE curriculum; Develop guidelines and specialist training for judges and lawyers regarding the treatment of victims/survivors, including the exclusion of the consideration of sexual history, character, attire and counselling/medical records and reform family courts and introduce tougher sentences and rehab programmes for perpetrators of DSGBV; Ensure sufficiently publicly funded provision of beds, shelter and accommodation for victims/survivors in line with Istanbul; recognise FGM as a ground for seeking asylum and provide culturally sensitive specialised services for victims/survivors; Appoint a Victims/Survivors Commissioner as an independent advocate and voice for victims/survivors.

Intimate partner violence, (which shot up during the Covid-19 pandemic), makes up almost half (48 %, €174 billion) of the cost of gender-based violence. Intimate partner violence against women makes up 87% of this sum (€151 billion). Work is ongoing to identify costs for individual member states. In Ireland, costs to women survivors over three phases of coercive control relationships: abuse, sanctuary, and relocation – is reckoned at €56 billion over 20.5 years²⁹.

- The increase in reporting of incidences of DSGBV in Ireland, and across the globe, during the Covid-19 pandemic. The provision of enhanced resources has enabled specialist and community-based support organisations and other general community development services to provide additional responses, though the pandemic experience will have left its mark on many victims/survivors
- Publication of the general scheme of Criminal Justice (Hate Crime Bill) 2021.
- In April 2021 Safe Ireland, a network of 3831 member organisations who provide a range of refuge and domestic violence support services, published No Going Back, a discussion paper which sets out their vision for a transformative infrastructure and Strategy to respond to the needs of survivors – primarily women and children
- Publication in June 2021 of 'Domestic, Sexual and Gender Based Violence: An Audit of Structures' which made a number of key recommendations as follows:
 - Policy leadership for DSGBV be placed clearly in the Department of Justice;
 - The establishment of a dedicated DSGBV office to lead joint working;
 - This new office to have sufficient authority, staff resources and expertise to carry out its agreed role, be supported by an Advisory Committee of senior officials and services providers and be overseen by a special Ministerial or Cabinet Committee.
- Publication of the 2022 Review of the Provision of Accommodation for Victims of Domestic Violence. The review maps existing accommodation provision in Ireland, in the context of current capacity, international standards and the lived experiences of victims and the frontline services that support them. It concludes that there needs to be state planned funding of additional family units, safe homes and support services across the country to meet the needs of women, men and children that are victims of abuse. The review makes a series of recommendations designed to inform and guide decision-making on future planning, prioritisation and provision of accommodation for victims, recognising the need for inter-departmental and inter-agency working to meet those needs
- Publication of the Final Report of the Child Care Law Reporting Project (CCLRP) (awaiting publication)
- Publication of the review of Part 4 of the Criminal Law (Sexual Offences) Act 2017 (awaiting report)
- Publication of the report on familicide (awaiting report)
- Publication of the report of the Family Justice Oversight Group (awaiting report)
- Publication of research into parental alienation (in progress)

²⁹ Assessing the Social and Economic Costs of Domestic Violence: Safe Ireland Report (NUIG), 2021

3.5 The impacts of Covid-19

Globally and in Ireland the pandemic has had a disproportionate impact on women, gender equality and gender-based violence. Rape Crisis Centres in Ireland report that callers spent much longer on the phone, with crisis staff and volunteers last year, with the proportion on the line for more than 35 minutes rising from 1% in 2019 to 10% in 2020.

The global rise in domestic violence levels since the outbreak of Covid-19 has been termed by the United Nations as the ‘shadow pandemic’. The UN and World Health Organization identified several specific sexual and domestic violence reduction strategies that could be used by nation states. See Table 3.1 for details.

