

***SAFETY, ACCOUNTABILITY, RESPONSIBILITY***

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## *SAFETY, ACCOUNTABILITY, RESPONSIBILITY*

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Eleanor McClorey  
Chair -Labour VAW Policy Working Group  
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## **Violence Against Women – The Labour Position**

The Labour Party is committed to the vision of the founder of the Party James Connolly ‘to close the gap between what is and what ought to be’. The Labour Party in Ireland works to give expression to the core Labour values of equality, freedom and democracy that are at the heart of the Labour vision of society – a society characterised by community and solidarity.

Labour Women was established to support equality of participation, representation and influence for women within the Labour Party and across society as a whole. Labour Women in its current Strategic Plan has identified violence against women as one of the critical issues confronting Irish society. Labour policy on violence against women is rooted in the socialist, feminist and human rights frameworks that inform the principles and analysis of the Labour Party and of Labour Women.

This policy document is an expression of the political leadership and commitment that the Labour Party will give to the insidious and increasing prevalence of violence against women in Ireland.

The policy has been developed by Labour Women in consultation with the Parliamentary Labour Party and with key Violence Against Women Non-Governmental Organisations committed to tackling and eradicating violence against women through service delivery, policy development and research, lobbying, fund-raising, awareness-raising and social activism.

Labour asserts that the Government of Ireland has the primary responsibility in creating and maintaining a culture conducive to the safety of women in Ireland and is ultimately accountable under national and international law for any evidence of abdication of such responsibility. The government of Ireland acceded to the UN Convention on the Elimination of all forms of Discrimination against Women (CEDAW) in 1986. The convention’s general recommendation 19 details what is required of the state party with regard to addressing violence against women within its jurisdiction.

Ireland was last examined under CEDAW in 2005 and the examining committee noted that we in Ireland have fallen short of the requirements of the convention with regard to violence against women. The committee noted concerns about the low prosecution and conviction rates of perpetrators, high withdrawal rates from the judicial process and inadequate funding for organisations supporting victims. It urged the adoption of a national strategic plan to combat all forms of violence against women.

This policy is a statement of Labour’s commitment to meeting in its terms in government Ireland’s obligations under CEDAW. As this policy is implemented significant progress will be made in relation to achieving Labour’s goal of Ireland meeting the highest international standards of policy and practice with regard to tackling violence against women.

## Labour Values - Equality; Freedom; Democracy and Solidarity

*'The Labour Party believes in tackling the underlying conditions which generate the systematic and deeply rooted inequality which people experience. The achievement of equality requires that society be reorganised with the specific objective of a more equal distribution of wealth and power. ...The Labour Party believes that community solidarity, a common sense of belonging and a willingness to work for the common good in the local and the wider community, is essential to creating a good quality of life for all.'* Labour Party Constitution, 2005

Tackling violence against women is a critical and central strategy in the Labour political project to move Irish society in the direction of equality, freedom, democracy and solidarity.

**Equality:** The Labour Party understands equality in economic terms, in terms of the exercise of social and political rights and in terms of a more equitable distribution of power. Violence against women is a fundamental mechanism whereby women's unequal position in society relative to men is maintained. The persistent reality of violence against women in Ireland is evidence of failure to promote and protect equality for women and is the most brutal demonstration of the cost women pay for their lesser status in society. Labour recognises that for Traveller women, black and ethnic minority women, immigrant women and disabled women the issue of sexism and violence against women intersects with racism and discrimination on the grounds of disability. All obstacles that prevent any woman or communities of women having equal access to support and safety services have to be addressed and solutions resourced. Furthermore, it is essential that all communities of women have equality of participation and representation in strategy development and decision-making processes.

**Freedom:** Freedom is a fundamental human right and no society is free unless the men and women who make up that society are free individuals. Labour extends the same freedom to all members of society and opposes the victimisation of individuals on the basis of class, religion, sex, sexual orientation, and 'race' or ethnic origin. Violence against women is the victimisation of women on the grounds of their sex, an assault on their freedom and an attack the freedom and autonomy of women in Irish society. Women's right to personal freedom in the private and in the public sphere is hugely compromised by violence against women in all its forms. Freedom from poverty and marginalisation is an essential partner to freedom from sexual violence. Labour locates its policy on violence against women in the context of a broader policy platform dedicated to tackling poverty and inequality and building sustainable communities.

**Democracy:** Democracy is fundamentally about empowering people to shape their own lives, the life of their community and of all aspects of their society including culture, politics, and justice. Violence against women is inimical to genuine democracy because in all its manifestations the key dynamics at work are the exercise of power and control by men over women and the objectification and disempowerment of women. Labour in Government aims to build a consultative and participative democratic process with violence against women's organisations and

activists, including Traveller women and ethnic minority women and disabled women, and with State agencies in tackling violence against women

**Solidarity:** A society imbued with community and solidarity can never flourish whilst violence against women is systematically perpetrated. The Labour Party is committed to working for genuine community and solidarity between women and men and is committed to tackling violence against women as an assault on the foundations that are required for such community and solidarity to be realised. Furthermore, the Labour Party is committed to working with diverse communities, across boundaries of class, 'race' and ethnicity and citizenship status to progress towards the Labour goal of a society free from the systematic perpetration of violence against women.

### **Labour: The European and International Dimensions**

***'The Labour Party strives for the achievement of equality, social and economic justice, community solidarity and freedom. It seeks to have these values reflected in the laws and institutions of Ireland and in Ireland's relationship with the wider world.'* Party Constitution, 2005**

The Labour Party is a democratic socialist party and, through its membership of the Party of European Socialists and the Socialist International, is part of a European and international socialist movement working for equality and empowerment. Integral to the European and international socialist project is recognition of the fundamental inequality between women and men and the promotion of and support for strategies to tackle such inequality. The Assembly of European Regions Committee on Social Cohesion, Social Policy and Public Health has provided common denominators which, in their entirety, define the European social model as a set of principles and values, common to all European regions. These include Solidarity, Social Justice, Social Cohesion, Gender Equality and Equal Access to Health and Social Protection. The Party of European Socialists has worked to both create and defend this understanding of the European project - violence against women is inimical to the project itself and the principles which guide it.

The Socialist International, of which the Irish Labour Party is a member, expressly recognises that ***'inequality between men and women is the most pervasive form of oppression in human history...and has persisted in almost every socio-economic order to the present time. Recent years have seen a new surge of feminist consciousness, both within and outside the socialist movement, leading to the emergence of one of the most important social movements of our time... The Socialist International supports the struggle of women for equal rights and opportunities everywhere in the world... Equality and justice for women is a crucial element of a just and peaceful world.'*** (Socialist International, 2006).

### **Violence Against Women – Overview**

Violence against women takes many forms and its causes are located in a complex interweaving of political, economic, cultural and social factors that both stem from and lead to unequal power relations between men and women. Violence against women is highly sexualized, targeting and assaulting the woman's sexuality and identity as woman. It permeates the private and the public domain through domestic violence, rape and sexual assault and sexual harassment, through prostitution, trafficking and pornography. It is an all-pervasive and graphic statement to women of

their ultimate status and position in society as targets of violence and as trading commodities. Those who seek to address the systematic abuse of women across the spectrum of public and private life often become themselves targets for abusive discourse and ridicule.

The Labour Party holds that violence against women is one of the most pervasive forms of human rights violations in the world. Labour perspectives and analysis are in keeping with and informed by international organisations and movements including the Socialist International, the United Nations, Amnesty International, the Beijing Platform for Action and the global feminist, solidarity and citizenship movements.

### **Violence Against Women – Definitions**

Labour believes that recognition of violence against women has to include recognition of the intersection between sexism, racism and discrimination on the grounds of disability in relation to violence against Traveller women, disabled women and black and minority group women including immigrant women. Labour works within the parameters of the following definitions and understandings of violence against women.

#### **UN Declaration on the Elimination of Violence Against Women adopted by the General Assembly, 1993:**

*Violence against women is a manifestation of historically unequal power relations between men and women which have led to the domination over and discrimination against women by men and to the prevention of their full advancement, and that violence against women is one of the crucial mechanisms by which women are forced into a subordinate position with men.*

#### **The Beijing Platform for Action - agreed and signed by the world's governments including Ireland at the 4<sup>th</sup> UN Conference on Women in 1995:**

*Violence against women is - 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 the threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life.*

#### **The Task Force on Violence Against Women (1997) on Violence Against Women and Racism and Discrimination**

*Black and minority group women have extensively documented the interplay between and contradictions of addressing gender oppression and racism in their lives. This can involve women in invidious choices between raising the issue of sexism within their own community and being in solidarity with their own community in resisting external oppression. Both the internal and the external discrimination experienced by Traveller women need urgent responses. For this to begin to happen such discrimination must be named in ways which do not further marginalise Traveller women.*

#### **The National Domestic Violence Intervention Agency**

*Race, class, sexual orientation, gender, disability, ethnic origin, age, marital status and religion all shape the impact of interventions, as well as the context within which the crime of violence occurs ... and must be taken into account if the intervention is to succeed in making victims safer.*

### **An Integrated Response**

Violence against women is a complex, systemic and endemic pattern of behaviours and attitudes that require an integrated, cohesive, and sustained response with the goals of firstly tackle the issue, secondly minimise it and ultimately eradicate it.

The overall policy direction that Labour will take in relation to tackling domestic violence is to provide support and safety for the woman; to hold the perpetrator accountable for his actions and to hold the State and Irish society as a whole responsible for generating and maintaining a culture that sustains such violence. Strategies and resource allocation will be mindful of the States' responsibility for the safeguarding of the rights of all women.

