



November 2010

Rape and Justice in Ireland: One Year On

RCNI Response to RAJI:

New developments in 2010

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- The Stern Review – independent review of official responses to sexual violence in England & Wales – published February 2010 (1)
- Also identifies the prevalence of “real rape” myths
- Recommends victims’ interests should be central, and services provided to them whether or not they report crime to the police

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- Quotation from Stern Review (our emphasis):

“We do not say that prosecuting and convicting in

- rape cases is in any way unimportant. Far from it. It
- is important, and necessary. But in dealing with rape
- there is a range of priorities that needs to be
- balanced. Support and care for victims should be a
- higher priority. The obligations the State has to
- those who have suffered a violent crime, and a
- crime that strikes at the whole concept of human
- dignity and bodily integrity, are much wider than
- working for the conviction of a perpetrator.”

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- HSE Policy on Domestic, Sexual and Gender-Based Violence published February 2010 (1)
- “Integrated and co-ordinated health sector response to Domestic and/or Sexual Violence
- To prevent [DV and/or] sexual violence and
- Ensure those experiencing or at risk of DV and/or Sexual Violence [get] continuum of supports from health and community service providers...”

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- HSE Policy (2):
- Multi-sectoral approaches – with Cosc, other statutory agencies, and NGOs, e g RACs
- Emphasis on **specific training and forensic skills** to deal with sexual violence
- Aims to promote primary prevention and invest in early intervention
- High Level Goals: much overlap with Cosc National Strategy HLGs –

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- Cosc National Strategy on Domestic, Sexual and Gender-Based Violence 2010-2014, published March 2010 (1)
- HLG 1: “...promote a culture of prevention and recognition through increased understanding of domestic, sexual and gender-based violence”
- HLG 2: “To deliver an effective and consistent service..”
- HLG 3: “ ..ensure greater effectiveness of policy and service planning”
- HLG 4: “..ensure efficient and effective implementation of National Strategy..”

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- Cosc National Strategy on Domestic, Sexual and Gender-Based Violence 2010-2014, published March 2010 (2)

HLG 2: “To deliver an effective and consistent service..”

RAJI general recommendations 7 and 8 correspond with this:

7: “Improvements should continue to be made in the provision of support services to complainants...”

8: “..nationally co-ordinated approach to..planning, delivery and ongoing evaluation of support services for victims of sexual violence”

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- Cosc National Strategy on Domestic, Sexual and Gender-Based Violence 2010-2014, published March 2010 (3)

HLG 2: “To deliver an effective and consistent service..” cont’d

Activities 12.1/2 and 17.1:

12.1: “Develop a greater understanding of ...nature of attrition in [domestic and] sexual violence cases”

12.2: “Develop proposals to minimise attrition in...sexual violence cases....including an examination of the feasibility of pre-trial hearings in sexual violence cases”

17.1: “Review and improve legislative provisions on sexual offences” - RAJI specific legal recommendations can be considered as part of this process

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- Other positive developments in 2010:
- Garda Siochana Policy on Sexual Crime, Crimes against Children, and Child Welfare April 10
- **Reflects several RAJI recommendations:**
 - - Recommendation 1 on maintaining **ongoing contact with victims**
 - - Recommendation 2 on **adequate information being provided to victims**
 - - Recommendation 3 on **compassion for victims**
 - - Recommendation 5 on [ensuring that no] **dissuading of victims [happens]**
 - - Recommendation 7 on **improvements to provision of support services [from the beginning of the criminal justice process] – this includes An Garda Siochana**
 - - Recommendation 9 on **commitment to Victim's Charter**
 - **AGS: cited RAJI explicitly as an influence on this Policy in its April press release**

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- Revised and expanded Victims' Charter now available in several languages from Victims of Crime Office
- RAJI recommendation 9 refers: .."Victims' Charter be amended to include an explicit commitment by all criminal justice agencies to take active measures to ensure that their responsibilities under the Charter will be properly discharged"
- Victims' Consultative Forum: provides process whereby any future concerns can be fed in to Victims of Crime Office – twice yearly meetings

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- Publication of “Needs and Concerns of Victims of Crime” Report October 2010 – carried out by UCC team, commissioned by Commission for the Support of Victims of Crime – samples taken 2009 – Some Key Recommendations:
- **“7.4 To ensure a high level of sensitivity and a high standard of communication in dealings with victims, members of the Gardaí should receive training which sensitizes them to the needs of victims. ...It is also recommended that ...a quota of Gardaí in all divisions should receive specialist training in dealing with vulnerable victims such as those who have experienced sexual assault or domestic violence.**
- **7.5 As provided for in the Victims Charter, victims should be kept informed by the Gardaí about the progress of an investigation. At a policy level within the Garda organization, more attention needs to be given to the *process of communication* (including the use of texts, emails, and letters, and protocols for returning phone calls) with victims and to the *information* which ought to be provided as a matter of practice. “(RAJI recommendations 1, 2 and 3 refer, on contact, information and sensitivity respectively)**

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- Conclusion:
- We now have the policies and the structures can work together to implement RAJI recommendations
- Implementation of these policies is next challenge