



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

Report of the Garda  
Síochána Inspectorate

# Domestic Abuse

An inspection of the Garda Síochána's approach  
to prevention, protection, prosecution and  
victim support.

**October 2024**

**The objective of the Garda Síochána Inspectorate is:**

*'To ensure that the resources available to the Garda Síochána are used so as to achieve and maintain the highest levels of efficiency and effectiveness in its operation and administration, as measured by reference to the best standards of comparable police services.'*

(s. 117 of the Garda Síochána Act 2005)

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# Foreword

In recent years, public awareness of domestic abuse has significantly increased and the Government, the Minister for Justice and the Garda Síochána have taken positive actions to protect victims, tackle offenders and break down barriers around reporting. The ratification of the Istanbul Convention, the creation of the Third National Strategy on Domestic, Sexual and Gender-Based Violence and the establishment of Cuan all mark important milestones in the State's zero tolerance approach to domestic abuse. The Garda Síochána is an important partner in this approach and tackling domestic abuse has been described as an organisational priority.

To deliver on this priority, the Garda Síochána has taken a number of important steps. These include a pro-arrest policy, the introduction of a structured process to identify risk to victims, investment in training and the creation of a number of new roles to enhance the organisation's response to domestic abuse.

Victims and, in particular, their experiences with the Garda Síochána were a key focus of this inspection. When victims contact the Garda Síochána for help, it is critically important that they receive an effective and trauma-responsive service. Through an online survey, the Inspectorate received 728 direct responses from victims of domestic abuse. While many reported positive engagement with the Garda Síochána, 50% of respondents were dissatisfied with their overall experience. The highest level of dissatisfaction was recorded amongst victims who attended a garda station.

During this inspection, the Inspectorate met many garda personnel who were committed to delivering a high-quality service. However,

feedback from domestic abuse victims and support services showed that this standard was not consistent across the organisation. Improvements have been made particularly where victims make contact through the 999/112 system and while more victims were receiving a call-back about their incident within seven days, the quality and frequency of contact thereafter was not monitored. The Inspectorate was also concerned about the extent to which the Garda Síochána was identifying and meeting individual victim's needs for protection and special measures in accordance with the Criminal Justice (Victims of Crime Act) 2017.

The garda pro-arrest policy that is in place to help protect victims has generally been adhered to; however, the overall approach to managing perpetrators of domestic abuse is under-developed. Unlike other jurisdictions, the Garda Síochána does not work as closely with other organisations to manage those perpetrators capable of causing most harm. Nor is there a multi-agency approach to support and protect victims who are at highest risk of abuse. To effectively tackle perpetrators and better support and protect victims, it is imperative that the Garda Síochána work more collaboratively, including through the sharing of information, as part of a well-defined multi-agency framework.

At the organisational level, a more strategic approach is needed to deal with domestic abuse. This should drive the changes recommended in this report and ensure that they are operating as envisaged. A key component of this approach will be to ensure that the garda domestic abuse policy is updated and fully implemented. In addition, the Garda Síochána should clarify the roles and responsibilities of units at national and

local levels. It should also make more use of readily available data to better inform its response to domestic abuse. For these reasons, the Inspectorate has recommended that the Garda Síochána develop its own domestic abuse strategy.

This report contains 52 recommendations, 38 of which are directed to the Garda Síochána. These include enhancing strategic oversight; developing procedures to better identify and deal with domestic abuse involving members of its workforce; supporting and protecting victims; and managing perpetrators. I am convinced that if fully implemented, these recommendations will help the Garda Síochána to keep people safer from violence, abuse and controlling behaviour and contribute to a more collaborative approach.

In conclusion, I would like to thank garda personnel, representatives from other agencies and victims support services for their contributions to this inspection. I also want to express my appreciation to those victims who shared their deeply personal experiences with the inspection team. It was critically important that this report captured the experiences of those who are affected by domestic abuse.

**Mark Toland**

Mark Toland QPM

*Chief Inspector*

*Garda Síochána Inspectorate*

# Acknowledgements

The Garda Inspectorate would like to express its appreciation to the Garda Commissioner, garda management and personnel who shared their time, knowledge, expertise and suggestions during this inspection. The Inspectorate also appreciates the practical assistance provided during this inspection.

The Inspectorate would also like to thank the Garda Representative Association, the Association of Garda Sergeants and Inspectors and the Association of Garda Superintendents for their contribution to the inspection at both national and local levels through meetings and submissions.

In addition, the Inspectorate is grateful for the input of the following key stakeholders who contributed to this inspection.

- > Department of Justice
- > Garda Síochána Ombudsman Commission
- > Office of the Director of Public Prosecutions
- > The Courts Service
- > The Probation Service

A number of individuals, support services and non-governmental organisations were also consulted during this inspection. The Inspectorate is grateful to the following for their input.

- > Aoibhneas Women's Refuge
- > Ascend Domestic Abuse Service
- > ADAPT Domestic Abuse Services
- > AkiDwA
- > Belfast and Lisburn Women's Aid

- > Dr. Melissa Corbally
- > Crosscare Migrant Project
- > Cuan Saor Women's Refuge
- > Disabled Women Ireland
- > Dublin Rape Crisis Centre
- > Dublin Safer Families
- > Haven Horizons
- > LGBT Ireland
- > Longford Women's Link
- > Judge Gráinne Malone
- > Men's Aid
- > Men's Development Network
- > Move Ireland
- > National Women's Council of Ireland
- > Oasis House
- > Pavee Point
- > Safe Ireland
- > Safeguarding Ireland
- > Sage Advocacy
- > SISI
- > Sonas Domestic Violence Charity
- > Support after Crime Services
- > The Association for Criminal Justice Research and Development
- > The Crime Victims Helpline
- > Tusla
- > Victim Support at Court
- > Women's Aid

To understand comparative policing practice in other jurisdictions, the Inspectorate engaged with the organisations listed below. The Inspectorate would like to thank them for their input.

- > Humberside Police
- > Kent Police
- > Queensland Police Service
- > Victoria Police
- > Swedish Police Authority

The Inspectorate would especially like to thank all those who took the time to complete its domestic abuse survey and those who shared their individual experiences of reporting domestic abuse to the Garda Síochána. Their voices were a critically important aspect of this inspection.

# Glossary

|               |   |
|---------------|---|
| <b>CAD</b>    | Computer Aided Dispatch   |
| <b>COPFS</b>  | Crown Office & Procurator Fiscal Service  |
| <b>CPD</b>    | Continuous Professional Development   |
| <b>CSO</b>    | Central Statistics Office   |
| <b>CTP</b>    | Call Transfer Procedures  |
| <b>CVH</b>    | Crime Victims Helpline  |
| <b>CYPSC</b>  | Children & Young People's Services Committee  |
| <b>DACT</b>   | Domestic Abuse Co-ordinator   |
| <b>DFFH</b>   | Department of Families, Fairness and Housing  |
| <b>DFV</b>    | Domestic and Family Violence  |
| <b>DHR</b>    | Domestic Homicide Review  |
| <b>DMR</b>    | Dublin Metropolitan Region  |
| <b>DPP</b>    | Director of Public Prosecutions   |
| <b>DPSU</b>   | Divisional Protective Services Unit   |
| <b>DSGBV</b>  | Domestic, Sexual and Gender-based Violence  |
| <b>DVDS</b>   | Domestic Violence Disclosure Scheme   |
| <b>DVEC</b>   | Digital Video Evidence-in-Chief   |
| <b>DVLO</b>   | Domestic Violence Liaison Officer   |
| <b>DVPN</b>   | Domestic Violence Protection Notice   |
| <b>ECAS</b>   | Emergency Call Answering Service  |
| <b>ETA</b>    | Estimated Time of Arrival   |
| <b>FCN</b>    | Fixed Charged Notice  |
| <b>FLO</b>    | Family Liaison Officer  |
| <b>FRA</b>    | EU Agency for Fundamental Rights  |
| <b>GDO</b>    | Garda Diversity Officer   |
| <b>GISC</b>   | Garda Information Services Centre   |
| <b>GNPSB</b>  | Garda National Protective Services Bureau   |
| <b>GREVIO</b> | Group of Independent Experts on Action against Violence against Women and Domestic Violence |

|                |  |
|----------------|--|
| <b>GSAS</b>    | Garda Síochána Analysis Service  |
| <b>GSOC</b>    | Garda Síochána Ombudsman Commission  |
| <b>GVLO</b>    | Garda Victim Liaison Office  |
| <b>GVSO</b>    | Garda Victim Service Office  |
| <b>HHHF</b>    | High Harm High Frequency Offenders   |
| <b>HMICFRS</b> | His Majesty's Inspector of Constabulary and Fire & Rescue Services           |
| <b>IDVA</b>    | Independent Domestic Violence Advisor  |
| <b>IDAA</b>    | Independent Domestic Abuse Advocate  |
| <b>IMS</b>     | Investigation Management System  |
| <b>ISE</b>     | Information Sharing Entity   |
| <b>JARC</b>    | Joint Agency Response to Crime   |
| <b>LGBTQI+</b> | Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, Intersex and more |
| <b>LMS</b>     | Learning Management System   |
| <b>MARAC</b>   | Multi-agency Risk Assessment Conference                                      |
| <b>MARAM</b>   | Multi-agency Risk Assessment and Management                                  |
| <b>NDAU</b>    | National Domestic Abuse Unit   |
| <b>NGO</b>     | Non-governmental organisation  |
| <b>PAF</b>     | Performance Accountability Framework   |
| <b>PSC</b>     | Professional Standards Command   |
| <b>PSO</b>     | Police Safety Order  |
| <b>PULSE</b>   | Police Using Leading Systems Effectively                                     |
| <b>PVP</b>     | Protecting Vulnerable People   |
| <b>RAMP</b>    | Risk Assessment and Management Panel   |
| <b>RCC</b>     | Regional Control Centre  |
| <b>RET</b>     | Risk Evaluation Tool   |
| <b>SAOR</b>    | Strategic Approach to Offender Recidivism                                    |
| <b>SORAM</b>   | Sex Offender Risk Assessment and Management                                  |
| <b>SPRSC</b>   | Summary Prosecutions Reform Steering Committee                               |
| <b>UNODC</b>   | United Nations Office on Drugs and Crime                                     |
| <b>V-SAC</b>   | Victim Support at Court  |

# Executive Summary

## Introduction

### Background to the Inspection

The Istanbul Convention, the Council of Europe's convention on preventing and combating violence against women and domestic violence, requires the development of laws, policies and support services to end this violence. In 2022, the Government published *ZERO TOLERANCE: The Third National Strategy on Domestic, Sexual and Gender-Based Violence*. This whole of government approach aligns with the four pillars of the Istanbul Convention, namely, prevention; protection; prosecution; and co-ordinated policies. In 2024, Cuan, a statutory agency under the remit of the Department of Justice, was established with the aim of tackling and reducing domestic, sexual and gender-based violence.

It is important to note that in Ireland there is no legal definition or specific criminal offence of "domestic abuse". At the time of this inspection, the Garda Síochána defined domestic abuse as the '*physical, sexual, financial, emotional or psychological abuse of one person against another who is a family member or is or has been an intimate partner, regardless of gender or sexuality*'. The Inspectorate acknowledges that while domestic abuse may occur in a spectrum of relationships, it is predominantly gender-based, with most domestic abuse perpetrated by men on their current or former female partner.

The Garda Síochána describes domestic abuse as an organisational priority and, in recent years, it has enhanced its approach to preventing domestic abuse from occurring, protecting victims and bringing offenders to justice. Examples of developments include online training for all garda personnel, the introduction of a structured risk assessment process and the establishment of Divisional Protective Services Units (DPSUs), all of

which are discussed in this report. Operation Faoiseamh, the Garda Síochána's proactive operation to protect victims of domestic abuse during the Covid-19 pandemic, reflected the importance placed on tackling domestic abuse and was praised by many support services and victims.

### Inspection Purpose and Methodology

This inspection examined the efficiency and effectiveness of the Garda Síochána's response to domestic abuse. It looked at how cases were dealt with from the point at which they are reported to the organisation until the conclusion of any criminal justice proceedings. The inspection considered the information, support and protection provided to victims by the Garda Síochána as well as the organisation's role in preventing domestic abuse. The organisational structure and the main roles tasked with dealing with domestic abuse are reviewed. The inspection also examined how the Garda Síochána engages and works in partnership with other bodies and agencies who share the aim of a zero tolerance approach to domestic violence and abuse.

The methodology used during this inspection included interviews and focus groups with garda personnel, meetings with stakeholders from state agencies and support services and an examination of practice in comparable jurisdictions. In addition, the Inspectorate analysed PULSE data, examined a selection of domestic-motivated crime and non-crime incidents on PULSE and listened to a sample of 999/112 calls relating to domestic abuse. As part of its victim-centric approach, the Inspectorate ran an online survey which received responses from 728 victims of domestic abuse. It also met with several victims who had reported their abuse to the Garda Síochána.

## Reporting Domestic Abuse

It is widely accepted that domestic abuse is under-reported to police services. However, as public awareness has increased, so too has the level of reporting, with the number of reports made to the Garda Síochána increasing year-on-year. Despite these

increases, 39% of victims who responded to the Inspectorate's survey said they had not reported their most recent incident of domestic abuse to the Garda Síochána. These respondents were presented with a list of possible reasons for not doing so and invited to select all that applied to them. Figure A summarises their responses.

**Figure A: Reasons for Not Reporting to the Garda Síochána**

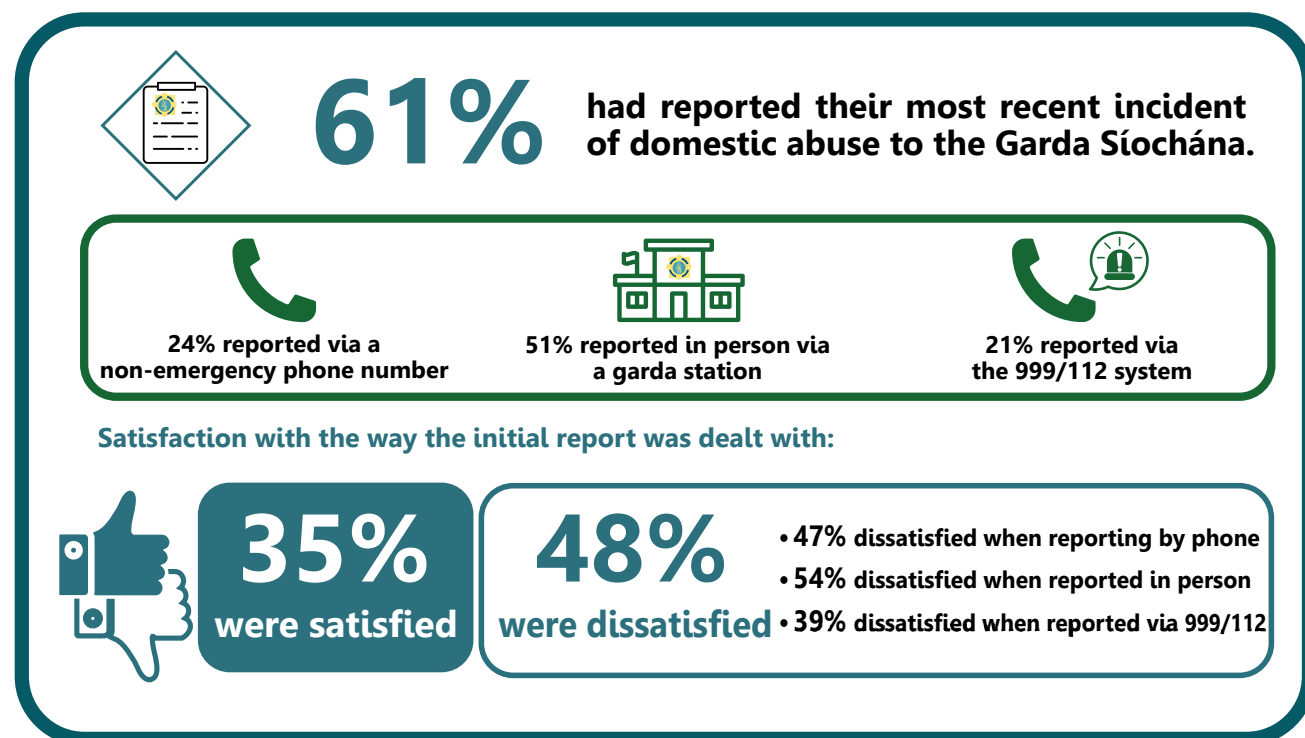


Source: Garda Inspectorate survey

The respondents who had reported their abuse to the Garda Síochána were asked how they made their report and how satisfied they were with their experience. The most common methods of reporting

and the corresponding satisfaction rates, (excluding those who were neither satisfied nor dissatisfied or did not know), are shown in Figure B.

**Figure B: Reporting Domestic Abuse to the Garda Síochána**



Source: Garda Inspectorate survey

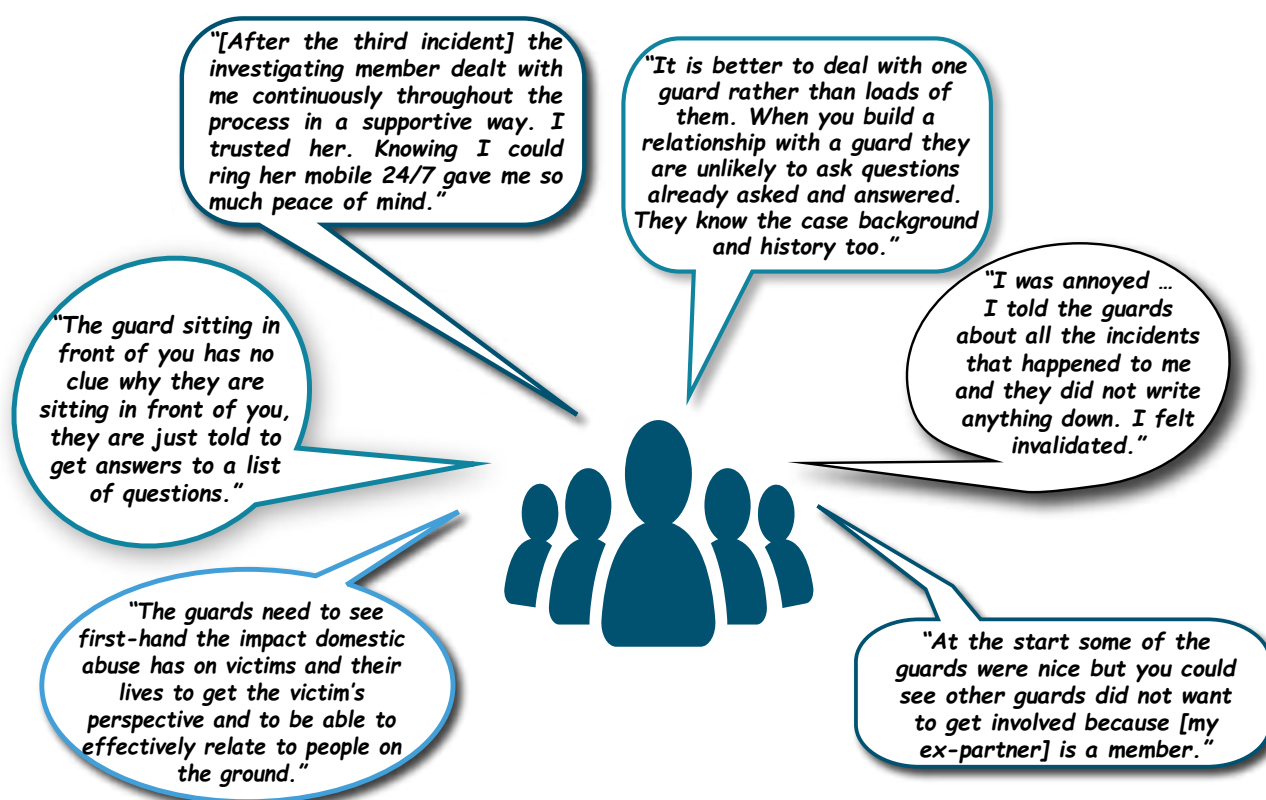
Regional Control Centres (RCCs) have been the focus of attention mainly due to the discovery of the unwarranted closure, including cancellation, of 999/112 calls. In response, much has been done to improve their operation. Calls received at RCCs are recorded and subject to a quality assurance process. However, there was no such process for in person reports made at stations. Shortcomings identified in relation to reporting at a station included a lack of privacy and different standards of treatment depending on whether a victim was accompanied by a support worker. To improve the quality of service to victims, the

Inspectorate recommends that the Garda Síochána introduce processes to monitor, assess and improve the standard of first contact at stations.

## Providing Information, Support and Protection to Victims

Hearing directly from victims of domestic abuse who had engaged with the Garda Síochána was a critically important aspect of this inspection. Feedback from victims about the information that was given to them as well as the support and protection they received is shown in Figure C.

**Figure C: Victims' Experiences with the Garda Síochána**



Source: Garda Inspectorate meetings with victims of domestic abuse

It is also important that the Garda Síochána seeks the views of victims of domestic abuse to understand the quality and impact of its actions, but it has no formal process for doing this. To address this gap, the

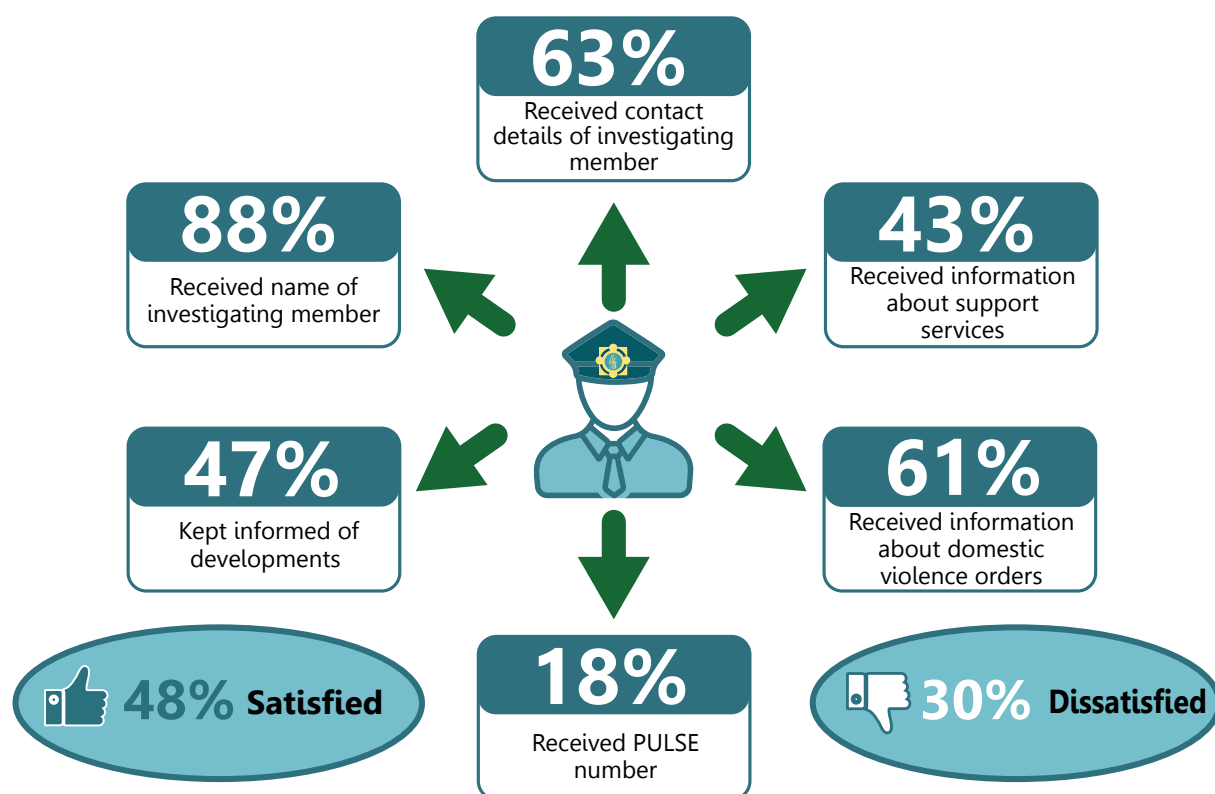
Inspectorate recommends that the Garda Síochána commission work to hear directly from victims of domestic abuse about the service they received from the organisation.

## Providing Information

Under the Criminal Justice (Victims of Crime) Act 2017, victims are entitled to certain information. To meet this requirement, the Garda Síochána should provide victims with the name and contact details of the investigating member, the PULSE reference number and information about domestic violence orders and support services. In addition, call-backs should be made to victims within seven days of the date of the incident, as well as one month and three months afterwards, if appropriate.

The purpose of call-backs is to keep victims informed of developments in their case, provide reassurance and collect further information on any threats or risks to the victim and dependents. Garda policy states that continued liaison by the same member is vital. The Inspectorate's survey asked victims if they had received this information and to rate their level of satisfaction with the information provided. The results, (excluding those who were neither satisfied nor dissatisfied or did not know), are shown in Figure D.

**Figure D: Receiving Information from the Garda Síochána**



Source: Garda Inspectorate survey

Ongoing monitoring by the Garda Síochána had increased the proportion of victims of domestic abuse who received a seven-day call-back from 43% in 2019 to 73% in 2023. However, call-backs were not always made by the same person. While the inspection found some good examples of ongoing engagement with victims, it was more common that contact was sporadic, with little or no record of the interaction. Victims

had no other way to obtain information about their case apart from being contacted by garda personnel or by making contact themselves. There was no automated process to alert members that a call-back was due and the Garda Síochána was not monitoring the quality or frequency of call-backs. Tools such as automatic prompts to alert investigators to update victims at identified intervals or self-service portals were not available.

To ensure victims of domestic abuse are given sufficient information in a timely manner, the Inspectorate recommends that the Garda Síochána undertake a review of how it is fulfilling its legal obligations to provide information to victims of domestic abuse. The review should assist with the development and introduction of a standardised process to monitor and assess the quality and frequency of victim updates and an automated system to prompt members when updates are due. A self-service facility for victims to obtain information on the status of their case is also recommended.

## Providing Support

To ensure that appropriate support is available to victims, the EU Victims' Rights Directive requires Member States to facilitate the referral of victims to support services in a way that is compliant with data protection legislation. While the Criminal Justice (Victims of Crime) Act 2017 enables a member of the Garda Síochána to refer a victim to a support service with their consent, there was no policy or guidance on making referrals. Apart from a few exceptions, there was no standardised referral process in place and garda members tended not to refer victims directly. In most instances, including when the victim was a repeat victim, members gave details of relevant organisations to victims to make contact themselves.

Data protection legislation was cited as the main reason for not making referrals. To improve how victims of domestic abuse are supported, the Inspectorate recommends that the Department of Justice work with the Garda Síochána, Cuan and support organisations to agree and implement a process to refer victims of domestic abuse through a single point of entry to the wraparound service proposed under the Third National Strategy. In the interim and

as a matter of urgency, the Garda Síochána should provide guidance on proactively referring victims to support services, with their consent.

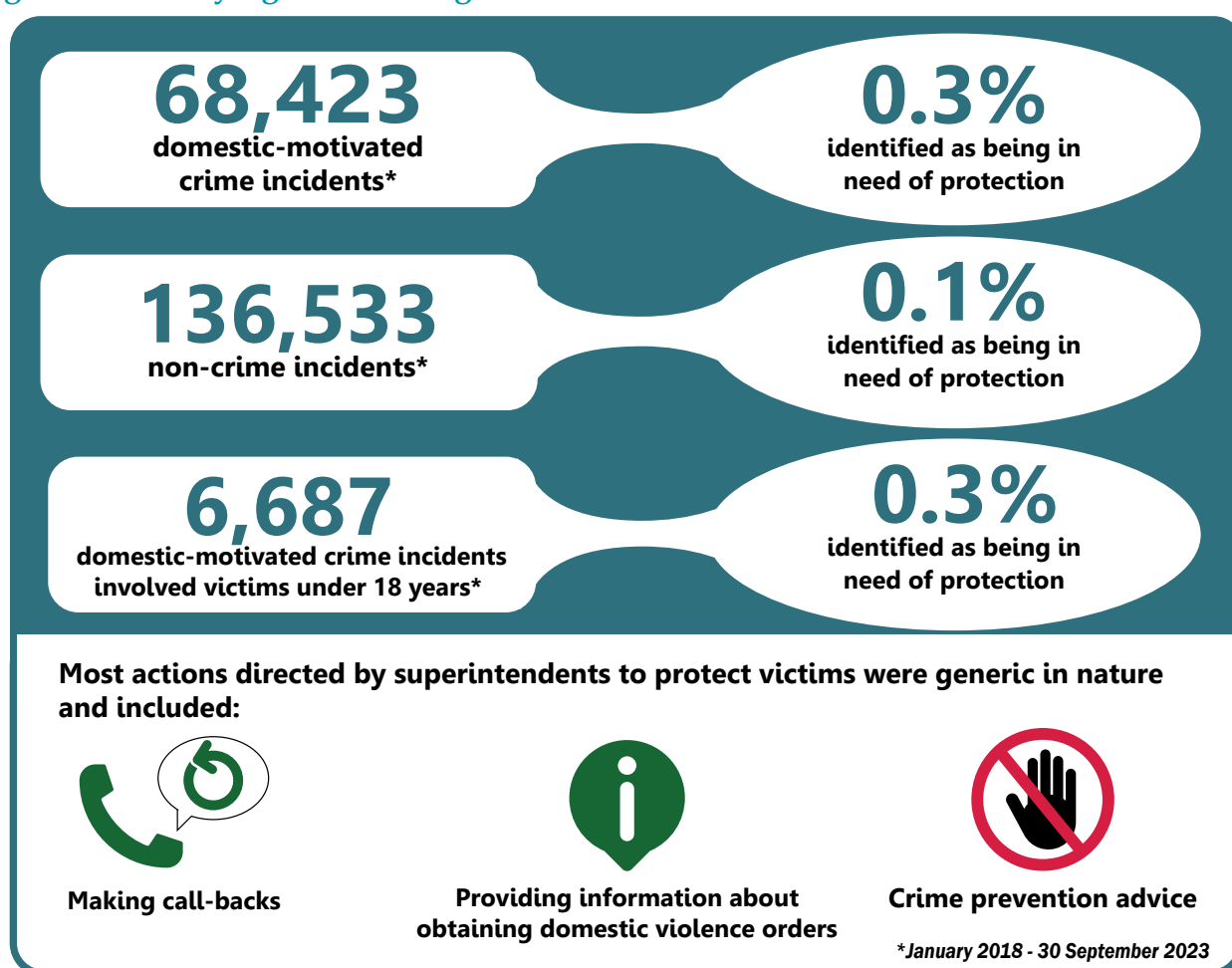
## Victims' Needs for Protection and Special Measures

The Criminal Justice (Victims of Crime) Act 2017 requires the Garda Síochána to carry out an assessment to identify a victim's protection needs and ascertain whether they might benefit from protection measures, special measures during the investigation or special measures during any criminal proceedings. The Act states that every child victim of crime is deemed to be in need of protection. The Garda Síochána has a policy of referring all children linked to a domestic abuse incident to Tusla, but in the majority of cases, this did not result in further action being taken by the Garda Síochána.

There is a statutory process for conducting a victim assessment. This includes consulting with the victim if the garda member assesses that they have specific needs and considers that they would benefit from protection or special measures. While PULSE has fields to record each victim's identified needs, there was no place to record if these were met or the details of any measures put in place. Several garda members said that actions would be taken to protect victims but acknowledged that these were not always recorded.

