



**RCNI Submission on An Garda Síochána Strategy
Statement 2025 – 2027
November 2023**

INTRODUCTION

Rape Crisis Network Ireland

Rape Crisis Network Ireland (RCNI) is a specialist information and resource centre on rape and all forms of sexual violence. The RCNI role includes the development and coordination of national projects such as using our expertise to influence national policy and social change and supporting and facilitating multi-agency partnerships. We are owned and governed by our member Rape Crisis Centres who provide free advice, counselling and other support services to survivors of sexual violence in Ireland.

This submission

RCNI welcomes the opportunity to make this submission to An Garda Síochána (AGS) on its forthcoming Garda Strategy 2025-2027. We consider engagement with AGS as integral to the continued provision of trauma-informed support services to victims of sexual violence and focus on **training and data collection** as the key areas we believe should be included in this next strategy. We submit that all aspects of policing and community safety, improvements, partnerships and supporting victims can be improved and developed through these pillars.

Our goal at RCNI in secondary prevention is always the provision of support services which aim to minimise the re-traumatisation of victims. While any experience of reporting a sexual violent crime to AGS carries with it distress, the task of AGS must be to be both conscious of and responsive to this distress. Firstly, in order to minimise any harm but also to ensure a trauma informed understanding of the evidence. Specialist training in trauma responses and gender understanding is required to educate and inform officers of the most empathetic and trauma-informed approach when dealing with victims of sexual violence. This in turn can optimise the best evidence from the victims and the AGS understanding of same to support a comprehensive investigation. Furthermore, the data collection methods employed by AGS need to be designed in a manner that is consistent in their parameters and definitions to ensure comparability with data collected by other agencies or bodies. Data collection parameters also need to take greater account of relationships and community contexts and connections. An understanding of the nexuses between sexual violence, domestic violence, custody/visitation provisions and any other crimes and disputes between victims, their families and the perpetrators is essential to better monitor and understand patterns of behaviour and be able to anticipate victims' needs.

TRAINING

Sensitive Approach

At the launch of the RCNI Rape Crisis Statistics Report, a key indicator which was highlighted was a concerning trend identified in whether victims felt that they were treated sensitively by the Gardaí. The definition presented to counsellors entering the data after their counselling sessions with survivors when making the distinction between insensitive, neutral and sensitive is as follows:

- *Sensitive* - Took the complaint seriously, attentive, sympathetic, supportive
- *Insensitive* - Did not take the complaint seriously, dismissive, disinterested, unsympathetic, unsupportive
- *Neutral* - Neither sensitive nor insensitive, somewhere in-between both, business-like

For the most part, there is a perception of being treated sensitively, however, there has been a marked decrease of 15% from 2019 levels in the under 13 age group. Overall, there has been a drop in the perception of sensitive treatment from 2019 levels. In 2019, 82% of survivors felt they were treated in a sensitive manner while in 2022 only 64% shared this view.¹ While the percentage of those survivors who felt they were treated insensitively is smaller, it is a concern that there are any at all. The perception of 'neutral', while an improvement, is also problematic with 28% of survivors stating they were treated in a neutral manner. Although the general understanding of 'neutral' does not carry a negative perception, in the understanding of it in this context it can denote doubt. It cannot be said that a trauma-informed approach has been followed if a survivor has not unequivocally felt they have been treated sensitively. We draw attention to this trend because it supports reasons frequently given in complaints and reports we receive from survivors about their experience of the AGS and suggests a cultural issue that needs to be addressed.

For survivors their engagement with AGS is the first step into the criminal justice system and sets the tone for their experiences going forward. The approach of the first-responding officers is crucial to ensuring that survivors are treated in a trauma-informed manner. An approach that is insensitive or merely neutral does not fulfil the requirements of a trauma-informed response.

The main areas of concern that fall under sensitivity are discussed below:

¹ RCNI (2023) RCNI Rape Crisis Statistic Report 2022, Page 31.

Victim-blaming

"reports point to a persistent insufficient awareness of police officers working outside of DPUs of a gendered understanding of violence against women, as victim-blaming attitudes and the trivialisation of violence have been reported" ²

One of the greatest fears that survivors have is that of not being believed. The approach of some first responding officers lacks an empathetic and sensitive approach to the needs of the victim. It is not the task of first responding officers to use the first interview to test the veracity of the victim's evidence. The task of the first responding officers is to collect the evidence and provide conditions conducive to ensuring that the victim can provide the best possible account of the events. When officers begin questioning victims to test their account, the message that is being sent to victims is that they are not believed or worse yet are to blame. This is not to say that a survivor's evidence must not be tested but to do so in this initial interview stage is inappropriate and retraumatising for victims. Caution needs to be exercised when questioning a victim and a rigorous adherence to ensuring that the victim is being dealt with sensitively. An understanding that victims will be in a state of shock and distress, even if a lengthy period of time has passed since the event, is paramount to providing a trauma-informed response. Being told that perhaps they were mistaken, or it was a misunderstanding again confirms their belief that they are not being believed or are being blamed for something that has happened to them.

Engagement and Accessibility

A second common complaint is a lack of engagement with victims when they have concerns about their privacy and safety, and their inability to access information on their case. We have highlighted this before in previous submissions, but it has proven to be a persistent and sensitive problem. While engagement with the Victim Service Office is helpful it is not enough and can leave the onus on the victim to have to follow up and seek out information. Even where there has been no progress, victims should still be informed of this. Information that is given is often presented at a time when the victim is in a heightened state of distress and may not be able to process what they are being told. This information needs to be presented regularly and in varying formats. Sensitivity needs to be shown to victims when they are being provided with information and thought given to when and how the information is shared. An example would be a text message warning a victim of an intended call so they have time to prepare themselves or ensure they have support with them rather than being faced with a triggering event in the middle of their work or school day which can be retraumatising. For most victims the act of reporting

² GREVIO (Baseline) Evaluation Report on Legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence (Istanbul Convention) IRELAND 26 October 2023, p. 75.

involves a loss of control over their privacy and of the harm they have experienced, which is a traumatising experience on its own. This control is placed in the care of AGS. Being kept informed is the only way that victims can regain some sense of control over their experience and is vital to their support.

