

Supporting Victims/Survivors of Domestic Abuse: Technical and other innovative possibilities

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WOMEN'S AID

Women's  Aid

About Women's Aid

Women's Aid has been working in Ireland to stop domestic violence and abuse against women and children since 1974.

What we do:

- Direct support for women experiencing abuse including the 24hr National Freephone Helpline. Interpretation available.
- Dublin based 1:1 support,
- Full time Court drop in Dolphin House,
- Court Accompaniment

- Communications and Public Awareness Campaigns.
- Policy and Research
- Specialist Training and Development

www.womensaid.ie www.toointoyou.ie

Who is most commonly subjected to Domestic Abuse?

Domestic violence is a gendered crime (explicit form of Gender Based Violence) and the majority of victim survivors worldwide are women, but men can also suffer. It can also occur in LGBTQ+ relationships.

A '**democratic crime**': There is no 'typical' female victim of domestic abuse. It is perpetrated against women in all age groups, all social and economic classes as well as in all ethnic, cultural and language groups. Society, and its systems and structures however, can discriminate against some women due to their ethnicity, class, ability and

other factors; which can create **intersectional vulnerabilities** and barriers to accessing support and justice (race, ethnicity, socio economic status, disability...)



Definition of Domestic Abuse

A pattern of abusive behaviour used by someone who is, has been or wishes to be, in an intimate or dating relationship with another person to control that person. It can take a wide range of forms including physical, emotional, sexual abuse or threat of same.

It **may** include physical violence, emotional abuse, coercion, destruction of property, isolation from friends, family, threats to others including children, stalking, cyber harassment, control over access to personal items, money, food, transport or telecommunications.

It does not have to include physical abuse

What is Coercive Control? What is the impact?

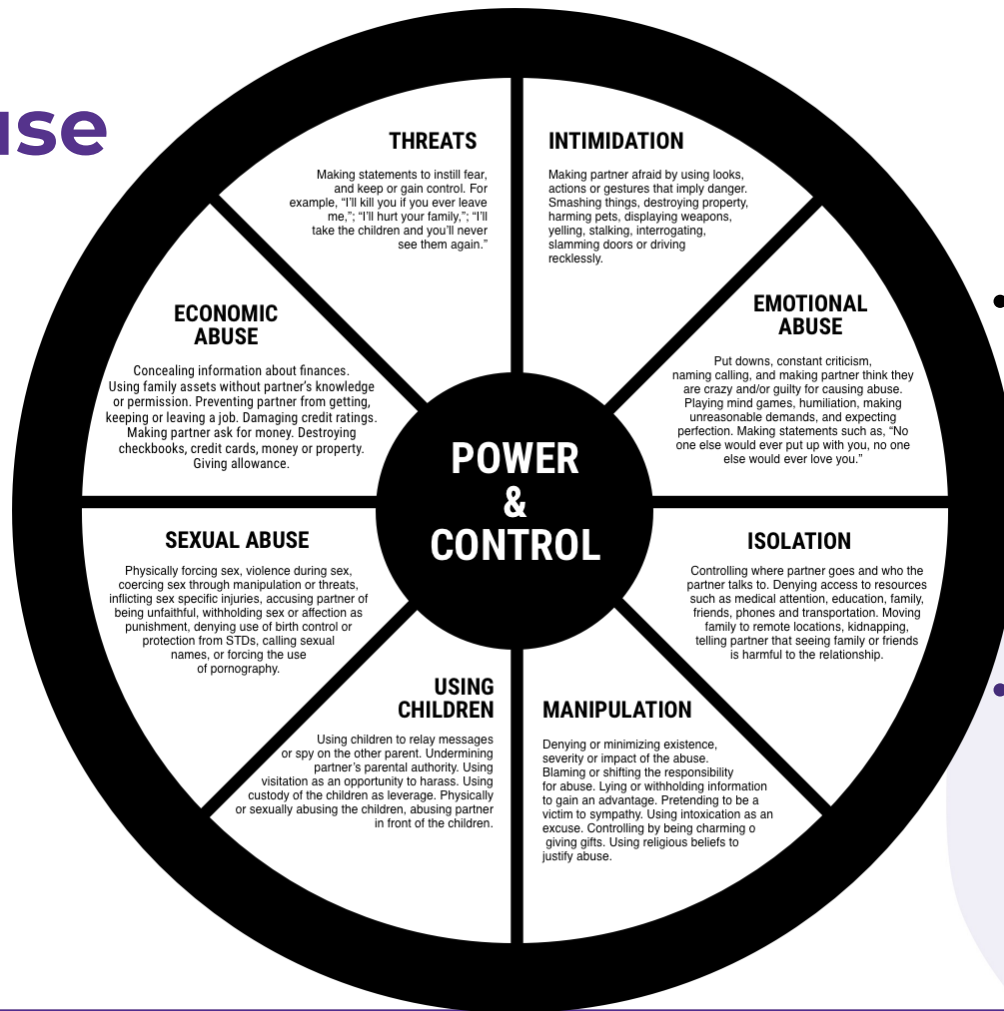
Coercive control is a **persistent pattern** of controlling, coercive and threatening behaviour including all or some forms of domestic abuse (emotional, physical, financial, sexual including threats) by a boyfriend, partner, husband or ex. It traps women in a relationship and makes it impossible or dangerous to leave.



“Not only is coercive control the most common context in which [women] are abused, it is also the most dangerous”

(Evan Stark (2007) Coercive Control. How Men Entrap Women in Personal Life. New York: Oxford University Press.)