Figure E summarises the findings from the Inspectorate's examination of PULSE data in relation to protection needs.

Figure E: Identifying and Meeting Protection Needs



Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

Due to the nature of domestic abuse cases, the Inspectorate would have expected to find that more victims had a personalised assessment and that actions tailored to meet identified needs had been directed. An examination of a sample of PULSE incidents involving victims who had three or more domestic-motivated incidents found no change in the garda response even though they were subject to further acts of violence and in some cases the violence was escalating. The lack of evidence of victims' needs being reassessed or of any variation or escalation of protection measures for repeat victims was a concern. To address this, the Inspectorate recommends that the Garda Síochána take steps to improve how it protects victims of domestic abuse.

In addition, the Inspectorate found no reference on PULSE to special measures

at court being considered in any of the 137 cases it examined, regardless of the seriousness of the crimes or the level of risk to the victim. Although an assessment of the victim's need for special measures at court is included on case files submitted to the Office of the Director of Public Prosecutions (DPP), files in cases being prosecuted by the Garda Síochána did not contain this type of information. None of the garda prosecutors or court presenters who met with the Inspectorate had applied for special measures at court. In order that the rights of victims of domestic abuse are fully met, the Inspectorate recommends that the Garda Síochána proactively monitor how victims' needs for special measures at court are assessed. It should also monitor the extent to which these are applied for and provided in cases prosecuted by garda members.

## Investigating Reports of Domestic Abuse

### Allocating Cases for Investigation

While most domestic abuse incidents are investigated by members of regular units, some more serious or complex cases are investigated by specialist units such as the DPSU or the Garda National Protective Services Bureau (GNPSB). The decision to assign a domestic abuse investigation to a specialist unit is usually taken at a daily management meeting chaired by the local superintendent or inspector and there is guidance about what types of crimes should be reassigned to DPSUs. However, due to the limited capacity of DPSUs, investigations that should have been reassigned to them were often retained by regular unit members. In some instances, more experienced members were asked to assist regular unit members. There were no criteria to define what types of cases should be assigned to the GNPSB for investigation.

Across the four divisions visited, different garda members were investigating separate incidents reported by the same victim even when the incidents occurred in close succession. This approach results in some victims dealing with a number of different members and could increase the risk of missing a pattern of abuse and opportunities to prefer charges for more serious offences.

To address these issues, the Garda Síochána should review and update its policy and practice for allocating investigations of domestic-motivated crimes. This should include clarification of the investigative function of the GNPSB and guidance on minimising the number of investigating members dealing with the same victim.

## Gathering Evidence

Victims who report a crime to the Garda Síochána are invited to make a formal written statement of complaint. This is usually required to initiate a prosecution against the perpetrator. In many cases, victims also have to attend court to give their evidence and some may decide not to do so due to the trauma and stress involved. Section 16 of the Criminal Evidence Act 1992 allows a video-recorded statement by a child to be admissible as evidence at a trial in certain circumstances. In some other jurisdictions, a similar provision is available to adults in domestic abuse cases. If permitted in Ireland, video-recorded statements from victims and witnesses in domestic abuse cases could help to mitigate some of the challenges of giving evidence in person. As such, the Inspectorate recommends that the Department of Justice consider introducing legislation that allows a video recording of a statement made by a victim or witness during interview with a member of the Garda Síochána or other competent person in relation to a domestic abuse offence to be admissible as evidence at trial.

Digital platforms provide opportunities for abusers to stalk, harass and control victims in the virtual space. As such, garda investigators need to be able to identify and secure evidence of online offending from victims' electronic devices. Although the Garda Síochána emphasised that it tries to minimise the length of time it retains devices for examination, handing over a phone or computer can be traumatising for victims and may leave them feeling even more vulnerable. The Inspectorate considers that there are additional measures that the Garda Síochána could take to minimise distress to victims such as establishing Digital Media Units in all divisions, introducing technology that can extract data immediately in the

presence of the victim and enabling victims to upload relevant material themselves.

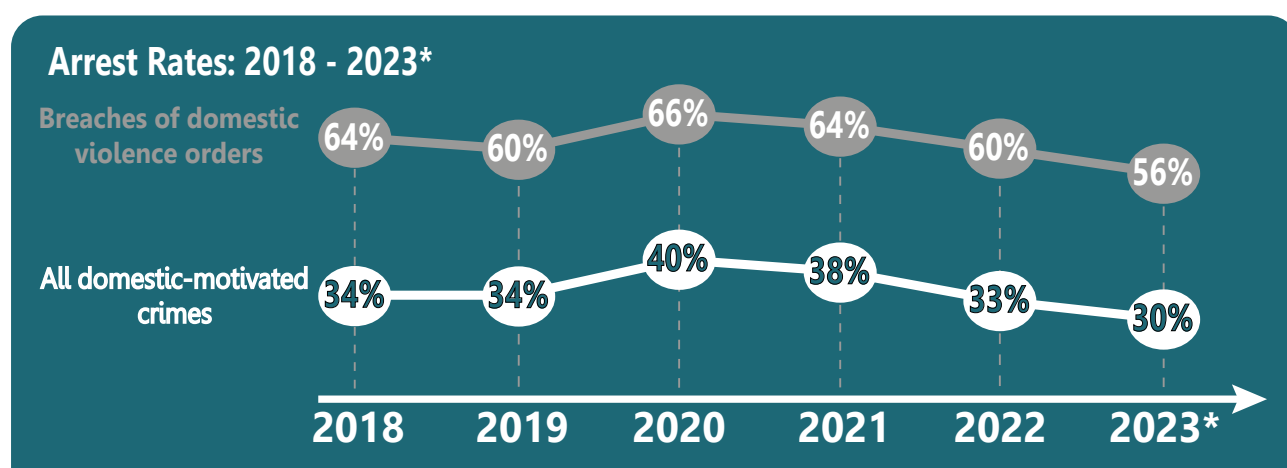
The Inspectorate welcomes the introduction of body-worn cameras. This is an important evidence-gathering tool that can be used in domestic abuse incidents. In addition to their use in criminal proceedings, the Inspectorate recommends that consideration be given to making footage available for applications for domestic violence orders.

arrest policy in relation to domestic abuse, not all domestic-motivated crimes have a corresponding power of arrest. There are also legitimate reasons why arrests do not take place in every case or are delayed. However, where there is a power to arrest and sufficient grounds to justify it, the immediate arrest of a suspect is an important tactic to protect the victim and interrupt the cycle of abuse. Information about arrests for domestic-motivated offences is shown in Figure F.

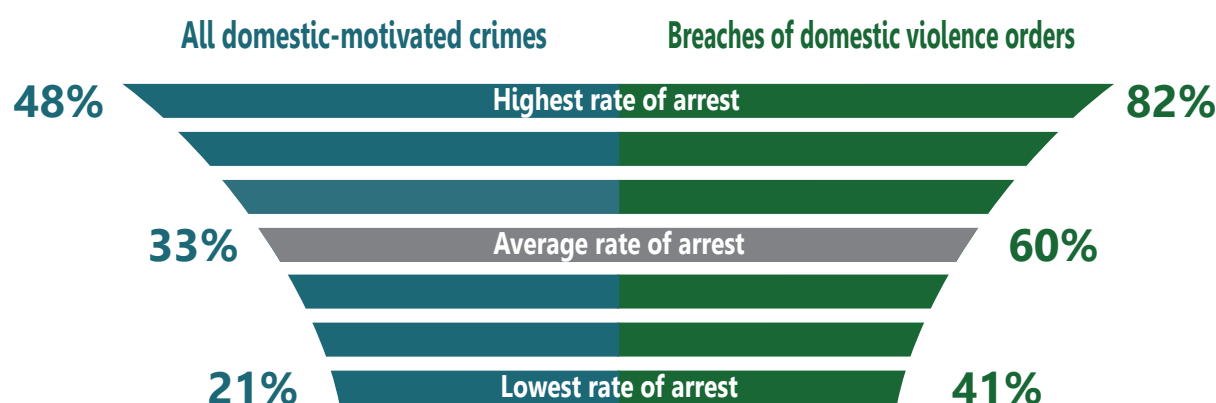
## Use of Powers of Arrest

Arresting the perpetrator is a proactive tactic that can help prevent further harm to the victim. While the Garda Síochána has a pro-

**Figure F: Arrests for Domestic-motivated Offences**



### Arrest Rates by Division: 2022



**79%**

of arrests were made on the day of report or the following day.\*



\*as of 30 September 2023

Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

The Inspectorate's examination of PULSE data found that an arrest was recorded for most breaches of orders, but in some instances it occurred several days after the breach was reported. For other crimes with a power of arrest, some arrests were made at the time of reporting, some took place a number of days afterwards and others had no record of an arrest. Examination of a sample of PULSE incidents identified several cases where the suspect had not been arrested at the time of reporting and a superintendent had directed an urgent arrest. In cases where there was a delay in making the arrest, there was no explanation recorded for this.

Although arrests in individual cases were being checked at local management meetings, there was no examination of arrest data at the strategic level to understand the reasons for the wide variation in rates. To address this gap, the Inspectorate recommends that the Garda Síochána regularly compile and proactively monitor management information in relation to domestic-motivated crime, including arrest data.

## Use of Bail

Bail is another positive action that can help prevent further harm to a victim. There are two types of bail – station bail and court bail. Station bail is the process whereby a person who has been charged with an offence may be released from a garda station to appear at court on a specified date. Unlike some other jurisdictions, Irish legislation does not permit an arrested person to be released on police bail to return to the garda station pending further enquiries. In addition, when a person has been arrested and released without charge, they cannot be re-arrested for the same offence unless a court issues an arrest warrant.

Once a person has been charged and brought directly to court, they may be

remanded into custody or released by the court on bail, with or without conditions. The DPP representative or garda member who presents the case can object to bail or request that the court impose bail conditions. The Inspectorate was told that on occasions, inexperienced garda members have failed to make an effective application due to their lack of understanding of the law in this area. The remedy proposed was to ensure that court presenters (garda sergeants appointed to this specialist role) made all such applications.

It is the responsibility of the investigating garda member to monitor compliance with bail conditions. However, these were not recorded on PULSE and therefore were not readily available to all garda personnel. The importance of garda members checking compliance with bail conditions and reporting to the court was emphasised as being critical to decisions regarding the continuation or revocation of bail. To help protect victims of domestic abuse, the Inspectorate recommends that bail legislation is strengthened and that any conditions are added to the PULSE system immediately after bail is granted.

## Prosecutions, Detections and Outcomes of Domestic-motivated Crimes

Following the conclusion of a police investigation, a decision is made on whether to prosecute the suspect. Depending on the seriousness of the offence, the decision to prosecute is taken either by the DPP or by the Garda Síochána. Within the Garda Síochána, most of these decisions are taken by a superintendent or inspector. Once a decision to prosecute has been taken, court presenters attend court to present cases on their first court date and subsequent adjournments. If a person pleads not guilty

in a prosecution directed by the Garda Síochána, an inspector or superintendent usually prosecutes the contested matter. However, not all garda prosecutors and court presenters had received specific training in relation to domestic abuse cases. It was also the case that individual members of garda rank without specialist training may initiate and conduct prosecutions for breaches of domestic violence orders.

The DPP provides an advocacy service in the Dublin District Court in respect of more complex matters that are suitable for hearing in that court. These include cases where the Garda Síochána has taken the prosecution decision and decided to submit the file to the DPP for representation. At the time of this inspection, there were no criteria for referring domestic abuse cases to the DPP, the Garda Síochána was not collecting data on the number of cases it referred, nor was it examining the reason why some cases were not forwarded.

Sometimes victims of domestic-motivated crimes decide to withdraw from the prosecution of their abuser. Despite DPP guidelines on what to do when the circumstances of a case change, garda prosecutors and court presenters did not consistently follow the guidance. While a prosecution is more likely to succeed if the victim remains engaged with the criminal justice process, it is possible to bring a successful prosecution even if the victim withdraws their support. This inspection found that there was no information recorded on PULSE to identify whether a case was suitable to proceed without the victim's involvement, or to flag cases that had gone ahead without it. As a result, data on the number of victimless prosecutions taken by the Garda Síochána was not readily available. A new directive of the European Parliament and the Council of the European Union on combating violence against women and domestic violence states that

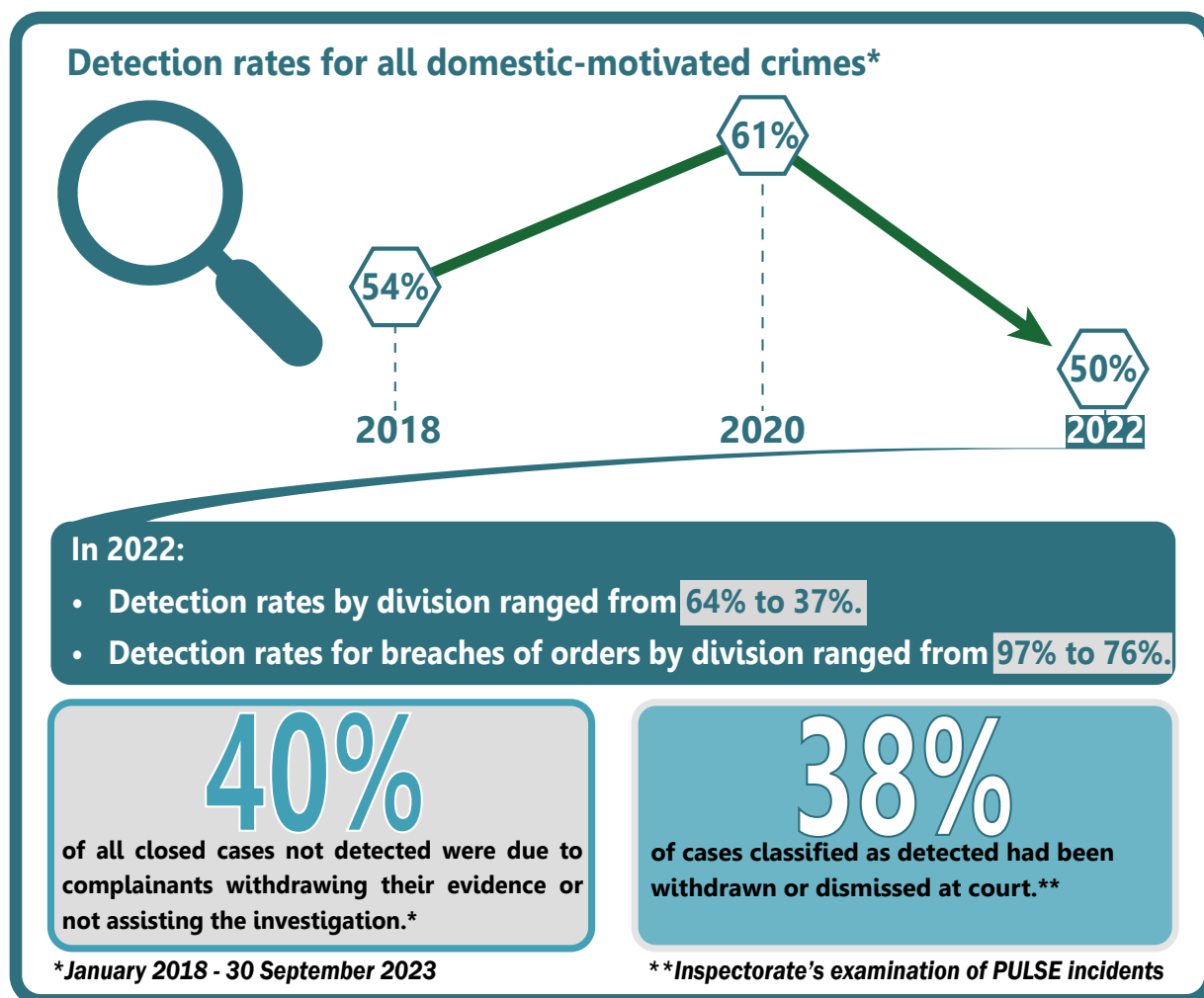
criminal proceedings shall continue even if the accusation has been withdrawn. It also provides for the issuing of guidelines to ensure that proceedings do not cause secondary or repeat victimisation.

Domestic abuse cases in the district court can be technically difficult and so the imbalance in legal knowledge and expertise between defence lawyers and garda prosecutors could lead to inequalities in how victims fare within the court system. Taking account of the complexity of many domestic abuse cases, the challenge of securing convictions without victims' involvement and the overarching "zero tolerance" approach, the Inspectorate believes that as part of its review, the Summary Prosecutions Reform Steering Committee (SPRSC) consider domestic-motivated crimes as a category that should be submitted to the DPP for a decision on whether to initiate a prosecution and provide legal representation in district courts. A phased approach, starting with representation in contested cases and direction and representation in cases in which the victim has withdrawn their support could be helpful. The SPRSC should also consider expanding the representation scheme for domestic abuse cases to all district courts outside of Dublin.

## Detections for Domestic-motivated Crimes

A crime can be classified as detected when criminal proceedings have been commenced against at least one person involved in that offence. Criminal proceedings are commenced when a person is charged with the offence or a summons is applied for. A crime can also be classified as detected when an adult, juvenile or informal caution is administered, or when there is sufficient evidence but a decision has been taken not to prosecute. Information about detections for domestic-motivated crimes is shown in Figure G.

Figure G: Information about Detections



Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

If a prosecution does not result in a conviction, a superintendent should review the case to determine if the crime remains “detected”. The Inspectorate found no evidence that unsuccessful prosecutions had been reviewed. Garda prosecutors and court presenters who met with the Inspectorate were unaware of any formal review system. In addition, there was no analysis of the number and type of cases that were withdrawn or dismissed in court and the reasons for this. Although the Garda Síochána has introduced a new system to better understand why detections are not always achieved, it does not include an examination of the reasons why detected cases did not result in a conviction.

To improve internal oversight of the Garda Síochána’s prosecution function in relation to domestic abuse, the Inspectorate recommends that the organisation regularly compile, analyse and monitor prosecution-related information. This should include the number of prosecution decisions it takes; detection rates; the number of court convictions achieved; and reasons why prosecutions were unsuccessful. This should be done at organisational and divisional levels.

## Prevention of Domestic Abuse

### Prevention through Education

The Garda Síochána has a long history of engaging with children through its schools programme and has significant reach into communities as a result. The programme is regarded as a key part of the organisation's community engagement and crime prevention toolkit. The content of the programme is determined by the Department of Education and at the time of this inspection did not include domestic abuse. However, at the local level some garda members have been delivering presentations and information in schools on this subject. Members have also been involved in the delivery of other education initiatives with partners.

Under the Third National Strategy, the Department of Education leads on developing domestic abuse material. While there is a role for the Garda Síochána in highlighting that children can be both victims and in some cases perpetrators of domestic abuse, the messaging must be age-appropriate and consistent irrespective of who delivers it. The Inspectorate recommends that the Department of Education, working with the National Council for Curriculum Assessment, Cuan and the Garda Síochána, develop domestic abuse content for delivery through the Garda Schools Programme. In addition, the Garda Síochána should use the key messages from the programme when it engages with young people outside of the formal school environment.

### Media and Awareness-raising Campaigns

Media and awareness-raising campaigns were described as central to how the Garda Síochána prevents domestic abuse and are key elements of the role of the GNPSB. The

Garda Síochána has been positively involved in the delivery of a number of multi-agency campaigns such as Go Purple Day and the Safe Pharmacy initiative. However, the Inspectorate considers that there is scope for the Garda Síochána to further enhance this work by developing bespoke awareness-raising initiatives that focus on its role in relation to domestic abuse and is tailored to individual communities. In terms of national campaigns or press conferences, it should ensure that these are adapted for local delivery. Conversely, to avoid missing opportunities to expand local initiatives, the Garda Síochána should also create a mechanism through which examples of good practice can be evaluated and promoted across the organisation. To achieve this, the Inspectorate recommends that the Garda Síochána continue to develop and implement a tailored awareness-raising and communications plan to increase awareness of domestic abuse across all communities and highlight the role of the Garda Síochána in relation to domestic abuse.

### Offender Management

The aim of offender management is to hold perpetrators to account and reduce their offending behaviour. It can involve law enforcement tactics such as arrest and bail as well as behavioural change programmes. This section considers how the Garda Síochána manages domestic abuse offenders.

### Strategic Approach to Offender Recidivism

The Strategic Approach to Offender Recidivism (SAOR) is a garda process whereby a case manager is appointed to manage a repeat offender with specific emphasis on co-ordinating the offender's court appearances and providing advice on bail conditions. It is not specific to domestic

abuse. Awareness of SAOR in the garda divisions inspected varied and there was no reliable data on the number of domestic abuse offenders who were managed by this process.

## Perpetrator Programmes

Perpetrator programmes can reduce offending behaviour by domestic abuse offenders. In Ireland, a perpetrator programme called CHOICES is delivered by two non-governmental organisations on behalf of the Probation Service. While the Probation Service most often deals with court-mandated attendees, perpetrators may self-refer to the programme. The Inspectorate was advised that it was possible for the Garda Síochána to refer perpetrators to the programme with their consent, but found little awareness of this option among garda members. The possibility of developing a garda referral stream had been raised with the Garda Síochána by one non-governmental organisation but had not been progressed.

The Third National Strategy commits to developing a national perpetrator programme for convicted and non-convicted perpetrators of domestic and sexual violence offences as required by the Istanbul Convention. As advocated by the Convention, the Garda Síochána should be involved in the delivery of such programmes.

## Multi-agency Approach to Offender Management

The Offender Management Strategy and Governance Group oversees the national approach to offender management. This high-level group includes senior representatives from the Department of Justice, Garda Síochána, Probation Service and Irish Prison Service. It oversees two established multi-agency offender management programmes: the Joint Agency Response to Crime (JARC)

and Sex Offender Risk Assessment and Management (SORAM). While there was no multi-agency offender management programme specifically for perpetrators of domestic abuse, the group advised that it was planning to introduce one that incorporated best practice from JARC and SORAM. This would bring Ireland more in line with other jurisdictions where agencies come together to identify perpetrators causing most harm and agree to apply the most appropriate tactics to reduce offending behaviour.

The Inspectorate considers that the Garda Síochána needs to place a greater emphasis on managing domestic abuse offenders. It therefore recommends the introduction of a domestic abuse offender management strategy that defines prolific and high-harm offenders; a process to assess the risk posed by each offender; and a menu of tactical options that includes referrals by the Garda Síochána to perpetrator programmes. A further recommendation is made for the Department of Justice to work with partners to introduce a multi-agency approach to offender management at pre- and post-conviction stage.

## Protecting Victims of Domestic Abuse

### Assessing Risk

The Garda Síochána has a three-tier process for assessing risk in relation to domestic abuse. Tier 1 occurs when a call for service is received. Although the Inspectorate identified weaknesses in gathering information to inform risk assessments, the Garda Síochána advised that its new computer aided dispatch system, known as GardaSAFE, would help to address these matters. Tier 2 involves the first responder considering and, if appropriate, completing a risk assessment form known as the Risk

Evaluation Tool (RET). The RET consists of 22 questions designed to provide an insight into the risk or perceived risk the victim faces or may face. The member who completes the RET assesses the level of risk to the victim as either standard, medium or high. They do this by using the RET, information from garda systems about the victim and perpetrator and their professional judgement. A sergeant then reviews the member's assessment. Tier 3 is a review of the incident and the assessed level of risk by a superintendent or inspector at a daily management meeting. Here, the risk grading can be changed if necessary and additional protective actions directed.

The RET was introduced by the Garda Síochána during the course of this inspection. In divisions where it had been rolled out, members were completing the RET but risk assessments were based on garda information only and were rarely repeated or reviewed. While garda members had completed online training in the RET, it was not sufficient to enable members to elicit information in a trauma-informed and responsive manner. At all levels, members highlighted the limitations of online training for such a complex and sensitive task.

## Managing Risk

To protect a victim of domestic abuse, action should be taken to mitigate or manage the identified risk. The Garda Síochána explained that it uses a number of different tactics to do so and that these are considered at daily management meetings. However, as illustrated in Figure E, very few victims were identified on PULSE as having specific protection needs, actions to protect them were rarely tailored to the individual and there was no record on PULSE of specific actions having been carried out.

In other jurisdictions, high-risk victims are usually supported through a formal multi-agency approach to risk management. Although this is not standard practice in Ireland, Operation Sabháilte is a good example of partners working together to provide additional support and advice to those at serious risk of harm. Operation Sabháilte is a local initiative developed by Limerick division and a local domestic abuse service. In the view of stakeholders, it improved the protection of victims and increased their confidence in how the State responds to domestic abuse. Police in other jurisdictions are also involved in developing and supporting safety plans for victims of domestic abuse, while in Ireland there is an inconsistent level of involvement by garda personnel.

To better protect victims, the Inspectorate recommends that risk assessments are reviewed and updated when significant new information comes to light or when a significant event takes place. The Garda Síochána should develop a tailored risk management plan for each victim based on their assessed level of risk, with actions drawn from a toolkit of tactical options. As other agencies and organisations are often in a position to contribute to the risk assessment and management processes, the Inspectorate recommends the introduction of a multi-agency approach to identifying and protecting victims who are at high risk of harm.

## Domestic Violence Orders

Domestic violence orders are a critically important tool to protect victims of domestic abuse and act as a deterrent. For example, orders can exclude perpetrators from the home or require them to have no contact with the victim. Providing victims with information about orders is a key part of the

garda response. However, garda members had an inconsistent level of understanding of the different types of orders, which consequently caused difficulties for some victims and court staff.

When an order is granted, it is required to be served on and notified to the respondent for it to enter into force. The court determines the method of service, one of which is personal service by the Garda Síochána. However, variations in arrangements for conveying orders from the court office to the relevant garda station sometimes led to delays. The Garda Síochána had developed a system to track orders sent to it for service, but the absence of the respondent's date of birth and Eircode sometimes made it difficult to correctly identify the respondent and locate them. Delays in service can have negative implications for victims.

Explaining the terms of orders to respondents and making a record of this was highlighted as a way of encouraging compliance and thereby protecting victims. However, in some instances there was a reluctance among members to do so. The introduction of body-worn cameras provides an opportunity to secure evidence of service and record the member explaining the terms.

To enhance the effectiveness and efficiency of the domestic violence order process, the Inspectorate recommends that the Garda Síochána deliver additional awareness raising for all front-line personnel in relation to the different types of orders and how to explain the terms of the orders during service. It should also direct members to activate body-worn cameras when serving orders and explaining the terms to the respondent. A standardised electronic system for transmitting domestic violence orders from the court to the Garda Síochána is also recommended.

Unlike police services in a number of other jurisdictions, the Garda Síochána is unable to issue an immediate short-term notice to exclude a perpetrator from the home or apply to a court for a substantive order that extends the period of exclusion. These powers would increase the ability of the Garda Síochána to protect victims. As such, the Inspectorate recommends that the Department of Justice introduce legislation to allow the Garda Síochána to issue short-term exclusion notices and apply for substantive orders.

## Domestic Violence Disclosure Scheme

To help protect victims of domestic abuse, some jurisdictions operate a domestic violence disclosure scheme. These schemes facilitate disclosure of a perpetrator's domestic abuse history to their partner or a relevant third party on a 'Right to Ask' and 'Right to Know' basis. Although Ireland does not operate this type of disclosure scheme, the Garda Síochána runs Operation Devise that aims to identify and, where necessary, take action to protect the new partner of a person connected to a domestic homicide. The remit of the operation was expanded on 1 August 2024 to include persons charged with coercive control. The GNPSB identifies such perpetrators and notifies the relevant garda division, which then puts measures in place to protect the perpetrator's current partner. The operation is confined to a narrow cohort of offenders and knowledge of it outside the GNPSB appeared limited. Unlike domestic violence disclosure schemes in other jurisdictions, members of the public who have a concern about their partner cannot ask the Garda Síochána if they are at risk. To help protect victims, the Inspectorate recommends that the Department of Justice work with the Garda Síochána to introduce a disclosure scheme that is broader in scope than Operation Devise.

## Engagement and Partnership Working

### Stakeholder Engagement

Tackling domestic abuse necessitates a whole of society approach that requires relevant organisations and agencies to engage, learn from each other and work together.

At the national level, the GNPSB is the main conduit through which the Garda Síochána engages with other state bodies and support services in relation to domestic abuse. Primary responsibility for engagement lies with the detective chief superintendent, who is supported by a detective superintendent and other personnel from the bureau. The GNPSB had previously organised a forum with victims groups but this was no longer in operation. Instead, the bureau regarded the Department of Justice-led Victims Forum as a means to engage with domestic abuse support services. While many positive examples of stakeholder engagement were provided during this inspection, the overall approach was unstructured and often depended on individual garda members.

Stakeholder engagement at divisional level was similar to the national level. Although good examples were provided, support services described an ad hoc approach that was often dependent on relationships built up with individual garda members. Although engagement with victim support organisations at this level was under-developed, there was a general recognition by garda personnel of the need to build and maintain relationships with all external stakeholders.

In order to foster relationships and create more effective communication with relevant stakeholders, the Inspectorate recommends that the Garda Síochána develop and implement a national-level domestic abuse stakeholder engagement plan. This should

be delivered through the establishment of a national stakeholder engagement group and a structured engagement process. This approach should be replicated in each division.

### Working in Partnership with External Agencies and Organisations

The Garda Síochána is already working well with a number of external partners in relation to domestic abuse. However, in contrast with comparable jurisdictions, multi-agency working is under-developed in Ireland. As such, the Inspectorate considers that there is a need for more formalised multi-agency working structures between the Garda Síochána and stakeholders, both state bodies and support services. This report contains several recommendations to expand collaborative working to prevent domestic abuse, protect victims and hold perpetrators to account. However, the ability to share information lawfully was often described as a barrier to effective partnership working. This creates a risk that victims are not protected to the extent that they could otherwise be. There are positive examples of information sharing, such as the Joint Working Protocol between Tusla and the Garda Síochána and the arrangements underpinning JARC. However, there are very few formalised arrangements for sharing information with victim support organisations.

Actions under the Third National Strategy aim to address the challenge of information sharing and the Policing, Security and Community Safety Act 2024, once commenced, will enable the Garda Síochána to share information, including personal data, with another relevant body or a prescribed body. Pending these developments, the Inspectorate recommends that the Garda Síochána review its information sharing policies to facilitate multi-agency approaches to tackling domestic abuse.

## Strategy, Governance and Accountability

### Garda Strategies and Policies

Although the Garda Síochána indicated that it was going to develop an overarching strategy setting out how it will prevent domestic abuse from occurring, protect victims from harm and bring offenders to justice, this was not progressed. Instead, a decision was taken to adopt the Third National Strategy as the garda strategy. The Inspectorate considers that this is too high level to drive day-to-day operational activity and recommends that the Garda Síochána develop a whole of organisation domestic abuse strategy. It should be accompanied by an action plan with measurable outcomes that sets out and co-ordinates the activity of national and local resources.

The Garda Síochána's Domestic Abuse Intervention Policy was last updated in 2017. This was prior to landmark developments including Ireland's ratification of the Istanbul Convention; the enactment of the Domestic Violence Act 2018; the introduction of DPSUs; and publication of the Third National Strategy. At the time of the inspection, an updated policy was being finalised. This needs to be completed and published as a matter of urgency.

### Governance and Accountability

Many parts of the Garda Síochána are involved in tackling domestic abuse. In addition to geographical divisions, a number of national and regional units have an important role. These are shown in Figure H.

**Figure H: National and Regional Level Units with a Role in Tackling Domestic Abuse**



Source: Information provided by the Garda Síochána, adapted by the Garda Inspectorate

Each unit operates its own governance and accountability structure within a corporate framework. Agendas for meetings required under this framework mirror the pillars of the annual policing plan and may not include domestic abuse.