Vulnerability Assessment

The final area is that of the assessment of the vulnerabilities of survivors. The Victims' Directive³ recognises victims of gender-based violence as being particularly vulnerable and in need of specialist support and legal protections which take into account the specific needs of the victims. We submit that victims of sexual violence should be given all accommodations and protections available to them when a vulnerability assessment is undertaken in terms of the Criminal Justice (Victims of Crime) Act of 2017. The Act itself notes gender-based violence and violence in a close relationship, as being particular vulnerabilities. Protection and Special measures, both during the investigation and court processes, should be recommended as standard for victims of sexual violence. Most perpetrators of sexual violence are known to the victim. This creates additional trauma in relation to the victim's relationships and their community engagement. This is especially important when considering the ways that trauma can manifest and the length of time that elapses between the complaint and the trial. A victim who seems calm and composed during the initial interview may be struggling severely by the time the case comes to trial and may no longer be capable of facing the accused in court, especially when they have been subjected to years of fear and additional abuse by that perpetrator in the intervening time.

All the issues discussed above are most easily addressed through training. The GREVIO report⁴ released this year identified the 'insufficient training of police officers working outside the DPSUs on all forms of violence against women', it went further to state that ' (it) observes the importance of ensuring sufficient training for police officers operating in all police stations, beyond the DPSUs, as they are generally the first responders to such crimes⁵. This was a point also addressed by RCNI in our GREVIO Shadow report⁶. While specialist training in sexual violence is provided to specialist trained members (DPSUs), this training is lacking when it comes to first responders despite their being involved in the interview process, accompaniment to SATU, investigative and arrest stages of these cases. Concerns were also raised by GREVIO as to what extent the specialist training that is provided is obligatory. RCNI already provide some specialist training to the DPSUs nationally, but this should be expanded to all officers. We would encourage the work to develop and support continuing professional development courses provided to

³ Directive 2012/29/EU of the European Parliament and of the Council 25 October 2012.

⁴ GREVIO Report 2023, p. 36-37, 75.

⁵ GREVIO Report 2023, pg. 75

⁶ RCNI and Safe Ireland Grevio submission, p. 56.

ensure that all officers have the benefit of the most comprehensive training in sexual violence that is grounded in both a trauma and gender informed response and the ever-changing cultural context for sexual violence. Despite policies such as the 'Investigation of Sexual Crime, Crimes against Children and Child Welfare' specifically stating that false allegations are uncommon, victim-blaming and minimising of violence continues as reported to us by victims. Persistent underreporting of sexual violence and rates of attrition are directly affected by the prevalence of victim-blaming and minimising attitudes and perceptions of same. This is of serious concern and should be prioritised.

DATA COLLECTION

Greio stated in its report that their own reporting was hampered by a lack of comprehensive data available to them.⁷ While improvements have been made, the previous classification by the CSO of data from AGS as being 'under reservation' and references to failures made by the CSO and subsequently Greio is still a concern. For this reason, data collection should be at the forefront of any future strategy. As with the engagement with victims, AGS are the first line in data collection on crime. Inaccuracies and failures in collection from the beginning have a detrimental effect on the assessment and provision of services for victims. The collection, tracking and accessibility of data is crucial to any risk and needs assessments carried out. Gaps in knowledge can have dangerous and traumatising consequences for victims and their families. Disaggregation categories must be expanded to include information on the perpetrators, tracking of the case and related criminal and even civil cases relating to separation and divorce and the custody/residence/visitation of children that all have a bearing on the investigation and development of a case. We repeat the recommendations of Greio in its urge that data collection should be coordinated and comprehensive with information that is then comparable across both state agencies and bodies but also in line with EU standards of protection and processing.

RECOMMENDATIONS

- **The approach and facilitation of training provided to all officers, especially first responding officers needs to be assessed and restructured to provide for a more sensitive, trauma and gender informed response to the needs of victims.**

⁷ GREVIO Report 2023, pg. 27

- Such training needs to address the impact that engagement with AGS can have on the re-traumatisation of victims and develop methods for ensuring that the approach is focused on prioritising the needs of the victim in order to protect victims and ensure best evidence.
- The prevalence of attitudes towards and the practice of victim-blaming and minimising of violence needs to be assessed and addressed in training programmes.
- Training needs to be mandatory for all officers with continuing professional development courses offered throughout their service.
- The approach to the vulnerability assessments done for victims of sexual violence needs to ensure that the longer-term needs of the victim are considered and a consistent application of the most comprehensive protection and special measures are applied as standard.
- The collection of Data needs to be expanded to include all forms of violence covered by the Istanbul Convention.
- The Data collection methods need to be designed in a manner that is consistent in its parameters and definitions to ensure its comparability with data collected by other agencies or bodies and ensuring its compliance with EU standards of protection and processing.
- The Data collection parameters need to take greater account of relationship and community contexts and connections between sexual violence, domestic violence, custody/visitation provisions and any other crimes and disputes between victims, their families and the perpetrators.

Conclusion:

The RCNI is willing and able to work with AGS on content and delivery of any training programmes on sexual violence related issues, to assist with the development of data collection structures and to advocate for more resources or statutory or administrative changes which would help the

members of AGS carry out their investigations of sexual offences and provide support services to victims.

Please do not hesitate to contact us should you require further or clarifying information.

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