Labour will take a planned, integrated, strategic and long-term approach working with the key statutory and NGO partners in resourcing and sustaining planned interventions through the National Steering Committee on Violence Against Women under the auspices of the Department of Justice, Equality and Law Reform. Labour will give leadership in creating and maintaining a culture of equality and respect for all the organisations that are endeavouring to make a contribution to this issue - statutory and voluntary.

This policy document sets out the Labour approach to tackling violence against women in Ireland – an integrated response tackling domestic violence, rape and sexual assault, prostitution and trafficking, and pornography through

- Providing supports and safety for the woman
- Holding accountable and sanctioning the perpetrator and those who gain economically from the abuse and commodification of women and
- Giving political leadership in Irish society by holding the State ultimately responsible for the safety of women.

The idea for this policy model came from a quote in ' Vision, Action, Change – Women's Aid Model of Work' from Jean O'Flynn, Cork Domestic Violence Project as follows:

**When I am working with a woman who has experienced violence  
I have three eyes:  
one eye focused on her,  
one on the man who invisible to us and controlling and abusing her and  
one on the institutions which fail to protect her  
or hold him accountable for his violence and abuse.**

## **POLICY PRINCIPLES<sup>1</sup>**

Labour policy is built on three principles – the woman's support and safety, the perpetrator's accountability and the State's responsibility.

### **Principle 1. THE WOMAN – SUPPORT AND SAFETY**

- Support and safety for women and children must be the core principle underpinning all work tackling VAW. Women must be acknowledged as the experts in their own relationship and should never be pressurised to take any course, including legal action, if they feel they would be endangered.
- Women should have access to all available information in relation to options open to them, and an opportunity to explore them with a service provider who will not try to influence the woman's decision, but will explore possible outcomes with her. This service should be available locally and in confidence to all women. This service should be accessible, culturally relevant and informed by the experiences of Traveller women, minority ethnic women and disabled women
- Women should always be able to access Refuge should they feel unsafe at home or with family or friends.
- Women have the right to move freely in the public domain without physical or psychological threats – sexist and/or racist - to their safety and security
- Rights to choice in entertainment and leisure pursuits cannot take precedence over the rights of women to safety and protection from harm nor can incitement to violence and inhuman and degrading treatment of women be presented as leisure and entertainment

### **Principle 2. THE PERPETRATOR – ACCOUNTABILITY / SANCTIONS**

- The perpetrator must be held accountable for his actions in the event of charges for sexual violence, assault or breach of Civil Orders being levelled against him. Sanctions must be enforced with the safety of the woman and children central to any action.
- The perpetrator has exercised choice in his treatment of his victim, and this must be acknowledged. No matter what his previous or current circumstances or experiences, he must be held accountable for his choices, and should not be excused on the grounds of requiring therapy or treatment such as anger management.
- Professionals working with perpetrators must enforce the viewpoint that the perpetrator bears responsibility for his own behaviour and that he alone can change it
- Paying for and profiteering from the rape, sexual abuse and degradation of women through trafficking, prostitution, and pornography will be addressed as serious criminal offences and sanctions will reflect the gravity of the offence of violence against women

### **Principle 3. THE STATE–RESPONSIBILITY FOR SAFEGUARDING WOMEN'S HUMAN RIGHTS**

- All citizens have the right to live free of fear and violence and threats of violence, in their home and in the public domain including the workplace and social and leisure environments
- Violence against women is an expression of the fundamental inequality between women and men. The State must address the unequal position of

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<sup>1</sup> *Principle basis of policy informed by 'Vision, Action, Change' Women's Aid and by contribution from Mary Dunlop, Sonas Housing Association and Chair of NNWRSS*

women in society and must sanction inequality in every aspect and walk of life, in institutions and in the family, in education and career and employment opportunities, in policy-making and in political and cultural life

- The State must challenge all practices which violate women's human and civil rights with due attention to the equal rights of women in minority communities
- Traveller women experience violence from three levels – within intimate relationships, from the wider community and from the State – the State has a duty and a responsibility to address all three levels of violence
- The State must ensure that all services for women who have experienced violence are adequately funded and resourced so that they are available and accessible and that they are all – statutory and NGO - informed by anti-racism and anti-discriminatory practices
- The State has primary responsibility for ensuring that violence against women is addressed

## **SECTION 1: DOMESTIC VIOLENCE**

### **Domestic Violence Definition:**

The Report of the Taskforce on Violence Against Women, Office of the Tánaiste, 1997 defines Domestic Violence as 'the use of physical force, including sexual violence in close adult relationships. It can also involve emotional abuse, the destruction of property; isolation from friends, family and other potential sources of support; threats to others including children; stalking; and control over access to money, personal items, food, transportation and the telephone.'

Women's Aid, speaking from thirty years of experience of service provision, research and policy work dedicated to tackling and eradicating 'domestic' violence states:

'Study after study reveals that the core aspect of men's domestic violence is a pattern of coercive control over key aspects of the woman's life. It can involve the destruction of property, isolation from friends, family and other potential sources of support, threats to "significant others" including children, control over access to money, sexual coercion, sexual assault and rape. Violence of this nature is not a once-off occurrence, but is persistent, frequent and aimed at instilling fear into the victim.' (Vision, Action, Change – Women's Aid Model of Work)

Violence against women in the domestic sphere is a sustained pattern of behaviours by a man that instill terror into a woman partner or intimate and thereby maintain his control over her life.

'In the majority of incidences of violence against women, including that of sexual assault, the attacker is not a stranger but is known to the victim and is likely to have, or have had, an intimate relationship with the woman. Whether it be sexual assault, rape, physical assault or emotional abuse, women are at greater risk from husbands, boyfriends, male relatives and acquaintances than from strangers. Violent attacks of this nature are rarely once-off occurrences, but are likely to be persistent and frequent with the objective of instilling fear in victims'. (Report of the Task Force on Violence Against Women, 1997)

**The National Domestic Violence Intervention Agency (a key pilot initiative supported by the Department of Justice, Equality and Law Reform)**

The National Domestic Violence Intervention Agency (NDVIA) has been set up to oversee the implementation of the pilot National Domestic Violence Intervention Programme – an integrated programme coordinating the work of civil and criminal judicial systems, Probation, Gardai and key NGO's. The programme aims to implement an effective response to both victims and perpetrators within the context of the criminal justice system. The NDVIA reiterates that domestic violence crime includes a variety of crimes – murder, attempted murder, assault causing serious harm, rape, sexual assault, harassment, threats to kill, criminal damage to property or breach of court orders – which occur as a pattern of abuse, not as an isolated incident.

## **NGO Profile**

### **Women's Aid**

Women's Aid which has been in existence for nearly 30 years is a feminist, political and campaigning organisation committed to the elimination of violence against women. It provides a range of services to women including a National Freephone Helpline Service and court accompaniment and support services. It is the national specialist support agency on violence against women to the Department of Community, Rural and Gaeltacht Affairs Community Development Support Programme and to the Department of Social and Family Affairs Family Resource Centre programme. It provides training on the issue of violence against women, engages in research and public communications and advises on national policy development.. It has developed a best practice model of work, developed from the learning over many years by refuge, helpline and support service staff in their direct work with women survivors of domestic violence.

### **Sonas Housing Association**

Sonas Housing Association has been in existence for a decade. It provides supported transitional housing for women and their children who are homeless primarily due to domestic violence. Sonas provides one-to-one supports to women and dedicated services to children to enable them to overcome the trauma caused by exposure to the violence directed at their mother and any abuses directed by the perpetrator to the child. Sonas has researched, developed and evaluated a model of supported transitional housing which provides a best practice integrated approach to the housing needs of women and children who are homeless due to domestic violence.

### **The National Network of Women's Refuges and Support Services**

The Network has 37 member organisations spanning every county providing either refuge and/ or support services to women victims of domestic violence in Ireland. The NNWRSS provides support and representation services to its members. Support includes research on best practice, collective approaches, mentoring and networking by members across the country. The representative role of NWRSS gives a voice to both its members and women and children experiencing domestic violence on national and international committees, input into legislation and social policy that govern and administer social standards which affect women and children experiencing domestic violence and public exposure of the scale of the issue.

### **Pavee Point Traveller Centre**

Pavee Point Traveller Centre is an organisation which is a partnership of Traveller and settled people working together to address racism and for the attainment of Traveller people's human rights. Established in 1983 the organisation works at

local, regional and national level to influence political and social change. Pavee Point also provides practical support and programmes which support Travellers to overcome the impact of racism and discrimination in our society. Its work is based on community development principles and on intercultural development models. Pavee Point initiated a programme called Pavee Beoirs in 1998. The aim of the programme is to break the silence about domestic violence and to develop culturally appropriate and effective responses to Traveller women experiencing violence.

### **Immigrant Council of Ireland**

The Immigrant Council of Ireland promotes and campaigns for the rights of migrants and works towards the elimination of injustice and discrimination in the area of immigration. The Immigrant Council in partnership with Women's Aid and AkiDwa have established a forum on gender based violence with a view to establishing the particular needs of migrant women who are experiencing gender based violence and to look at the issues facing service providers who are trying to meet those needs under severe resource constraints.

### **AkiDwa**

Akina Dada wa Africa (AkiDwa - Swahili for African sisterhood) is a national network of African women living in Ireland. AkiDwa was established in August 2001. It is a voluntary, non governmental organisation and a representative body for all African women living in Ireland irrespective of their national/ethnic background, tradition /religious beliefs, socio-economic, or legal status. AkiDwa works to raise awareness and educate service providers and the wider community on interculturalism, gender specific and other issues affecting African women in Ireland and to promote the integration of African women within Irish society by influencing policy through advocacy work locally, regionally and nationally.