Table 3.1. Domestic and sexual violence against women and girls by intimate partners recommended sexual and domestic violence reduction strategies

Increase investment in online services and civil society organizations
Make sure judicial systems continue to prosecute abusers
Set up emergency warning systems in pharmacies and groceries for all victims/survivors
Make sure health facilities provide information about sexual and domestic violence services
Healthcare workers trained to identify domestic violence and refer victims/survivors to appropriate services.
Declare shelters/refuges as essential services
Create safe ways for women to seek support, without alerting their abusers
Avoid releasing prisoners convicted of violence against women in any form
Scale up public awareness campaigns, particularly those targeted at men and boys

Source: UN, WHO



Section 4

Developing the third Strategy (2022-2026)

Section 4

Developing the third Strategy (2022-2026)

4.1 The process of developing the third Strategy

Detailed consultations and analysis for third Strategy began in April 2021 following the completion of the consultation for the Domestic, Sexual and Gender-Based Violence: Audit of Structures to avoid any overlap or confusion between the two consultation processes. Key elements of the process of the Third Strategy development included:

- Establishment of an executive group made up of a representative of the Department of Justice, The National Women’s Council of Ireland, and Safe Ireland respectively. This group were supported by KW Research and Associates consultants (Kathy Walsh, Gráinne Healy and Monica O’Connor), who were appointed to this role following a competitive tender process. This executive and consultants met at least fortnightly as a team working to develop the third Strategy.
- Review of the implementation of the second Strategy on Domestic, Sexual and Gender-Based Violence.
- One-to-one and group interviews with members of the second National DSGBV Strategy monitoring committee, including Government Departments, state agencies as well as members of the community and voluntary Sector. (A total of 30 such consultations, involving over 50 individuals were completed).
- One-to-one interviews with academics and individuals with specialist expertise in the area (12 such interviews were completed).
- 17 online workshops attended by more than 300 individual registered participants. These included five geographically focused workshops (these workshops were advertised in the national newspapers and on the Department of Justice website) and 12 thematic workshops organised with the support of several community and voluntary sector organisations.
- An online survey which attracted over 109 responses, of which 87 were eligible. 77% of respondents were either victim/survivors of DSGBV or family and/or friends of victim/survivors.
- Analysis of submissions received from a range of organisations and departments (See Appendix 5 for details of the organisations involved)
- Negotiation meetings with Government Departments and agencies to identify potential actions
- A public consultation process (Q1 2022)
- A consultation with children (January 2022)
- All data was analysed using the Istanbul framework - prevention, protection, prosecution and policy coordination). The data was synthesised to identify summary findings.

A draft Strategy was prepared based on these various consultations. This draft Strategy was the subject of a confidential briefing with the sector organised by the Department of Justice in the National Concert Hall on the morning of 16 February 2022. A further round of consultation was undertaken.

- 22 children aged between 7 – 20 years old (who participated in the Empower Kids project facilitated by Barnardos’ childhood domestic violence and abuse project) provided input and feedback on the draft Strategy
- An online workshop was held on 2 March 2022 with specialist and community-based

organisations working in the DSGBV sector. The workshop was divided up into six breakout rooms with about 13-14 participants in each room. Each room had its own dedicated note taker and facilitator. The event was attended by more than 80 participants, each of which represented a specific organisation or group

- An online consultation for women with disabilities was held on 10 March 2022. Participants were divided into two groups; one for women with intellectual disabilities, and one for women with physical/sensory disabilities. Note takers, facilitators and ISL interpreters were provided for this event which was organised with the support and active involvement of the Disability Participation and Consultation Network (DPCN). The DPCN promoted the event and prepared an easy to read flyer. Eight individuals attended and one larger group who nominated two individuals from the group to speak on their behalf attended this session
- 1,277 individuals completed the online questionnaire on the Department of Justice website
- 41 written submissions were received from a range of groups and organisations. (See Appendix 5 for details)

4.2 Summary findings from the consultations

Across all the various consultations there were some common themes and clear messages highlighted which have been taken on board and underpin the development and implementation of the third Strategy as follows:

- Victim/survivor led responses need to be at the centre of the Strategy
- Children to be clearly recognised as victim/survivors not just witnesses/ bystanders
- Actions to tackle DSGBV must involve a wide range of frontline services, organisations, and groups across a range

of disciplines including health, education, housing, social protection, employment, community development, as well as the specialist and community based support organisations and DSGBV focused responses for organisations who represent the interests of socially excluded groups

