

Violence against Women

National Strategy

The *Second National Strategy on Domestic, Sexual and Gender-based Violence 2016 – 2021*² is a whole-of-government response to domestic and sexual violence and contains a range of actions to be implemented by Government Departments and agencies. The bulk of the Strategy's actions are aimed at changing societal attitudes through awareness raising to help prevent domestic and sexual violence, improving services to victims and holding perpetrators to account. The community and voluntary sector, working in collaboration with the State agencies, have a crucial role in ensuring the delivery of a successful strategy.

The Strategy is a living document and has actions added on an ongoing basis. Currently there are 73 actions with 14 having been added since its publication in 2016.

Legislative updates

Ireland ratified the Council of Europe convention on preventing and combatting violence against women and domestic violence (Istanbul Convention) on 8 March 2019.

The Domestic Violence Act 2018 commenced on 1 January 2019, constituting a key action of the Second National Strategy. The main improvements to the law contained in the Domestic Violence Act are as follows:

- There is an extensive but non-exhaustive list of factors that courts must consider when dealing with applications for domestic violence orders;
- Safety orders are available to persons who are in intimate relationships but who are not cohabiting;
- Victims of domestic violence are now able to apply for an emergency barring order, lasting for 8 working days, where there is an immediate risk of significant harm;
- Emergency barring orders may be granted even if the victim has no legal or beneficial interest in the property or has an interest which is less than the perpetrator's;
- Courts are required to give reasons for decisions relating to applications for orders under the Act;

² <http://www.cosc.ie/en/COSC/Second%20National%20Strategy.pdf/Files/Second%20National%20Strategy.pdf>

- It is possible for victims to give evidence by live television link both in civil cases and in criminal cases for breaches of orders;
- A victim has the possibility of being accompanied to court by a person of his or her choice to provide support during the hearing;
- Children have the opportunity to make their views known to the court where an order is sought on behalf of a child. The court has the option of appointing an expert to assist the court to ascertain the views of the child;
- The Courts Service have an obligation to offer victims information on domestic violence support services;
- The courts have the possibility of recommending that a perpetrator engages with services such as programmes aimed at perpetrators of domestic violence, addiction or counselling services;
- Restrictions are in place on media reporting and attendance by the general public at criminal court proceedings for breaches of civil domestic violence orders.
- The Act provides for a new criminal offence of forced marriage;
- The Act provides for a new criminal offence of coercive control. This is psychological abuse in an intimate relationship that causes fear of violence, or serious alarm or distress that has a substantial adverse impact on a person's day-to-day activities;
- Where a violent or sexual offence is committed by a person against his or her spouse, civil partner or person with whom he or she is in an intimate relationship, that fact shall be an aggravating factor at sentencing;
- The legislative provisions that enable persons who are aged under 18 to marry have been repealed.

COVID-19 response

The Covid-19 crisis has put pressure on responses to domestic and sexual violence in two different ways. Firstly, vulnerable women and children are at heightened risk in a lockdown situation. Aside from increased tensions and risk from prolonged proximity with violent partners, victims may feel they cannot escape. Secondly, refuge and other services may come under pressure if staff have to self-isolate, or if the accommodation itself – particularly in the case of older buildings – does not allow for safe social distancing.

Protecting victims and potential victims is a priority for An Garda Síochána (the Irish police force) and the Department of Justice and Equality. An Garda Síochána report that they have seen a notable increase in the reporting of domestic violence incidents thus far. In response, in collaboration with relevant statutory bodies and NGOs, a national action plan on domestic violence in response to Covid-19 has been established. The key elements include:

- An awareness and information campaign, entitled [“Still Here”](#), so that victims know that services are still open for business, that the police and courts are still there to protect them and that restrictions on movement do not apply to someone who is escaping from danger;
- An operational plan put in place by An Garda Síochána ensure that they can respond effectively to the needs of victims of sexual and domestic violence;
- Measures to ensure that refuges and other front line services remain open and accessible;
- Measures to ensure that victims can access the courts and legal aid; and
- Additional funding for those NGOs working in this area to ensure they can respond effectively to what unfortunately is an increased demand.

The Irish government has a strong media and social media presence on this issue to raise awareness, and are working very closely with relevant public agencies and NGOs to ensure a strong communications strategy and messaging.