### **Ireland: The Facts on 'Domestic' Violence**

- The first national prevalence study on domestic violence found that 1 in 5 women in Ireland had experienced domestic violence (*Kelleher and O'Connor, 1995*)
- Irish research carried out in GP surgeries found that 4 out of 10 women attending who had been in a sexual relationship with a man had experienced violence (*Bradley, F. 2002*)
- The National Crime Council study into domestic abuse found that 1 in 7 women had experienced severe domestic violence (*NCC / ESRI, 2005*)
- In Ireland, 1 in 4 perpetrators of sexual violence against adult women are partners or former partners (Mc Gee et al, 2002)
- In 2005, 25,843 calls were made to the Women's Aid National Helpline. Women's Aid was unable to respond to 10,000 calls - this is, 2 out of every 5 of those telephone calls went unanswered - due to lack of resources to staff the National Freephone Helpline for victims of domestic violence
- Women continue to be turned away from emergency refuge accommodation around the country and this problem is particularly acute in the Dublin region
- In 2004 alone 1,144 women and 1,333 children were refused refuge accommodation in the Eastern Region due to lack of refuge accommodation
- Since 1996, 124 women have been murdered in Ireland – of the resolved cases 47% were murdered by a partner or a former partner (*Women's Aid Murder File, October 2006*)
- Research has found that only between 1% and 6% of domestic violence offenders in Ireland receive a prison sentence (*O'Connor and Kelleher, 1999*)

## *SAFETY, ACCOUNTABILITY, RESPONSIBILITY*

- Huge increases in the number of migrants in Ireland over the last 10 years to resource our economic growth has not been matched with the resourcing of services providers in responding to changing needs of service users
- Particular challenges for services responding to the needs of migrant women experiencing gender based violence with inadequate and insecurely resourced violence against women sector unable to respond to these challenges
- Continued discrimination and racism against the Traveller community with no real improvement in Travellers health status, poverty levels and social exclusion of Travellers within Irish society has to be recognised in all work on issue of violence against Traveller women
- General levels of racism and discrimination against Travellers constitute significant barriers to Traveller women accessing support services and safety
- Concerns about further stigmatising their own community within Irish society creating additional barriers to Traveller women

### **THE WOMAN – SUPPORT AND SAFETY**

There are three distinct steps that Labour will take in relation to providing for women's support and safety:

- To ensure that all women who are victims of such violence have access to appropriate and expert services to ensure their safety, recovery and capacity to move forward with their lives free from threats of violence from the perpetrator
- To ensure that women and their children have at all times access to appropriate refuge and a secure home free from threats or perpetration of such violence.
- To ensure that the health impacts of subjection to domestic violence are addressed.

#### **1. Access to Appropriate Services**

Violence against women services are operating at the same resource level as 2002 and the 2005 budget included no increase. As operating costs increase all domestic violence services are facing growing deficits. Service provision levels experienced continuous erosion from 2002 levels despite the financial resources available to the State. Frontline services responding to women experiencing violence from male partners or intimates have identified that both the levels of funding and the nature of funding arrangements are problematic and inadequate. The erosion of frontline services means that women from minority and marginalised communities, including Traveller women and immigrant women encounter increasing barriers in securing support and safety as assessable and relevant services cannot be provided at appropriate levels.

Traveller women experience violence at three levels – within their own community, from the wider community and from the State through evictions. These three areas of violence are interconnected. Violence against Traveller women is not part of Traveller culture nor should it go unchallenged on the basis of such assumption (Fay, R., 1999).

Many migrant women are dependant on their husbands for their residency in the state and fear that if they leave the relationship their residency may be in jeopardy. Due to the Habitual Residence Condition migrant women who leave their relationship due to violence are in very vulnerable position financially as they are not able to work in their own right and they will generally not be able to access social welfare. This can mean that refuges may not be in a position to offer woman

accommodation as Community Welfare Officers may not be able to give the women a payment.

Women may not want to contact Gardai as they may not trust state authorities or may not wish to jeopardise their husbands' position. Women may be coming from countries where there is no state protection against gender based violence and where women have relatively less freedom or choices than women in Ireland. This can impact on a woman's help seeking and may also raise challenges to services offering her support (ICI, 2006).

### **Domestic Violence - Access to Appropriate Services**

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| <ul style="list-style-type: none"><li>✓ Funding for dedicated services working on domestic violence will be increased to address operating deficits in the short-term</li><li>✓ This will include dedicated provision to begin to meet the needs of Traveller women, disabled women and women from minority communities including immigrant women</li><li>✓ A national funding framework for NGO's working on violence against women will be developed</li><li>✓ Dedicated resources will be allocated to ensure that all women including Traveller women, disabled women and black and minority ethnic women can access supports and services that are relevant to their need.</li></ul> |
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## **2. Appropriate Refuge and Safe Home**

This section of Labour's policy is based on the premise that no women or their children should have to leave their homes as a result of domestic violence and that the first responsibility of the relevant statutory authorities is to remove the perpetrator. However, Labour recognises that given the serious level of threat to women's and children's safety posed by the perpetrator that many women and children will continue to be forced to flee. Labour also recognises that women's refuges and dedicated transitional housing provide the expert supports and services that are essential for many women in reclaiming and rebuilding their lives. Labour is committed to tackling domestic violence as a route into homelessness for women and children and to end reliance on the inappropriate practice of addressing the homelessness of women and children who are victims of domestic violence through bed and breakfast provision.

Labour policy focuses on

- Strengthening the legislative protection for women and children to remain in their homes with safety and security
- Addressing with urgency the appalling lack of refuge provision
- Resourcing dedicated transitional housing and support services and
- Substantially increasing the numbers and rate of social housing provision.

▪ **Domestic Violence - Appropriate Refuge and Safe Home**

- ✓ To ensure that all victims of domestic violence can access immediate protection through the courts the Domestic Violence Act 1996/2002 will be amended to afford greater protection to cohabittees and those with a child in common but not residing together. The amended Act will provide guidelines for the granting of protective orders
- ✓ The powers of the Local Authority to remove the perpetrator of the violence from tenancy of a Local Authority – owned home will be clarified, strengthened and applied
- ✓ A Women's Refuge strategy will be developed with targets, timeframes and dedicated resources to ensure that refuge provision is available across the Greater Dublin area and nationally for women and children in crisis
- ✓ The needs of Traveller women with respect to refuge accommodation and dedicated support services will be addressed with Traveller women and their representative organisations
- ✓ Transitional housing and support services will address the post-refuge housing and support needs of women and children who are homeless as a result of domestic violence
- ✓ The implementation of the Labour Social Housing strategy will ensure that permanent affordable housing is provided to meet the needs of women and their children made homeless as a result of domestic violence
- ✓ Reliance on Bed and Breakfast accommodation as an intervention in response to domestic violence will end

**3. Address the Health Impacts of Domestic Violence**

The impacts of domestic abuse on women's physical, mental and sexual health have been well documented. The World Health Organisation has noted that women who have experienced violence have a greater risk of developing a range of health problems (*WHO, 2002*). Health care providers are ideally placed to support women experiencing abuse in the home, as most women will interact with the health care system at several points in their lives.

Research indicates that women experiencing domestic violence will access health care professionals more frequently than non-abused women (*Stark and Flitcraft, 1995; Kelleher and O'Connor, 1995; NCC/ESRI 2005*). Irish research also indicates that following family and friends, women are more likely to disclose the abuse to a GP than many other professionals (*Kelleher and O'Connor 1995; NCC / ESRI 2005*). Such findings indicate that the opportunity exists to build on that basis of trust in primary care providers and for health care professionals to be resourced and supported to effectively intervene to support women experiencing violence in intimate relationships.

Despite the fact that intimate partner violence has significant consequences for women's mental, physical and reproductive health, neither the HSE nor the Department of Health and Children has developed a policy on their approach to this issue.

**Domestic Violence – Address the Health Impacts of Domestic Violence**

- ✓ The Department of Health and Children and the HSE will be directed and resourced to develop a comprehensive policy on responding to domestic violence for all health care agencies, informed by the expertise of the key VAW NGO's. Particular attention in this strategy will be paid to the role of GPs, A&E personnel, maternity hospitals and mental health professionals.
- ✓ Formative and in-service training regarding domestic abuse will be directed at health care providers, to assist in increasing their awareness and increasing the levels of early detection and intervention with women experiencing domestic violence. Such training will incorporate anti-discrimination and anti-racism principles and practice
- ✓ The Health Promotion Unit will be resourced to develop, deliver and evaluate a public health campaign on domestic violence.
- ✓ A targeted response to the overall health status of Traveller women is required with due attention given to the health impacts of violence against Traveller women through the development of the Traveller Primary Health Care programme
- ✓ The needs of women homeless as a result of domestic violence and with additional addiction and mental health aspects to their homelessness will be addressed
- ✓ The Combat Poverty Agency and Violence Against Women NGO's will be asked to advise on community development approaches to the health impacts of violence against women

**PERPETRATOR – ACCOUNTABILITY / SANCTIONS**

Labour policy in relation to ensuring the accountability of the perpetrator of domestic violence is built on recognition of the insidious, sustained and often violent nature of the crime and its widespread health and social impacts on women and children. Its three integrated approaches to accountability and sanctions are to

- Focus on improving the responsiveness of the Courts system
- Resource An Garda Síochána with specific reference to tackling perpetrators and ensuring victims safety and to
- Build on the experience and learning from the National Domestic Violence Intervention Agency to develop coordinated inter-agency approaches to interventions in domestic violence crime

**I. Improving the Response of the Courts System**

The volume of family law cases involving domestic violence passing through the family courts has increased significantly following the extension of eligibility criteria of applicants under the Domestic Violence Act 1996. Each year thousands of women make applications for orders under the Domestic Violence Act 1996/2002 through the family law courts whilst a smaller number access the criminal courts in relation to their partner's violence. Women accessing the legal system often report that the justice system fails to protect them and fails to hold their partner to account for his violence and abuse.