- Services and training initiatives should be co-designed with the specialist and community based service providers
- Where training for frontline personnel or services engagement is being devised, attention should be given to developing routine and targeted inquiry DSGBV training to enable the early identification of victims/survivors of DSGBV violence in the home
- The results of the mapping exercise undertaken by the O'Malley Implementation Subgroup be used as a basis for supporting/creating a fully accessible journey for each victim/survivor of sexual assault to access support and services throughout the criminal justice system. Supports are required to meet survivors' needs outside of the context of policing and court processes

4.3 Learning from Covid-19

Living with Covid-19 and working to support victims and survivors of DSGBV during the pandemic generated learning and identified a series of challenges for society, for victims/survivors and for support organisations.

The consultation processes for this Strategy identified positive learning during Covid-19 but also listed many challenges arising related to DSGBV and supports for same during this period.

Wider society

Positive developments included an enhanced understanding of coercive control, national discourse on domestic violence has increased, and the level of community empathy for people living in situations of domestic violence increased.

More challengingly, sexual violence became less visible (as awareness increased of domestic violence), there remains a need to increase awareness of sexual violence within domestic abuse context, and to place more emphasis on education in relation to what constitutes sexual consent.

For victims/ survivors

Some of the positive learnings from the pandemic period included:

- Emergency services continued to be provided in person or online
- Additional funding from the Department of Justice for specialist and community-based support organisations supporting victims/survivors during Covid-19 lockdown
- A lot of work was undertaken at a local level to ensure that victims/survivors were clear about the pathways to access services. Victims/survivors were provided with access to taxis to attend specialist and community based services if required
- There was an increase in uptake of online support and education programmes with online courses more accessible to victims/survivors living at a distance from services
- Pilot of now established Domestic Violence Emergency Rent Supplement, which requires no means-test and is assessed/cleared at first contact with DV services, created new pathways for victims/survivor
- Operation RUBY (a hotels initiative established by Safe Ireland and Airbnb) worked for victims/survivors, both male and female providing them with access to safe secure accommodation
- Local B&Bs linked up with the local specialist and community based services to provide emergency accommodation for victims/survivors
- The court services adapted their practices to only bring in witnesses as needed.
- Operation Faoiseamh reassured victims/survivors that they were able to leave their homes and disclose to Gardaí
- A variety of commercial companies provided nationwide safe spaces for victims/survivors
- Children liked having the option of face-to-face and online custody visits
- GNPSB carried out numerous welfare visits to offer support to women in apartments and brothels. They also texted every number posted on-line to do the same
- Increased outreach service to women in prostitution

The challenges for this cohort included:

- Trauma can be so embodied that it is difficult to deal with online
- Some victims/survivors had no privacy at home and therefore could not access online services
- Counsellors were fearful for the safety of some of the individuals they support online
- A decrease in the level of reporting of historic cases of sexual violence during Covid-19
- The impacts of lockdown on child victims/survivors are unknown, amid awareness that different engagement strategies are needed for children of different ages.
- The number of Child Protection Orders went down
- Migrant women's situation were aggravated by issues of culture, tradition and immigration. Some had no extended family support, some worried about facing unclear residency status situations that could be contingent on a husband's residency. In addition, cultural or religious factors, isolation from support networks, discrimination, and language barriers also negatively affected their ability or willingness to access support services
- Significant disappointment amongst victims/survivors in relation to 999 emergency calls made to An Garda Síochána that were inappropriately cancelled

- Covid-19 lockdowns had huge negative financial consequences for many women in prostitution who could not access welfare payments due to their undocumented migrant status
- Women in prostitution had no access to sexual health clinics during lockdown
- Demand for purchase of sex continued as buyers ignored Covid-19 restrictions and regulations

Specialist and community-based support organisations

The organisations reported the following positives:

- Move to online service delivery worked well particularly in relation to education and development enabling more individuals to participate and facilitating the engagement of experienced trainers
- Various Covid-19 Emergency (2020) and subsequent Survivor (2021) Resilience Funds enabled immediate financial and practical support to survivors, allowing services to directly meet the needs of women and children. This capacity also boosted frontline staff morale considerably
- Enhanced collegiality and sharing of resources between organisations
- More volunteer and induction training is now done online, widening the pool of volunteers
- Services were able to lever free advertisements to promote their services

However, they also identified the following set of challenges:

- Umbrella bodies need resourcing to meet the support needs of the members
- Exhaustion of counsellors – more clients and working from home
- Not all groups were equally able to access online supports and additional supports were needed to support these groups. For example, the Tusla-funded Pavee

Point project worked to support Travellers and ensure that referrals to the specialist services continued

- Lack of broadband is an issue in some parts of the country
- Loss of fund-raising opportunities
- Clear increase in mental health issues among clients while online work can be challenging for staff
- Disappointment amongst specialist service that many calls made to An Garda Síochána were inappropriately cancelled.

Interagency collaboration

There was significant evidence of improved interagency collaboration during the pandemic, including:

- Operation Faoiseamh - enhanced relationships and as a result interagency work with Gardai increased
- Interagency collaboration is faster and better due to Zoom
- Covid-19 created opportunities for partnership by specialist and community-based support organisations and other Departments with the Department of Justice on the 'Still Here' campaign

However, it was also noted that there is work to be done to engage employers/trade unions and further develop legislation for statutory domestic violence employment leave and enhanced workplace protections from sexual harassment.

4.4 Challenges for particular groups

Certain groups can be at higher risk of DSGBV than others, for a variety of reasons including poverty, exclusion, disability, legal status, ethnicity, sexuality, and language barriers.

Addiction and mental health issues can compound this vulnerability.

Groups at higher risk of DSGBV were identified as including individuals with disabilities, international protection applicants, individuals living in direct provision, trafficked persons including young gay men being trafficked for prostitution and the women being targeted for prostitution from direct provision centres, as well as Travellers, Roma and members of the LGBTI+ community.

Meeting the intersectional needs of these different groups is clearly a challenge that requires many organisations to become more knowledgeable about barriers faced by these groups and supports needed. Key approaches that will be used to facilitate this process within this Strategy include:

- All actors leading on implementing actions will be required to consider the issue of access for these groups. This consideration needs to involve inputs from the relevant communities and the specialist and community based support organisations to identify and address any barriers
- All cultural awareness training provided as part of this strategy to involve members of the relevant communities/support organisations
- The establishment of an Access Committee (made up of representatives of the different groups) that can advise organisations or lead implementing bodies on how to ensure their supports are inclusive and accessible
- The availability of an Access Fund to facilitate and support the involvement of support services and socially excluded groups in the design and implementation of actions

- The availability of a Special Access Project Fund to support practical initiatives that support the development of enhanced access for all
- The use of the Public Sector Duty requirement as the mechanism to examine the efficacy of the access supports put in place
- The research and evaluation strand of the Strategy will review the accessibility of different actions and areas of work. This work will be informed by the newly established third Strategy Access Committee and by international best practice in relation to addressing intersectional issues
- A summary of specific findings emerging from the consultations for each group is published with the Strategy as an accompanying document

4.5 The theory of change approach

The approach to the development of the Strategy marked a new way forward to work in a genuine collaborative way between the Department of Justice and civil society organisations. The partnership process between the Department of Justice, with NWC and Safe Ireland in the executive committee overseeing the development of the Strategy, showed a clear willingness on all sides to develop a strategy that was co-designed and one of co-ownership.

The achievement of the goals, actions and outcomes in the third Strategy are dependent on all state actors adopting a similar approach. The agreed actions must be taken forward in a process of genuine collaboration, where those most affected are at the centre of the planning, design, delivery, monitoring and evaluation of the Strategy.

There is a shared understanding on the part of all statutory partners to this strategy that a model of co-design and co-production will be embedded in all actions and that civil society

organisations and specialist and community-based support organisations will hold the Government to account on the realisation of this new way of working.