All garda policies have an owner whose responsibilities include monitoring levels of compliance. The domestic abuse policy owner is Assistant Commissioner, Organised and Serious Crime, while Detective Chief Superintendent, GNPSB is the national lead for domestic abuse. The GNPSB has a Governance Unit whose remit includes monitoring and reporting on national performance against relevant policing plan targets, as well as reviewing divisional performance and identifying areas for improvement. While this small unit had carried out several domestic abuse-related reviews, it was not monitoring divisional performance apart from seven-day call-back rates. In spite of having defined governance and oversight responsibilities, in practice the policy owner and the national lead had limited involvement in monitoring compliance with the Domestic Abuse Intervention Policy. Nor did they have any significant role in reviewing performance in relation to domestic abuse.

There was also a lack of comprehensive management information to assist with assessing performance and making decisions. To help understand how well the organisation is performing and what improvements are needed, the Garda Síochána needs to make better use of the large volume of domestic abuse-related data it holds. Although some analysis had been undertaken, this was limited in scope. Furthermore, as analysis was based exclusively on the Garda Síochána's data, it provided an incomplete picture of a problem that is significantly under-reported.

To contribute more effectively to achieving zero tolerance of domestic abuse, the Inspectorate recommends that the Garda Síochána establish a Strategic Domestic Abuse Group, chaired by a person of at least assistant commissioner rank. The group should co-ordinate a whole of organisation approach to domestic abuse, ensure consistent standards of practice and drive continuous improvement. It should focus on outcomes such as reducing repeat victimisation, serial offending and attrition rates as well as improving victims' experiences.

To support this approach, the GNPSB should be assigned an enhanced role in relation to the strategic governance and oversight role of domestic abuse. To inform the work of the group, the Garda Síochána should develop a comprehensive management information framework that is linked to the recommended domestic abuse strategy and action plan.

## Divisional Level Roles and Responsibilities

Regular unit members deal with the majority of domestic abuse incidents reported to the Garda Síochána. To help improve how domestic abuse is dealt with, a number of additional roles have been introduced at divisional level. These are shown in Figure I.

Figure I: Divisional Roles



Source: Information provided by the Garda Síochána, adapted by the Garda Inspectorate

The responsibilities of domestic abuse inspectors are described in the 2017 Domestic Abuse Intervention Policy. Inspectors assigned to this role undertake these responsibilities in addition to their core role. Although many aspects of the role had been superseded by the introduction of daily management meetings and the RET, those who met with the Inspectorate were endeavouring to fulfil this important role as well as other additional responsibilities.

The responsibilities of domestic abuse champions are also additional to their core role. Champions were envisaged as being experts in this area and were appointed

to support the introduction of the RET and improve the organisational culture in relation to domestic abuse. However, there was inconsistency in relation to who was appointed as a champion and role-specific training had not been provided. While the concept has value, many champions had not been utilised as envisaged and there was a degree of uncertainty as to their role.

Domestic abuse co-ordinators only operate in some divisions in the Dublin Metropolitan Region. It was explained that their primary role was to review cases, assess the risk to each victim and then provide support to those at high risk of harm. While none of

the co-ordinators conducted investigations or managed offenders, there were notable differences in how they operated. Positive feedback was received from stakeholders about the work of co-ordinators and the GNPSB was considering supporting an expansion of the role. However, it is important that the Garda Síochána determine the need for this role in light of the roll-out of the RET and the implementation of the victim support network envisaged under the Third National Strategy.

There are standard operating procedures for how GVSO personnel deal with victims of domestic abuse, which are different from their role in relation to most other crime types. Although there were some variations in how GVSOs operated in the four divisions inspected, personnel were committed to providing information and support to victims. GVSOs had made an important contribution to Operation Faoiseamh during the Covid-19 pandemic.

The Inspectorate recognises that the Garda Síochána has taken positive steps to improve how it deals with domestic abuse. However, the full potential of these additional roles has not been fully realised. In addition, the introduction of local practices means that the service to victims varies depending on their location. To continue this improvement and ensure consistency of service, the Inspectorate recommends the development of a divisional model for tackling domestic abuse that is cohesive, coherent and that better co-ordinates the roles and responsibilities of available resources.

## **Domestic Abuse Involving Members of the Garda Workforce**

Garda policy in relation to members of the workforce who are involved in domestic abuse as victims or perpetrators is contained within the 2017 Domestic Abuse Intervention Policy. The policy requires members who are subject to a domestic violence order or become aware of any court proceedings against them to self-report to their divisional officer. There is no such reporting requirement for garda staff.

In general, the policy requires supervisors to monitor domestic abuse incidents, but they are not assigned any additional responsibility regarding the response to or investigation of an incident involving garda personnel. There is no requirement for a member of the garda workforce who is involved in a domestic abuse incident, as either a perpetrator or victim, to reveal their occupation to the attending unit. It is also the case that the PULSE system cannot easily identify if either party is a member of the workforce, nor can it flag if the applicant or respondent of a domestic violence order is a member of the workforce. As a result, the Garda Síochána cannot be certain that it would know if the perpetrator or victim in a domestic-motivated incident is a member of its workforce.

The 2017 Domestic Abuse Intervention Policy does not comment on the type of support that should be provided to members of the public who make a report against a member of the workforce. Members interviewed for this inspection failed to recognise the additional challenge facing these victims and the importance of reassuring them that the matter will be taken seriously and dealt with in a professional manner. The policy is silent on who should investigate domestic abuse incidents involving garda personnel.

Consequently, there was an inconsistent approach to the allocation of such cases and no criteria to inform the decision about who should investigate them.

In November 2021, the Garda Commissioner announced a review of domestic, sexual and gender-based violence cases involving garda members; this was ongoing at the time of this inspection. This retrospective review aimed to ascertain whether policies and procedures had been followed and victims received the necessary standard of service. Notwithstanding the outcome of the Commissioner's review, the Inspectorate recommends that the Garda Síochána develop, implement and publish a comprehensive policy on domestic abuse involving garda personnel. It should include requirements that:

- > Garda personnel who become aware of domestic abuse involving other members of the workforce report this to a supervisor;
- > Garda personnel disclose being under investigation for domestic abuse in any jurisdiction;
- > The duty status of personnel under investigation, their access to garda IT systems and to firearms is examined and kept under review; and
- > Supervisors are made aware of and attend all domestic abuse incidents involving garda personnel where practicable.

It should also include an allocation policy for investigations involving garda personnel and details of how the Garda Síochána will support members of its workforce who are victims of domestic abuse.

## Training, Learning and Development

### Training for Garda Personnel

Given the complexity of domestic abuse and the vulnerability of victims, it is important that garda personnel are skilled to deal with reports effectively. Personnel should also be able to operate in a trauma-responsive manner, meaning that they are aware of the signs of trauma, respond in a way that ensures impacted individuals feel safe and supported and minimise the risk of further trauma.

Overall, there was a good level of training in relation to domestic abuse available for garda personnel. It forms part of the foundation programme for new recruits and is included in promotion courses and specialist training for roles including call-takers, dispatchers, DPSU members and detectives. The Garda Síochána has also developed a domestic abuse online learning programme consisting of 14 modules, covering legal and procedural requirements. All garda personnel are required to complete a selection of modules based on their role and rank or grade. The completion rate for the modules was over 90%.

However, several weaknesses were identified in relation to training. It is not trauma-informed or responsive; the shift to online training has removed opportunities to enhance learning through discussion and sharing of operational experience; and domestic abuse support services are no longer involved in developing and delivering training. To address these weaknesses and enhance the skills and ability of garda personnel, the Inspectorate recommends that the Garda Síochána develop a domestic abuse-related training plan in partnership with relevant agencies and support services.

## Domestic Homicide Reviews

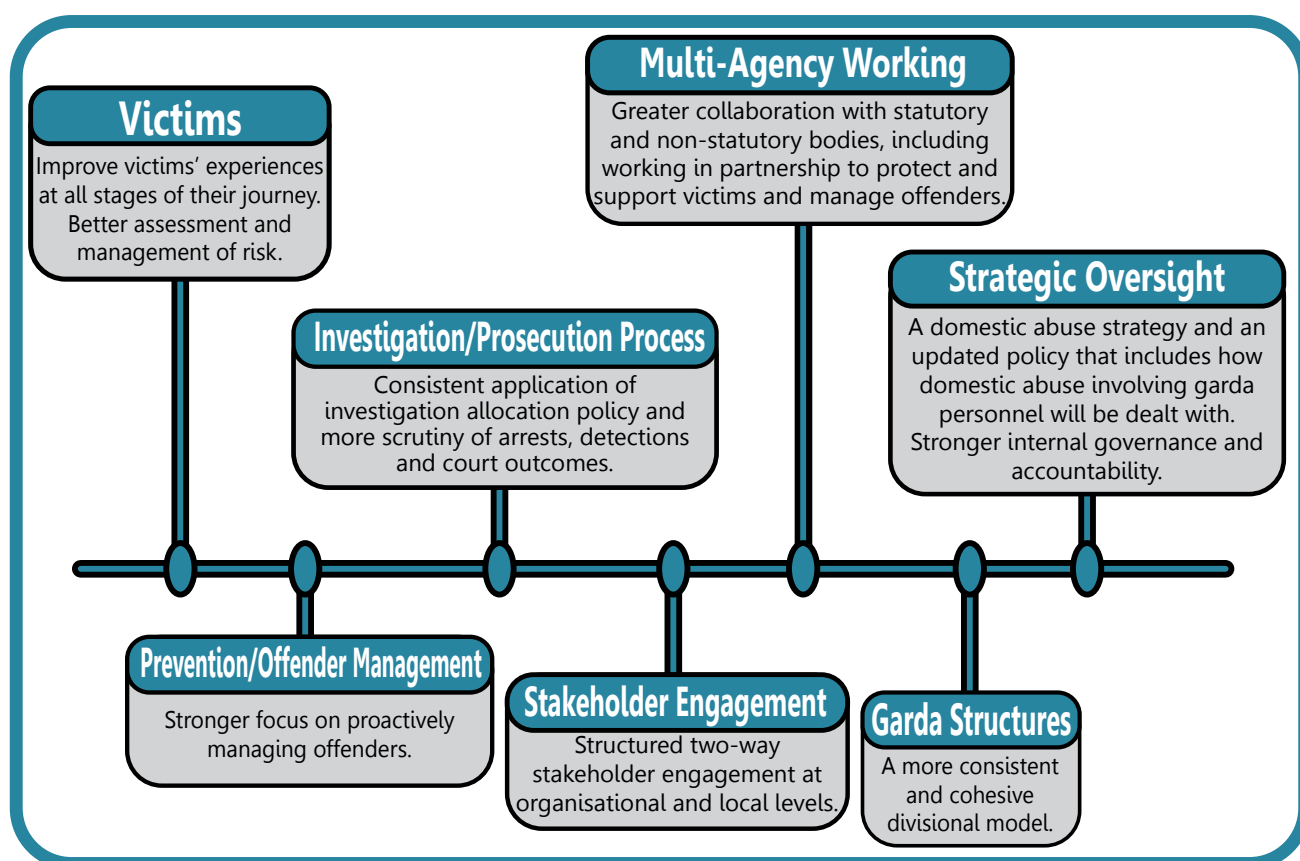
Domestic homicide reviews provide an opportunity to examine if a police service or other agency have had contact with a victim of a domestic homicide and, if so, to review the contact to learn lessons and improve standards of service. Reviews may be conducted by an individual agency or collaboratively by all agencies that had contact with the victim. Multi-agency reviews do not occur in Ireland, although the Department of Justice is considering their introduction. The Garda Síochána has carried out a small number of internal domestic homicide reviews and the Inspectorate recommends that this practice should continue in a systematic and timely way.

These reviews will identify learning for the Garda Síochána and help it to be prepared for the introduction of multi-agency reviews. To assist this action, the Garda Síochána's draft policy on domestic homicide reviews should be formalised.

## Conclusion

The Garda Síochána is committed to tackling domestic abuse and has taken steps to enhance its response. However, this inspection has identified a number of key areas in which its approach can be further improved. The areas and how they should be developed are summarised in Figure J.

**Figure J: Summary of Areas for Improvement**



Source: Garda Inspectorate

# Report Recommendations

## Chapter 1 Reporting Domestic Abuse

|                         |  |
|-------------------------|--|
| <b>Recommendation 1</b> | The Inspectorate recommends that the Garda Síochána develop and implement processes to monitor and assess the standard of first contact at garda stations when victims call in person or by telephone to report their domestic abuse incident. Results of the assessments should be used to drive continuous improvement in standards of service.  |
| <b>Recommendation 2</b> | <p>The Inspectorate recommends that the Garda Síochána conduct an assessment of the operational efficiency and effectiveness of the Regional Control Centres. This should:</p> <ul style="list-style-type: none"><li>&gt; Review staffing levels, systems and processes and examine the extent to which the operational requirements of the workforce and the needs of the public are met;</li><li>&gt; Be followed up with periodic reviews to assess the extent to which relevant objectives are being achieved and to embed a culture of continuous improvement;</li><li>&gt; Assess how GardaSAFE contributes to better identification of risk and how this information is used in operational decision-making; and</li><li>&gt; Examine the effectiveness of the Performance and Quality Assurance Group.</li></ul> |
| <b>Recommendation 3</b> | <p>The Inspectorate recommends that the Garda Síochána review the Garda Charter and, if necessary, update the commitments within it. Following the review, it should:</p> <ul style="list-style-type: none"><li>&gt; Introduce routine compliance monitoring of the charter commitments;</li><li>&gt; Re-launch the charter; and</li><li>&gt; Publish regular updates on how it is meeting the charter commitments.</li></ul>  |

## Chapter 2 Providing Information, Support and Protection to Victims

|                         |   |
|-------------------------|---|
| <b>Recommendation 4</b> | <p>The Inspectorate recommends that the Garda Síochána undertake a review of how it is fulfilling the requirements of Sections 7 and 8 of the Criminal Justice (Victims of Crime) Act 2017 to victims of domestic abuse. The review should assist with the development and introduction of:</p> <ul style="list-style-type: none"> <li>&gt; A standardised process to monitor and assess the quality and frequency of victim updates; and</li> <li>&gt; An automated system to prompt members to update victims.</li> </ul> |
| <b>Recommendation 5</b> | <p>The Inspectorate recommends that the Department of Justice work with the Garda Síochána, Director of Public Prosecutions and Courts Service to develop a self-service facility for victims to obtain information on the status of their case.</p>  |
| <b>Recommendation 6</b> | <p>The Inspectorate recommends that the Department of Justice work with the Garda Síochána, Cuan and support organisations to agree and implement a process to refer victims of domestic abuse to a single entry point to the proposed wraparound service.</p>  |
| <b>Recommendation 7</b> | <p>The Inspectorate recommends that the Garda Síochána develop and implement a standardised process to refer victims of domestic abuse to support services, with their consent.</p> <p>To achieve this it should engage with the support services whose details it provides to victims.</p>   |
| <b>Recommendation 8</b> | <p>The Inspectorate recommends that the Garda Síochána take steps to improve how it protects adult and child victims of domestic abuse. To achieve this it should:</p> <ul style="list-style-type: none"> <li>&gt; Ensure that the individual protection and special measure needs of each victim are properly identified;</li> <li>&gt; Take action to meet those needs; and</li> <li>&gt; Record and report on how the needs have been met.</li> </ul>  |
| <b>Recommendation 9</b> | <p>The Inspectorate recommends that the Garda Síochána commission work to obtain the views of victims of domestic abuse about the service they received from the Garda Síochána and use this information to improve its services.</p>   |

## Chapter 3 Investigating Reports of Domestic Abuse

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| <b>Recommendation 10</b> | <p>The Inspectorate recommends that the Garda Síochána review and update its policy and practice for allocating investigations of domestic-motivated crime incidents. This should include:</p> <ul style="list-style-type: none"> <li>&gt; Clarification of the investigative function of the Garda National Protective Services Bureau; and</li> <li>&gt; Guidance on reassigning investigations involving repeat victims to minimise the number of investigating members.</li> </ul>  |
| <b>Recommendation 11</b> | <p>The Inspectorate recommends that the Garda Síochána ensure its domestic abuse pro-forma and the Director of Public Prosecutions' guidance document are integral to procedures for investigating domestic-motivated crimes. In particular, it should:</p> <ul style="list-style-type: none"> <li>&gt; Ensure that the pro-forma is used when a victim reports in person to a garda station;</li> <li>&gt; Take proactive steps to ensure all investigators are familiar with the guidance document; and</li> <li>&gt; Link the guidance document to the Investigation Management System task list for domestic-motivated crimes.</li> </ul> |
| <b>Recommendation 12</b> | <p>The Inspectorate recommends that the Department of Justice consider introducing legislation that allows a video recording of a statement made by a victim or witness during interview with a member of the Garda Síochána or other competent person in relation to a domestic abuse offence to be admissible as evidence at trial.</p>   |
| <b>Recommendation 13</b> | <p>The Inspectorate recommends that the Garda Síochána develop a range of options to facilitate the forensic examination of devices belonging to domestic abuse victims that minimises the impact on them and does not compromise their safety.</p>   |
| <b>Recommendation 14</b> | <p>The Inspectorate recommends that the Garda Síochána regularly compile and proactively monitor management information in relation to domestic-motivated crime incidents. This should include but not be limited to:</p> <ul style="list-style-type: none"> <li>&gt; Arrest rates, including arrests for breaches of domestic violence orders; and</li> <li>&gt; The length of time from when an offence is reported until the suspect is arrested.</li> </ul>   |

## Chapter 3 Investigating Reports of Domestic Abuse

|                          |  |
|--------------------------|--|
| <b>Recommendation 15</b> | <p>The Inspectorate recommends that the Department of Justice include the following in its review of emerging and outstanding law reforms:</p> <ul style="list-style-type: none"> <li>&gt; The ability of the Garda Síochána to attach conditions to station bail;</li> <li>&gt; The availability of a power for the Garda Síochána to release a person on bail to enable enquires to be completed. This power would compel the person to return to a garda station on a set date;</li> <li>&gt; The ability of the Garda Síochána to impose conditions on a person released on bail to return to a garda station; and</li> <li>&gt; A remedy to the bail judgement that would enable the Garda Síochána to bring all those suspected of breaching a domestic violence order to the next available court.</li> </ul> |
| <b>Recommendation 16</b> | <p>The Inspectorate recommends that the Department of Justice work with the Garda Síochána and the Courts Service to have all bail conditions and any amendments to those conditions immediately uploaded to PULSE.</p>  |

## Chapter 4 Prosecutions, Detections and Outcomes of Domestic-motivated Crimes

|                          |   |
|--------------------------|---|
| <b>Recommendation 17</b> | <p>The Inspectorate recommends that the Department of Justice bring the following proposals to the attention of the Summary Prosecutions Reform Steering Committee:</p> <ul style="list-style-type: none"> <li>&gt; That consideration be given to classifying domestic-motivated crimes as a category of crime that should be sent to the Director of Public Prosecutions for prosecutorial decision-making and legal representation; and</li> <li>&gt; That the Director of Public Prosecutions consider expanding representation in domestic abuse cases to all areas outside Dublin.</li> </ul> |
| <b>Recommendation 18</b> | <p>The Inspectorate recommends that pending the implementation of Recommendation 17, the Garda Síochána:</p> <ul style="list-style-type: none"> <li>&gt; Develop specific domestic abuse-related training modules for garda prosecutors and court presenters and ensure that only those who are appropriately trained perform these roles;</li> </ul>   |

## Chapter 4 Prosecutions, Detections and Outcomes of Domestic-motivated Crimes

|                          |  |
|--------------------------|--|
|                          | <ul style="list-style-type: none"> <li>&gt; Ensure that where representation is available, all relevant cases are forwarded to the Director of Public Prosecutions;</li> <li>&gt; Record the rationale for each decision to not forward a case for representation; and</li> <li>&gt; Compile statistics on the number of cases sent or not sent for representation</li> </ul>  |
| <b>Recommendation 19</b> | The Inspectorate recommends that the Garda Síochána proactively monitor how victims' needs for special measures at court are assessed. It should also monitor the extent to which these are applied for and provided in cases prosecuted by garda members.   |
| <b>Recommendation 20</b> | The Inspectorate recommends that the Garda Síochána permanently assign a court presenter to Court 18 in the Criminal Courts of Justice in Dublin and to all vulnerable witnesses' courts that are established by the Courts Service.   |
| <b>Recommendation 21</b> | The Inspectorate recommends that the Garda Síochána collate and analyse data in relation to the length of time taken from the date an offence is reported until the date the corresponding file is submitted for a prosecution decision. This information should be used to monitor and improve performance.   |
| <b>Recommendation 22</b> | <p>The Inspectorate recommends that the Garda Síochána regularly compile, analyse and monitor management information in relation to its prosecution function for domestic-motivated crimes. This should be done at organisational and divisional levels. The information should include but not be limited to:</p> <ul style="list-style-type: none"> <li>&gt; The number of prosecution decisions it takes;</li> <li>&gt; Detection rates analysed by detection category;</li> <li>&gt; Reasons why prosecutions were unsuccessful;</li> <li>&gt; The number of court convictions achieved;</li> <li>&gt; The number of victimless prosecutions taken, along with results of these cases; and</li> <li>&gt; Where the Garda Síochána takes a decision to prosecute and representation is available from the Director of Public Prosecutions, the number of cases sent for representation, the number not sent and the reasons for not sending.</li> </ul> |

## Chapter 4 Prosecutions, Detections and Outcomes of Domestic-motivated Crimes

|                          |  |
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| <b>Recommendation 23</b> | <p>The Inspectorate recommends that the Department of Justice work with Cuan, the Garda Síochána and the Central Statistics Office to regularly compile and publish additional data in relation to domestic-motivated crimes. As a minimum, this should include:</p> <ul style="list-style-type: none"> <li>&gt; The number of prosecution decisions taken;</li> <li>&gt; The detection rate broken down by detection category;</li> <li>&gt; The number of cases where a charge or summons was issued and the proportion that resulted in a conviction at court; and</li> <li>&gt; The number of victimless prosecutions taken, along with results of these cases.</li> </ul> |
| <b>Recommendation 24</b> | <p>The Inspectorate recommends that the Garda Síochána implement a robust quality assurance process as part of its outcomes-based reporting system.</p>  |

## Chapter 5 Prevention of Domestic Abuse

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| <b>Recommendation 25</b> | <p>The Inspectorate recommends that the Department of Education work with the National Council for Curriculum Assessment, Cuan and the Garda Síochána to add domestic abuse to the Garda Schools Programme in an age- and stage-appropriate way.</p>   |
| <b>Recommendation 26</b> | <p>The Inspectorate recommends that the Garda Síochána continue to develop and implement a tailored domestic abuse awareness-raising and communications plan to increase awareness of domestic abuse across all communities. The plan should:</p> <ul style="list-style-type: none"> <li>&gt; Highlight the role of the Garda Síochána in relation to domestic abuse;</li> <li>&gt; Complement actions under the Third National Strategy on Domestic, Sexual and Gender-Based Violence; and</li> <li>&gt; Be evaluated to ensure that it is achieving its objectives.</li> </ul> |
| <b>Recommendation 27</b> | <p>The Inspectorate recommends that the Garda Síochána develop and introduce a process to manage domestic abuse offenders.</p> <p>This should include:</p>   |

## Chapter 5 Prevention of Domestic Abuse

|                          |  |
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|                          | <ul style="list-style-type: none"> <li>&gt; A definition of what constitutes a high-harm or prolific offender;</li> <li>&gt; A method to assess the risk posed by each domestic abuse offender;</li> <li>&gt; A menu of tactical options that can be applied to offenders;</li> <li>&gt; Assignment of responsibility for the management of high-harm or prolific offenders; and</li> <li>&gt; The development of direct referrals by the Garda Síochána to perpetrator programmes.</li> </ul> |
| <b>Recommendation 28</b> | The Inspectorate recommends that the Department of Justice work with all partners including Cuan to introduce a multi-agency approach to offender management that is not only at the post-conviction stage.  |

## Chapter 6 Protecting Victims of Domestic Abuse

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| <b>Recommendation 29</b> | The Inspectorate recommends that the Garda Síochána ensure that risk assessments are reviewed and updated when significant new information comes to light or when a significant event takes place. It should also ensure that there is clarity about who is responsible for the ongoing assessment of risk.  |
| <b>Recommendation 30</b> | The Inspectorate recommends that the Garda Síochána conduct an evaluation of its risk assessment and management processes. This should include the operation of the Risk Evaluation Tool and take account of feedback from victims, domestic abuse support services and relevant statutory agencies.   |
| <b>Recommendation 31</b> | The Inspectorate recommends that the Garda Síochána develop a tailored risk management plan for each domestic abuse victim based on the assessed risk to the victim. To support these plans, the Garda Síochána should develop a toolkit of measures that could be employed to protect victims of domestic abuse and prevent such abuse from continuing. |
| <b>Recommendation 32</b> | The Inspectorate recommends that the Department of Justice, in conjunction with Cuan, establish multi-agency risk assessment and management structures that bring together relevant agencies, including the Garda Síochána, to support high-risk victims of domestic abuse.  |

## Chapter 6 Protecting Victims of Domestic Abuse

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| <b>Recommendation 33</b> | <p>The Inspectorate recommends that the Garda Síochána enhance the effectiveness and efficiency of the domestic violence orders process by:</p> <ul style="list-style-type: none"> <li>&gt; Delivering additional awareness-raising for all front-line personnel in relation to the different types of orders;</li> <li>&gt; Delivering additional awareness-raising on how to explain orders to a respondent when serving a document on them; and</li> <li>&gt; Directing garda members to activate body-worn cameras when serving domestic violence orders and explaining the terms of the order to the respondent.</li> </ul> |
| <b>Recommendation 34</b> | <p>The Inspectorate recommends that the Garda Síochána work with the Department of Justice and the Courts Service to put systems and processes in place that enable relevant footage from body-worn cameras to be available in a timely manner for applications for substantive domestic violence orders.</p>  |
| <b>Recommendation 35</b> | <p>The Inspectorate recommends that the Department of Justice work with the Garda Síochána and the Courts Service to introduce a standardised electronic system for transmitting domestic violence orders to the Garda Síochána.</p>   |
| <b>Recommendation 36</b> | <p>The Inspectorate recommends that the Department of Justice consider introducing legislation to allow the Garda Síochána to issue immediate short-term notices to exclude domestic abuse perpetrators from the home and to apply to the courts for substantive orders.</p>   |
| <b>Recommendation 37</b> | <p>The Inspectorate recommends that the Garda Síochána raise awareness amongst garda personnel of Tusla's power to apply for a domestic violence order in certain circumstances.</p>   |
| <b>Recommendation 38</b> | <p>The Inspectorate recommends that the Department of Justice work with the Garda Síochána to introduce a domestic violence disclosure scheme.</p>   |
| <b>Recommendation 39</b> | <p>The Inspectorate recommends that the Garda Síochána expand the scope of Operation Devise to include the most harmful and prolific domestic abuse offenders. It should also raise awareness of the operation within the organisation.</p>  |

## Chapter 7 Engagement and Partnership Working

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| <b>Recommendation 40</b> | <p>The Inspectorate recommends that the Garda Síochána develop and implement a national-level domestic abuse stakeholder engagement plan. This should include:</p> <ul style="list-style-type: none"> <li>&gt; The establishment of a national stakeholder engagement group comprising key domestic abuse and other victim support organisations;</li> <li>&gt; A structured communication process that includes group events, bilateral meetings and meetings convened in response to a significant development or critical incident; and</li> <li>&gt; Assigning responsibility for each aspect of engagement to specific posts.</li> </ul>   |
| <b>Recommendation 41</b> | <p>The Inspectorate recommends that the Garda Síochána develop and implement a domestic abuse stakeholder engagement plan in each division. This should mirror the national plan set out in Recommendation 40, be led by a single superintendent and include:</p> <ul style="list-style-type: none"> <li>&gt; The establishment of a divisional stakeholder engagement group comprising local domestic abuse and other victim support organisations;</li> <li>&gt; A structured communication process including group events, bilateral meetings and meetings convened in response to a significant development or critical incident;</li> <li>&gt; The domestic abuse awareness-raising and communications plan in Recommendation 26; and</li> <li>&gt; Assigning responsibility for each aspect of engagement to specific posts.</li> </ul> |
| <b>Recommendation 42</b> | <p>The Inspectorate recommends that the Department of Justice, in consultation with Cuan, the Garda Síochána and other relevant organisations, consider introducing legislation to enable the appropriate sharing of information to support multi-agency approaches to tackling domestic abuse.</p>   |
| <b>Recommendation 43</b> | <p>The Inspectorate recommends that, as an interim measure, the Garda Síochána review its information sharing policies and procedures to allow for more information sharing with partner organisations.</p>   |

## Chapter 7 Engagement and Partnership Working

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| <b>Recommendation 44</b> | The Inspectorate recommends that the Garda Síochána develop a structured process for sharing information across the organisation about new initiatives, lessons learned and good practice. |
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## Chapter 8 Strategy, Governance and Accountability

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| <b>Recommendation 45</b> | The Inspectorate recommends that the Garda Síochána develop and implement a whole of organisation domestic abuse strategy and action plan.  |
| <b>Recommendation 46</b> | The Inspectorate recommends that the Garda Síochána update and publish its Domestic Abuse Intervention Policy and Victim Service Policy as a matter of urgency.   |
| <b>Recommendation 47</b> | <p>The Inspectorate recommends that the Garda Síochána introduce an organisation-level Strategic Domestic Abuse Group, chaired by an assistant commissioner.</p> <p>To support this approach, the Garda National Protective Services Bureau should be assigned an enhanced role in the strategic governance and oversight of domestic abuse.</p>  |
| <b>Recommendation 48</b> | The Inspectorate recommends that the Garda Síochána develop a comprehensive management information framework to assist in the management, monitoring and assessment of how it deals with domestic abuse.  |
| <b>Recommendation 49</b> | <p>The Inspectorate recommends that the Garda Síochána develop a divisional model for tackling domestic abuse which is cohesive, coherent and that better co-ordinates the roles and responsibilities of available resources.</p> <p>The model should include:</p> <ul style="list-style-type: none"> <li>&gt; Divisional Protective Services Units that have the capacity to deal with the volume of domestic-motivated crimes referred to them in accordance with garda policies;</li> <li>&gt; Capacity for the management of prolific and high-harm offenders;</li> <li>&gt; Clearly defined roles for the domestic abuse inspectors and domestic abuse champions;</li> </ul> |