***Probation and Welfare Services***

The family law courts are handling a high level of domestic violence cases without the benefit of expert reports and risk assessment. Prior to the withdrawal of the Probation and Welfare service from the area of family law they provided this service

which is crucial in making decisions, especially in relation to child custody and access in domestic violence cases.

***Training for the Judiciary and Court Staff***

There is great inconsistency regionally in the way in which the family law system responds to domestic violence. Many women have reported to frontline services that they felt victimised by the courts. They often refer to the seeming lack of understanding of the dynamics of domestic violence by the judiciary and court clerks. The need for training of judges and court staff has been echoed in a number of reports (*Office of the Tánaiste, 1997; NWCI 1996; Law Society, 1999*)

The findings of a Law Society survey points to a lack of understanding on the part of the judiciary regarding the dynamics of domestic violence (*Law Society, 1999*). For example, a significant number of respondents - 63% - said that physical grounds were always or generally necessary to obtain an order. The Domestic Violence Act 1996, however, recognises the serious impacts of mental and psychological abuse as grounds to obtaining a protective order.

***Addressing Regional Disparities***

At present in rural areas, family law cases and criminal cases are held in the same court building. It is a humiliating experience for women to have to attend their local court, often having to wait outside with others attending until the court opens and then sit through criminal cases until the court is cleared for their in camera hearing. A specialist court could provide facilities to ensure the safety and confidentiality of attendees by providing private consultation rooms and would thereby encourage women to access the courts for a legal remedy when necessary.

**Domestic Violence – Improve the Response of the Courts system**

- ✓ The Probation and Welfare Service will be reinstated to the family law court
- ✓ The Probation and Welfare Service will be adequately resourced to take up this role again
- ✓ The Judiciary and all Court staff will be provided with information and awareness raising on the issue of domestic violence
- ✓ Judges appointed to all Family Law Courts will have a family law background.
- ✓ Court Staff in Family Law Courts will be required to engage with the in-service information and awareness-raising training provided
- ✓ Reviews of victims experiences of the legal process in relation to domestic violence will be resourced and conducted and their findings made public
- ✓ Detailed consideration will be given to the establishment of a dedicated Domestic Violence court at District Court level informed by the model proposed for Northern Ireland
- ✓ Detailed consideration will be given to establish a system to prevent inappropriate or undue delay in domestic violence cases
- ✓ The statutory and administrative measures required to eliminate delay in court proceedings will be identified and implemented
- ✓ Detailed consideration will be given to establishing a process whereby one judge deals with all civil and criminal aspects pertaining to domestic violence with Probation and Welfare Service reports available in all court proceedings concerning the parties and their dependants

### **Improving the response of An Garda Síochána**

The Gardai are the only state agency with a formal written policy on domestic violence and there are many highly commendable aspects of the Gardai policy on domestic violence in particular its pro-arrest nature which reinforces the responsibility of officers in protecting victims. The role of the Gardai is particularly crucial, since they are often an abused woman's first contact with the legal system and are the only agency with the power to offer women 24 hour protection from their violent partners. The type of response that women receive from the Gardai very often proves to be critical in determining their continued interaction with the legal system and whether or not they will feel confident in the system's ability to support them and ensure their safety.

However, the experiences of women accessing support services indicate a lack of consistency in relation to the interpretation and implementation of Gardai policy by individual Gardai. Furthermore, a consultation with community groups on domestic violence noted concern from *all* groups in relation to the lack of consistency regarding the response of the Gardai to cases of male violence against women (*Women's Aid, 2002*). The role and responsibilities of An Garda Síochána in relation to the accountability of the perpetrator is problematical for Traveller women because of the role of the Garda as an agent of the State in enforcing legislation that perpetuates the oppression of the Traveller community. This raises the much wider question of the role of the State in relation to the human rights and equality of Traveller people – a question that needs to be addressed in the context of a Traveller peoples' policy paper, developed by Labour in consultation with Traveller spokespersons and representatives.

For immigrant women, legislation relating to immigration and residency can prevent women from reporting the crime to the Gardai. If the perpetrator is the principal migrant and his wife's residency is contingent on their relationship this can add to the dynamic of power and control which exist in all violent relationships. He can use this as a way to threaten her if she makes any moves to seek help for the violence. Many women who have come to ICI's information service say that their husbands threaten to tell the immigration authorities if they were to leave the relationship and this prevents them from accessing help. If the perpetrator is coming from a country where there are particular belief systems regarding gender roles and/or where there are no sanctions against domestic violence they may not respect such sanctions here. On the other hand some migrant women say that their husbands are very frightened of such sanctions because they fear their immigration status may be in jeopardy. In this case, interventions by the Gardai, family law courts etc may be very effective in protecting women.

### **Domestic Violence - Improve the Response of An Garda Síochána**

- ✓ The Gardai have a pivotal role in the accountability and sanctioning of perpetrators and ensuring safety and protection for the victim as the only 24-hour agency with the power equal to that task. Policy will be adapted to take into account the needs and experiences of Traveller women and migrant women and Garda training will be augmented to improve responses in this regard
- ✓ The Garda Policy on domestic violence will be augmented by a resourced monitoring and evaluation system to determine its application and effectiveness in relation to protecting all victims
- ✓ Community Policing policy and development will include specific reference to domestic violence, the protection of all victims and the importance of perpetrators accountability before the law

### **Coordinated Inter- Agency Intervention**

The National Domestic Violence Intervention Agency has been established on a pilot local basis. The NDVIA, which currently operates only in a pilot area on a pilot basis, underlines the importance of recognition that the victim of domestic violence crime and the perpetrator do not have equal power. As a result of the power over the victim gained from coercion, intimidation and violence, the victim is vulnerable to pressure, intimidation and retaliation by the perpetrator. It reminds society that 'all interventions in domestic violence crime must be informed by victims and held accountable to them and offenders must be sanctioned and held accountable for their behaviour'. (NDVIA Victim Safety in Practice Information Leaflet)

### **Coordinated Inter-Agency Intervention**

- |   |
|---|
| <ul style="list-style-type: none"><li>✓ Detailed consideration will be given to evaluation of the learning from this pilot</li><li>✓ The NDVIA will be consolidated on a national long-term basis</li><li>✓ Its recommendations to enhance integrated intervention, victim safety and perpetrator accountability will be implemented to ensure national quality integrated practice</li></ul> |
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### **THE STATE – RESPONSIBILITY FOR SAFEGUARDING WOMEN’S HUMAN RIGHTS**

Domestic violence has been identified by the UN Special Rapporteur as meeting the characteristics of torture, thus highlighting the severe nature of this abuse, and how seriously Governments and state systems should treat this fundamental violation of women’s human rights which occurs systematically in Ireland as it does internationally.

Labour asserts that it is imperative that national government and statutory services give leadership in shaping a society and culture that has zero tolerance regarding domestic violence. Labour will address the leadership deficit through the systematic application and resourcing of all aspects of this policy document and by taking the following steps:

- The provision of dedicated public awareness campaigns
- Commissioning and resourcing research on key aspects of domestic violence
- Commitment to implementation of research findings
- Community and Solidarity in tackling domestic violence

#### ***Public Awareness Campaigns***

Research by the National Crime Council found that the majority of people who had experienced domestic violence had not accessed support services and a third of those who had experienced severe abuse had never told anyone (*NCC / ESRI, 2005*). In addition many myths about domestic violence and victims of domestic violence persist in Irish society and sustained public awareness campaigns have an important role in challenging such myths. Public awareness on violence against women is essential for a number of reasons, most notably:

- To break the silence surrounding violence against women and thus encourage women to seek support and protection
- To inform abused women about support services available
- To highlight the extent of the problem to the general public.
- To challenge violent men about their use of violence and give the message that it is a crime and unacceptable
- To challenge societal tolerance of male violence against women.

***Key Research Areas***

In 2003 Women's Aid produced a study on custody and access and domestic violence that documented some of the issues of concern in this area. One of the key recommendations was that in-depth research be carried out to examine the ways in which violent men use child access arrangements to abuse both the women and children and the appropriate responses of the courts to women with children who seek protection from domestic violence.

Sonas Housing Association (*SHA, 2005*) found in a review of their model of work with women and children made homeless due to domestic violence that violent men were granted unsupervised access to children despite the traumatic effects of the men's violence on those children.

47% of Irish women who were murdered in the last ten years were killed by a partner or former partner (*WA, 2006*). There has been no assessment of those cases in relation to whether those women had sought help or protection in relation to violence and abuse. Such research could be used to inform best practice from statutory and NGO service providers.

There is a need for sustained dialogue and research with Traveller women's VAW organisations on appropriate responses to Traveller women experiencing domestic violence and for research into the experiences of women with disabilities and minority ethnic women.