The third Strategy was developed using a theory of change approach. A theory of change approach to the development of the third Strategy on DSGBV means that the end goal for the overall strategy is kept clearly in mind – that of zero tolerance in Irish society of DSGBV. It is envisaged that the third Strategy will be a living

document so that where new actions emerge for consideration they can be added to the Strategy as need arises.

The Strategy itself uses the four Istanbul pillars of prevention, protection, prosecution and policy coordination as the levers for change to deliver the goal. Each pillar has its own interventions, outputs and expected outcomes. See Figure 4.1 for an overview and figure 4.2 for more details.

Figure 4.1 The Third Strategy Theory of Change Approach Overview



Figure 4.2 The Third Domestic Sexual and Gender-Based Violence Strategy Theory of Change

Final Goal				
Zero tolerance in Irish society for DSGBV				
Long Term Outcomes	Eradication of the social and cultural norms that underpin and contribute to gender-based violence.	All victims/ survivors have immediate and longer-term access to safety, support, and advocacy.	Justice systems implement the law and provide the consistent enforcement and judicial proceedings necessary to vindicate the rights of the victim/survivor.	The state provides a fully comprehensive, co-ordinated, authoritative, monitored and evaluated response to DSGBV which includes engagement with both key stakeholders and service users
Outcomes	<ul style="list-style-type: none"> Increased public awareness Trained front line professionals Educated children and young people in relation to what is a healthy relationship 	<ul style="list-style-type: none"> Clear local pathways for all adults and children's victims/survivors to access the range of DSGBV supports they need. Quality services and facilities available across the country for all adult and child victims/survivors. 	<ul style="list-style-type: none"> Pathways to justice are effective. The National Perpetrator Programme operating effectively and linked to other services Reoffending is reduced 	<ul style="list-style-type: none"> Integrated policy and structures in place to address DSGBV. Different policy levels are connected from local to national. New and emerging forms of DSGBV are responded to quickly.
Outputs	<ul style="list-style-type: none"> All educational curricula include age-appropriate inputs on healthy relationships, gender equality and consent Incidences of DSGBV in the workplace are reported and dealt with effectively 	<ul style="list-style-type: none"> Clear pathways exist for individuals to access the range of supports they need A range of quality emergency and longer-term accommodation options are available 	<ul style="list-style-type: none"> Pathways to justice are clear Increased convictions Perpetrators held to account Reduced attrition rates A National Perpetrator Programme is operational 	<ul style="list-style-type: none"> Increased accountability for delivery of actions (timelines and targets) More co-ordinated actions across departments and agencies
Third Strategy purpose:	To deliver an enhanced understanding of the root causes and impacts of DSGBV across society, ensure significant and ongoing reduction in incidence of DSGBV and support changes in behaviour so that Ireland becomes a place where victims and survivors receive integrated quality service supports and justice.			

Figure 4.2 The Third Domestic Sexual and Gender-Based Violence Strategy Theory of Change

Third Strategy purpose:	To deliver an enhanced understanding of the root causes and impacts of DSGBV across society, ensure significant and ongoing reduction in incidence of DSGBV and support changes in behaviour so that Ireland becomes a place where victims and survivors receive integrated quality service supports and justice.			
Challenges	Attitudes and cultural norms for example rape myths; shaming, silencing girls and women etc.	Lack of services in some locations. Long waiting lists for some services. Limited dedicated services for children and young people. Under resourced services.	Attrition rates, lack of reporting, fear of reporting, delays in court hearings, trial procedures, inadequate systems	Lack of co-ordinated leadership. The limited nature of data systems and available data, inadequate monitoring, etc. Lack of targets, timeframes
Pillars	Prevention	Protection and Support	Prosecution	Policy Co-ordination
Problem:	DSGBV is an expression of historical unequal power relations resulting in coercive control and sexual violence. Tackling the pandemic that is DSGBV requires an integrated approach across all sectors of society.			



ZERO | DOMESTIC, SEXUAL
TOLERANCE FOR AND GENDER-BASED
VIOLENCE



Rialtas na hÉireann
Government of Ireland