## Chapter 8 Strategy, Governance and Accountability

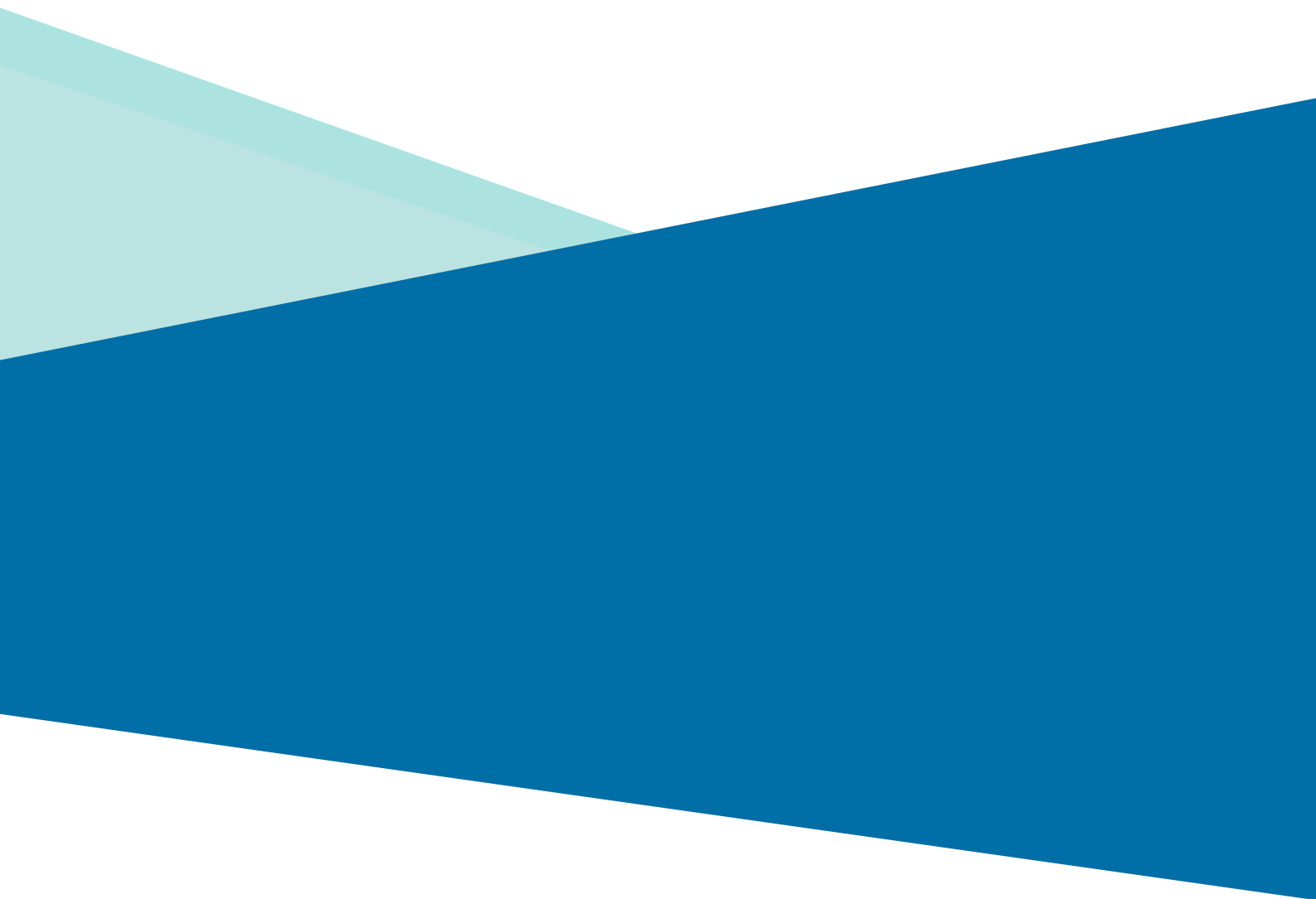
|                          |  |
|--------------------------|--|
|                          | <ul style="list-style-type: none"> <li>&gt; An enhanced role for the Garda Victim Service Offices in relation to engagement with victims and victim organisations; and</li> <li>&gt; Consideration of the future role of domestic abuse co-ordinators.</li> </ul>  |
| <b>Recommendation 50</b> | <p>The Inspectorate recommends that the Garda Síochána develop, implement and publish a comprehensive policy on domestic abuse involving garda personnel.</p> <p>It should include:</p> <ul style="list-style-type: none"> <li>&gt; A requirement for all garda personnel who become aware of domestic abuse involving other members of the workforce to report this to a supervisor;</li> <li>&gt; A requirement for garda personnel to disclose being under investigation for domestic abuse in any jurisdiction;</li> <li>&gt; An allocation policy for investigations involving garda personnel;</li> <li>&gt; A requirement that the duty status of personnel under investigation, their access to garda IT systems and to firearms is examined and kept under review;</li> <li>&gt; A requirement for supervisors to be made aware of and attend all domestic abuse incidents involving garda personnel where practicable; and</li> <li>&gt; Details of how the Garda Síochána will support personnel who are victims of domestic abuse and the support services available to them.</li> </ul> <p>The policy should be accompanied by a communications plan to ensure personnel are aware of their responsibilities.</p> |

## Chapter 9 Training, Learning and Development

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| <b>Recommendation 51</b> | <p>The Inspectorate recommends that the Garda Síochána enhance the skills and ability of all garda personnel involved in tackling domestic abuse through the provision of a domestic abuse-related training plan. The plan should be developed in consultation with relevant agencies and support services and include:</p> <ul style="list-style-type: none"> <li>&gt; The introduction of trauma-responsive training for all personnel;</li> </ul> |
|--------------------------|--|

## Chapter 9 Training, Learning and Development

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|--------------------------|---|
|                          | <ul style="list-style-type: none"> <li>&gt; Provision of enhanced training to ensure garda members complete the Risk Evaluation Tool in a sensitive and trauma-responsive way;</li> <li>&gt; Supplementary interactive sessions to accompany online training to enable garda personnel to share and discuss concerns and experiences;</li> <li>&gt; The establishment of forums for peer-to-peer learning; and</li> <li>&gt; Regular briefings and presentations to garda personnel at the local level by agencies and support services.</li> </ul> |
| <b>Recommendation 52</b> | <p>The Inspectorate recommends that the Garda Síochána undertake a systematic review of all homicide cases with a domestic motivation and suicides with a domestic abuse background. To assist this action, it should formalise its Domestic Homicide Review Policy.</p>  |



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

# Introduction

## Background to the Inspection

The Garda Inspectorate is an independent statutory body established under the Garda Síochána Act 2005 with the objective of ensuring that:

*‘...the resources available to the Garda Síochána are used to achieve and maintain the highest levels of efficiency and effectiveness in its operation and administration, as measured by reference to the best standards of comparable police services’.*

An inspection can commence under any of the following circumstances:

- > If the Inspectorate considers it appropriate to do so;
- > At the request of the Policing Authority in respect of a matter relating to policing services; or
- > If requested by the Minister for Justice.

The subject of domestic abuse was identified during consultation with key stakeholders. It was a self-initiated inspection following an assessment that considered the level of risk to human rights and public safety, the reputation of and confidence in the Garda Síochána.

## Terms of Reference

The main aim of this inspection was the examination of the Garda Síochána’s approach to tackling domestic abuse at both strategic and operational levels, with reference to the best standards of comparable police services. It adopted a victim-centred

focus and engaged directly with victims of domestic abuse and organisations that work with them, as well as with relevant garda personnel. In particular, the inspection examined how the Garda Síochána:

- > Prevents domestic abuse from occurring;
- > Protects victims of domestic abuse, including through the use of risk assessments and safety planning;
- > Responds to and investigates reports of domestic abuse; and
- > Works in partnership to prevent domestic abuse from occurring, protect victims and bring offenders to justice.

The inspection also reviewed the governance and accountability arrangements that are in place to ensure compliance with applicable policy and legislation and considered the extent to which relevant recommendations in previous Inspectorate reports have been implemented. In addition, the inspection took into account the Istanbul Convention and *Zero Tolerance: The Third National Strategy on Domestic, Sexual and Gender-Based Violence 2022–2026*.

## Istanbul Convention

The Istanbul Convention is the Council of Europe’s treaty on preventing and combating violence against women and domestic violence.<sup>1</sup> It requires parties to develop laws, policies and support services to end this violence. The Convention is based on four

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1 European Parliamentary Research Service, 2018. [The Istanbul Convention: A tool to tackle violence against women and girls](#).

pillars that set out the measures that should be taken by each country that has ratified it.<sup>2</sup> These are:

- > Prevention;
- > Protection;
- > Prosecution; and
- > Co-ordinated policies.

Ireland signed the Convention in 2015 and ratified it in 2019. Once ratified by a state, a monitoring mechanism is put in place to assess how the state government puts the provisions of the Convention into practice. Monitoring is carried out by an independent body known as the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), which publishes evaluation reports containing guidance to assist countries to increase their level of implementation of the provisions of the Convention.

GREVIO's *Baseline Evaluation Report: Ireland* was published in November 2023.<sup>3</sup> The report highlighted positive measures taken by the Irish authorities to prevent and combat domestic violence and violence against women. Those related to policing included the establishment of the garda Divisional Protective Services Units (DPSUs) and the introduction of the Risk Evaluation Tool. GREVIO also noted a number of issues requiring improvement such as the lack of data to provide an overall picture of domestic violence, poor data-sharing by relevant stakeholders on perpetrators and victims, and the absence of a co-ordinated, multi-agency response mechanism for

domestic violence. The report also identified instances of victim-blaming attitudes and the trivialisation of violence by police officers working outside the DPSUs, as well as delays or unresponsiveness by the police to domestic violence and sexual violence complaints.

## **ZERO TOLERANCE: The Third National Strategy on Domestic, Sexual and Gender-Based Violence 2022–2026**

In 2022, the Government published *ZERO TOLERANCE: The Third National Strategy on Domestic, Sexual and Gender-Based Violence*.<sup>4</sup> This is a broad reaching five-year strategy of reform with a high-level aim to achieve a society that does not accept domestic, sexual and gender-based violence (DSBGV) or the attitudes that underpin it. The strategy is closely aligned to the four pillars of the Istanbul Convention and takes a whole of government approach. The purpose of the strategy is to provide a consistent approach to all victims, but in particular women and girls who are more often victims of domestic abuse. It also takes into account the position of more vulnerable members of Irish society including migrants, Travellers, people with disabilities and those from the LGBTQI+ community. The detailed implementation plan for 2022–2023 that accompanied the strategy contained 144 actions assigned to various government departments and state agencies.<sup>5</sup> An updated implementation plan was published in April 2024.<sup>6</sup> Relevant recommendations are referenced throughout this report.

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2 Council of Europe, n.d. [The Four Pillars of the Istanbul Convention](#).

3 Council of Europe, 2023. [GREVIO Baseline Evaluation Report: Ireland](#).

4 Government of Ireland, 2022. [ZERO TOLERANCE: The Third National Strategy on Domestic, Sexual and Gender-Based Violence 2022-2026](#).

5 Government of Ireland, 2022. [Third National Strategy on Domestic, Sexual and Gender-Based Violence: Implementation Plan](#).

6 Department of Justice, 2024. [Third National Strategy on Domestic, Sexual and Gender-Based Violence: 2024 Implementation Plan](#).

## Cuan

Cuan is a statutory agency under the remit of the Department of Justice dedicated to tackling and reducing DSGBV.<sup>7</sup> It was established on 1 January 2024 and its main functions are:

- > Delivering excellent services to victims of DSGBV, including delivering on the number of safe and accessible accommodation spaces available, as well as ensuring that helpline and other supports are available to anyone requiring them;
- > Putting in place a robust set of national service standards and governance arrangements to ensure adherence to the appropriate standards for such supports;
- > Leading on consistent and ongoing research to inform DSGBV policy development, working with others such as the Central Statistics Office who have data projects underway;
- > Leading on awareness-raising campaigns designed to reduce the incidence of DSGBV in Irish society, as well as ensuring that all victims know how to access the supports they require; and
- > Co-ordinating all government actions set out in the Third National Strategy and reporting on their delivery to the Minister for Justice.

## Garda Domestic Abuse Roles and Responsibilities

This section describes the key roles in the Garda Síochána that are directly involved in dealing with domestic abuse. At the national level, Assistant Commissioner, Organised and Serious Crime, is the domestic abuse policy owner and is responsible for eight national units including the Garda National Protective Services Bureau (GNPSB). The GNPSB is the lead national office in the Garda Síochána with responsibility for domestic abuse and for supporting service delivery by divisional personnel.

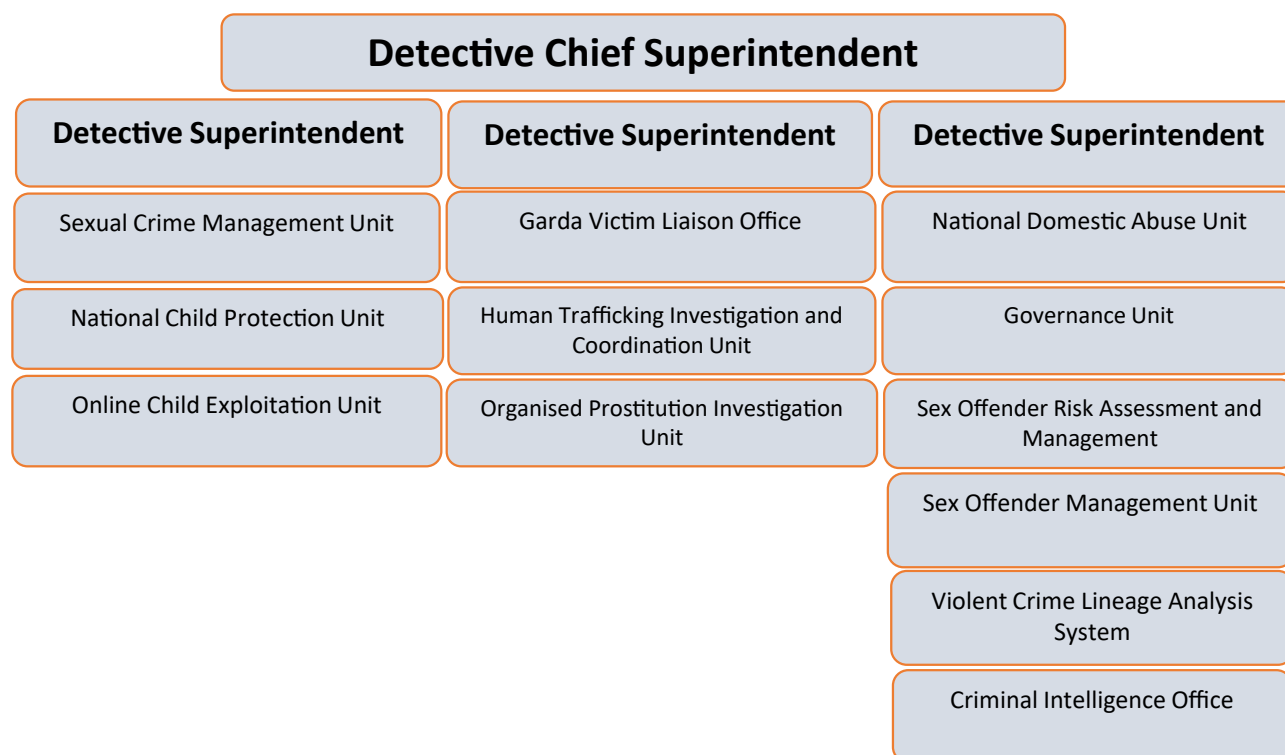
Response to and investigation of domestic abuse incidents takes place in garda divisions with the majority of this work carried out by front-line garda members. However, the Garda Síochána has created a number of roles and units within divisions specifically to address domestic abuse issues, support front-line members and engage with victims. These include domestic abuse inspectors, champions and co-ordinators; and Divisional Protective Services Units (DPSUs). There is also a Garda Victim Service Office (GVSO) in each division that may have contact with victims of domestic abuse.

### The Garda National Protective Services Bureau

The GNPSB has a wide remit that includes specialisms such as sex offender management, online child sexual exploitation and human trafficking in addition to domestic abuse. The structure is illustrated in Figure I.

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7 Available at: [gov.ie](https://www.gov.ie)

**Figure I Structure of the Garda National Protective Services Bureau**

Source: Garda Síochána, adapted by the Garda Inspectorate

The GNPSB is led by a detective chief superintendent who is the Garda Síochána's national lead on domestic abuse. There are three detective superintendents in the bureau, one of whom has responsibility for national oversight of domestic abuse and for drafting policy and procedures pertaining to it. This detective superintendent is supported by the National Domestic Abuse Unit, whose responsibilities include domestic abuse governance, domestic homicide reviews and providing guidance and advice to districts, divisions and functional areas.<sup>8</sup> Personnel in the GNPSB lead or assist in the investigation of more serious and complex domestic abuse cases allocated by the Detective Chief Superintendent, GNPSB. The bureau also liaises with relevant government departments, state bodies and voluntary groups in relation to applying a multi-agency approach to tackling these crimes and their causes.

## Domestic Abuse Inspectors

Each garda division is required to nominate a domestic abuse inspector. This is a portfolio role, which means that it is additional to the appointed inspector's core role. The main responsibilities of the domestic abuse inspector are included in the 2017 Domestic Abuse Intervention Policy and include:

- > Overseeing the implementation of the policy and evaluating its effectiveness within their division;
- > Monitoring PULSE incidents to ensure they are correctly recorded and investigated;
- > Assessing and evaluating risk in relation to domestic abuse cases, in particular in relation to any escalation in the abusive behaviour;
- > Ensuring appropriate actions are taken on receipt of a notification of an escalation of abuse or risk; and

<sup>8</sup> A domestic homicide review is an internal review of a homicide that has been carried out by the injured party's partner in order to determine if the Garda Síochána has complied with relevant policies and procedures.

- > Ensuring that an up-to-date list of contact details for relevant statutory agencies and victim support services is maintained in each garda station and available to members.

## Domestic Abuse Champions

Each division has appointed a number of domestic abuse champions. The role, which is in addition to the member's core role, was introduced to support the introduction of the garda Risk Evaluation Tool, which is available to front-line gardaí to assess the risk posed to a domestic abuse victim by the perpetrator. Champions were also expected to help improve the culture of the organisation in how it responds to domestic abuse. As face-to-face training had been restricted in response to the Covid-19 pandemic, a key part of the champions' role was to supplement online training through engagement with front-line garda members. The garda vision for domestic abuse champions included:

- > Offering advice and support on domestic abuse issues;
- > Supporting garda members with their investigations and through the court process;
- > Challenging front-line members on the myths and misconceptions around domestic abuse;
- > Raising awareness of the domestic abuse champion scheme within the Garda Síochána;
- > Ensuring that awareness-raising information, such as posters, is accessible to victims; and
- > Keeping themselves informed of services and referral pathways in the local area.

To support the work of the champions, the Garda Síochána recognised that it needed to embed the role in the organisation and provide up-to-date training. This included elevating the role across the organisation and ensuring that front-line members knew their local champions and the support they could provide.

## Domestic Abuse Co-ordinators

During fieldwork in the Dublin Metropolitan Region (DMR) Northern division, the Inspectorate was informed about its system of domestic abuse co-ordinators (DACTs). Although the role of DACTs was undertaken differently in different parts of this division, it was primarily to review domestic abuse cases, assess the risk to each victim and then provide support to high-risk victims. It was described by the chief superintendent as a triage system that provided assurance that victims were being dealt with appropriately. DACTs were victim-focused, did not conduct investigations and played no part in managing offenders. They were operating in the DMR only.

## Garda Victim Service Office

There is a GVSO in each division. GVSOs are the central point of contact for victims of crime and trauma. They are staffed by specially trained personnel whose role is to enhance the information flow between the Garda Síochána and victims. There is a standard operating procedure in place that sets out how the role should be performed. This includes that GVSO personnel should contact victims of crime by phone or email within three days of a crime being reported. This contact ensures that victims have all the information they require including contact details of the investigating member, crime prevention advice and details of the services available from other agencies and organisations that may be of assistance. Part of this task requires GVSO personnel to check PULSE incidents to identify victims of crime in their division and ensure that all relevant

information is recorded, including details of the investigating member and contact details for the victims. The role of the GVSO is not limited to victims of domestic abuse and in many areas it may not play a significant role in domestic abuse cases. GVSO personnel are responsible for sending letters to victims of crime to acknowledge their complaint, advise on developments in the investigation and explain the outcome of their case. It should be noted that unlike most other crime types, victims of domestic abuse do not receive letters in relation to their case due to the potential to increase the risk of further harm to them.

### Divisional Protective Services Units

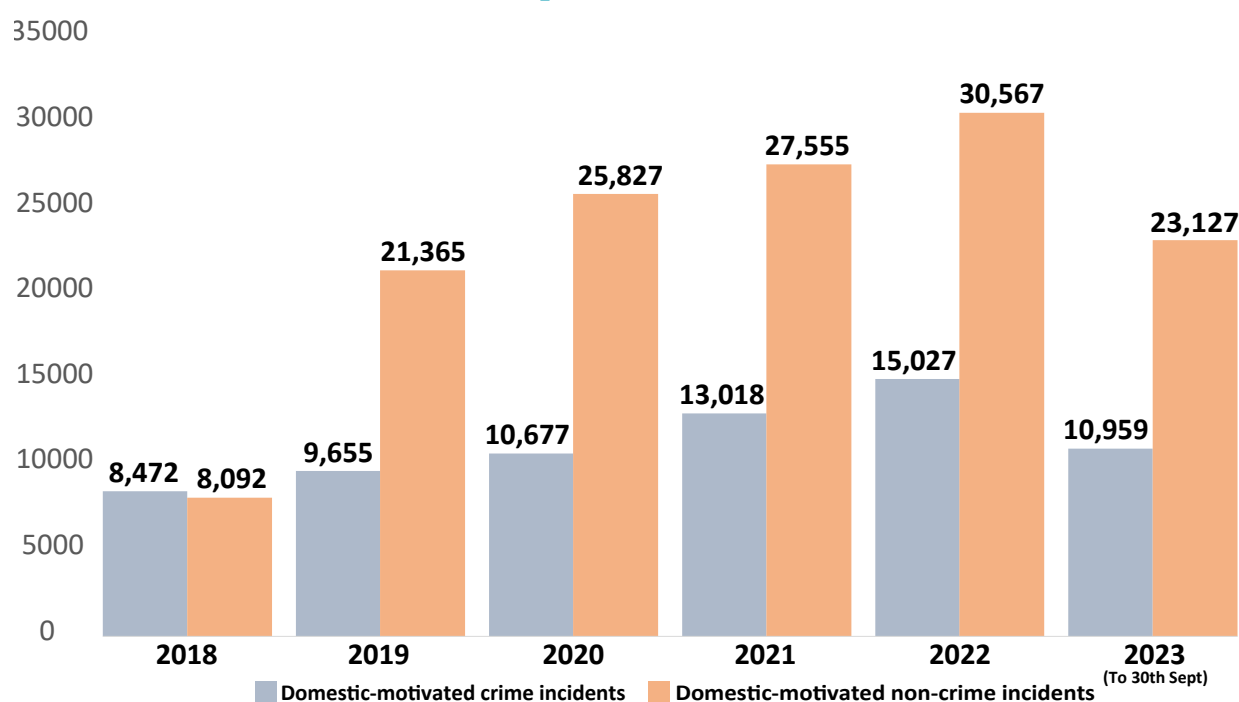
DPSUs have been established in every garda division since 2021 and are well embedded. These specialist units are involved in the

investigation of a range of crimes including child abuse, sexual offences and complex and serious domestic-motivated crimes. Allocation of domestic abuse investigations to DPSUs is governed by a set of risk- and harm-based criteria, which includes the type of abuse suffered and frequency of abuse.

## Volume of Domestic-motivated Incidents Recorded by the Garda Síochána

The number of domestic-motivated crime and non-crime incidents recorded by the Garda Síochána has been rising significantly year-on-year.<sup>9</sup> This is illustrated in Figure II, which shows the number of recorded domestic-motivated crime and non-crime incidents from 2018 to 2022 and 1 January to 30 September 2023.<sup>10</sup>

**Figure II Volume of Domestic-motivated Crime and Non-crime Incidents Recorded by the Garda Síochána, from 2018 to 30 September 2023**



Source: Garda Síochána

<sup>9</sup> Incidents reported to the Garda Síochána are classified as either a crime incident or a non-crime incident. A crime is an act which is defined by Irish law or an offence under statute. It is recorded when there is a reasonable probability that the circumstances amount to a crime and there is no credible evidence to the contrary. A non-crime incident is an act that is not defined as a crime by Irish law or an offence under statute.

<sup>10</sup> Information contained in this report is based upon operational data provided by the Garda Síochána from the PULSE system and is liable to change. The Crime Counting Rules (CCR) have been applied to all incidents. The CCR are a method of counting crimes for statistical purposes. Application of the rules means that when two or more criminal offences occur as part of the same incident, only the most serious is counted. This is known as the primary offence and is the one that carries the greatest penalty.

Analysis by the Garda Síochána found that in 2021, 27% of all crimes in the crime group consisting of attempts/threats to murder, assaults, harassments and related offences for the period had a domestic motive.<sup>11</sup> It is clear from the number of incidents set out in Figure II that domestic abuse is a high-volume crime and warrants the focus it receives.

The Women's Aid *Annual Impact Report 2023* showed that it received 40,048 disclosures of abuse against women and children, an 18% increase on the previous year.<sup>12</sup> The charity said there was an 87% rise in economic abuse and a 74% increase in physical violence reported to its service in 2023 when compared to 2022. The Men's Aid Ireland *Annual Report 2022* showed a significant increase in demand for its frontline services, with 9,524 requests for contact. This was an increase from 7,561 contacts in 2021, a 26% increase in demand year-on-year.<sup>13</sup>

## Methodology

The inspection had a number of key phases including planning and information requests; desktop literature review; field work; engagement with stakeholders, victims of domestic abuse and international police services; a victim survey; examination of cases on the Garda Síochána's PULSE and Computer Aided Dispatch systems; and analysis of PULSE data.<sup>14</sup> Some of the key steps in the methodology included the following:

## Planning and Literature Review

As part of the planning process, a number of requests for relevant documents, data and information were made to the Garda Síochána. A thorough review of domestic abuse-related literature was carried out, including academic publications, reports by domestic abuse and human rights organisations and other policing inspectorates. Relevant domestic legislation and other publicly available information was reviewed.

## Stakeholder Engagement

The Inspectorate engaged with key personnel from the Garda Síochána's executive and senior leadership teams, as well as the GNPSB and the Garda Síochána Analysis Service. It also met with or received submissions from a wide range of external stakeholders, including domestic abuse organisations, other state agencies, and advocacy and support groups. Garda staff associations also contributed to this inspection.

## Field Work

To ascertain how the response to domestic abuse is delivered at the operational level, the Inspectorate selected four divisions for examination, representing urban and rural areas. The divisions were Tipperary, Waterford, Sligo/Leitrim and the DMR Northern division. To provide background information on how the domestic abuse response was operating in their area, the Inspectorate asked the divisions to complete a pre-interview self-assessment questionnaire. The Inspectorate also conducted rank- and

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11 Garda Síochána, 2022. [Domestic, Sexual and Gender-Based Violence: A Report on Crime Levels and Garda Operational Responses](#).

12 Women's Aid, 2024. [Annual Impact Report, 2023](#).

13 Men's Aid Ireland, 2023. [Annual Report 2022](#)

14 PULSE is the Garda Síochána central database: Police Using Leading Systems Effectively.

grade-specific interviews and focus groups. In addition, the Inspectorate met with representatives of the Limerick division regarding the implementation of its multi-agency approach to domestic abuse, known as Operation Sábháilte.

The Inspectorate was provided with a tour of the Regional Control Centre in the DMR to understand the operation of the control centre and the roles of call-takers and dispatchers. It held interviews with control centre personnel, listened to a sample of 999/112 calls relating to domestic abuse incidents received at the Regional Control Centres and reviewed the corresponding call logs.

### Feedback from Victims

To gain insights into their experience of reporting domestic abuse to the Garda Síochána and reasons for deciding not to report, the Inspectorate conducted an anonymous online survey in early 2023. The survey was available for four weeks on the Inspectorate's website and participation was voluntary. It was accompanied by information about domestic abuse support services. The Inspectorate made regular posts on its social media channels to encourage completion and a number of other organisations reposted these. The survey questions can be found in Appendix 1.

In total, 728 individuals completed the survey of which 446 had reported their abuse to the Garda Síochána. The responses to the survey were analysed and the results of this analysis are referenced throughout the report.

Members of the inspection team also met with a number of victims of domestic abuse to hear about their interaction with the Garda Síochána. Their experiences are incorporated in this report.

### Information and Data Analysis

The Inspectorate requested and received a large quantity of data from the Garda Síochána's PULSE system for the period 2018–2023. The data related to all crime and non-crime incidents recorded on PULSE that had a domestic violence motive and included information in relation to arrests, detections and court outcomes, as well as victims' needs assessments and the provision of information and support to victims. The Inspectorate also carried out a detailed examination of 248 crime and non-crime incidents on PULSE.

### International Research

Under Section 117 (1) of the Garda Síochána Act, 2005, the Inspectorate is required to measure the efficiency and effectiveness of the Garda Síochána by reference to the best standards of comparable police services. Following extensive research into how police services in other jurisdictions dealt with domestic abuse, the Inspectorate spoke with representatives of UK police services in Humberside and Kent, the Swedish Police Authority and Australian police services in Queensland and Victoria. Key factors that were considered by the Inspectorate when selecting these police services included that their work was underpinned by human rights legislation and by comparable victims' rights and data protection legislation; that they were part of a whole of government approach to tackling domestic abuse that included operating within a multi-agency framework; and that independent assessments of their work were available.

## Structure of the Report

This report contains nine chapters, which deal with all aspects of the Garda Síochána's response to domestic abuse. Each chapter contains a number of sections each of which sets out the relevant legal and policy requirements, presents the Inspectorate's findings, its assessment of those findings and, where appropriate, makes recommendations for change. Where relevant, comparable practice from other jurisdictions is reported.

While many of the recommendations contained in the report are directed at the Garda Síochána, a number are aimed at the Department of Justice to consider legislative changes or instigate partnership approaches to some of the issues identified.

## Terminology Used in this Report

The Inspectorate recognises the importance of language and the evolving terminology used in the context of domestic abuse both nationally and internationally. In Ireland, there is no agreed definition of domestic abuse, it is not defined in legislation and there is no standalone offence of domestic abuse. As this inspection is focused on the Garda Síochána, the Inspectorate used the Garda Síochána's definition of domestic abuse, namely:

*'The physical, sexual, financial, emotional or psychological abuse of one person against another who is a family member or is or has been an intimate partner, regardless of their gender or sexuality.'*

National and international organisations use a variety of terms to describe what is referred to in this report as domestic abuse and those who are involved in such incidents. For example, the terms partner violence, intimate partner violence and family violence are also

used by other organisations and in other jurisdictions. Furthermore, the word 'abuse' rather than 'violence' may better convey the extensive types of harm that may be inflicted on a victim. All of these terms feature in this report, particularly when international practice is discussed. When referring to the person who inflicts abuse, the Inspectorate generally uses the term 'perpetrator' but also uses the term 'offender' in some contexts. Because of the legal rights and entitlements afforded to victims of crime, the Inspectorate uses the term 'victim' to refer to the person who is subjected to domestic abuse. However, it recognises that many victims of domestic abuse do not regard themselves as such and prefer to describe themselves as 'survivors'. In some instances, the term 'injured party' may be used when referring to criminal proceedings. These terms should be regarded as interchangeable.

While acknowledging that domestic abuse may occur in a spectrum of relationships, it is predominantly gender-based with women being much more likely to experience domestic abuse perpetrated by their current or former male partner. However, the Inspectorate recognises that men may be victims of domestic abuse, as may elderly people and those in same-sex relationships.