***Culture of Community and Solidarity***

The Labour commitment to tackling domestic violence cannot be realised without a strong culture of community and solidarity with women's' organisations tackling domestic violence at local, regional and national level. The Labour Party acknowledges that the social mobilisation and activism needed to tackle this issue has come primarily from the women's movement – locally, nationally and internationally. The Labour will work in a spirit of community and solidarity with women's organisations and civil society organisations and the wider society to ensure that the resources of Irish society are mobilised in tackling and addressing domestic violence. Due recognition will be given to the intersections between domestic violence and racism and discrimination against women on the grounds of 'race' and ethnicity and disability.

**Domestic Violence - The State's Responsibility for Safeguarding Women's Human Rights**

- ✓ Dedicated public awareness campaigns will be delivered to inform victims of the services available and to challenge the myths about domestic violence
- ✓ Research will be undertaken to deepen the knowledge base and enhance service provision for all women
- ✓ The research will be undertaken in the context of consideration of the resource implications of applying the research findings
- ✓ Labour will work visibly, proactively and in partnership with key domestic violence NGO's, whatever the economic climate and whatever the available resources, to at all times create a culture of respect for their vital work in securing women's safety and in enabling Ireland meet its national and international obligations to women
- ✓ The potential in existing networks such as community development programmes, Partnership companies, Family Resource Centres and women's community education networks to contribute to raising awareness and creating a zero tolerance community will be examined
- ✓ Key civil society organisations will be engaged with in creating a climate of public sanction and repudiation of all forms of violence against women

**SECTION 2: RAPE AND SEXUAL ASSAULT**

**Definition of Rape**

Rape is an act of domination, anger and violence, which uses sexual penetration as a weapon. Not all rapes and sexual assaults are necessarily physically violent but violence is always implied or threatened.

Common Law rape is defined in section 1 of the Criminal Law (Rape) Act, 1981(as amended). It provides that a man commits rape if he has sexual intercourse with a woman who does not consent, and at the time he either knows that she does not consent or is reckless as to whether or not she consents. Section 4 of the Criminal Law (Rape) (Amendment) Act 1990 defines a second category of rape as a sexual assault, which includes penetration (however slight) of the anus or mouth by the penis, or penetration (however slight) of the vagina by an object held or manipulated by another person. This second offence is known as 'section 4 rape'. The maximum penalty for both types of rape is life imprisonment.

**Sexual Assault**

Sexual assault is an act of physical, psychological and emotional violation, in the form of a sexual act, which is inflicted on someone without consent. It can involve forcing or manipulating someone to witness or participate in any sexual acts, apart from rape. Sections 2 and 3 of the criminal Law (Rape) (Amendment) Act, 1990 provide for the offences of aggravated sexual assault and sexual assault. Aggravated sexual assault means a sexual assault involving serious violence or the threat of serious violence, or a sexual assault that causes injury, humiliation or degradation of a grave nature. This offence carries a maximum penalty of life imprisonment. Sexual assault itself is not defined in the Act. It is generally understood to mean an assault in circumstances of 'indecent' - a range of conduct, from non-consensual sexual touching to a sexual attack just falling short of rape. It carries a maximum penalty of five years' imprisonment.

**Sexual harassment** is behaviour of a sexual nature that serves to frighten and intimidate the person on the receiving end. Sexual harassment can be ongoing for some time; or can involve only one incident.

## **NGO Profile**

### **Rape Crisis Network Ireland (RCNI):**

The RCNI, set-up in 1985, is a national member-owned political and campaigning organisation committed to the elimination of all forms of sexual violence through effecting political, cultural and social change. The work of RCNI is directly informed by their 16 member Rape Crisis Centres and their combined knowledge and expertise derived from 25 years supporting survivors of sexual violence. The RCNI aims to inform responses and actions by individuals, agencies and the State through providing evidence based facts on the nature and extent of sexual violence and challenging mis-information. The RCNI analysis is that sexual violence is underpinned and sustained by inequalities including gender inequality. The RCNI is committed to striving for real and profound change, towards a society that embodies respect for human dignity and which challenges discrimination and inequalities. The RCNI believes that by drawing on the experience, wisdom and power of survivors of sexual violence and adopting an inter-agency approach sexual violence can be ended.

### **Dublin Rape Crisis Centre:**

In October 1978 about 5,000 Irish women marched through the centre of Dublin to protest about rape and 'Reclaim the Night.' This landmark event, inspired by the ideals of the broader women's movement, led to the establishment of the Dublin Rape Crisis Centre in 1979. A fiercely opposed development in an era when rape was a taboo topic and a significant catalyst for social change in relation to recognition of rape and sexual violence and child sexual abuse twenty-five years on the Dublin Rape Crisis Centre provides frontline counseling and support services, training, research, campaigning and advocacy in relation to rape and sexual violence.

### **Rape Crisis Centres:**

Rape Crisis Centres (RCC) offer a wide range of specialised services including: phone counselling, crisis support, advocacy, SATU/medical forensic examination accompaniment, short and longer term one to one counselling, court accompaniment, and education. Dependent on resources and location RCCs are in a position to also offer: outreach services to minority and disadvantaged groups, support for supporters, couples counselling and group counselling. All RCC counsellors are RCNI registered.

### **Rape and Sexual Violence: The Facts for Ireland**

The SAVI (Sexual Abuse and Violence in Ireland) Report, 2002, commissioned by the Dublin Rape Crisis Centre and conducted by the Royal College of Surgeons in Ireland provided the results of the first national survey to assess sexual violence in Ireland. SAVI Report findings include

- 25% of women will experience some form of contact sexual violence in her lifetime

## *SAFETY, ACCOUNTABILITY, RESPONSIBILITY*

- 42 % of women - will experience other forms of abuse or sexual assault in their lifetime
- 1 in 5 girls experience contact sexual abuse in childhood
- 89% of abusers are men acting alone
- 1 in 4 abusers of adult women are intimate partners or ex partners
- 1 in 6 survivors of sexual violence will become inpatients in psychiatric hospitals at some point in their life in contrast with 1 in 46 for the non sexually-abused population
- Only 1 in 10 report to the abuse to the Gardai

RCNI statistics (2004) and research on Sexual Violence and the Justice system (2005)

- The 16 Rape Crisis Centres members of the RCNI took 45,000 helpline calls in 2004
- They provided face to face support for approximately 2,300 survivors of rape and sexual assault and 160 supporters of survivors.
- Survivors attending an RCC are almost twice as likely to report the crime to the Gardai
- The investigation and judicial processes present barriers to justice for victims (RCNI 2005)
- The balance of power in cases reaching trial substantially favours the accused
- The lack of accountability in the DPP's 'no reason for decisions' on non-prosecution of cases compromises the transparency of the Justice system
- Ireland, compared with 20 other European countries has the highest number of cases 'falling out of the system' before adjudication by the courts (Kelly and Regan, 2003) thus Ireland heads the Attrition league table across Europe (RCNI)

### **THE WOMAN – SUPPORT AND SAFETY**

There are three distinct steps that Labour will take in providing for the support and safety of women who are the victims of rape and sexual assault:

- Access to frontline services dedicated to the support of victims of rape and sexual assault
- The provision of Sexual Assault Treatment Services on a national basis
- Improvements in Gardai training with respect to sexual assault investigation and liaison

#### **1. Access to Frontline Services**

The trauma of sexual violence has been proven to be less severe, less long-term and less disruptive of quality of life when addressed through immediate support, openness and counselling. Early intervention has been demonstrated to reduce the immediate and long-term effects of the trauma of rape and sexual assault.

### **Rape and Sexual Assault – Access to Frontline Services**

- ✓ Funding for existing dedicated frontline services working with the victims of rape and sexual assault will be increased to address operating deficits in the short-term
- ✓ A frontline service development plan will be worked out and its application resourced in the context of the development and delivery of the National Strategy on Violence Against Women
- ✓ The needs of all women, including disabled women, Traveller women, minority ethnic women and immigrant women will be addressed in the National Strategy

### **2. Access to Sexual Assault Treatment Centres**

Women's access to the specialised and dedicated services of Sexual Assault Treatment Centres is a vital aspect of many victims recovery from the effects of rape and sexual assault. Such access can also play an important role in relation to the pursuit of the perpetrator through the criminal justice system.

### **Rape and Sexual Assault – Access to Sexual Assault Treatment Centres**

- ✓ The immediate allocation of appropriate resources to existing Sexual Assault Treatment Centres to secure current levels of provision, to prevent further erosion of services and to ensure the availability of the services as priority emergency services
- ✓ The promotion and dissemination of the ***Sexual Assault: National Guidelines on Referral and Forensic Examination in Ireland (2006)*** to the relevant professionals as per the recommendations of the national review of sexual assault treatment services
- ✓ A planned implementation of the recommendations within the ***Sexual Assault Treatment Services: A National Review (2006)*** in the context of the National Strategy on Violence Against Women

### **3. Improvements in Garda training with respect to sexual assault investigation and liaison**

The management by Gardai of the communications and liaison process with the victim and the whole investigation process is an important aspect of victim support and safety as well as contributing to perpetrator accountability and sanctions. Women's experience of the criminal justice system in the whole arena of sexual violence has to inform the resourcing and training of An Garda Síochána, and the management of sexual violence investigations

**Rape and Sexual Assault - Improvements in Garda training with respect to Sexual Assault Investigation and Liaison**

- ✓ Ensuring that Gardai receive appropriate initial and in service training in sexual violence and its investigation
- ✓ Such training to be informed by International Best Practice in the Investigation of Crimes of Sexual Violence
- ✓ Specialised Regional sexual violence units
- ✓ The assigning of a trained sexual assault investigation and liaison officer to the victim for the duration of the victim's interaction with the criminal justice system
- ✓ Garda training in this area will include anti-racism and anti-discrimination principles and practice

**THE PERPETRATOR – ACCOUNTABILITY AND SANCTIONS**

Labour policy in relation to the holding to account the perpetrator of crimes of sexual violence and assault against women is based on the severity of crime against the person and recognition of the impacts on the woman including sexual health, sexuality and intimacy impacts, mental health and psychological impacts and quality of life impacts. The steps set out in the preceding section under Support and Safety are the steps that can also ensure that the Gardai are trained and equipped to play their role in the process of holding the perpetrator accountable for his crime.