Forms of Abuse



- Domestic violence/Coercive Control commonly includes overlapping forms of abuse
- Perpetrators will use whichever tactic that is the most effective at a given time to achieve control
- Exhausting, Isolating, & terrifying for the victim...before they even start to engage with legal systems...



Maintenance
Delayed

Expert
Report
Requested

Abuse

Testifies
Against
Partner

Barring
Order
Granted

Sexual
Assault

Breaches
Order

Woman
beaten by
Ex-Partner

Custody
and
Access

Guilty of
Breach

Bail
Application
Hearing

Access
Hearing
Delayed

Threatens
to Kill

Breaches
Order Again

Technical Innovations with promise: Remote hearings

Pilot in Tipperary to end 2023 (with evaluation)

E-Parte applications for protective orders (PO, IBO, EBO)

Early days, but huge potential

Accessibility for women in rural areas, time poor (inc. high risk), disabled, childcare concerns

Alleviate pressure on courts: Separation & Divorce (uncontested)

Data & Digitisation: visibility to experience and trends

Information

Trends

Track perpetrator/victim relationships

Sex/gender of perpetrators and victims/Applicants and respondents (also in Family Law proceedings)

Sentencing comparators

Mechanisms to bridge serious siloing between Family Law/Criminal and Child Law proceedings

Of serious concern: Siloed Systems - Family Law, Criminal Law & Child Care Proceedings

Women's Aid Report – *Unheard and Uncounted – Women, Domestic Abuse and the Irish Criminal Justice System*- 2019 C. Sherlock & M. Mazzone.

A Report on the Intersection of the Criminal Justice, Private Family Law and Public Law Child Care Processes in Relation to Domestic and Sexual Violence Prepared for the National Women's Council and the Department of Justice by Nuala Egan & Ellen O'Malley Dunlop. March 2023

Recommendation: That consideration is given in due course by the relevant Rules Committee established if and when The Family Courts Bill 2022 is enacted and the new 84 Family Courts structure is firmly established, to the conduct of Joint Case Management hearings in parallel with civil and criminal proceedings pertaining to domestic or sexual violence. If such an approach is adopted, we recommend a statutory amendment of the in camera rule in order to enable legal representatives and parties from the criminal proceedings to attend such hearings, where appropriate.

Recommendation: Systems for appropriate information sharing – e.g. register of DV orders available

Recommendation: Enhance presence of specialist DV support workers/advocates to support victims/survivors across systems

National DSGBV Strategy/DSGBV Agency

New DSGBV agency: opportunity to achieve greater cross government policy co-ordination.

- Legislation nearly passed (by end 2023)
- CEO competition underway
- Board to be appointed (Chair plus six)
- Set up Jan 2023, further work to create infrastructure/ bed in during 2024
- Funding of Services, Research, Monitoring of Implementation of the Strategy

- Oversight: Minister for Justice
- Cabinet Committee (Dept of An Taoiseach) High level co-ordination of Strategy

DSGBV Strategy: Key points for the Courts/legal System

Protection pillar

2.1.2 Raise awareness of the legislation on DSGBV and on victims rights, that exists.

2.1.3 Ensure that interpretation (inc ISL) and translation is provided where it is necessary to enable victims to understand and be understood in their participation in the criminal justice process. Establish clear protocols to ensure high quality interpreters (inc ISL) for victims/survivors of DSGBV – *NOTE: this is only for CRIMINAL justice system but this is also needed in family law and Child Care Proceedings.*

DSGBV Strategy: Key points for the Courts/legal System

Prosecution pillar

3.1.1. Training by Legal Aid Board to ensure staff dealing with victims have adequate DSGBV training

3.1.2 Prepare guidelines on childrens rights and DSGBV in court settings. To include training on childrens rights and child friendly communications [already a focus of a recent Family Justice Forum meeting convened by the DoJ]

Ditto Probation services to intervene sensitively with victims of DSGBV and assess/supervise perpetrators referred by the courts according to best practice

3.2 Reform of Family Law Courts [8 actions]

3.3 Work to reduce attrition rates and enhance access to the legal system for individuals experiencing DSGBV ['Victims journey' reccs. 13 actions]

Women's Aid Training on Domestic Violence

Important for all service providers who meet women throughout their work (e.g. Gardaí, Legal professionals, health care professionals, community workers, lawyers...)

- 1 day training - 3 Rs: **Recognise, Respond, Refer.**
- 2 day training - *Best Practice in Woman & Child Protection in the context of domestic violence*
- Skills workshop on managing disclosures

Statutory Domestic Violence Leave Entitlement

Commencing end November (Work Life Balance Act 2023)

Up to 5 days paid over 12 months

Template Policy & Guidance note, with information Webinars and E-Mail contact to support employers

www.DVatWork.ie

Also (via Women's Aid Training Department):

- Training for employers (internal employee domestic violence policy and best practice).

Remember: Support is available

Women's Aid 24hr National Freephone Helpline 1800 341900

- Free and confidential support.
- Gateway to ALL specialist DVA support services nationally, including men's services.
- Open 24 hours a day, every day of the year
- Open to women experiencing abuse, family and friends, and professionals
- Language Line in 200+ languages
- IMSS Deaf / hard of hearing women
- Instant messaging (not 24/7) www.womensaid.ie and www.toointoyou.ie

www.Stillhere.ie (all DV/SV services listed. Dept of Justice resource)

Thank You & Stay in Touch!

Instagram @womens.aid

Twitter @womens_aid

Facebook @womensaid.ie

Women's Aid on LinkedIn