# 1

## *Chapter 1*

### *Reporting Domestic Abuse*



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

# Chapter 1 - Reporting Domestic Abuse

## Introduction

Domestic abuse takes many forms and can be complex in how it manifests for each individual victim. Many victims of domestic abuse never report their abuse to the police and this chapter begins by exploring why this is the case. For those who make the decision to report, whether at the time an incident occurs or sometime later, it is essential that they are confident that their report will be taken seriously and acted upon. In the 2020 *Review of Protections for Vulnerable Witnesses in the Investigation and Prosecution of Sexual Offences*, Tom O'Malley B.L. emphasised the importance of the first contact saying:

*'A victim's experience at this first point of contact will shape her or his attitude towards the entire criminal process that may later unfold. The willingness of other victims to report will also be strongly influenced by what they learn about the experience of those who have, in fact, approached the Gardaí.'*<sup>15</sup>

This chapter examines how the Garda Síochána deals with domestic abuse incidents at the initial point of reporting and includes some of the results from the survey of domestic abuse victims conducted by the Inspectorate.

## Survey of Domestic Abuse Victims

The voices of victims of domestic abuse were a critically important aspect of this inspection. To gain insights into their experience of reporting domestic abuse to the Garda Síochána and reasons for deciding not to report, the Inspectorate conducted an anonymous online survey in early 2023.

The survey was available for four weeks on the Inspectorate's website and completion was voluntary. The survey questions can be found in Appendix 1 and the responses are included in the relevant sections of this report.

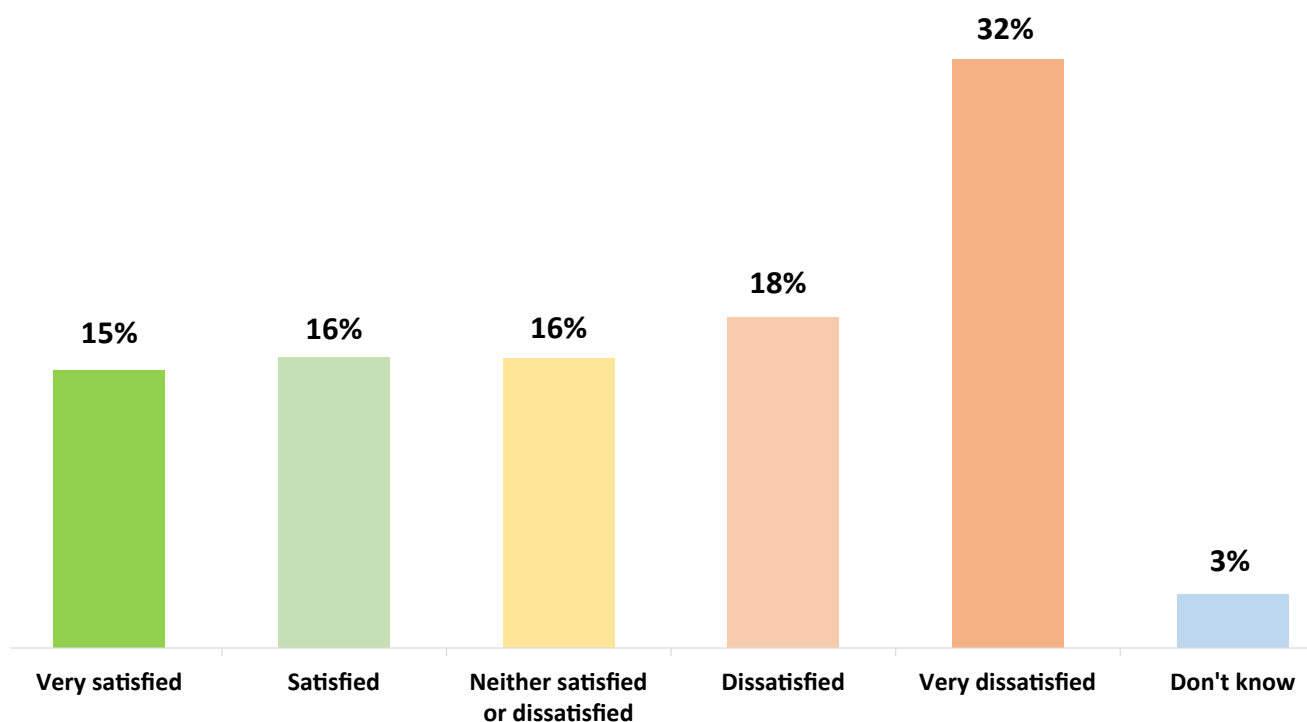
## Who Completed the Inspectorate's Survey

Overall, 728 victims of domestic abuse completed the survey. The majority described themselves as female (86%), Irish (84%) and straight/heterosexual (94%). When asked about their abuse, most had been abused by their current or former intimate partner (92%) and had suffered abuse on more than one occasion (91%). Most said that they had experienced many different forms of abuse including physical, emotional, financial and sexual abuse, as well as stalking and harassment. Furthermore, 41% said that their most recent abuse had happened in the 12 months before the survey was published, while 59% reported that it had occurred prior to that. The relationship with their abuser, the frequency and recency of the abuse was similar between those who made a report to the Garda Síochána and those who did not.

## Overall Levels of Satisfaction with the Garda Síochána

A total of 446 respondents (61%) had reported their most recent incident of domestic abuse to the Garda Síochána. These respondents were asked how satisfied they were with their overall experience with the Garda Síochána. The results are shown in Figure 1.1.

15 O'Malley, T., 2020. [Review of Protections for Vulnerable Witnesses in the Investigation and Prosecution of Sexual Offences](#)

**Figure 1.1 Satisfaction Levels – Overall Experience with the Garda Síochána**

Source: Garda Inspectorate survey

While 31% of those who reported their abuse to the Garda Síochána were satisfied or very satisfied with their overall experience, 50% were dissatisfied or very dissatisfied. The *Garda Public Attitudes Survey 2022* found that 53% of victims who reported their crime were satisfied with the way their incident was handled by gardaí.<sup>16</sup> However, the garda survey excludes victims of sexual crimes, a proportion of which will have a domestic motivation.

Later sections of this report include analysis of respondents' levels of satisfaction with the Garda Síochána in relation to:

- > The way the initial contact or report was dealt with;
- > Action taken immediately after the contact or report was made;
- > Follow-up contact; and
- > Information provided.

## Why Some Victims do not Report Domestic Abuse

It is widely accepted that domestic abuse is under-reported to police services. This section provides a brief summary of findings from some local and international studies that looked at reporting of domestic abuse. It includes reasons why some victims do not report their abuse. It also contains information from the Inspectorate's survey about why some victims did not make a report to the Garda Síochána and the likelihood of those who made a report doing so again.

## Research into Reporting of Domestic Abuse

The under-reporting of domestic abuse incidents is well documented, with surveys conducted in Australia<sup>17</sup> and in England and

16 Garda Síochána, 2023. [Garda Public Attitudes Survey 2022](#).

17 Australian Bureau of Statistics, 2017. [Personal Safety, Australia](#)

Wales<sup>18</sup> estimating that only 20% of victims of partner abuse reported the abuse to police.

The 2014 survey by the European Union Agency for Fundamental Rights (FRA) asked women in Ireland about their experiences of physical, sexual and psychological violence, including domestic violence.<sup>19</sup> Based on 1,500 face-to-face interviews, the report concluded that under-reporting was systemic with only 33% of victims of partner violence and 25% of victims of non-partner violence having reported their most recent serious incident to the police or some other service. Higher rates for reporting partner violence reflected the fact that women often experience several incidents of abuse by a partner before they decide to report, whereas non-partner violence is more likely to be a one-off incident. Research conducted in 2022 on behalf of Men's Aid found that approximately 6% of male victims of domestic abuse who contacted its service had reported their abuse to the Garda Síochána.

Data published by Women's Aid<sup>20</sup> and the Garda Síochána<sup>21</sup> shows that domestic abuse and sexual violence are interlinked. Garda analysis of sexual offences recorded in 2021 found that 26% of these had a domestic abuse motive. The Central Statistics Office *Sexual Violence Survey 2022 – Adult Experiences*<sup>22</sup>

found that 25% of women in Ireland had experienced sexual violence<sup>23</sup> as an adult with a partner<sup>24</sup>, over four times the level for men. Overall, those who experienced sexual violence as an adult with a partner only were much less likely to have disclosed the violence (16%) than those who experienced sexual violence with a non-partner only (55%). Of those who experienced sexual violence as an adult and disclosed to others, most (93%) did not disclose to the police.<sup>25</sup> The most frequently selected reason for not disclosing to the police was that *'the experience was not serious enough or too trivial'*, with 59% of adults choosing this. The survey found that 32% of adults did not disclose an experience of sexual violence as an adult to the police because they *'felt ashamed or embarrassed'*, with 25% reporting that *'the police would not have been able to help'*. People who disclosed experiences of sexual violence to close friends and family but did not report to the police were more likely to identify feelings of shame or embarrassment. This figure was higher for women (34%) than men (22%). Finally, 26% of the women surveyed did not go to the police because they *'blamed themselves'* for what happened.

GREVIO's<sup>26</sup> 2023 *Baseline Evaluation Report: Ireland* stated that there was a continuous low level of reporting for most forms of violence

18 Office for National Statistics, 2018. [Domestic abuse: findings from the Crime Survey for England and Wales: year ending March 2017](#).

19 European Union Agency for Fundamental Rights, 2014. [Violence Against Women: an EU-wide survey](#).

20 Women's Aid, 2022. [Annual Impact Report](#).

21 Garda Síochána, 2022. [Domestic, Sexual and Gender-Based Violence](#).

22 Central Statistics Office, 2022. [Sexual Violence Survey 2022 – Adult Experiences](#).

23 The Central Statistics Office defines sexual violence as a range on non-consensual experiences from non-contact experiences to non-consensual sexual intercourse.

24 This relates to experiences with both a partner or with an ex-partner. In the Central Statistics Office sexual violence survey, a partner is defined as a person that they are/were married to, living with, a boyfriend/girlfriend or someone they are/were regularly dating.

25 This refers to the Garda Síochána or other relevant policing authority as the experience may have occurred in a different policing jurisdiction than Ireland.

26 GREVIO is the body of independent experts that monitors the implementation of the Istanbul Convention. More information about GREVIO is available on their [website](#)

against women.<sup>27</sup> It identified domestic abuse as one of the most under-reported crimes in Ireland and attributed this to the persistent victimisation of those who experience domestic abuse and the minimisation of violence by authorities.

Identifiable barriers to a victim making a formal report to the police and engaging with criminal proceedings include fears of violent retaliation from the perpetrator, their report being dismissed, or their children taken from them. Other reasons include the lack of specialised support services and accessibility. For example, some garda stations are inaccessible for people with physical disabilities making it difficult for them to avail of this reporting mechanism.<sup>28</sup> Victims from Traveller, Roma and migrant communities may also lack trust and confidence in law enforcement agencies due to previous negative experiences and as a result may be reluctant to report domestic abuse.<sup>29</sup>

In its 2015 report *Combating Violence Against Women*, the European Institute of Gender Equality concluded that where people have high levels of trust in judicial institutions, the levels of disclosed violence are higher and cited that over 70% of the population of Ireland tended to trust the police.<sup>30</sup> According to the *Garda Public Attitudes Survey 2022*, 90% of respondents expressed mid to high levels of trust in the organisation. In contrast, the FRA's 2019 *Travellers In Ireland Survey* identified that trust in the police and the legal system in Ireland was the second lowest of all countries surveyed.<sup>31</sup>

## Campaigns to Encourage Reporting

Public awareness campaigns play an important role in encouraging the reporting of domestic abuse. In addition to high profile government-led campaigns such as “Still Here” and “Always Here”, many organisations that support victims of domestic abuse feature prominently in the local and national media.

The Garda Síochána is an active partner in many campaigns such as “White Ribbon Day”, “16 Days of Activism” and the “Safe Pharmacy” initiative. These and other campaigns are discussed further in Chapter 5. Public statements made by the Garda Síochána at local and national levels that reinforce the organisation’s commitment to tackle domestic abuse and support victims all help to raise awareness of the signs and consequences of domestic abuse and encourage reporting.

## Reasons for not Reporting Domestic Abuse to the Garda Síochána

In total, 282 victims (39%) who responded to the Inspectorate’s survey had not reported their most recent incident of domestic abuse to the Garda Síochána. These respondents were presented with a list of possible reasons for not reporting and asked to select all that applied to them. Each person could choose more than one option, as well as provide other reasons and over 70% selected more than one option. Figure 1.2 illustrates the most frequently chosen reasons for not reporting.

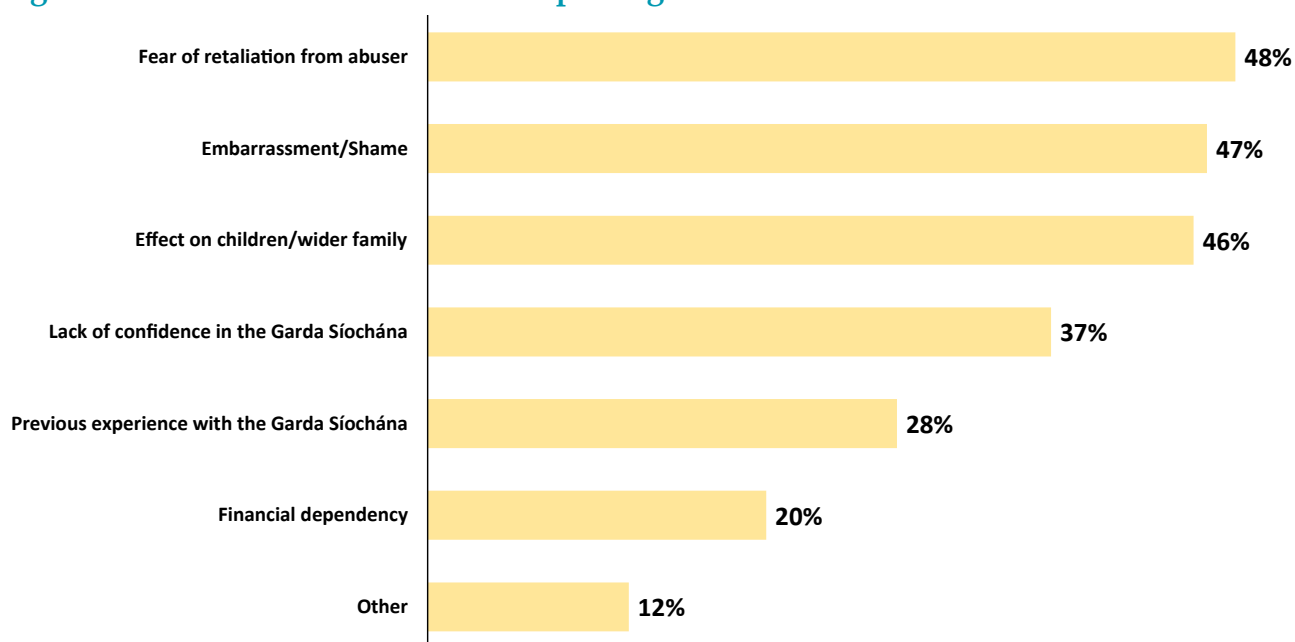
27 GREVIO, 2023. [Baseline Evaluation Report: Ireland](#), para 248.

28 *ibid.*

29 Pavee Point, Galway Traveller Movement & Wicklow Travellers’ Group, 2022. [Irish Traveller and Roma Women – Joint Alternative Report](#), page 11.

30 European Institute of Gender Equality, 2015. [Combating Violence against Women](#).

31 European Union Agency for Fundamental Rights, 2019. [Travellers in Ireland](#). FRA surveyed 4,659 Roma or Travellers in Belgium, France, Ireland, the Netherlands, Sweden and the United Kingdom.

**Figure 1.2 Victims' Reasons for not Reporting to the Garda Síochána**

Source: Garda Inspectorate survey

The complexity of domestic abuse is illustrated by the fact that most respondents selected a number of reasons for not reporting. Fear of retaliation from their abuser, embarrassment/shame or the effect on their children or wider family were mentioned by almost half of respondents. Lack of confidence in the Garda Síochána and their previous experience with the organisation were two key factors. Among the other reasons provided by respondents was the fact that they did not know that they were experiencing domestic abuse.

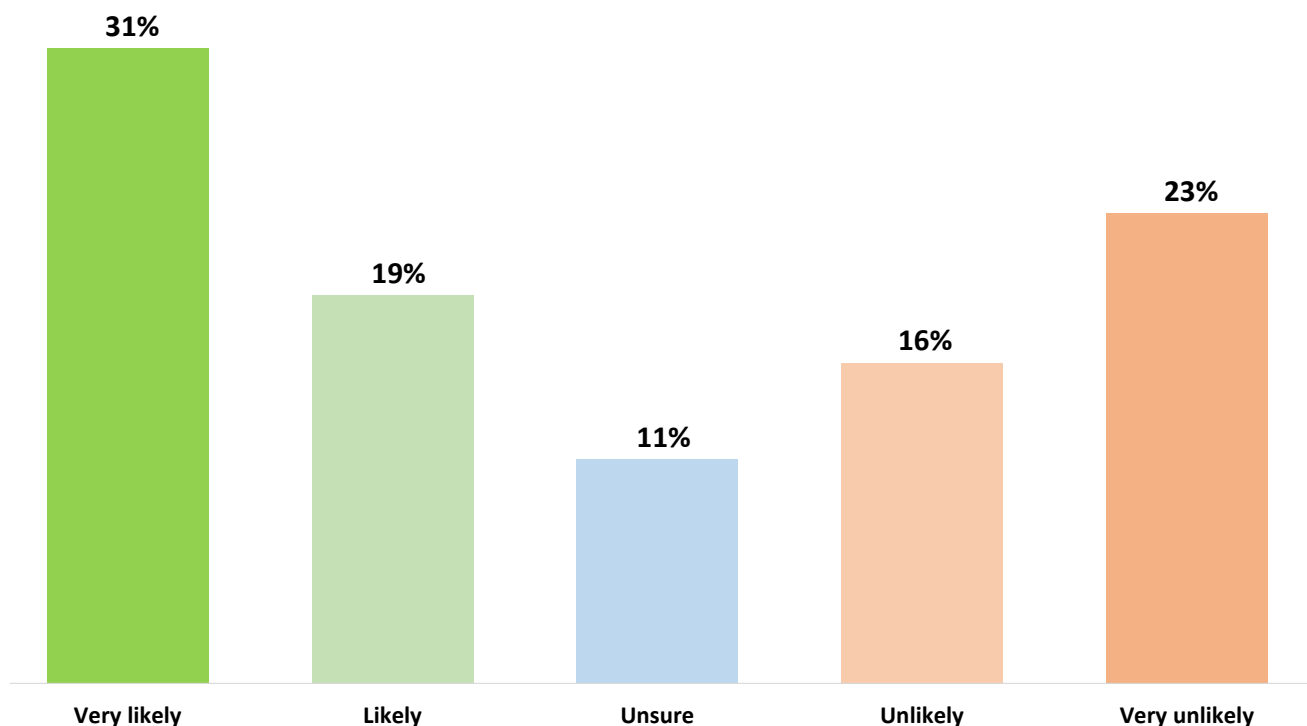
Further analysis of the responses showed that 54% of respondents did not choose an option relating to the Garda Síochána as a reason for not reporting. However, 15% of respondents selected lack of confidence in the Garda Síochána, previous experience with the Garda Síochána or both of these options as their only reason(s) for not making a report.

During meetings with support organisations that work with communities whose first language is not English, the Inspectorate heard that language barriers can add to victims' reluctance to contact the Garda

Síochána. These organisations also identified that on occasions family or community members may be used as interpreters and considered that this was inappropriate due to the potential influence of the interpreter's cultural norms. In addition, the Inspectorate was told that there was a lack of awareness among interpreters of the complexity and nuances of domestic abuse where the use of certain words and phrases could have different meanings for people whose first language is not English. This extended to a limited understanding of often complex legal terminology and how the legal system operates.

### Future Reporting

One indicator of trust and confidence in the Garda Síochána's ability to deal effectively with domestic abuse is the likelihood that someone who has reported domestic abuse to the organisation would do so again. The Inspectorate asked survey respondents who had made a report to assess how likely they were to report an incident of domestic abuse to the Garda Síochána in the future. The responses are shown in Figure 1.3.

**Figure 1.3 Likelihood of Reporting Another Incident to the Garda Síochána**

Source: Garda Inspectorate survey

Overall, 50% said that based on their experience, they were likely or very likely to report a domestic abuse incident in the future, while 39% said that they were unlikely or very unlikely to do so. Although more people were dissatisfied than satisfied with their overall experience, as illustrated in Figure 1.1, a greater proportion of those who were dissatisfied said they would be likely to report another incident in the future than would not.

## Assessment

The general level of trust in the Garda Síochána is high and the levels of reporting of domestic abuse as indicated in the Inspectorate survey are encouraging. Media campaigns by statutory organisations, including the Garda Síochána, and support services have contributed to increased awareness and reporting of domestic abuse. However, the public commitment of the

Garda Síochána is not always matched by the service experienced by some victims. It is very concerning that half of the survey respondents who reported their domestic abuse were dissatisfied with their overall experience. In addition, 39% said they would be unlikely to report another incident in the future. However, it was somewhat positive to note that even though some victims had a negative experience, they still felt that they would report another incident in the future.

The Garda Síochána needs to continue to be proactive in encouraging victims to report their abuse. It must also do more to build people's trust and confidence that when they report domestic abuse, they will receive a good standard of service. It is important that all members of the garda workforce understand how difficult it is for victims to report abuse and work in a sensitive, trauma-informed and responsive way.<sup>32</sup> While there is no single action that will increase

32 A trauma-informed or responsive approach is a framework that enables appropriate interaction with individuals who have been exposed to negative or dangerous experiences. By working in a trauma-informed way, individuals are aware of the signs of trauma and respond by utilising practices that ensure impacted individuals feel safe and supported, minimising the risk of further trauma.

the levels of reporting or that will deliver quality responses in a consistent manner, the recommendations in this report aim to help the Garda Síochána improve how it responds to domestic abuse and thereby encourage reporting.

## Reporting Domestic Abuse to the Garda Síochána

Victims who report their abuse have usually suffered over a period of time before they contact the police. Having taken the courageous step to do so, victims need to be listened to in a non-judgemental way, treated with respect and not dismissed. It is therefore vital that the person they speak to is professional, empathetic and courteous; their level of risk is identified; and an appropriate response is provided.

Domestic abuse can be reported to the Garda Síochána by calling 999/112, telephoning a garda station or going in person to a station. At the time of this inspection, it was not possible to make an online report of domestic abuse to the Garda Síochána. This section examines each reporting method and includes the experiences of victims who engaged with the Inspectorate.

The Garda Charter makes a number of public commitments about the time it takes to answer and respond to 999/112 calls.<sup>33</sup> Performance against these commitments is examined. This section also reviews the call handling and dispatch arrangements in the Regional Control Centres (RCCs) in the context of domestic abuse.

## Reporting via the Emergency 999/112 System

All 999/112 calls are initially answered by the Emergency Call Answering Service (ECAS) and then routed to the most appropriate emergency service.<sup>34</sup> If the caller requests police, the call is transferred to one of the Garda Síochána's four RCCs which are located in Dublin, Galway, Waterford and Cork. All calls are audio recorded. In the RCC, call-takers answer the call, obtain information from the caller and log this information on the computer aided dispatch (CAD) system. Once information is obtained, dispatchers assign garda resources to attend and deal with the incident.

As part of this inspection, the Inspectorate listened to call recordings and viewed the corresponding call logs for a sample of 999/112 calls linked to domestic-motivated crime and non-crime incidents.<sup>35</sup> The purpose of this examination was to assess whether:

- > The handover from ECAS was clear;
- > Sufficient questions were asked to verify the nature of the incident;
- > The narrative recorded on the CAD log accurately reflected the information provided by the caller;
- > The caller was reassured by the call-taker; and
- > The call-taker was professional, empathetic and courteous.

In a number of calls, the ECAS handover was unclear because the ECAS operator, the garda call-taker and the caller were speaking simultaneously. The ECAS operator was stating the telephone number of the caller,

33 Garda Síochána, n.d. [The Garda Charter](#).

34 The Emergency Call Answering Service is responsible for answering all 999/112 calls and texts, providing a vital link between the caller and emergency services. More information is available at on [gov.ie](#).

35 Calls were made during 2021 from the four divisions selected for examination during this inspection.

the call-taker was introducing themselves as “Garda Emergency Line”, while the caller was immediately asking for help or describing what had happened or was happening.

Although senior gardaí at national and local level had issued several different instructions that contained the questions that should be asked during a call about a domestic abuse incident, call-takers told the inspection team that they did not use a checklist of questions. In all of the calls listened to, the call-taker obtained the basic information, such as the caller’s details and the nature of the incident. However, during many calls, they did not ask sufficient questions to ascertain the safety and wellbeing of the caller at that time. For example, although many call-takers asked if a domestic violence order was in place, very few enquired about the presence of children, access to weapons, previous history of violence or abuse between the parties and whether drugs or alcohol were involved.

In the majority of calls listened to, the details recorded on the CAD incident log reflected the information obtained during the call. However, logs often lacked important details because key questions had not been asked. In some instances, the inspection team found that information obtained during the call was missing from the log. For example, several callers mentioned previous similar incidents but these had not been recorded. New CAD software introduced during the course of this inspection includes a pro-forma of questions to be asked by call-takers dealing with domestic abuse calls. The Garda Síochána explained that the pro-forma aims to ensure that call-takers gather a more consistent level of information. More information on the new CAD software, known as GardaSAFE is contained in later sections of this chapter.

Overall, the inspection team found that call-takers were professional, courteous

and empathetic. Several of the calls in the sample selected by the Inspectorate were made by victims while the domestic abuse incident was ongoing and it was clear that they were very distressed and fearful. In these examples, the call-taker tried to calm the person and advised them that help was on the way while endeavouring to elicit information about the incident.

Call-takers told the inspection team that they might keep a caller on the phone line in an ongoing high-risk incident in order to reassure the victim and keep abreast of the situation, but there was no guidance about when to do this. While there was only one such call in the sample listened to, the inspection team noted several other calls where keeping the frightened victim on the line could have provided additional reassurance.

Most of the calls listened to concluded with the call-taker saying that gardaí would be sent to the incident. Although the *Garda Charter* states that an estimated time of arrival (ETA) will be provided to 999/112 callers, it was not provided in any of the calls that the inspection team listened to. However, in some instances the call-taker told the caller that gardaí would attend as soon as possible. Control room staff confirmed that they did not provide ETAs to avoid giving inaccurate information.

In several calls, the caller asked for the garda response to be cancelled, but call-takers told the caller that this could not be done. This was in compliance with garda policy that stated that incidents of domestic violence must always be attended by a unit and not cancelled.

## Reporting at Garda Stations

Direct-dial telephone numbers for all garda stations are publicly available, enabling members of the public to report incidents to

their local station. During the course of this inspection, the Garda Síochána completed the roll-out of new Call Transfer Procedures (CTP). This is a system whereby telephone calls that are received at local stations and require the dispatching of garda resources are transferred to the RCC. In the RCC, a call-taker logs details of the caller and incident before a dispatcher allocates an appropriate response. Prior to the CTP, local station personnel would have recorded details of the reported incident and resources would be dispatched by either the local station or the RCC. Telephone calls made to local garda stations are not audio recorded, but those that are transferred are recorded from the point at which they are answered in the RCC. The Inspectorate was told that transferred calls fall into the RCC dip-sampling procedures.

The first point of contact for most victims going in person to a garda station is the person on duty in the public office. During meetings with domestic abuse victims and support organisations, the inspection team was told about victims who were asked to recount their incident in detail and explain

their circumstances in the public office, often in front of other members of the public. Representatives of support organisations acknowledged that some garda stations lacked dedicated rooms in which to speak with victims, but described instances where no effort had been made to find a private space. Organisations representing people with disabilities or other specific needs reported barriers to reporting such as the physical inaccessibility of some stations and the unavailability of independent translators. Several victims' organisations also described the difference in how victims were treated depending on whether or not they were accompanied to garda stations by someone from their organisation.

A victim who met with the inspection team explained how she was treated when she went to a garda station to report an incident. Her experience is described in Figure 1.4.

**Figure 1.4 Jane's Experience (not her real name)**

Although Jane had left an abusive relationship, the fear and intimidation continued and her ex-partner attacked her current partner. Jane went to her local garda station to report that assault and that her ex-partner was continuing to harass her online. Jane also reported being fearful because her ex-partner knew where she was living after they broke up. The garda member in the public office told Jane that nothing could be done in relation to the text messages she had received because her ex-partner was threatening to harm himself rather than her. She was also told that her current partner would have to report his assault.

Because she felt that she was not being taken seriously, Jane also disclosed that her ex-partner had physically assaulted her throughout the relationship. She was asked if she had any medical evidence. She explained that although she did not, she had texts from her ex-partner apologising for hitting her and for other abusive behaviour. The garda member told Jane that action could only be taken if her abuse had occurred in the last six months. Frustrated that the garda member still did not appear to be taking her complaints seriously, Jane disclosed that her ex-partner had committed a serious assault against her in another jurisdiction. The garda member did not explain that this crime could be investigated or how this would happen.

At this point, the member brought Jane to a private room and asked what she wanted to do. She said that she did not know what to do. The member then told that her they could not do anything because the incidents she had reported were either unlikely to go to court or, if they did, they would not go well. Jane was advised to go to Women's Aid for help in applying for a protection order and told that if she reported a breach of the order, gardaí could take action. Jane felt "fobbed off" as the member did not record any details about her or the incidents in her presence and she received no further contact from the Garda Síochána.

Jane felt that her experience had been "invalidated" by how she was treated and as a result, she was unlikely to report any further incidents.

Source: Garda Inspectorate

## Reporting Online

At the time of this inspection, it was not possible to make an online report of domestic abuse to the Garda Síochána. Online reporting of other types of crime, including hate crime, was available. A new Directive on combating violence against women and domestic violence agreed by the European Parliament and the Council of the European Union states that victims should be able to report such crimes, including domestic violence, easily and without being subject to secondary or repeat victimisation.<sup>36</sup> To this end, the Directive recommends that 'Member States provide the possibility to submit complaints online or through other information and communication technologies'. Member States have three years from the entry into force of the Directive to transpose it into national law.

The Inspectorate identified that online reporting of domestic abuse was available in UK police services, but not in other jurisdictions including many European countries, New Zealand, Australia and Canada. It is not mentioned as an action under the Third National Strategy on Domestic,

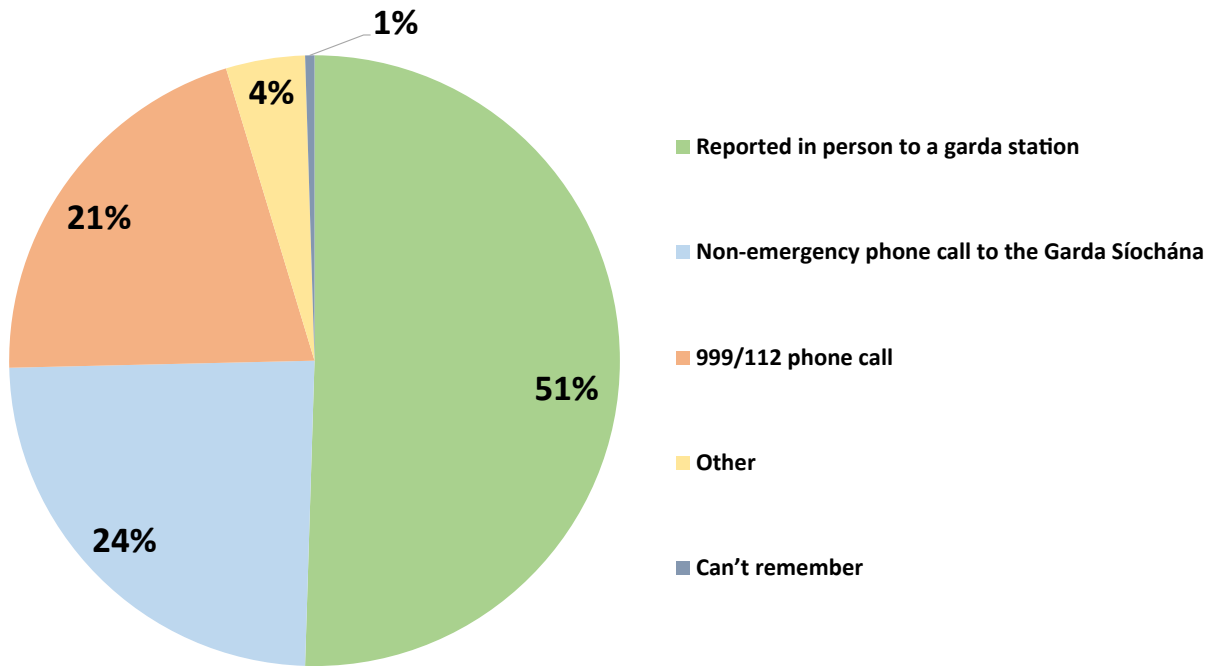
Sexual and Gender-Based Violence. The Inspectorate considers that a more detailed examination of online reporting systems, the resources required to operate them and users' experiences is necessary to inform a decision on the introduction of online reporting.