Current provisions in the investigation and prosecution of rape and sexual assault crimes must be assessed from the perspective of holding perpetrators to account and ensuring they are sanctioned for their crime.

**Rape and Sexual Assault – Perpetrator Accountability and Sanctions**

- ✓ The entitlement to free full separate legal advice, assistance and representation to complainants in cases of sexual violence.
- ✓ A removal of the requirement for the DPP to “consent” to the prosecution of a marital rape.
- ✓ A removal of the time limitation (12months) in which a prosecution for unlawful carnal knowledge under the Criminal Law Amendment Act 1935 must commence and an extension of the protections afforded under this Act to apply without reference to gender or sexual orientation.
- ✓ Reform of complainant/defendant anonymity provisions
- ✓ The removal of the “right” of a defendant to represent themselves in person in cases of sexual violence (thereby prohibiting the opportunity of direct cross-examination of the complainant).
- ✓ A strengthening of the consequences of non-compliance under the Sex Offenders Act 2001 by increasing the current penalties to 5 years thereby rendering non-compliance an ‘arrestable offence’.

**THE STATE – RESPONSIBILITY FOR SAFEGUARDING WOMEN’S HUMAN RIGHTS**

For women as a community the message from the systematic perpetration of crimes of sexual violence is that there is an inherent sexual risk factor in being a woman. There is the added burden for all women of being given the responsibility to protect oneself from sexual violence through screening the environment and limiting freedom of movement. There is a clear cultural message that women can and must keep themselves safe from sexual violence and that to be the victim of sexual

violence implies lack of self-care, knowledge and appropriate decision-making on the part of the women. It is the responsibility of the State to systematically challenge this message and tackle and change cultural attitudes and beliefs that support crimes of sexual violence against women. Labour will take a number of steps to begin the process of addressing the negative and blaming messages addressed to women and to shifting the focus to the predatory and violent behaviours of male perpetrators of sexual violence.

### **Information on Ireland's Attitudes and Beliefs**

A regular national attitudinal survey in Ireland will be conducted to inform national strategy in combating violence against women. Such research is a corner-stone in identification of the cultural beliefs and attitudes which enable sexual abuse in Ireland. Such a survey will be resourced into the future to allow for the analysis of a changing society, the identification of challenges, the implementation of targeted policy and the measurement and accountability of policy.

### **Focus on Consent**

A definition of what constitutes consent to sexual relations and how consent is negotiated and communicated will make a key contribution to a national public awareness and education programme to reduce the levels of sexual violence in Ireland.

### **Challenges to male behaviours and attitudes**

Any meaningful intervention in relation to the prevalence of sexual violence has to incorporate challenges to male socialisation in relation to sexuality and sexual relations. This will include challenges to the myths of male entitlement to sexual services from women, of male sexuality as beyond the exercise of limits, control and consciousness and of male sexual violence being about women rather than being about the violent men who perpetrate the crimes. Tackling rape and sexual assault requires a strategic national approach and resourced interventions at the levels of victims' safety, perpetrators accountability and the States' responsibility.

### **Rape and Sexual Assault - The State's Responsibility**

- ✓ Regular national attitudinal surveys on violence against women will be conducted to inform national strategy in tackling this issue
- ✓ The replacement of the current subjective analysis of recklessness as to consent in section 1 of the Criminal Law (Rape) Act 1981 with an objectively reasonable definition of consent
- ✓ Myths that underpin or contribute to the prevalence of male sexual violence will be addressed, analysed and challenged in the public domain by the State
- ✓ Women's rights to live their lives in freedom from the threat of sexual assault from men will be asserted by the State
- ✓ The collective impacts on women's choices and women's lives of the experience and the threat of male sexual violence will be researched and communicated as an issue of equality, justice and human rights

## SECTION 3 – PROSTITUTION AND TRAFFICKING

### DEFINITION OF PROSTITUTION

“We, the survivors of prostitution and trafficking gathered at this press conference today, declare that prostitution is violence against women. Women in prostitution do not wake up one day and “choose” to be prostitutes. It is chosen for us by poverty, past sexual abuse, the pimps who take advantage of our vulnerabilities, and the men who buy us for the sex of prostitution.” (*Manifesto, Joint CATW-EWL Press Conference, 2005*)

Prostitution is inherently harmful and abusive. It violates the human dignity and integrity guaranteed to all in the UN Declaration on Human Rights 1948. Human rights define what kind of life is worthy of a human being, what kind of life is worth living. Intrinsic to prostitution are numerous violations of human rights: sexual harassment, economic servitude, educational deprivation, partner and family violence, racism, classism, vulnerability to frequent physical and sexual assault, and being subjected to body invasions that are equivalent to torture (*Farley and Barkan, 1998 quoted in O'Connor and Healy, 2006*).

The illusion that prostitution is a choice is manipulative and deceptive. It allows the buyers and the pimps to obscure the abuse involved and to transfer a concept of right and entitlement to the abuser - the right to rape and sexual assault where a payment is made. The fact that money is exchanged cannot disguise the fact that what occurs in prostitution, the bodily and psychological violations involved are in fact sexual violence and abuse and harassment.

### DEFINITION OF TRAFFICKING

The 1949 United Nations Convention, entitled ‘*The Suppression of the Trafficking in Persons and of the Exploitation of the Prostitution of Others*’ states in its preamble that: ‘prostitution and the evils which accompany it, i.e. the trade in human beings, are incompatible with human dignity and worth’. This instrument recognizes that a woman’s rights are violated whether or not there is consent. The convention legislates against pimping, brothel keeping and trafficking.

The Vienna Declaration and Programme of Action adopted by the UN World Conference on Human Rights 1993 declares that ‘The human rights of women and of the girl-child are an inalienable integral and indivisible part of universal human rights’. Article 18 states that

Gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, are incompatible with the dignity and worth of the human person, and must be eliminated. This can be achieved by legal measures and through national action and international cooperation in such fields as economic and social development, education, safe maternity and health care, and social support.

The U.N. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is the most important and authoritative international treaty specifically addressing women’s human rights. In Part I of the text of the convention Article 6 states that:

'State parties shall take all appropriate measures including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women'.

Initiated during the UN decade for Women, adopted by the General U.N. Assembly in 1979 and ratified by over 177 countries by 2004, Ireland ratified in December 1985. CEDAW is the first international treaty to fully address fundamental human rights for women in politics, health care, education, economics, employment, law, property and marriage and family relations.

## **NGO PROFILE**

### **The Coalition Against Trafficking in Women (CATW):**

Since 1988, the CATW has provided leadership, activism and research against sexual exploitation, establishing coalitions in most major world regions. CATW is well-positioned internationally and has changed the terms of the debate over prostitution and trafficking in many areas of the globe and at the United Nations level. The CATW has influenced anti-sex industry and anti-trafficking legislation in the Philippines, Venezuela, Mexico, Bangladesh, Japan, Sweden and the United States.

### **The European Women's Lobby (EWL):**

The European Women's Lobby is a non-governmental organisation that brings together national co-ordinations of women's NGOs from 25 of the Member States of the European Union and accession countries, as well as from 22 European and International organisations. The EWL's mission is to achieve equality between women and men, to eliminate all forms of discrimination against women, to ensure respect for women's human rights and to eradicate violence against women. Since 1998, when a motion against prostitution and trafficking was passed at its Annual General Assembly, it works to combat prostitution and trafficking and seeks to criminalise the purchase of sexual services EU wide.

### **Ruhama:**

Established in 1989, Ruhama is a Dublin-based NGO which works with women involved in prostitution. Ruhama (Hebrew for "renewed life") regards prostitution and commercial sexual exploitation as violence against women and violations of women's human rights. Prostitution and the social and cultural attitudes which sustain it are deeply rooted in gender inequality and social marginalisation. Ruhama's services include outreach, advocacy and case work and training and education programmes. Services to women who find themselves victims of trafficking include access to safe accommodation, supports to integration and supports to repatriation.

## **PROSTITUTION AND TRAFFICKING – THE FACTS FOR IRELAND**

- The United Nations estimates that some 80% of persons trafficked are trafficked for sexual exploitation. They are mostly women and children. (UN, 2003).
- An estimated 120,000 women and children are trafficked into Western Europe each year. (European Commission, 2001).
- Some European estimates suggest that, in 1990-1998, more than 253,000 women and girls were trafficked into the sex industry of the then 12 EU countries. The overall number of women in prostitution in these countries has grown to more than half a million.
- There are about 15,000 Russian and Eastern European women in prostitution in Germany which has legalised prostitution. Many are in brothels, sex clubs, massage parlours and saunas under the financial control of criminal groups

- from the Russian Federation, Turkey and the former Yugoslavia, according to a survey of the International Organization for Migration. (UNESCE, 2004)
- Ruhama has made contact with over 200 women who were trafficked into Ireland since 2000 – each women knew of at least five other women who were trafficked into the prostitution in Ireland
  - Women have been trafficked into Ireland from Romania, Albania, Ukraine, Croatia, Moldova, Lithuania, Russia, Czech Republic, Venezuela, Brazil, Nigeria and South Africa – evidence of the correlation between global poverty and sexual violence
  - Prostitution and associated trafficking in Ireland is an integral part of the international criminal industry and global crime network
  - The links between international organised crime, trafficking and prostitution generate complex barriers to women securing safety and to the sanctioning of the perpetrator

### **THE WOMAN – SUPPORT AND SAFETY**

Women and girls in prostitution are subjected to multiple forms of intentional violence and abuse. The methods and tactics may vary at different times but the intention is similar to male perpetrators of domestic violence, in that they are designed to maximise control and compliance of the victim.

The appropriate supports to women in prostitution can only be provided within a legal framework that prohibits prostitution and names it as sexual violence against women and where the woman is named as the victim of a crime, not criminalised as is the case at present. Arguments from whatever quarter that prostitution can be equated with employment must be repudiated with reference to international frameworks of human rights and the requirement on States to eliminate all forms of discrimination against women under CEDAW. Arguments that individual women have the right to choose whether or not to engage in prostitution must be challenged:

1. All evidence indicates that women's 'choice' to engage in prostitution is hugely compromised by the violence and fear that permeates prostitution and by the conditions of poverty and marginalisation that characterise life for many women
2. Research identifies that many women engaged in prostitution have already been victims of sexual violence prior to prostitution and that the violence of prostitution is an extension of a continuum of violence and abuse for them
3. International research (*O'Connor and Healy, 2006*) puts the median age for entry into prostitution as 14 years and so the issue of 'consent' or 'choice' does not apply
4. The human rights and safety from sexual violence of all women are compromised and threatened by prostitution so the grounds for the argument of choice are nullified

Pimps and traffickers target women and girls for the purposes of sexual exploitation whether for the home sex industry or for the purpose of trafficking. They exploit socio-economic, cultural and personal contexts in order to attract, coerce and dominate their victims.

Women's safety and support services will be based on recognition that prostitution is always dangerous and damaging for women and recognition that prostitution is a form of violence against women and that services support women in this recognition.

**Prostitution and Trafficking - Women's Safety and Supports**

Services will include:

- ✓ Focus on safety, harm elimination and the prevention of re-victimisation
- ✓ Advocacy that promotes the right to get out of prostitution
- ✓ Development of exit programs for women in prostitution
- ✓ Promotion and resourcing of alternatives for women
- ✓ Integrated responses which do not distinguish between a " free " or " forced " entry route into prostitution and that do not carry the threat of forced repatriation to country of origin

**THE PERPETRATOR – ACCOUNTABILITY AND SANCTIONS**

It is not sufficient to address only the victims of prostitution. Measures must also focus on the responsibility of those who buy women in prostitution, and their strategic role in the chain of trafficking. Prostitution and trafficking are driven by wealth generated the international trade in women and in girl children for the sexual entertainment of men through the sexual abuse, degradation and acts of violence against women.

Some activities in the sex industry are not legally prohibited because, it is alleged, they do not involve contact sexual activity. The sex industry has become an evident aspect of the so-called social and entertainment landscape. However, the reality is that the line between 'sex entertainment' and prostitution does not in reality exist. Enterprises that are integral to the prostitution and trafficking trade currently offer a legal gateway into an illegal and highly lucrative industry. All the legal provisions and omissions which have provided cover for the despicable international trade in the sexual abuse of women and children have to be ended. The men who gain from prostitution are those men who organise the international trade in women and those men who buy women through prostitution. Legislation must focus on identifying, investigating and sanctioning these categories of perpetrator.

**Prostitution and Trafficking - Accountability and Sanctions**

- ✓ Labour's approach to tackling prostitution will be informed by initiatives already taken in Sweden. Sweden introduced legislation on the gross violation of women's integrity which defined prostitution as a form of male violence against women and children and since 1999 purchasing – or attempting to purchase – sexual services in Sweden has constituted a criminal offence punishable by fines or up to six months imprisonment
- ✓ Given the interconnections between prostitution and trafficking and organised crime the potential for sustained economic and fiscal sanctions for organisers and traffickers based on the Criminal Assets Bureau model will be investigated
- ✓ Labour's legislation in government will give effect to the Palermo Protocol – the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, supplementing the UN Convention Against Transnational Organised Crime (2000)
- ✓ A defined section of An Garda Síochána will be established and resourced to enforce legislation and ensure perpetrators accountability for their role in prostitution, trafficking and pornography

## **THE STATE – RESPONSIBILITY FOR SAFEGUARING WOMEN’S HUMAN RIGHTS**

Prostitution and the sex industry promote the myth that male sexuality must be satisfied by a supply of women and children who can be bought. This demands the creation of a group of women who are legitimate targets for rape and sexual exploitation. Male abusers can act with impunity because they know that women in prostitution will not be believed or taken seriously by the criminal justice system. Many abusers deliberately target women’s vulnerabilities, such as a drug habit, in order to act as abusively as they wish. It is the responsibility of the State to address these issues through a comprehensive long-term resourced strategy tackling violence against women, including prostitution and trafficking of women and children. The State has been complicit in the role that prostitution plays in the degradation of women and in the denial to women of their rights to freedom from sexual violence and from the threat of sexual violence. The State to date has focused on the criminalisation of the woman involved in prostitution and has paid little attention to the central role of the pimp and the customer in fuelling the abuse of women.

Moreover, the State has a tradition of addressing prostitution in terms of social decency and morals rather than in the context on equality of condition for women and the threats posed to all women by prostitution and trafficking as forms of violence against women. The focus on the criminalisation of the women and the lack of attention placed on the pimp and trafficker results in reinforcing the shaming and isolation caused by the sexual abuse, and in reinforcing her reliance on the abusive and criminal network of traders, pimps and customers that control her life.

### **Prostitution and Trafficking – the Role and Responsibility of the State**

Labour policy identifies prostitution and trafficking as forms of violence against women.

Labour advocates

- ✓ Legislation and policy that criminalises the buyers / pimpers and decriminalises women
- ✓ Legislation, policy and programmes that treat women as victims, not as criminals
- ✓ Integration of prostitution and trafficking in legislation, policies and programmes tackling violence against women

Labour is committed to a public policy and public awareness campaign which will build

- ✓ A zero tolerance of prostitution and trafficking
- ✓ Increased public awareness of the violation experienced by women in prostitution
- ✓ Increased public intolerance for any promotion of men’s right to buy and sexually exploit women
- ✓ Increased public awareness of the links between adult and child sexual exploitation

## SECTION 4 - PORNOGRAPHY

### DEFINITION OF PORNOGRAPHY

The Freedom from Pornography Campaign defines pornography as graphic sexually explicit material that subordinates women. Pornography is a 'cornerstone of violence, prejudice and exploitation' (Dr Ger Moane, UCD, *Freedom from Pornography campaign 2005*).

The Campaign against Pornography and Censorship (CPC, 1989) adopted a clear harm based definition of pornography: ***'Pornography is the graphic sexually explicit subordination of women through pictures and/or words which includes one or more of the following - women presented as dehumanised objects; enjoying humiliation and pain; tied up, cut, or mutilated; shown with severed body parts; penetrated by object or animal.'***

In 1996 the Report on the Working Party on the Legal and Judicial Process for Victims of Sexual and Other Crimes of Violence Against Women and Children (NWCI, 1996) recognised that: ***'...pornography operates to differentiate women from men by representing men in positions of power and influence over women – these positions are ones which are often abusive and or violent...sexual objectification, common to pornography, portrays human beings – usually women or children – as depersonalised sexual beings, rather than as multifaceted human beings deserving equal rights with men...pornography is the sexualisation or eroticisation of dominance and submission.....'***

In their submission to the Working group on the Illegal and Harmful use of the Internet set up by the Department of Justice Equality and Law Reform (Healy, 1997), the NWCI adopted a harm based definition and made the observation that given the inherent violence within the content of most pornography: ***'it seems redundant to say 'violent pornography' – pornography is in essence the depiction of degradation and subordination and is thus a form of violence..'***

During the Irish presidency of the European Union in 2004, an EU Presidency conference was held in Dublin on Violence against Women. The speakers and participants at the panel on pornography expressed their concern at the increased availability of pornography and were agreed on defining pornography as a form of violence against women. Dr. Geraldine Moane from University College Dublin stated that: ***'The violence depicted in pornography includes rape, assault with weapons, tying up and beating, distortions of bodily parts, urination and defecation, rape by animals, and in snuff movies, actual killing. Women are depicted as enjoying such violence, and usually having orgasms during rape and other violent scenes.'*** (Moane, 2004)

In 2005 the Irish Freedom from Pornography Campaign was launched declaring the harmful nature of pornography through the objectification, dehumanisation, humiliation and degradation of women. They recognise that violence and sexual assault are presented as normal acceptable and even pleasurable and that pornographic material depicts sexual relationships as based on female subordination and male dominance. They aim to: ***'eliminate pornography and promote a society in which all people enjoy sexuality based on respect, safety, equality and mutuality'***. (FFPC, 2005)

## NGO PROFILE

**The National Women's Council of Ireland (NWCI):** NWCI is the national representative organisation for women and women's groups in Ireland with around 160 women's organisations and groups from all parts of Ireland affiliated to the Council. Affiliated organisations are involved in a diverse range of activities in the community and voluntary sector (for example in childcare, education, health, politics, employment, networking and support groups, and violence against women), ranging from small community-level groups, to national organisations. NWCI represents over 300,000 women through its combined affiliate membership.

The NWCI aims to make Ireland a better place for women and works towards a vision of Irish society as one where women can participate equally in all aspects of social and economic life. It does this through a variety of initiatives and processes – working with affiliates to determine the issues that NWCI needs to focus on, research, publications, lobbying, project development and representation of women's issues and interests – equality, poverty, health, economics and social affairs - nationally and internationally.