## How Victims Reported Domestic Abuse to the Garda Síochána

The Inspectorate's survey asked those victims who had reported their most recent incident of domestic abuse to the Garda Síochána how they had made their report. Of these 446 victims, 91% said that they made the report themselves, while 9% said that someone else had reported on their behalf. Those who had reported themselves were then asked about how they made their report. The breakdown of reporting methods is illustrated in Figure 1.5. Of the 406 victims who reported their domestic abuse incident themselves, 51% had made their report in person to a garda station, 24% reported via a non-emergency phone number and 21% reported via the 999/112 system.<sup>37</sup>

36 The European Parliament and the Council of the European Union, 2024. [Proposal for a Directive of the European Parliament and of the Council on Combating Violence Against Women and Domestic Violence](#)

37 Answers recorded as a percentage are rounded to the nearest whole number and, as a result, the total may not always add up to 100.

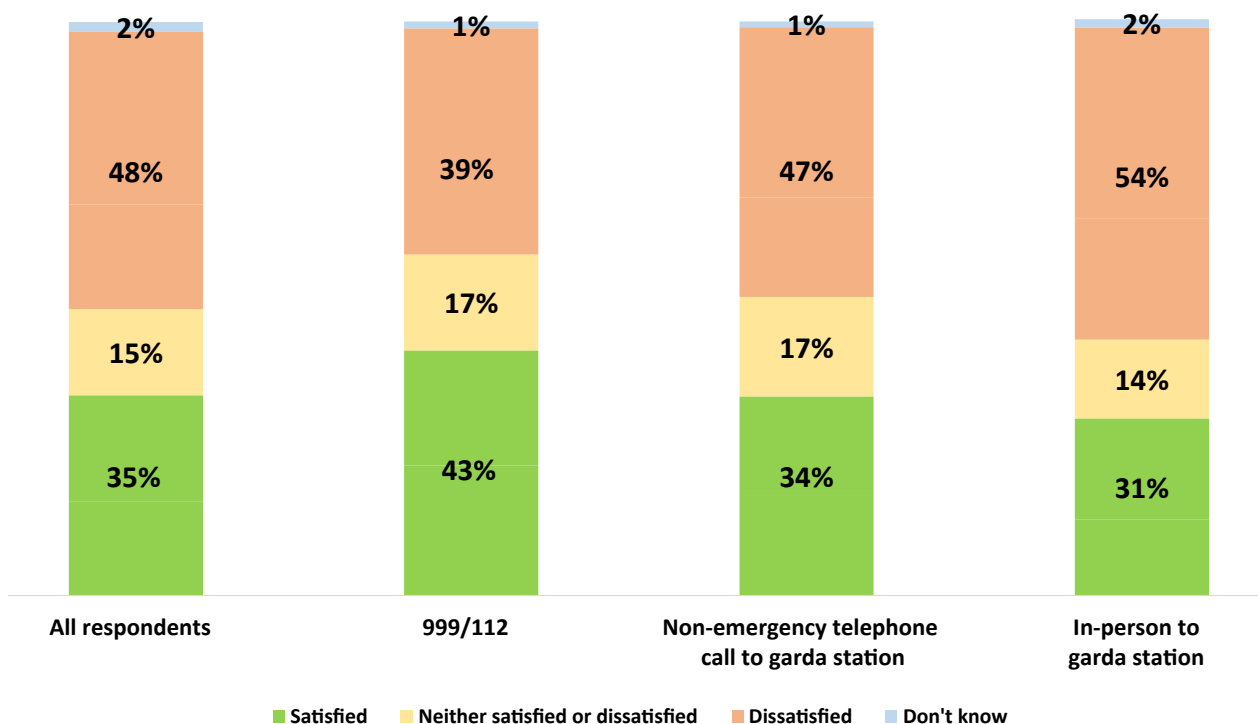
**Figure 1.5 Methods Used to Report Domestic Abuse to the Garda Síochána**

Source: Garda Inspectorate survey

### Victims' Satisfaction Levels – Initial Contact with the Garda Síochána

In the survey, the Inspectorate asked those victims who had self-reported their incident to the Garda Síochána to indicate how satisfied or dissatisfied they were with the way their initial report was handled. Overall,

35% of respondents were satisfied with the way their initial report was dealt with, 48% were dissatisfied, 15% were neither satisfied nor dissatisfied, while 2% answered that they did not know. The Inspectorate then examined the satisfaction levels for each method of reporting. The results of this analysis are illustrated in Figure 1.6.

**Figure 1.6 Satisfaction Levels with Initial Contact, by Contact Method**

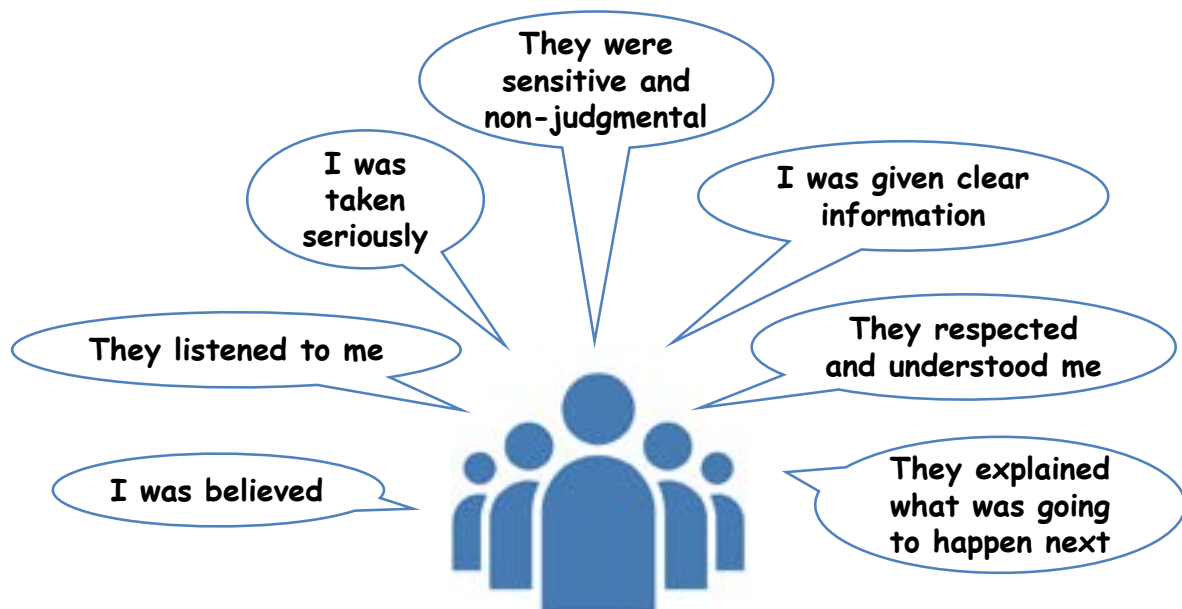
Source: Garda Inspectorate survey

The highest level of satisfaction (43%) was among victims who had reported via the 999/112 system. The lowest level of satisfaction (31%) was among those who reported in person to a garda station, while 35% of those who reported by telephone to a garda station were satisfied with their initial contact. The highest level of dissatisfaction (54%) was among those who reported in person at a garda station. Of those who reported by telephone to a station, 47% were dissatisfied, while 39% of those who called 999/112 were dissatisfied.

### Reasons for Satisfaction or Dissatisfaction

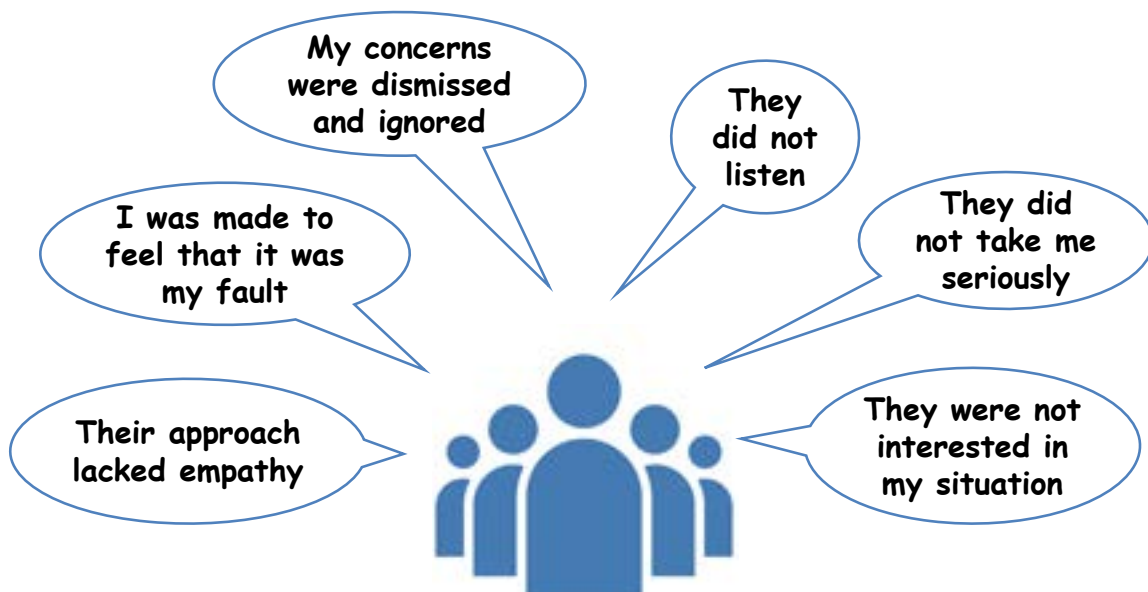
Respondents were invited to explain why they were satisfied or dissatisfied with the handling of their initial contact. Some of the more common reasons given by victims who were satisfied are shown in Figure 1.7. The more frequently given reasons for being dissatisfied are shown in Figure 1.8.

**Figure 1.7 Reasons for Victim Satisfaction – Initial Contact**



Source: Garda Inspectorate survey

**Figure 1.8 Reasons for Victim Dissatisfaction – Initial Contact**



Source: Garda Inspectorate survey

Several victims said they were discouraged from making a formal statement or had their complaint dismissed because the incident had occurred in another jurisdiction.

## Assessing the Quality of Service for Initial Contact

This section examines how the Garda Síochána assesses the quality of service provided to victims of domestic abuse when they report their incident. It takes account of the different methods of reporting already described. Other performance indicators that relate to the RCCs but not specifically to domestic abuse are included later in this chapter.

## Assessing Calls Received in Regional Control Centres

The Garda Síochána had undertaken two types of formal dip-sampling of calls received in the RCCs. The first type was carried out in each RCC by a team from the region in which the RCC was based. This was conducted in 2022 following a direction from the Deputy Commissioner, Policing and Security. The purpose was to examine the quality and standard of call handling, check that relevant background checks were performed, the correct closure code was utilised and any cancelled calls had a clear record of the rationale for doing so. This was part of the Garda Síochána's response to the discovery that some 999/112 calls had been inappropriately closed or cancelled.<sup>38</sup> The second type of sampling was implemented by RCC supervisors and involved periodic reviews with each call-taker of a selection of calls they had dealt with.

The aim of these reviews was to ensure that operational procedures were followed and to identify personal and organisational learning. Both types of review included domestic abuse calls. At the time of the inspection, the first type of sampling had been discontinued and the sampling of calls with call-takers was operational only in the Dublin RCC due to the time and resources it required. However, RCC supervisors said that they undertook some live-time assessments of call-taking during their shift or reviewed a small selection of calls at the end of the shift. All of those spoken to recognised the value of dip-sampling and expressed a desire to undertake systematic reviews of call-taking and dispatching. The majority of call-takers spoken to had participated in reviews of their work and saw the benefits of them. In addition to the resourcing implications of such work, supervisors highlighted the difficulty in retrospectively reviewing the work of dispatchers due to the fact that they deal with multiple incidents at any given time.

A new garda directive on call handling and incident response has introduced formal performance assurance measures, including daily and weekly dip-sampling, as well as quarterly inspections and reviews.

## Assessing Telephone Calls Received in Garda Stations

Prior to the implementation of the CTP, the ability to assess the standard of call handling at garda stations was severely limited because these calls were not recorded. Following the roll-out of the CTP, transferred calls are recorded and may be included in the dip-sampling carried out by RCC staff,

<sup>38</sup> In December 2020, the Garda Síochána informed the Policing Authority about the unwarranted cancellation of 999/112 calls. Examinations and reviews were conducted by the Garda Síochána and the Policing Authority to identify the extent of the issue, rectify shortcomings and put measures in place to prevent recurrences. One such measure was the dip-sampling of 999/112 calls.

either because they relate to domestic abuse or are part of a random selection of calls. This process only assessed the call from the point at which it was answered in the RCCs. There was no established process to evaluate the initial interaction at the station. It was also the case that if the call for service was not transferred, it is possible that no record whatsoever was made of the interaction.

### Assessing How In-person Callers are Dealt with at Garda Stations

At the time of the inspection, the Garda Síochána had not undertaken any formal evaluation of the standard of service provided to victims of domestic abuse who reported in person at garda stations. While these interactions could be monitored in real time or debriefed by supervisors, there was no specific requirement or process in place to do so.

### Assessment

The importance of each victim's initial contact with the Garda Síochána cannot be overstated. In that regard, there are a number of policies and procedures that should be complied with to ensure that victims are dealt with correctly. Although many of the victims who completed the Inspectorate's survey reported that they were treated well at the initial reporting stage, the fact that almost half were dissatisfied with their initial contact is a cause for concern. It is therefore essential that the Garda Síochána knows that relevant policies and procedures are correctly followed and is confident that victims are treated professionally by garda personnel.

The Inspectorate is particularly concerned about the poorer satisfaction levels among those who made their report to a garda

station either in person or by telephone, although it is important to highlight that the Inspectorate's survey was conducted before the roll-out of the CTP. While this procedure may contribute to an improved service for some telephone callers, a gap remains in relation to quality assuring the telephone calls that are not transferred to an RCC.

The absence of a system to assess how in-person callers are dealt with is a significant issue, given that these victims reported the highest levels of dissatisfaction. In addition, it should not be the case that those victims who are accompanied by support workers receive a better standard of service than those who attend alone.

In its report *Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána*, the Inspectorate made a recommendation regarding the services provided by the Garda Síochána to victims of crime.<sup>39</sup> This included recommending that the Garda Síochána has suitable facilities for victims, witnesses or other visitors to report their experience of crime or to discuss a sensitive matter. Implementation of this recommendation should ensure that victims of domestic abuse are able to make their report in private.

Overall, the Garda Síochána needs to improve the service provided when victims make contact to report their abuse. It should develop processes to monitor and assess the standard of first contact regardless of the manner of reporting. While such a process should apply to all crime types, it should focus initially on the reports of domestic abuse. Feedback and learning from these assessments should be provided to the garda personnel involved, as well as being anonymised and collated for wider organisational learning.

39 Garda Inspectorate, 2024. [Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána](#), Recommendation 5.4.

Finally, the Inspectorate was disappointed to find that although the Garda Síochána has made a public commitment to give 999/112 callers an ETA, this did not happen in practice. While estimating a time of arrival is sometimes dependent on factors outside the Garda Síochána's control, it is the case that providing an ETA can reassure the caller and help them feel safer.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 1

The Inspectorate recommends that the Garda Síochána develop and implement processes to monitor and assess the standard of first contact at garda stations when victims call in person or by telephone to report their domestic abuse incident. Results of the assessments should be used to drive continuous improvement in standards of service.

## Assessing Risk

Given that domestic abuse incidents can be some of the most volatile and dangerous that gardaí respond to, it is vital that risks are identified and mitigated to the greatest extent possible. The Garda Síochána has a three-tier process for assessing risk in relation to domestic abuse calls, the first tier of which occurs when the call for service is received.

The second tier relates to the completion of the Risk Evaluation Tool.<sup>40</sup> The third is a review of the incident undertaken as part of the Performance Accountability Framework (PAF) process.<sup>41</sup> The second and third tiers are discussed in Chapter 6.

## Tier 1 Risk Assessment

To ensure the most appropriate and safest response to a call, it is vital that the immediate risks to the victim, witnesses and responding gardaí are identified, assessed and managed. Information to inform the risk assessment comes from the person making the call and from background checks in relation to the parties and location concerned. Background checks are carried out on the PULSE system to identify whether there are warrants or domestic violence orders in place, if there is a history of similar types of incidents or if anyone involved has access to firearms. During interviews and focus groups, call-takers, dispatchers and supervisors in the RCCs assured the Inspectorate that background checks were carried out. It was explained that the results would usually be added to the CAD log, but because of the time-critical nature of their work, on occasions call-takers would relay the results verbally to dispatchers. Most agreed that call-takers should carry out the checks. However, they also pointed out that if other calls were waiting to be answered, dispatchers may complete the checks or tell the responding gardaí to ask their local station to make the checks.

As part of the review of CAD incident logs, the inspection team looked for evidence of the checks being carried out. Some of the logs examined included the result of the

<sup>40</sup> The Risk Evaluation Tool is an assessment tool available to front-line gardaí to assess the risk posed to a domestic abuse victim by the perpetrator.

<sup>41</sup> The Performance Accountability Framework is a standard framework and structure for garda management meetings at regional, divisional and functional area level.

background check, such as the fact that a domestic violence order was in place. Others contained entries that indicated that checks had been carried out but the results were not documented. A number of logs had no evidence to indicate that checks had been conducted.

The Inspectorate was advised that GardaSAFE could link associated PULSE records to the incident log. Once the call-taker or dispatcher selects relevant information from a PULSE search, the PULSE reference number of that information is added to the log. The call-taker or dispatcher can then easily access PULSE from the GardaSAFE system to see the relevant information.

## Assessment

Handling 999/112 calls can often be difficult, especially if the incident is ongoing or the caller is fearful, distressed or injured. However, information gaps can arise when insufficient questions are asked during call-taking or inadequate background checks are conducted. As a result, risks may not be properly identified or assessed. This could lead to an unsuitable response to the incident in terms of the number and type of resources deployed and may result in avoidable harm to the victim, perpetrator, members of the public or gardaí. In this regard, the introduction of pro-forma questionnaires is welcomed.

While all those working in the RCCs were aware of the importance of conducting background checks, the significance of recording the results of the checks was less well recognised. The Inspectorate considers that the background information should be on the CAD log so that supervisors and other dispatchers who may take over control of an incident are fully aware of the background. This should also help them to understand

why certain actions were taken. GardaSAFE appears to provide a solution that makes this information readily accessible to operators.

A number of call-takers told the Inspectorate that they sometimes kept the caller on the line until the responding unit arrived. Although this was usually to provide reassurance to a frightened caller, it also provides an opportunity for the call-taker to gather more information to help identify, assess and manage risks. It is important for the call-taker to explain if they intend to keep the caller on the line and to tell them not to speak if they feel it is unsafe to do so. While the practice of keeping callers on the line when an incident is ongoing is positive, it may have a short-term impact on the control room's capacity to answer other calls and as such the safety and reassurance of the caller must be balanced against the overall demands of the RCCs and other risks being managed.

## Operation of Regional Control Centres

RCCs are a key component of the Garda Síochána's response to domestic abuse. In this section, the Inspectorate reports on its findings in relation to the structure of the RCCs and the key performance indicators used to assess RCC performance. It also provides more information about GardaSAFE.

## Structure and Reporting Lines for Regional Control Centres

RCCs are a regional resource under the command and control of the respective regional assistant commissioners. One of these assistant commissioners is the policy owner for the national call handling arrangements and the business owner for

GardaSAFE. At the time of this inspection, a superintendent was in charge of the Dublin RCC and inspectors were in charge of each of the others. The Dublin superintendent had no line management responsibility for these inspectors. The number of inspectors and sergeants in the RCCs has since increased.

In 2021, as part of the plan to introduce GardaSAFE, the Garda Síochána set up a project team chaired by the superintendent in charge of the Dublin RCC and attended by the inspectors in charge of the other RCCs. The remit of the group included training, resourcing and performance assurance. A key focus of its work was to contribute to the development of a new call handling and incident response policy and to discuss and share learning from the roll-out of GardaSAFE. Among the project team's outputs was a standardised appraisal form for dip-sampling 999/112 calls.

As indicated in the 2024 procedures for call handling and incident response this team, now known as the Performance and Quality Assurance Group, is a key part of the governance and accountability arrangements for RCCs. The updated procedures define the group's remit as follows:

- > Introducing governance and accountability procedures to ensure compliance with relevant legislation and organisational objectives;
- > Ensuring there is sufficient capacity to maintain service standards, governance, accountability and performance management;
- > Reviewing the training of personnel involved in call handling and incident response;
- > Reviewing compliance with Health and Safety legislation in RCCs,

including the identification and management of risk, both generic and individual;

- > Reviewing organisational policies and procedures relating to call handling and incident response to ensure compliance with changes to legislation, jurisprudence and expert findings;
- > Ensuring that lessons learned and good practice are captured, reviewed and disseminated;
- > Selecting categories of calls for dip-sampling; and
- > Reviewing the outcome of performance assurance measures and ensuring any identified issues are addressed appropriately.

## Monitoring Performance in the Regional Control Centres

In addition to the quality of service provided by personnel in RCCs, other relevant performance indicators include the time taken to answer and respond to emergency calls.

Since 2018, the number of 999/112 calls received by the Garda Síochána has increased by 30%, from 435,186 in 2018 to 568,037 in 2023, with the average time to answer increasing to 25 seconds in 2023. These figures are for all calls and not just those relating to domestic abuse. The *Garda Charter* contains a commitment to answer 80% of 999/112 calls within seven seconds and to prioritise the response to emergency and life-threatening calls. As shown in Figure 1.9, the Garda Síochána has been unable to meet its published commitment in any year for the period 2018 to 2023. The policy owner for call handling and incident response recognised that the seven-second commitment was

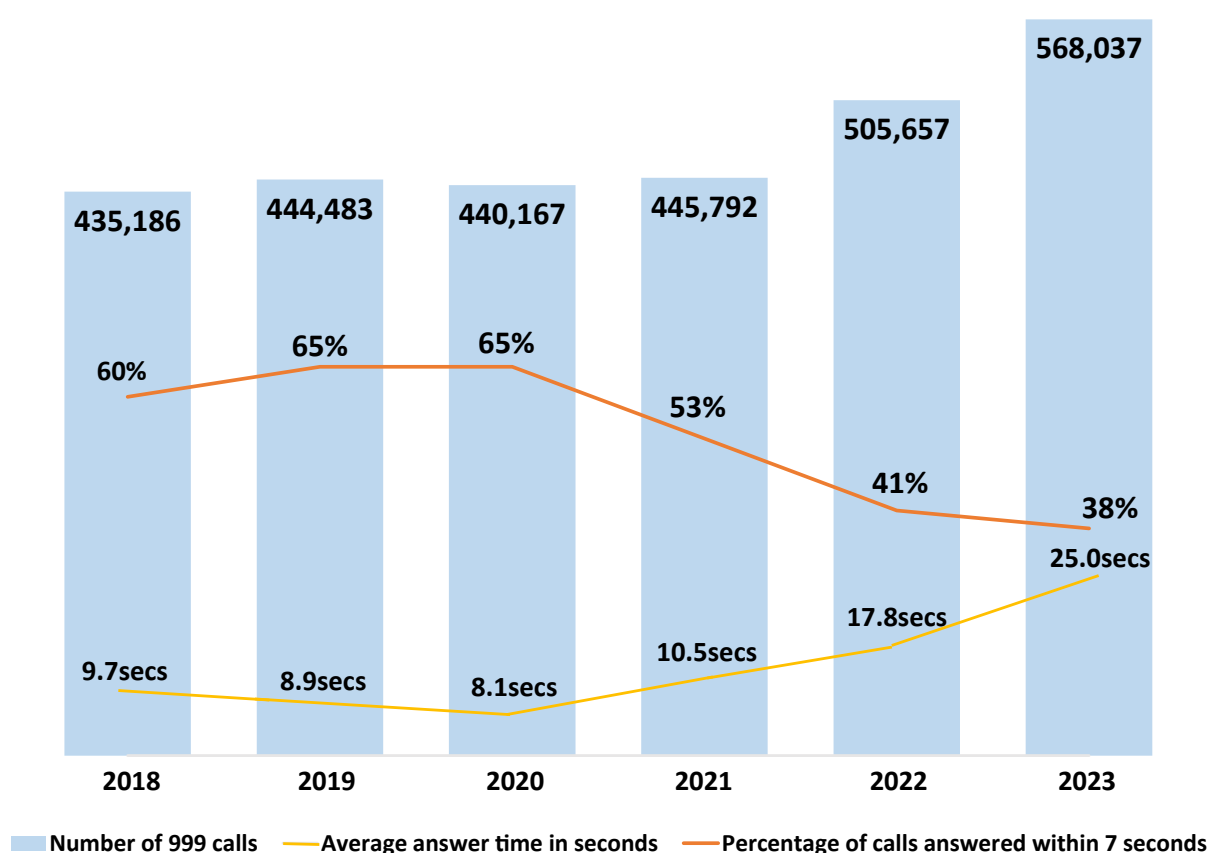
unachievable and out of line with other similar jurisdictions. For example, across the UK, the target time to answer emergency calls is 10 seconds. The policy owner told the Inspectorate that they intended to propose a different measurement, more in line with targets used in other countries.

During interviews with personnel working in the RCCs, the Inspectorate was told that they also had an internal target time of 100 seconds for answering 999/112 calls and

that they aimed to achieve this for all calls. It was later explained that this target relates to how ECAS manages 999/112 calls and although high levels of compliance had been consistently achieved, it was not a measure of garda performance.

The number of 999/112 calls received, the percentage answered within seven seconds and the corresponding average answer time in seconds are shown in Figure 1.9.

**Figure 1.9 Volume, Answer Rate and Average Answer Time for 999/112 Calls**



Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

This shows that as the number of calls has increased, the proportion answered within seven seconds has fallen every year since 2020, with 38% of calls answered within seven seconds in 2023. As well as the overall reduction in the proportion of calls answered within seven seconds, the average answer time increased from under 10 seconds prior to 2021 to 25 seconds in 2023.

The Inspectorate was told that the increase in call volume was mainly attributed to the CTP, the implementation of the recommendations in the Policing Authority's report on the CAD system and improvements to call handling arrangements.<sup>42</sup>

42 Penman, D., 2024. [Review of An Garda Síochána's implementation of the recommendations of September 2022 report by Mr. Derek Penman to the Policing Authority on the Computer Aided Dispatch system and improvements to call handling arrangements.](#)

It was also explained that resourcing levels within the RCCs affected the time taken to answer calls, but that progress was continuing to be made to ensure optimum staffing levels were in place.

The *Garda Charter* states that gardaí will endeavour to attend emergency and life-threatening calls within 15 minutes in urban locations and as soon as possible in more rural areas. Although the Garda Síochána has endeavoured to monitor its response times, full and reliable analysis had not been possible at the time of this inspection. However, the Inspectorate was advised that the functionality of GardaSAFE combined with information from members' mobility devices was expected to provide more reliable at-scene information and better response time data.

As identified earlier in this chapter, the Garda Síochána was not meeting its charter commitment of providing callers with an ETA. Estimating a time of arrival can be challenging and depends on the availability of garda resources, traffic conditions and the possibility of a higher priority call being received. The functionality of GardaSAFE provides more information to enable the RCCs to provide an ETA, monitor progress and update the caller if necessary.

### New Computer Aided Dispatch System

The Garda Síochána completed the roll-out of GardaSAFE in November 2023. Compared to the previous system, GardaSAFE has increased functionality and new features including:

- > A mapping system that shows the location of calls and available garda resources. GardaSAFE can calculate how far garda resources are from the scene and generate

ETAs. It can also suggest to the operator the most suitable vehicle to respond to the incident;

- > Automatic searching of other databases for background information on the caller, perpetrator or location of the call, once these details are input on GardaSAFE;
- > Identification of a repeat caller; and
- > In-built pro-forma questions for different types of reported incidents, including one for domestic abuse incidents.

GardaSAFE operating rules mean that a minimum of 25% of calls are subject to a mandatory supervisor review before being closed and all domestic abuse calls must be reviewed by a supervisor. The Inspectorate was told that GardaSAFE would provide an enhanced victim response, enable better-informed decisions, result in better and more consistent levels of service, and facilitate more effective use of resources.

### Assessment

RCCs have been the focus of attention in recent years, mainly due to the discovery of the unwarranted closure, including cancellation, of 999/112 calls. In response, much has been done to improve their operation. This has resulted in the Policing Authority reporting positively on the work of the Garda Síochána in response to the Authority's examination of the issue.

The Inspectorate did not seek to replicate the Policing Authority's work; rather it looked at the role of the RCCs in the reporting, management and investigation of domestic abuse incidents. A number of key aspects emerged, all of which are relevant to all reports made to the RCCs and not just domestic abuse calls.

There have been significant and welcome developments in the operation of the RCCs, including the roll-out of GardaSAFE. Provided the features of the system operate and are used as intended, it should improve the standard and consistency of call-taking, dispatch and response to all incidents, including domestic abuse. It should also ensure that vital background information is accessed and given quickly to responding members. However, success depends on human factors such as asking for and correctly inputting caller information, as well as the accuracy of data already on PULSE and other information systems. As GardaSAFE had not been fully rolled out during the fieldwork stage of this inspection, the Inspectorate did not examine how it was operating in practice to see if the intended benefits were being realised.

While some performance information in relation to call handling and incident response had been available prior to the introduction of GardaSAFE, the new system provides enhanced capability in this regard. As such, data from GardaSAFE should be analysed and used to provide regular management information reports to enable the Garda Síochána to effectively monitor the performance of its RCCs, identify good practice and areas for improvement, as well as informing policy, resourcing and operational decisions.

It is positive that mandatory supervisor reviews of incidents have been introduced alongside GardaSAFE. These reviews, coupled with the increase in workload associated with the CTP, have changed the RCCs' resourcing requirements. While the Inspectorate acknowledges the increase in resources already assigned, including at supervisor level, there are challenges in recruiting and retaining personnel. As such, it is vital that RCC resources are monitored on an ongoing basis to ensure that they are matched to demand.

As RCCs sit within the regional structure, the Performance and Quality Assurance Group is an important part of the RCC infrastructure. In addition to the functions already described, the Inspectorate considers that the group should also coordinate the provision of regular management information reports for senior garda managers at regional and national level.

Given the significant developments outlined, the Inspectorate considers that the operation of RCCs should be subject to a detailed assessment of their operational efficiency and effectiveness. This should look at the people, systems and processes in place and examine the extent to which these support the operational requirements of the workforce and meet the needs of the public. The assessment should be followed up with periodic reviews to determine the extent to which relevant recommendations and objectives are being achieved and to embed a culture of continuous improvement. The assessment should include how GardaSAFE has contributed to better identification of risk and how this information is used in operational decision-making.

The Inspectorate was concerned about the increasing time taken to answer 999/112 calls and the inability to meet the *Garda Charter* commitment to answer emergency calls within seven seconds. It was not clear how this commitment had been decided and the Inspectorate welcomes the decision of the business owner for call handling and incident response to identify a new target time that effectively balances the risks to, rights and needs of callers with operational capacity.

As other important commitments in the *Garda Charter* were not being achieved, including giving callers an ETA, it seems timely to review and update it in its entirety. A process should also be put in place to routinely monitor performance against

the commitments and ensure that they are being achieved. The Garda Síochána should publish its reviewed and updated charter and provide information to the public at suitable intervals about how it is fulfilling the commitments within it.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 2

The Inspectorate recommends that the Garda Síochána conduct an assessment of the operational efficiency and effectiveness of the Regional Control Centres. This should:

- > Review staffing levels, systems and processes and examine the extent to which the operational requirements of the workforce and the needs of the public are met;
- > Be followed up with periodic reviews to assess the extent to which relevant objectives are being achieved and to embed a culture of continuous improvement;
- > Assess how GardaSAFE contributes to better identification of risk and how this information is used in operational decision-making; and
- > Examine the effectiveness of the Performance and Quality Assurance Group.

### Recommendation 3

The Inspectorate recommends that the Garda Síochána review the Garda Charter and, if necessary, update the commitments within it. Following the review, it should:

- > Introduce routine compliance monitoring of the charter commitments;
- > Re-launch the charter; and
- > Publish regular updates on how it is meeting the charter commitments.

# 2

## *Chapter 2*

### *Providing Information, Support and Protection to Victims*



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

# Chapter 2 - Providing Information, Support and Protection to Victims

## Introduction

Under the Criminal Justice (Victims of Crime) Act 2017, victims are entitled to certain information, support and protection regardless of whether or not their crime is reported to the Garda Síochána.<sup>43</sup> The Act places a number of specific requirements on the Garda Síochána. This chapter reports on how the Garda Síochána fulfils these statutory obligations in relation to victims who report their domestic abuse incident.

## Legal Requirement to Provide Information

Section 7 of the Criminal Justice (Victims of Crime) Act 2017 sets out the information that a victim of crime is entitled to. Information that the Garda Síochána must provide includes:

- > The services providing support and alternative accommodation for victims;
- > The procedure for making a complaint in relation to an offence;
- > Where any enquiries by a victim relating to a complaint which they have made may be addressed;
- > The circumstances in which a victim may be entitled to assistance in the form of interpretation and translation;
- > The role of the victim in the criminal justice process;

- > Any particular measures, procedures or arrangements which are available to a victim who is a child; and
- > How and under what conditions a victim may obtain protection including by way of protection measures.

Under Section 8 of the Act, a victim is entitled to ask for information about:

- > Significant developments in the investigation of the alleged offence, such as the arrest of their abuser, the nature of any charges preferred, the date of and the final judgment in any trial;
- > A decision not to proceed with, or to discontinue, the investigation and a summary of the reasons for the decision; and
- > A decision not to prosecute, or to discontinue the prosecution of, a person for the alleged offence and a summary of the reasons for the decision.

These rights are set out in the Government's Victims Charter<sup>44</sup> and can also be found on a number of websites<sup>45</sup>. The following sections examine how the Garda Síochána provides information, support and protection to victims.

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43 Available at: [irishstatutebook.ie](http://irishstatutebook.ie)

44 Government of Ireland, n.d. [Victims Charter](#).

45 Available at: [alwayswhere.ie](http://alwayswhere.ie)

## Provision of Information by the Garda Síochána

The Garda Síochána has published a victim information booklet that contains information about victims' rights, as well as contact details for the Garda Victim Service Offices (GVSOs) and a range of victim support organisations, including Women's Aid and Men's Aid.<sup>46</sup> The booklet is available in 41 languages on the garda website. It is also available in braille and on audio disc upon request from GVSOs. As well as the translated booklets, the content of the garda website can be translated into 132 languages, many of which have an audio assist function. The victim information booklet replaced a shorter victim information leaflet, which the Garda Síochána advised is obsolete although it was in use at the time of the inspection. There is also a victim information card that includes the contact details for the Crime Victims Helpline, a national support service for victims of crime in Ireland. While these documents are not specifically for domestic abuse victims, the Garda Síochána advised that it had developed and introduced a new domestic abuse information leaflet in 2024.

In a 2021 report by the then Department of Justice and Equality, it was recommended that the Garda Síochána develop a mobility app that would advise garda members of the information they should be providing to victims in accordance with the Criminal Justice (Victims of Crime) Act 2017.<sup>47</sup> It was envisaged that the app should be capable of sharing an electronic version of the victim information card and booklet in a language understood by the victim. Although a business case was prepared, a bespoke app has not been rolled out. However, the

Inspectorate was informed that members can access relevant information on the garda intranet site from their mobility devices. This means that they can search for domestic abuse-related documents and can share electronic versions of the information card and booklet with the victim by email. The Inspectorate was further advised of the Garda Síochána's intention to inform members of this option.

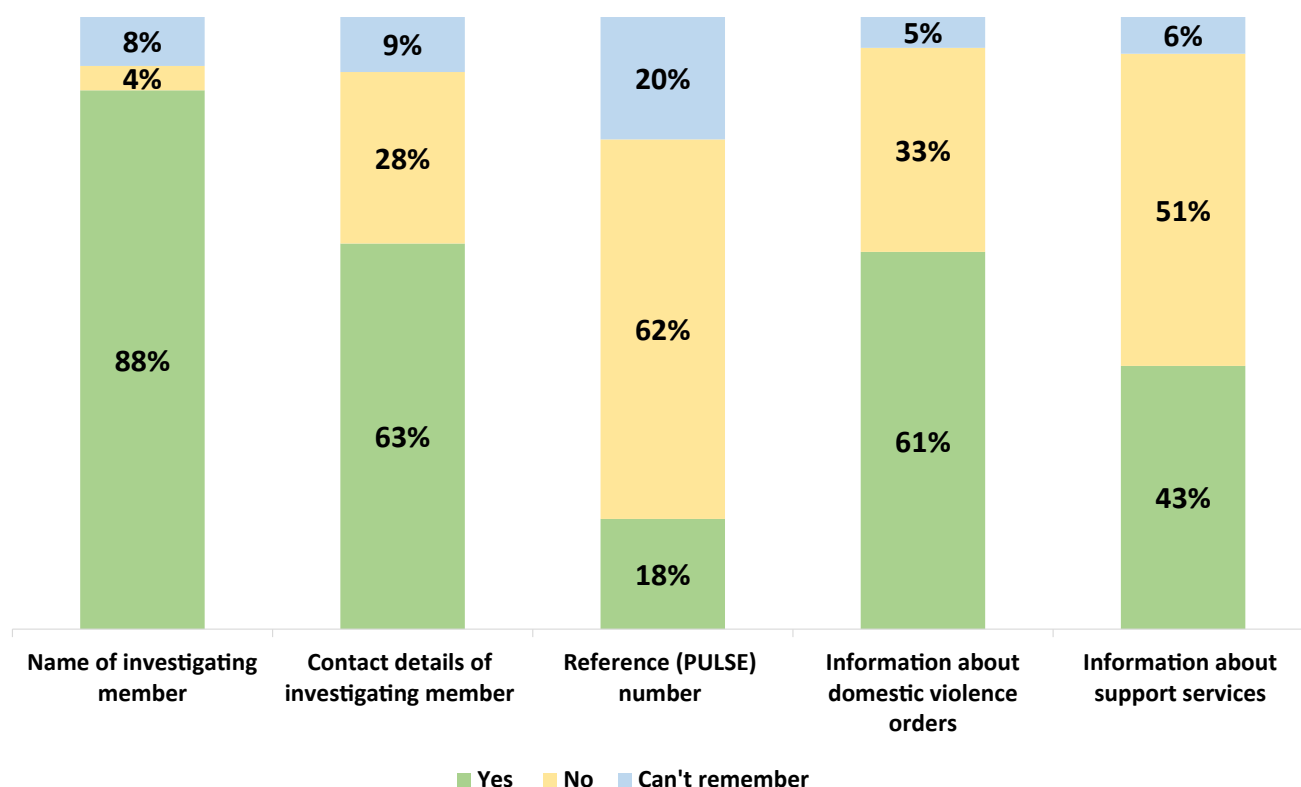
When a crime is reported to the Garda Síochána, a letter of acknowledgement is usually sent to the victim. The letter includes the name and station of the investigating member, PULSE incident number, contact details for the local GVSO and a link to the victim information booklet. It also includes information about the Crime Victims Helpline. In addition to this information, garda policy requires that further letters are sent to victims to update them about their case. However, it is garda policy that letters are not sent to victims of domestic abuse in order to protect them from retaliation or further victimisation from their abuser.

This section explores how the Garda Síochána provides information and updates to victims of domestic abuse, given that letters are not sent. It contains findings from the Inspectorate's engagement with victims of domestic abuse, feedback from representatives of support services and responses to its online victim survey. The survey asked whether victims had received information about the investigating member, domestic violence orders and support services. Respondents could answer "yes", "no" or "can't remember" to each of five questions. The responses to these questions are illustrated in Figure 2.1 and explained in more detail in the following sections.

46 Garda Síochána, 2022. [An Garda Síochána: Victim Information](#)

47 Department of Justice and Equality, 2021. [Supporting a Victim's Journey. A plan to help victims and vulnerable witnesses in sexual violence cases.](#)

**Figure 2.1 Information Provided to Victims**



Source: Garda Inspectorate survey

## Investigating Member's Contact Details and PULSE Incident Number

Victims should be given the name, phone number and station of the investigating garda member and the PULSE incident number. Investigating gardaí told the Inspectorate that they would usually give the victim a business card with their name and a contact telephone number. Most said that they used a business card with the telephone number for the local GVSO. GVSO personnel told the Inspectorate that consequently some victims who call their office expect to speak to the investigating member. Instead, they find themselves talking to a different member of the garda workforce and may have to repeat their story. In these circumstances, GVSO personnel said that they either update the victim themselves using information on PULSE or contact the investigating member and ask them to provide an update.

To explore the extent to which the Garda Síochána was fulfilling its responsibilities,

the Inspectorate's survey asked victims who had reported their incident to the Garda Síochána about the information that was provided to them. Of the 246 respondents, 88% stated that the investigating member had provided their name, 63% said that they had been given contact details and 18% said they had been given a PULSE number.

## Obtaining Protection

Victims should be advised about how and under what conditions they may obtain protection including by way of protection measures. Important protection measures for victims of domestic abuse include barring orders and protection orders issued under the Domestic Violence Act 2018. This inspection identified that some victims were given incorrect information about the type of order they may apply for or how to obtain one. Domestic violence orders are discussed further in Chapter 6. When asked whether they were given information or advice about domestic violence orders, 61% of survey

respondents said that they were given this information, 33% said they were not given it, while 5% could not remember receiving information or advice about orders.

## Support Services

Victims of domestic abuse should be given information about services that provide support and alternative accommodation. Each garda station is required to maintain a list of relevant statutory and support organisations. It is the responsibility of the investigating member to provide victims with information about services that may be able to assist them in addition to relevant literature.

The Inspectorate found different practices for providing information in the four divisions inspected. When asked how they gave the information, some garda members said that they gave the victim information card, while others gave a garda leaflet or a leaflet provided by a local support service. Some said they would not give any written information but would tell the victim the name and telephone number of a support service. In a few instances, members explained that they had made a direct referral to a support service.

One division had developed victim packs that included information about local and national support services. Packs were carried in patrol cars and garda members would decide if or when to offer the pack to victims, taking account of any risk of retaliation by the perpetrator. The same division had also developed a victim-focused initiative called ‘Talk to Us’ which enabled service users to access an interactive directory of contacts. The information was accessible by scanning a QR code on posters, business cards or a

discreet hologram sticker; the latter was aimed specifically at victims of domestic abuse. The Inspectorate noted that the PULSE records for a number of domestic abuse incidents in another division included a direction that victim information leaflets be hand delivered.

The PULSE incident record must be updated to indicate whether an information leaflet was provided to victims. Examination of PULSE data from 2023 showed that 73% of victims of a domestic-motivated crime incident had been given an information leaflet, up from 14% in 2018.<sup>48</sup> In relation to non-crime incidents, 77% had been given a leaflet, compared to 6% in 2018.<sup>49</sup>

Respondents to the Inspectorate’s survey were asked whether they had received information about support services from the Garda Síochána. In response, 43% said they had received this information, 51% had not, while 6% were unable to remember receiving it. When asked how this information had been provided, 61% said that they had been told the name and phone number of support organisations, 26% had received a pack containing the information and 2% received the information by text message. The 12% who selected “other” explained that they had made their own arrangements to speak with or had already received support from a domestic abuse service.

## Summary

Despite the requirement to provide all of this information to victims, the survey results show that a large proportion had not received information about obtaining domestic violence orders or support services or groups that may be able to help them. Although the victim information leaflet

48 A crime incident is an act that is defined by Irish law or an offence under statute. It is recorded when there is a reasonable probability that the circumstances amount to a crime and there is no credible evidence to the contrary.

49 A non-crime incident is an act that is not defined as a crime by Irish law or an offence under statute.

has space to include the member's details, it did not contain specific information about domestic abuse support services or domestic violence orders. The newer victim information booklet contains contact details for Women's Aid and Men's Aid, as well as other victim support organisations.

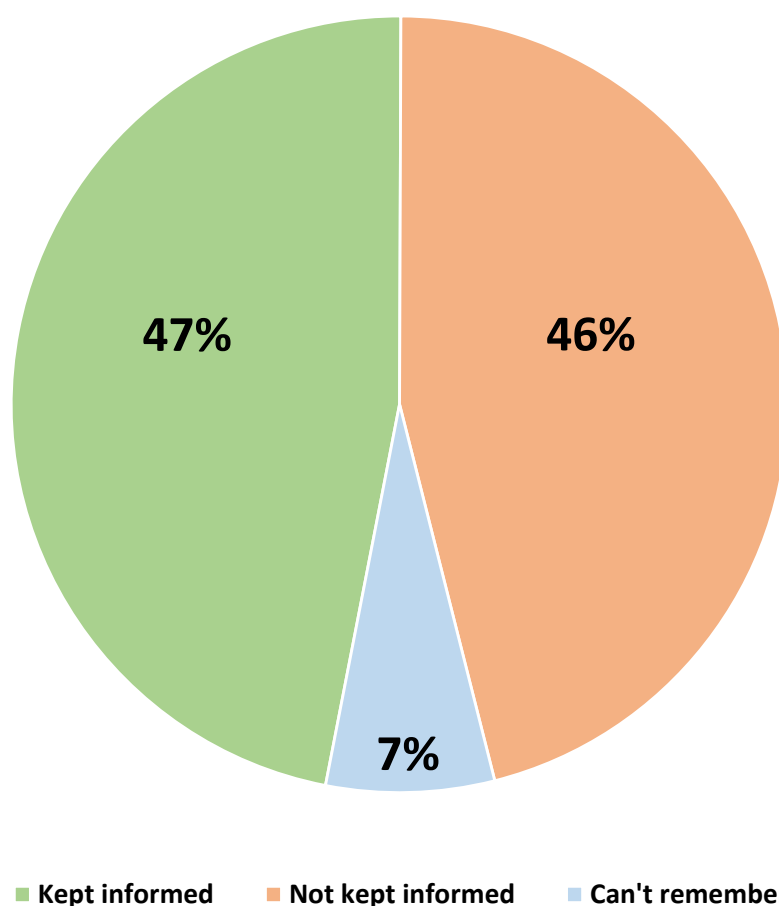
## Keeping Victims Informed of Developments

Operating procedures associated with the Garda Victim Service Policy state that all victims of crime must be contacted within three days of a crime being reported. It further states that contact with victims of domestic abuse should be in person and crime prevention advice should be provided if appropriate. The Domestic Abuse Intervention Policy states that the investigating member should contact the victim in person within seven days. This

applies to all crime and non-crime incidents that have been classified on PULSE as having a domestic motive. The purpose is to provide information on developments in the investigation if applicable, provide reassurance to the victim and is an opportunity to collect further information on any threats or risks to the victim and dependents. In addition to the seven-day call-back, the policy requires further call-backs to be provided one month and three months after the incident where appropriate.

Of those who completed the Inspectorate's survey, 47% said that they had been kept informed of developments, 46% had not, while 7% could not remember. Figure 2.2 illustrates these results.

**Figure 2.2 Being Kept Informed of Developments**



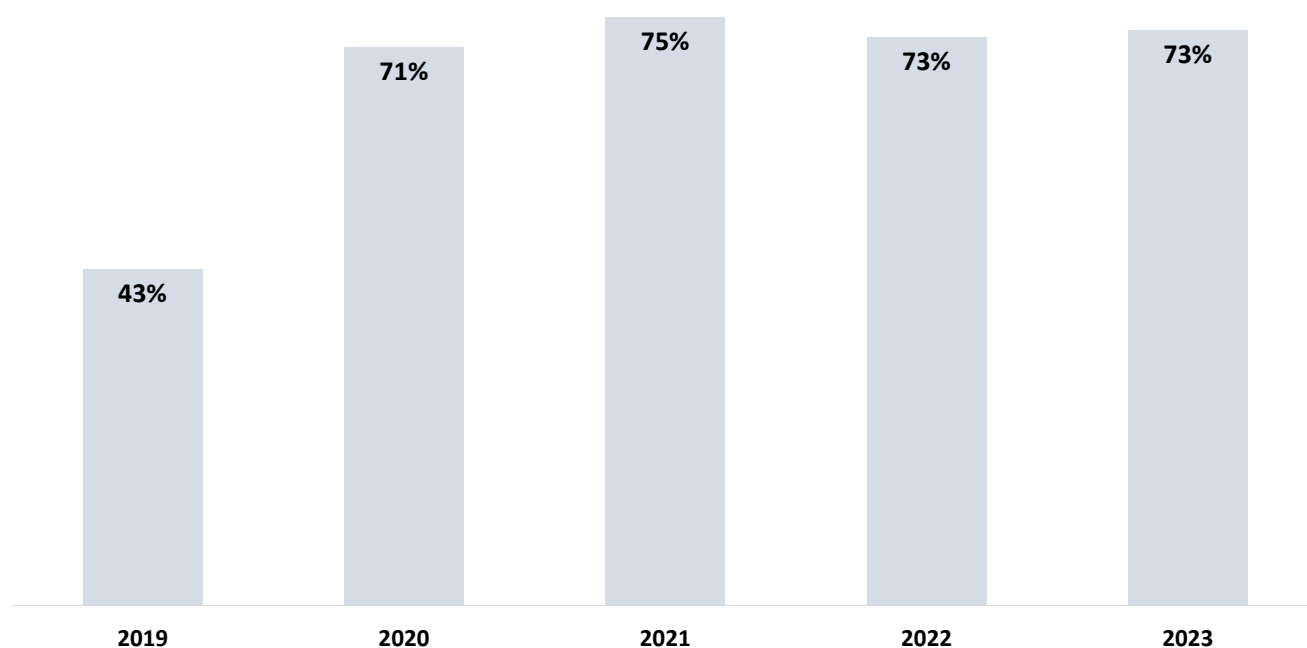
Source: Garda Inspectorate survey

## Seven-day Call-backs

In order to improve on historically low call-back rates, the Garda Síochána has placed significant focus on this aspect of victim support. A target to conduct 60% of call-backs within seven days was set and monitoring arrangements put in place at divisional and organisational levels. At the organisational level, the Governance Unit in the Garda National Protective Services Bureau (GNPSB) was routinely examining each division's compliance rate and notifying underperforming divisions accordingly. At divisional level, compliance was being checked on a case-by-case basis at daily Performance Accountability Framework

(PAF) meetings in the places inspected. At these meetings, if it appeared that the seven-day target might not be achieved, an action would be raised to task a member to contact the victim within the target time. If the investigating member was not available, another member would be assigned this task. The task would remain open at PAF meetings until completed. There was no automated system in place to alert a member that a call-back for their case was due. Seven-day call-back rates for domestic-motivated incidents had improved from 43% in 2019 to 75% in 2021, before falling slightly to 73% in 2022 and 2023. The rates from 2019 to 2023 are shown in Figure 2.3.

**Figure 2.3 Seven-day Call-back Rates for Domestic-motivated Incidents, 2019 -2023**



Source: Information provided by the Garda Síochána

In part, this improvement was achieved through additional call-backs made to historical victims of domestic abuse during the Covid-19 pandemic. This proactive initiative was a key strand of Operation Faoiseamh, which aimed to identify and provide support to vulnerable individuals.<sup>50</sup> These call-backs were conducted by

personnel attached to GVSOs or another resource deemed appropriate by divisional officers and were praised by many victim support services as a way of reassuring those who had previously reported domestic abuse. Although Operation Faoiseamh call-backs have ceased, the rate of seven-day call-backs has remained stable.

<sup>50</sup> Operation Faoiseamh was a proactive garda operation to protect victims of domestic abuse during the Covid-19 pandemic. It included a media campaign, call-backs to victims and responding to breaches of domestic violence orders.

## One-month and Three-month Call-backs

In contrast, there was no performance data available for one-month and three-month call-backs. These were not monitored by the GNPSB or as part of the PAF process in the divisions inspected, nor was there a corresponding task on the Investigation Management System (IMS).<sup>51</sup> Although the Inspectorate was told that the domestic abuse inspectors were responsible for monitoring compliance, there was no system for doing so and no performance reports were produced.<sup>52</sup> Neither was there a process to assess the quality of call-backs, in terms of the information provided or the style and tone of the engagement.

## PULSE Examination

As part of this inspection, the Inspectorate conducted a thorough examination of the incident records on PULSE and IMS for selected domestic-motivated incidents across four divisions. With regard to call-backs, the inspection team reviewed:

- > The number and frequency;
- > The record of the information provided to or by the victim; and
- > Who made the call.

During this examination, the inspection team found some good examples of ongoing engagement with victims, in that the victim was contacted on a regular basis and the information exchanged during the call-back was recorded. The type of information logged included updates in relation to court proceedings and whether there had been any further incidents. However, it was more common that contact was sporadic with long gaps between call-backs and little or no

record of the interaction. The Inspectorate also identified cases in which good contact with the victim had been maintained for an initial period of time but fell away despite the case being live in the criminal justice system. In these cases, it is possible that an update was given but not recorded.

As illustrated in Figure 2.2, 46% of victims who responded to the Inspectorate's survey said they had not been kept informed of developments in their case, almost as many as said they had been informed (47%). A number of victims' organisations that met with the Inspectorate also highlighted that infrequent and poor-quality updates were common problems.

The Domestic Abuse Intervention Policy states that continued liaison with victims by the same member is vital throughout the investigation and prosecution. This inspection found that most of the call-backs were made by the investigating member, although it also found examples of call-backs made by other members, most likely arising from a direction made at the PAF meeting. Some call-backs had been made by GVSO personnel but most of these were categorised as Operation Faoiseamh updates.

## Call-backs to Repeat Victims

Because of the nature of domestic abuse, victims may report multiple incidents over time. The Inspectorate refers to these as repeat victims. The victim engagement screen on PULSE alerts a user if the person concerned is a "repeat victim". However, the user must review a list of all PULSE records linked to that person to determine if they are a repeat victim of domestic abuse. As part of the examination of PULSE incidents, the inspection team checked whether being a

51 The Garda Síochána's Investigation Management System is an electronic file management system, designed to facilitate a consistent and appropriate level of investigation in respect of all reported incidents of crime.

52 The role of domestic abuse inspectors is additional to their core function. They are responsible for overseeing the implementation of the Domestic Abuse Intervention Policy in their division and evaluating its effectiveness.

repeat victim affected the frequency and quality of contact, as well as the number of garda personnel who contacted the victim.

To do this, the Inspectorate selected from anonymised data a number of victims who had reported three or more domestic-motivated crime or non-crime incidents during 2021. After examining the PULSE incident records, the Inspectorate found that repeat victims were often dealing with a number of gardaí because different members had been assigned to investigate each reported incident. For example, one victim was involved in six crime and two non-crime incidents over an eight-month period and was dealing with five different investigating members. Some of these victims had also received call-backs from other members who were not investigating their crimes. In one case, a victim had contact from three gardaí and the GVSO, in addition to five different investigating members. One victim who spoke to the Inspectorate said she found it traumatising to have to recount what had happened to her to a different garda member each time she reported an incident.

In all of the cases examined, victim updates were recorded on PULSE within seven days of the incident occurring and most incidents had a record of at least one further update. Often the record of the call-back did not include details of the information that was provided to or by the victim. In a number of the cases examined, updates were infrequent, particularly as time progressed. In one case, the victim had no recorded contact in the six months prior to their case being in court. In another, a victim of coercive control received infrequent updates with a gap of eight months between the last two recorded call-backs. There was no information in any of the incidents reviewed to indicate the frequency with which the victim wished to receive updates or that the victim did not wish to receive updates.

At the time of this inspection, there was no other mechanism for victims to obtain information about their case apart from being contacted by garda members, the GVSO or by making contact themselves. The GNPSB had proposed the development of an online app that victims could use to see the status of their case, but this had not been implemented.

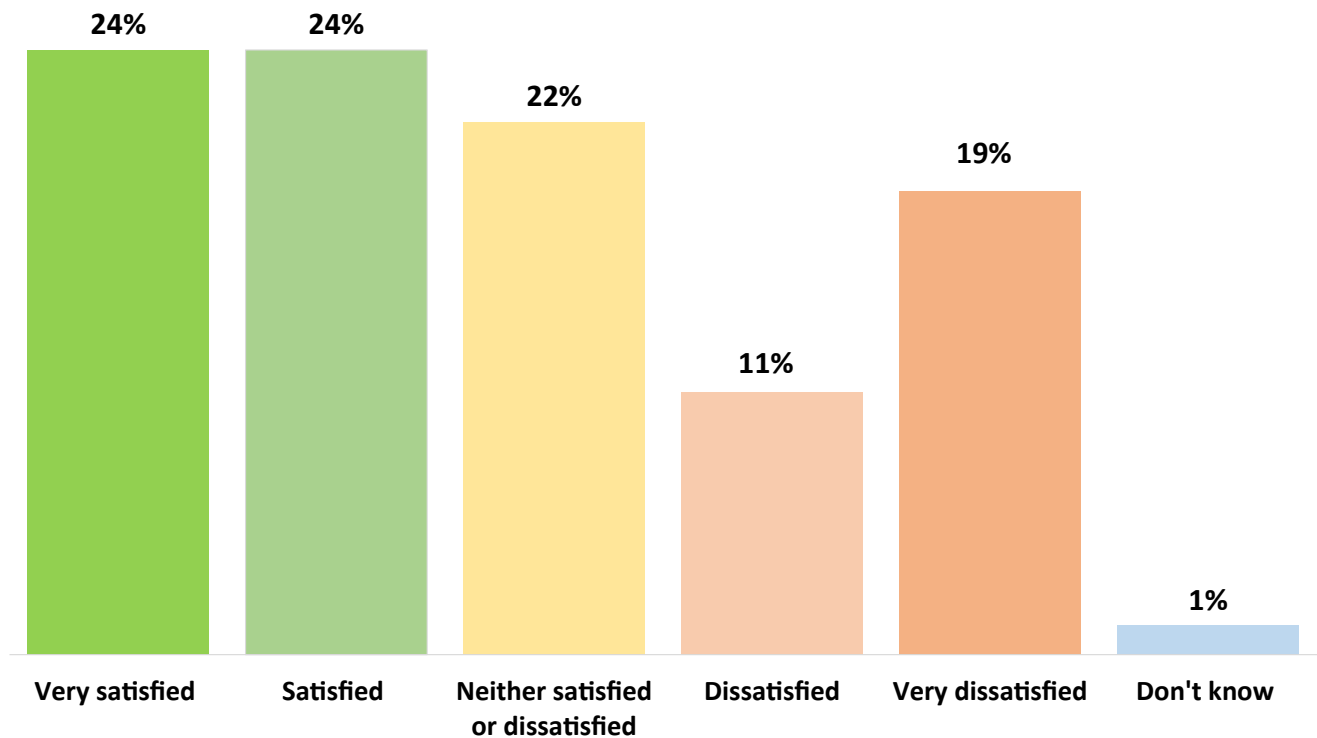
## Requests from Victims for Information about Decisions in their Case

A victim of crime is legally entitled to ask for information about a decision not to prosecute a person or to discontinue the prosecution, as well as a summary of the reasons for the decision. When a victim makes such a request, it is the responsibility of the organisation that takes the prosecution decision to provide the response. In the Garda Síochána, requests are made to the division in which the offence occurred. There, a superintendent will review the circumstances and reply to the victim. While the Garda Síochána confirmed that such reviews took place, it did not record and monitor the number of requests made about cases it was responsible for or the outcomes of the reviews.

## Satisfaction with the Information Given by the Garda Síochána

Respondents to the Inspectorate's survey were asked about their overall level of satisfaction with the information given to them by the Garda Síochána. Of the 246 respondents, 48% were either satisfied or very satisfied, 30% were dissatisfied or very dissatisfied, 22% were neither satisfied nor dissatisfied and 1% said they did not know. The responses to this question are shown in Figure 2.4.

**Figure 2.4 Satisfaction with Information Provided by the Garda Síochána**



Source: Garda Inspectorate survey

Respondents were invited to provide reasons for their responses. Some of those who were satisfied or very satisfied commented favourably on the useful information they were given and the positive impact this had in helping with their case. This included information on how to obtain domestic violence orders and legal advice, in addition to information that helped them to understand the criminal justice system. Many victims highlighted that they were given information about refuges and support organisations, as well as how to access further support.

A number of victims were positive about the nature and extent of communication from the Garda Síochána about court processes, saying that they were provided with information about court dates, bail hearings and judicial decisions. Several victims acknowledged that while members could not always be available to them at a specific time, they returned their calls and gave them relevant updates or explained developments in their cases when asked.

In general, dissatisfied victims commented on the lack of information given to them. Some said that they found out later that there was information they should have been given at the outset that could have helped to make their situation better. For example, some victims said they were not told about domestic violence orders or that they could make their statement to a member of the same sex. Some said that they were not directed to organisations that could assist them or accompany them when they made their statement. Many of those who were dissatisfied highlighted the lack of updates from the investigating member and the failure to return their calls.

One victim who met the inspection team described her experience of interacting with different garda members. It is summarised in Figure 2.5.

**Figure 2.5 Kathleen's Experience (not her real name)**

Kathleen began to experience physical and psychological abuse when she told her husband that she wanted to leave the marriage. She described three separate experiences with garda members.

The first occurred when she moved out of the family home for the night because she was frightened to be there. Her husband found her and created such a disturbance that garda members were called. The members brought her and her husband back to the family home. Because the situation appeared to have calmed, they did not take any details from her, gave her no information or advice and she received no follow up.

Following another aggressive and threatening incident, Kathleen went to her local garda station for help. She was advised to request a protection order from the court. However, she was not asked to give a statement, she was not told about domestic abuse services or how to contact them, nor was she told what to do if she found herself in the same situation again. She described feeling helpless.