The NWCI launched its Freedom from Pornography Campaign in 2005 in recognition of members increasing concern at the proliferation of pornography in Irish society and the threats this poses to women.

### **The Irish Observatory on Violence Against Women:**

The Irish Observatory on Violence Against Women was set up as a national NGO in 2002. It is dedicated to monitoring and highlighting gender-based violence including pornography.

### **The Freedom from Pornography Campaign**

The "Freedom from Pornography Campaign" is a coalition of individuals and groups working on women's human rights issues and was launched on 24 February 2005 in Dublin. The Freedom from Pornography Campaign recognises pornography as part of the wider sex industry that includes prostitution in its various forms and trafficking for sexual exploitation. The campaign membership includes a range of networks and non-governmental organizations including the National Women's Council of Ireland, Women's Aid, the Rape Crisis Network of Ireland, and the National Domestic Violence Intervention Agency.

### **PORNOGRAPHY – THE FACTS FOR IRELAND (sourced from the Second National Report of the Irish Observatory on Violence Against Women, October 2006)**

In a study involving 302 school students in Dublin, young people had high levels of exposure to pornography with almost all young men (94%) and a majority of young women (68%) having had some contact with pornography. More than three out of four reported having seen at least one pornographic film (80%) with a minority having seen lots of them (17% of males and 2% of females). Two thirds of young women and men had seen pornographic magazines but patterns of regular use are highly gendered, 31% of boys and 1% of girls. Similarly two thirds of young men and one third of young women had accessed pornography on the Internet. (*Kelly and Regan, Women's Aid, 2001*)

A follow up study with 306 psychology students in University College Dublin (242 female and 64 male students reflecting the gender ratio of psychology students) revealed similar high levels of exposure with much higher percentages of males (92.1%) compared with females (63.9%) having viewed pornography. This study also shows that while the highest percentages of females (19%-26% of females compared with 18%-20% of males) have seen pornography only once, a greater percentage of males (48%-52% of males compared with 14%-11% of females) have seen it several times. A considerable percentage of males (14%-26%) have seen pornography "lots", compared with almost no females (1%-3%) who viewed pornography "lots". (Moane, 2006)

The distinction between illegal child pornography and legal adult pornography is spurious

In 1996, the National Women's Council of Ireland convened a working group on Pornography.

They concluded that:

- Any adult, however unused to using the internet who sets out to find child pornography will have no difficulty in finding access to a) explicit online visual images of child pornography and b) addresses and further information for gaining access to child pornography.
- Adults and children using the Internet for research or recreational purposes will inadvertently be faced with adverts for pornography if they use keywords like schoolgirls, child, animal, horse, etc. in other words it is almost impossible to avoid exposure to material about child pornography while using Internet.
- Any child who is curious about sex will easily gain access to child pornography.
- Children are at high risk for exposure to child pornography through inadvertently using any of the keywords above. (Healy, 1997)

Speaking at a seminar called Understanding Child Pornography at University College Cork in March 2003, Professor Max Taylor of the UCC COPINE project (Combating Paedophile Information Networks in Europe) said that the level of abuse against children depicted in photographs circulating on the net was getting more vicious and sadistic. While the typical age of children appearing in abusive images on the Internet was between six and twelve years, he described how the age profile was getting younger and that more babies and toddlers are appearing in the images and the abuse is getting worse. Professor Taylor said demand for these images was driving the huge growth in the numbers of new children appearing in the images and on average, twenty new children are appearing each month on the internet in abusive or highly graphic sex poses. (*Irish Examiner, March 03, 2003*)

In July 1998 a 49 year old limerick man was jailed for 7 years for sexually assaulting a fourteen year old girl in a Dublin hotel. When Gardai arrested the accused they found 69 child and bestiality pornographic videos. The former company director lured children with the promise of money and sweets. He had shown them pornography featuring bestiality and he also took pornographic videos of them. (Mc Kay, 2005)

The evidence is incontrovertible that when society legally ratifies the violation and sexual abuse of women through pornography and thus nullifies women's human

## SAFETY, ACCOUNTABILITY, RESPONSIBILITY

rights to freedom from violence and humiliation and degradation there is no basis or foundation from which to protect children and minors from similar violence and abuse.

*'The simple fact is that where sex industries are tolerated, sexual exploitation of children is facilitated...By insisting on an absolute separation of children and adults the argument to extend protection to 18 is undermined, and an implicit – but deeply problematic – logic is re-enforced.'*  
(Kelly & Regan, 2000).

### **Pornography - Supports and Safety for Women Policy**

- ✓ Pornography in its manufacture, promotion and use constitutes a threat to the safety, well-being and equality of women
- ✓ Pornography constitutes an incitement to violence against women
- ✓ An integrated framework of legislation and public awareness campaigns will be delivered to maximise women's safety from the violence of pornography

### **THE PERPETRATOR – ACCOUNTABILITY AND SANCTIONS**

Labour will address the accountability of and sanctions against the perpetrators of violence against women through the making, distribution and use of pornography through research, legislation and enforcement.

#### **Research**

There is an urgent need for research in Ireland that would build on existing international knowledge and evidence.

### **Perpetrator Accountability and Sanctions – Research Policy**

- Labour will ensure an evidence-based approach to tackling pornography through commissioning research into
- ✓ Production, distribution and usage of pornography
  - ✓ Relationship between pornography and sexual violence
  - ✓ Links between child and adult pornography
  - ✓ Impacts on women, children, and men
  - ✓ Links with trafficking and prostitution
  - ✓ Audit of current legal provisions and protections internationally
  - ✓ Recommendations on legislation, policy and appropriate measures.

#### **Legislation:**

Effective criminal legislative measures to prevent the production, distribution and usage of pornographic material need to be introduced based on the definitions of pornography in this policy document and on evidence of harm rather than on subjective standards of morality.

**Perpetrator Accountability and Sanctions – Legislation Policy**

- ✓ Legislative models based on definitions of pornography as a violence against women and incitement to hatred will be drafted by the Department of Justice, Equality and Law Reform and disseminated for consultation accompanied by an explanatory memorandum with a view to developing the appropriate legislative framework within which to tackle the issue
- ✓ Civil legal initiatives will be re-examined as a means to enable victims of pornography related harm to take civil action against the manufacturers and distributors of pornography.

**Enforcement**

A legislative and policy framework has little impact without the commitment to enforcement and the dedication of resources to enforcement.

**Perpetrator Accountability and Sanctions – Enforcement Policy**

- ✓ A code of guidance will be drafted in cooperation with the Gardai that will define what constitutes pornographic material and the material that falls within the remit of the law
- ✓ The intention of the law and the priority of the issue for enforcement will be communicated
- ✓ The Gardai will have the resources to develop the technical expertise necessary for effective prosecutions
- ✓ International cross border cooperation will be central to any initiatives recognising the capacity of pornographers to cross national boundaries with impunity and the scale of internet pornography

## **THE STATE – RESPONSIBILITY FOR SAFEGUARDING WOMEN’S HUMAN RIGHTS**

Labour holds that the Government of Ireland carries primary responsibility for taking action to address the threat pornography poses to women. Abdication of responsibility by the State creates the climate that facilitates the pornographer and much ground has been lost in Ireland to date in this regard. In order to address current deficits and move towards a pornography-free society Labour will in addition to the above take the following steps:

### **Pornography – Responsibility for Safeguarding Women’s Rights Policy**

- ✓ A national strategy on awareness of the harm caused by pornography will be developed as part of the National Strategy on Violence Against Women and will be informed by the research identified above
- ✓ Educational materials informed by the research findings and communicating the legislative framework and the legal sanctions against pornography will be developed for use with young people by parents, teachers, youth workers, social workers etc as a prevention strategy
- ✓ Particular attention will be given to ensuring those victims of pornography know the supports and services that are available to them

**CONCLUSION:**

This policy document has been developed as a contribution by the Labour Party to the 16 Years of 16 Days Campaign to end violence against women. The document is presented as an information, communications and awareness resource on the issue of violence against women and on Labour's principles and policy direction on this issue.

The policy sets out the Labour commitment to ensuring that Ireland meets all its national and international obligations in relation to ending discrimination and securing equality for women. Labour recognises the systematic perpetration of violence against women as a major obstacle to such equality. This document sets out the ways in which Labour will meet its responsibilities in government in ensuring that Ireland honours its commitment to tackling and ultimately eradicating violence against women.

The policy is also a communications and awareness tool detailing the forms of violence against women, the spread of NGO's active on all aspects of violence against women and the severity of the threat to women's security and safety, equality and human rights that violence against women presents.

Labour states unequivocally that it is first and foremost the active responsibility of the Irish Government to prioritise tackling violence against women and that to avoid responsibility at Governmental level is to actively collude with the perpetrator and with battery, rape and sexual assault. Labour also makes it clear that there is only one way to tackle this issue and that is in a spirit of mutuality and respect between the Government, statutory and NGO sectors.

Labour presents this policy as a statement of its commitment to tackling and ultimately eradicating violence against women and of Ireland providing models to other countries of best practice in tackling and eliminating all forms of violence against women, promoting equality for women and securing women's human rights.

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*The content of this document has been derived from the policy, practice and research work of all the NGO's named in the Acknowledgements page and from conversations and consultations with key activists. In the Bibliography we endeavour to acknowledge specific quotations, documents and information sources. There may however be inadvertent omissions. We apologise for any such omission and will if you inform us address this in the future distribution of this document.*

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