Following this, Kathleen's husband violently assaulted her. On this occasion, he was arrested, charged and released on bail on condition that he have no contact with her. This time, the garda member kept in touch with Kathleen, gave her advice and reassurance and arranged support from a domestic abuse service. The member provided regular updates in relation to the progress of the investigation and court proceedings. Kathleen described the member as excellent.

Despite her poor initial experiences, Kathleen would advise other victims to go the Garda Síochána and if necessary persist until they are taken seriously.

Source: Garda Inspectorate

## Interpretation and Translation

Although the Garda Síochána has access to face-to-face and telephone interpretation in 87 languages on a 24/7/365 basis, language was identified as a key barrier for migrant victims reporting domestic abuse. Some support organisations were unaware of the availability of the interpretation service or of translated information for victims. Others raised concerns about the service including interpreters' understanding of the complexity and nuances of domestic abuse and their understanding of legal terminology. It was highlighted that this may result in victims receiving incomplete or inaccurate information about their rights.

## International Practice

Records management software used by police in some jurisdictions can alert investigating members and supervisors of approaching deadlines for actions such as updating victims of crime. These prompts can help to ensure that such tasks are completed on time.

In some other jurisdictions, criminal justice agencies including police services have collaborated to develop online portals that enable a victim to log on with a unique identifier to check the status of their case or request an update. For example, victims in South Australia can visit the police website or download a smartphone app, enter their police report number and see the status of

their crime report.<sup>53</sup> While not a substitute for in-person contact, these types of systems give victims another means of obtaining information.

Victim and Witness Care Units operate in Northern Ireland<sup>54</sup>, England and Wales<sup>55</sup> and are staffed by representatives from the police and prosecution services. They provide victims with a single point of contact from when an investigation or charge file is submitted to the prosecution service through to the outcome of any court proceedings. An assigned case officer keeps the victim informed of the progress of their case and can refer them to other organisations for extra support. Case officers also conduct a needs assessment to identify what help victims need to ensure they can attend court.

In New Zealand, victims of certain types of crimes can apply to be on the country's Victim Notification Register after the offender has been charged.<sup>56</sup> Once police determine the victim's eligibility to be on the register, the Department of Corrections keeps the victim informed about the detention status of the person who offended against them.

## Assessment

Overall, the provision of information and updates to victims of domestic abuse was found to be inconsistent. While some victims of crime received good information and regular updates on their case, many reported that they had not received all the information they were entitled to, such as correct information about domestic violence orders, leaving them even more vulnerable. While the Inspectorate has previously made

recommendations aimed at improving victim care, their implementation has not achieved the desired result of all victims receiving the necessary standard of service.<sup>57</sup>

The victim information cards that were often provided by garda members did not convey all victims' rights, while information given verbally at an incident may not be fully absorbed or retained by the victim. As victims of domestic abuse are not sent a standard acknowledgement letter, follow-up contact is vitally important for ensuring that they have all the information they are entitled to and that this is in a format that is accessible to the victim and their specific needs. The use of leaflets or information packs such as those described earlier may be of assistance in this regard, although if information is to be provided in hard copy or electronic format this should only be done with the agreement of the victim. No matter how the information is provided, garda members must provide it in a clear and understandable manner.

With regard to the timeframe for giving updates, the ambiguity between the requirements of the Garda Victim Service Policy and the Domestic Abuse Intervention Policy that were in place at the time of this inspection should be clarified.

The focus on complying with the three- or seven-day update target means that some victims hear from different personnel who may not be familiar with their case. This has the potential to cause them further trauma, for example by having to recount their story. Therefore, the Garda Síochána should endeavour to minimise the number of garda personnel engaging with a victim.

53 Available at: [police.sa.gov.au](http://police.sa.gov.au)

54 Available at: [ppsni.gov.uk](http://ppsni.gov.uk)

55 Available at: [cps.gov.uk](http://cps.gov.uk)

56 Available at: [corrections.govt.nz](http://corrections.govt.nz)

57 Garda Inspectorate, 2014. [Crime Investigation](#), Recommendations 7.5, 7.6, 11.18.

As the majority of front-line garda members investigating domestic abuse incidents have been issued with mobile devices, this contact number could be provided to victims, although a pre-recorded message should be in place if the member is unable to respond.

The same emphasis that was placed on the initial victim contact was not being applied to subsequent updates or to the quality of the interaction. Again, the evidence pointed to an inconsistent approach. While some of the incidents examined did include updates on investigative and prosecution developments, records showed that many victims were not provided with this information. Some victims reported that they had tried to personally contact the investigating member and even then were let down by the lack of a follow-up response. As well as damaging trust and confidence in the Garda Síochána, poor communication with victims has the potential to put them at additional risk, for example if they are not told straightaway that their abuser has been released on bail.

In other jurisdictions, tools such as automatic prompts to alert investigators to update victims at identified intervals, self-service portals and victim and witness care units are part of the victim information and support infrastructure. The latter two tools could be developed in conjunction with the Office of the Director of Public Prosecutions (DPP) and Courts Service to enable information at each stage of the criminal justice system to be available or provided. As such, the Department of Justice should work with the Garda Síochána, DPP and the Courts Service to develop a self-service facility for victims to obtain information about their cases.

Overall, these findings highlight the need for a review of how the Garda Síochána fulfils the requirement of Sections 7 and 8 of the Criminal Justice (Victims of Crime) Act 2017, and an ongoing process to monitor the

quality and frequency of victim updates with actions to ensure continuous improvement.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 4

The Inspectorate recommends that the Garda Síochána undertake a review of how it is fulfilling the requirements of Sections 7 and 8 of the Criminal Justice (Victims of Crime) Act 2017 to victims of domestic abuse. The review should assist with the development and introduction of:

- > A standardised process to monitor and assess the quality and frequency of victim updates; and
- > An automated system to prompt members to update victims.

### Recommendation 5

The Inspectorate recommends that the Department of Justice work with the Garda Síochána, Director of Public Prosecutions and Courts Service to develop a self-service facility for victims to obtain information on the status of their case.

## Providing Support to Victims of Crime

The EU Victims' Rights Directive states that support should be available from the moment competent authorities, such as police services, are aware of the victim.<sup>58</sup> This should continue throughout any criminal proceedings and for an appropriate time afterwards. Although the provision of support should not depend on victims making a complaint to a competent authority, the Directive acknowledges that such authorities are often best placed to inform victims of the possibility of support. As such, Article 8 of the Directive requires Member States to facilitate the referral of victims by the competent authority to victim support services in a way that ensures that data protection requirements can be and are adhered to. This applies whether or not the victim makes a formal complaint to the competent authority. The Directive was transposed into Irish law by virtue of the Criminal Justice (Victims of Crime) Act 2017.

The Directive also sets out the need to collect relevant data such as the number of referrals by police to victim support services, as well as the number of victims who request and subsequently receive or do not receive support.

This section examines how the Garda Síochána facilitates victim referrals.

### Referrals by the Garda Síochána to Support Services

Effective referrals for victims of domestic abuse require:

- > An adequate network of suitable

support services;

- > Effective and efficient referral processes; and
- > Garda personnel having good knowledge of the local and national services available to victims of domestic abuse or a single entry point to the network.

In Ireland, there is a broad range of local and national services available to all victims of crime, as well as specialised services for victims of domestic abuse. During this inspection, the Inspectorate was often told about the excellent support they provide. It also heard positive feedback and examples of how individual members of the garda workforce provided good support to victims. These included members of the Divisional Protective Services Units and domestic abuse coordinators in the Dublin Metropolitan Region whose roles are described in the introduction to this report. It was also the case that the Inspectorate heard about cases where victims did not receive the support they needed. This led a representative of a national victim support service to advocate for a victim support model in which the Garda Síochána referred victims to organisations with the appropriate training and expertise to provide support and trauma-informed care. This, they said, would enable garda members to focus more on the investigation of the incident.

While Section 7 of the Criminal Justice (Victims of Crime) Act 2017 enables a member of the Garda Síochána to refer a victim to a support service provided the victim consents, there was no overarching garda policy or direction on proactively making referrals. With a few exceptions, there was no standardised referral process

<sup>58</sup> The European Parliament and the Council of the European Union, 2012. [DIRECTIVE 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA](#)

in place and members often cited data protection legislation as the main reason for not making referrals. Nonetheless, the inspection team heard positive examples where garda members had referred victims of domestic abuse to refuges and in some instances brought them there. While some local refuges had a formal referral process in place, refuge staff explained that it was more common for garda members to telephone them to check whether a place was available and, if so, to bring the victim there.

At the national level, the Garda Síochána has established a formal referral process with Victim Support at Court (V-SAC).<sup>59</sup> V-SAC provides court accompaniment for victims of any type of crime, their families and witnesses. The service is provided in criminal courts by volunteers and can be arranged by the investigating member. V-SAC told the Inspectorate that in 2023, it supported 263 people who were involved in domestic violence cases, with 72% of these being referred to them by the Garda Síochána. The Garda Síochána is also a partner in a scheme, described in Chapter 6, to support high-risk victims of domestic abuse in very specific circumstances. There was no formal referral pathway to any other national victim support organisations.

Outside of the examples described, garda members tended not to refer victims directly to support services, preferring instead to give details of relevant organisations to victims to make contact themselves. This was the case even in situations where the victim was a repeat victim of domestic abuse.

While representatives of support services commented positively on their relationship with members of the Garda Síochána,

the Inspectorate found that not all garda personnel whose role included engaging with victims of domestic abuse were fully aware of the support services in their area or the types of services they could provide. One organisation told the Inspectorate that it received many referrals to its refuge service, but that the number of victims referred to its outreach service was very low.

## Referrals Recorded on PULSE

During the examination of PULSE, the Inspectorate identified that a direct referral had been made in a small number of the incidents it reviewed. There was no mandatory field to indicate whether a referral had been made, so any information was recorded as free text. As a result, the Garda Síochána did not have easily accessible information on the number of referrals it had made, which organisation they were made to or the types of incidents they related to.

## One-stop Shops

The EU Victims' Rights Directive encourages Member States to consider developing 'sole points of access' or 'one-stop shops' that address victims' multiple needs when involved in criminal proceedings.

In 2023, the National Women's Council recommended the introduction of a "*properly resourced and comprehensive system of support for adult victims of domestic or sexual violence*".<sup>60</sup> It envisaged a small team of appropriately trained people assigned to each victim to support them in their journey through the various legal processes and who could identify other services that the victim may need. It recommended that the team be led by a support leader who would be available

59 Available at: [vsac.ie](https://vsac.ie)

60 Egan, N., & O'Malley Dunlop, E., 2023. [A Report on the Intersection of the Criminal Justice, Private Family Law and Public Law Child Care Processes in Relation to Domestic and Sexual Violence.](#)

to a victim from the moment that they first come forward to report the violence until a reasonable period after the conclusion of the last process, if a victim so wished.

## International Practice

In Northern Ireland, England and Wales, Independent Domestic Violence Advisors (IDVAs) provide support to victims of domestic abuse. Independent Domestic Abuse Advocates (IDAAs) provide a similar service in Scotland. IDVAs and IDAAs receive specialist training and act as the main interface between victims and the agencies involved in keeping them safe, such as police, courts and children and health services. They also work with other agencies to meet victims' needs. They keep the victim's perspective and safety at the centre of proceedings.

IDVA services are commissioned by a variety of organisations, including police and crime commissioners and local authorities, and may be based in different settings.<sup>61</sup> For example, Humberside Police explained that IDVAs were present in their control room at peak times to give support, advice and guidance to victims. IDVAs also worked with investigating officers and victims to develop safety plans. Kent Police told the Inspectorate that the IDVA service in its area was a key partner in a tactical-level partnership group chaired by a senior police officer. The role of the group included tracking progress on joint plans to tackle domestic and sexual abuse, managing shared communication strategies and considering opportunities for joint training. Research has shown that IDVAs

have been found to positively impact victims' experiences, as well as boosting engagement with the criminal justice system.<sup>62</sup>

IDVAs and IDAAs are linked to other initiatives such as Multi-agency Risk Assessment Conferences (MARACs). A MARAC is a non-statutory process that brings together statutory and voluntary agencies to jointly support adult and child victims of domestic abuse who are at a high-risk of serious harm or homicide, and to disrupt the behaviour of the perpetrators. The role of MARACs in relation to victim safety is discussed in more detail in Chapter 6.

In Victoria, Australia, support for victims of family violence is coordinated by the Department of Families, Fairness and Housing. When a police officer attends a family violence incident, they complete a risk assessment and submit it via a portal to the Orange Door.<sup>63</sup> Referrals are triaged by the Orange Door and actioned according to the level of risk identified. For example, low-risk victims receive follow-up phone calls, while those requiring intensive case management are referred to appropriate agencies depending on their needs. The Orange Door operates 17 geographically located support and safety hubs. These hubs provide victims with a single entry point into local specialist family violence services and other services likely to be required by victims and children. In addition to police referrals, hubs receive referrals from non-family violence services and self-referrals, including from family and friends.

The Orange Door works with police to ensure there are co-ordinated and well-

61 In England and Wales, a police and crime commissioner is an elected official who is responsible for generally overseeing police services. More information is available at: [gov.uk](https://www.gov.uk).

62 Ministry of Justice, 2024. [Clause 15: Guidance about Independent Advisors \(ISVAs and IDVAs\)](#)

63 The Orange Door network provides a way for women, children and young people experiencing family violence, and families who need assistance with the care and wellbeing of children to access the services they need to be safe and supported. It was a key recommendation of the Royal Commission into Family Violence. Available at: [vic.gov.au](https://vic.gov.au).

targeted responses to prevent the escalation of risk to women and children, ensure that perpetrators are kept in view and reduce recidivism of family violence.

Formal monitoring of the implementation of The Orange Door found broad support for the model, which was described as *‘logical, thorough and designed to prioritise victim survivors at greatest risk’*. However, delays were identified in triaging referrals and assigning case workers and there was a degree of frustration among those who did not meet the threshold for support.<sup>64</sup>

## Assessment

The practice of the Garda Síochána providing victims with information about support services but not making referrals does not fulfil the requirements of the EU Victims’ Rights Directive. Although the Criminal Justice (Victims of Crime) Act 2017 enables the Garda Síochána to make such referrals with the victim’s consent, its approach leaves some vulnerable individuals having to navigate unknown territory to try to source support themselves.

An action under the Third National Strategy on Domestic, Sexual and Gender-Based Violence is to ensure the availability of accessible, quality, specialist and community-based domestic, sexual and gender-based violence services across the state. In addition, there is a commitment to having a wraparound service for victims to access domestic abuse information, services and supports with referral pathways and the assignment of a key-worker. In its 2024 report *Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána*, the Inspectorate recommended that

the Department of Justice and its criminal justice partners complete an assessment of the availability, accessibility and quality of victim support services across Ireland.<sup>65</sup> Full implementation of these actions should ensure the availability of services in the short, medium and longer term.

Access to such services by those who experience domestic abuse requires effective referral pathways. The Inspectorate was surprised that there were very few formalised referral processes in place between the Garda Síochána and victim support services. Formal processes are important to protect victims’ information, build a complete picture of the support offered to them and help inform decisions about the sector’s capacity and capability to meet victims’ needs. While the Inspectorate would not want to restrict the ability of garda members to make arrangements with service providers in time-critical situations, all referrals should be formalised and accurately and contemporaneously recorded on PULSE. The additional benefits of formal record-keeping include more detailed background information about individual victims to inform future interactions with them. It would also facilitate strategic-level analysis of victim support within the Garda Síochána and contribute to the collection of administrative data by the State. The Garda Síochána should be capturing details of all referrals in an accessible format pending any review of services.

Just over half of survey respondents said that they had not been given information about support services and not all garda members and staff spoken to were sufficiently familiar with the work of relevant organisations. This points to weaknesses in the Garda Síochána’s

64 Available at: [fvrim.vic.gov.au](https://www.fvrim.vic.gov.au)

65 Garda Inspectorate, 2024. [Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána](#), Recommendation 5.3.

ability to ensure that all victims receive consistent and appropriate support. Referring victims to a single entity for support would provide them with easier access to a broad range of agencies and services according to their needs. It would also mean that garda personnel do not need to decide which services are needed by or most appropriate for an individual. Examples of single entry points for support such as the models in the UK and Australia would also enable garda members to focus on protecting the victim, managing the offender and carrying out an effective investigation.

In its recent report on Ireland, the Group of Experts on Action against Violence against Women and Domestic Violence highlighted that locating services in the same premises increased victims' levels of satisfaction, feeling of safety and empowerment.<sup>66</sup> The Inspectorate fully endorses the actions under the Third National Strategy to ensure that all those who experience domestic abuse have access to integrated services and there are clear pathways to victim-centred wraparound services. While recognising the logistical challenges of establishing one-stop shops, the Inspectorate advocates the need to develop this type of resource, with the necessary capacity, as a matter of urgency.

To improve how victims of domestic abuse are supported, the Department of Justice should work with the Garda Síochána, Cuan and support organisations to agree and implement a process to refer victims of domestic abuse through a single point of entry to the wraparound service. In the interim, the Garda Síochána should develop and implement a standardised process to proactively refer victims to support services, with their consent. It should do this in consultation with the support services whose

details it already provides to victims of domestic abuse. In both cases, arrangements should include an agreed mechanism for recording, collating and sharing anonymised data about referrals.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations:

### Recommendation 6

The Inspectorate recommends that the Department of Justice work with the Garda Síochána, Cuan and support organisations to agree and implement a process to refer victims of domestic abuse to a single entry point to the proposed wraparound service.

### Recommendation 7

The Inspectorate recommends that the Garda Síochána develop and implement a standardised process to refer victims of domestic abuse to support services, with their consent.

To achieve this it should engage with the support services whose details it provides to victims.

66 Council of Europe, 2023. *GREVIO Baseline Evaluation Report Ireland*, pp. 49-50. Available at: <https://www.coe.int/en/web/istanbul-convention/-/grevio-publishes-its-report-on-ireland-1>

## Identifying and Meeting a Victim's Need for Protection and Special Measures

Under Section 15 of the Criminal Justice (Victims of Crime) Act 2017, the Garda Síochána is required to carry out a victim assessment to:

- > Identify the victim's protection needs, if any;
- > Ascertain whether and to what extent the victim might benefit from protection measures;

- > Ascertain if special measures are required during the investigation; and
- > Ascertain if special measures are required during any criminal proceedings.

Key protection and special measures included in the Act are set out in Figure 2.6.

**Figure 2.6 Description of Key Protection and Special Measures**

| Protection Measures   |
|---|
| <ul style="list-style-type: none"> <li>&gt; Advice regarding personal safety;</li> <li>&gt; Advice regarding protection of the victim's property;</li> <li>&gt; Advice regarding domestic violence orders;</li> <li>&gt; An application to remand the alleged offender in custody; and</li> <li>&gt; An application that the alleged offender be subject to bail conditions</li> </ul>  |
| Special Measures during Investigation   |
| <ul style="list-style-type: none"> <li>&gt; An interview with the victim be carried out in suitable premises, by trained interviewers and if there is more than one interview, it should be carried out by the same member; and</li> <li>&gt; Where the alleged offence involves violence in a close relationship, the victim should be informed of their right to ask for interviews to be carried out by a person of the same sex.</li> </ul> |
| Special Measures during Criminal Proceedings  |
| <ul style="list-style-type: none"> <li>&gt; The exclusion of the public or any particular persons from the court during the proceedings;</li> <li>&gt; Directions regarding the questioning of the victim in respect of their private life; and</li> <li>&gt; Measures enabling the victim to give evidence through a live television link, via an intermediary or from behind a screen.</li> </ul>   |

Source: Criminal Justice (Victims of Crime) Act 2017, adapted by Garda Inspectorate

## Victim Needs Assessment Process

The process to conduct a victim needs assessment is set out in the Act and is as follows:

- > A garda member must assess each victim to ascertain if they are in need of protection or have other needs such as mobility, hearing or literacy. This information must be recorded in the victim assessment section on PULSE. If it is not completed, information cannot be added to the victim engagement screen.
- > If the member assesses that a victim has specific protection needs and that in order to protect the victim from any secondary or repeat victimisation, intimidation or retaliation, they would benefit from protection or special measures, they must:
  - Consult with the victim;
  - Take account of the victim's views in relation to any measures identified further to the assessment; and
  - Report the results of the assessment to a member of superintendent rank or above.
- > The victim needs assessment is then considered by the superintendent who is required to:
  - Notify the investigating member (IM) of the content of the report;
  - Direct the IM to implement the protection and special measures; and

- Provide a copy of the report and the direction to the garda prosecutor, court presenter or DPP as appropriate.

If no protection needs are identified, there is no requirement to make a report to the superintendent unless the victim is a child, as a child is always presumed to have protection needs. The Garda Síochána is required to keep a record of assessments, directions or notifications given.

## Making the Initial Assessment

It is the role of the first garda member assigned to deal with the incident to assess the needs of the victim. They make this assessment based on the nature of the incident, background information provided by those involved and other information recorded on garda systems. There is no specific training in how to make the assessment, although the Inspectorate was informed that online training would accompany the publication of an updated Garda Victim Service Policy. At the time of writing this report, the policy had not been published. The information obtained through the use of the Risk Evaluation Tool is also relevant to the needs assessment.

Information about each victim's needs and how these are met should be recorded on PULSE. The victim assessment section has a number of fields that should be completed by the assessing member. There is a list of five specific needs, namely hearing, literacy, mobility, protection and visual, as well as a category of 'other' with space to record details of any other identified needs. There are also fields to record the need for translation services and whether the victim has requested a garda member or doctor of a specified gender. Members can tick all needs that are relevant to that victim.

## PULSE Analysis

The Inspectorate examined 248 domestic-motivated crime and non-crime incidents on PULSE and found that in all cases the victim assessment section had been completed. A specific need was identified in seven of the incidents. These included hearing, literacy, language and the need for a specialist interviewer. One crime incident identified that the victim was in need of protection. In this case, the superintendent directed that in-person call-backs be provided to the victim. The PULSE record for that victim contained no other information about their needs or instructions on how the need for protection was being or should be met. There was also no record of the assessment being discussed with the victim.

In the cases where the person was recorded as a victim in three or more domestic-motivated incidents, the assessing member had not identified a need for protection or special measures and the superintendent had not directed any action, even though the number of reported incidents was increasing. In effect, there was no change in the response to those victims who were subject to further acts of violence and in some cases where the violence was escalating. Several garda members said that actions would be taken to protect victims but acknowledged that these were not always recorded.

The Inspectorate also analysed data on all domestic-motivated crime and non-crime incidents recorded on PULSE between 1 January 2018 and 30 September 2023. The purpose was to ascertain how many victims were identified as having one or more of the six specified categories of need. Of 68,423 domestic-motivated crime incidents recorded during this period, approximately 2% of victims were identified as having

one or more specific needs and 0.3% were identified as being in need of protection. Of the 136,533 involved in a non-crime incident, approximately 1% had one or more needs identified and 0.1% were identified as needing protection.

Although PULSE has fields to record identified needs, there was no place to record if the need was met. There was also no field on PULSE to record details of special measures needed during criminal proceedings. The Inspectorate was told that recommendations for such measures would be included in the prosecution file.

## Superintendent Considerations

Superintendents have to consider the needs assessment for each victim and complete the Superintendent Considerations section on PULSE. This requires the superintendent to confirm that they have considered the specific protection needs of the victim, record if they have made recommendations and, if so, to specify these in a free text box.

The Superintendent Considerations section of PULSE had been completed for each of the incidents selected by the Inspectorate for examination. In some instances, it was completed personally by the superintendent, but PAF administrators said that they often completed this section on behalf of the superintendent.<sup>67</sup> Some explained that they would do this in advance of the PAF meeting. Having reviewed the type of recommendations made, the Inspectorate found that in the majority of cases the wording was generic in nature. Often it consisted of directions such as to conduct call-backs, provide advice about support services and domestic violence orders, and update the victim engagement section on PULSE. In a few of the incidents, the

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67 A PAF administrator is a member of garda staff who supports the operation of the PAF framework.

superintendent had issued a specific action, for example directing that an arrest be made, assigning a specialist resource such as an Ethnic or Family Liaison Officer, or sending a garda patrol to a location where incidents had occurred. In some instances, there was a record that the superintendent had considered the needs of the victim and decided that there were none present.

The analysis of all domestic-motivated crime and non-crime incidents recorded on PULSE between 1 January 2018 and 30 September 2023 showed that a superintendent had considered the victim's needs and made a recommendation in 99% of incidents. Although the needs assessments and superintendents' considerations were completed, the inspection found that these were rarely tailored to the individual and their particular circumstances. In cases where the superintendent had directed a specific action and this was recorded on PULSE, there was no accompanying confirmation that it had been carried out.

## Assessing and Meeting the Needs of Children

The Criminal Justice (Victims of Crime) Act 2017 states that every child victim of crime is in need of protection. In the period from 1 January 2018 to 30 September 2023, PULSE showed that 6,687 victims of a domestic-motivated crime were under the age of 18 when the crime occurred. Analysis showed that 6% of these children had one or more needs identified and 0.3% were identified as being in need of protection. The most common information recorded in the relevant free text section of PULSE included that the victim was a child, had a disability or required a specialist interviewer.

In addition, the Children First Act 2015 places a legal obligation on members of the Garda Síochána, as mandated persons under this legislation, to report child protection concerns at or above a defined threshold to Tusla, the Child and Family Agency.<sup>68</sup> Mandated persons must also assist Tusla, if requested, in assessing a reported concern. The threshold for making such a report is that a child '*has been harmed, is being harmed, or is at risk of being harmed*', where harm means assault, ill-treatment or neglect in a manner that seriously affects, or is likely to seriously affect the child's health, development or welfare. The definition of harm also includes sexual abuse of the child. The *Children First: National Guidance for the Protection and Welfare of Children* describes the circumstances that may make a child more vulnerable to harm and includes domestic violence as an issue that may place them at greater risk of abuse or neglect.<sup>69</sup> In practice, the Garda Síochána had a policy of referring all children linked to a domestic abuse incident to Tusla, although the Inspectorate identified several cases where no such referral had been made.

## Assessment

The Inspectorate was very concerned to find that fewer than three in every 1,000 adult victims of domestic-motivated crimes were identified as having specific protection needs. Similarly, an average of three in every 1,000 child victims were identified by the Garda Síochána as being in need of protection. Due to the nature of domestic abuse cases, the Inspectorate would have expected to find that more victims had a personalised needs assessment and that actions tailored to meet those needs had been directed. The Inspectorate was particularly concerned by

68 Available at: [irishstatutebook.ie](http://irishstatutebook.ie)

69 Department of Children and Youth Affairs, 2017. [Children First: National Guidance for the Protection and Welfare of Children](#).

the lack of evidence of victims' needs being reassessed or of any variation or escalation of measures for repeat victims. Even if the assessing member or the superintendent considers that no other action is required beyond providing information and updates, it is good practice to record this decision.

To ensure that the rights of victims of domestic abuse are fully met, the Garda Síochána needs to improve how it identifies and meets victims' needs. It also needs to ensure that identified needs are recorded on PULSE, together with the actions taken to meet these. Having this information on PULSE means that other garda personnel who deal with that person are fully aware of their needs and previous actions taken to address them.

The lack of information recorded on PULSE about victims' needs for protection and special measures limits the Garda Síochána's ability to evaluate if needs are being properly assessed and met. It may further limit the ability of the Garda Síochána and other agencies to understand what services and resources are required to meet victims' needs.

Although the garda process for assessing the level of risk to victims had not been fully rolled out at the time of this inspection, the Inspectorate considers that this process is integral to assessing their needs. As such, the information gleaned through the garda risk assessment process should inform the needs assessment. Any future evaluation of the risk assessment process should include the extent to which it influences the assessment of needs and provision of protection and special measures.

In its 2024 report *Transnational Organised Crime: A Review of the Structures, Strategies*

*and Processes in the Garda Síochána*, the Inspectorate made several high-level recommendations aimed at improving how criminal justice agencies meet the needs of victims of crime.<sup>70</sup> While those recommendations apply equally to victims of domestic abuse, this inspection has identified an urgent need for the Garda Síochána to take steps to improve how it protects victims of domestic abuse in accordance the requirements of the Criminal Justice (Victims of Crime) Act 2017.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 8

The Inspectorate recommends that the Garda Síochána take steps to improve how it protects adult and child victims of domestic abuse. To achieve this it should:

- > Ensure that the individual protection and special measure needs of each victim are properly identified;
- > Take action to meet those needs; and
- > Record and report on how the needs have been met.

<sup>70</sup> Garda Inspectorate, 2024. [Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána](#), Recommendation 5.2 and 5.4.

## Obtaining the Views of Victims

This inspection found that the Garda Síochána had no structured process to obtain first-hand feedback from victims of domestic abuse. Although the Garda Síochána conducts an annual public attitudes survey to obtain views on a range of subjects, this survey does not engage with victims of domestic and sexual violence to find out how satisfied they are with the service they received.

Garda representatives at local and national levels said that they met with victim support services but did not engage directly with victims to obtain their views. As a result, the Garda Síochána is potentially missing important information about how its service is received by victims and how it could be improved. For example, the Inspectorate identified cases in which the victim had withdrawn their complaint and noted that there had been a lack of regular updates. While the Inspectorate was unable to determine if the two facts were connected, this is the type of issue that could be explored with victims.

## International Practice

Many international police services, including those spoken to in Australia and the UK, proactively seek the experiences and views of victims of domestic abuse to enhance their understanding of the quality and impact of the service that they provide. This information is used as part of their evaluation and continuous improvement processes. While some police services undertake focus groups and surveys in-house to gather feedback, others had commissioned third parties to do this on their behalf. For example, Kent Police, in conjunction with the local police and crime commissioner, had commissioned a university to carry out research. In Sussex, the police service

had tasked Independent Domestic Violence Advisors to complete exit interviews with victims and provide feedback on the quality of the service received.

## Assessment

An important part of this inspection was to hear from victims of domestic abuse about their experience with the Garda Síochána. It is equally important that the Garda Síochána seeks the views of victims of domestic abuse in addition to routinely requesting feedback from victim service organisations. The absence of a structured process for obtaining first-hand feedback from victims means that there is a gap in the Garda Síochána's understanding of the quality and impact of its actions. The Inspectorate considers that the Garda Síochána needs to commission work to hear directly from victims of domestic abuse about the service they received from the organisation. The Garda Síochána should then use the information to improve its services. As many victims may also be engaged with other criminal justice agencies, consideration could be given to undertaking this work with agencies such as the Courts Service and the DPP.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 9

The Inspectorate recommends that the Garda Síochána commission work to obtain the views of victims of domestic abuse about the service they received from the Garda Síochána and use this information to improve its services.

# 3

## *Chapter 3*

### *Investigating Reports of Domestic Abuse*



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

# Chapter 3 - Investigating Reports of Domestic Abuse

## Introduction

The investigation of a crime incident commences at the point at which it is reported to or identified by the Garda Síochána. Investigative actions include taking a formal statement of complaint; identifying witnesses and obtaining their account of what happened; and checking for audio or video recordings such as CCTV or mobile phone footage. Depending on the type of crime being investigated, there may be a need to obtain medical evidence of injuries sustained, examine the crime scene or arrest the perpetrator. While other garda members with specialist skills may support the investigation, one garda member will be assigned the role of investigator. As well as carrying out their enquiries, the investigating member should also keep the victim updated with any developments in their case.

This chapter examines a number of aspects of the investigative process, including:

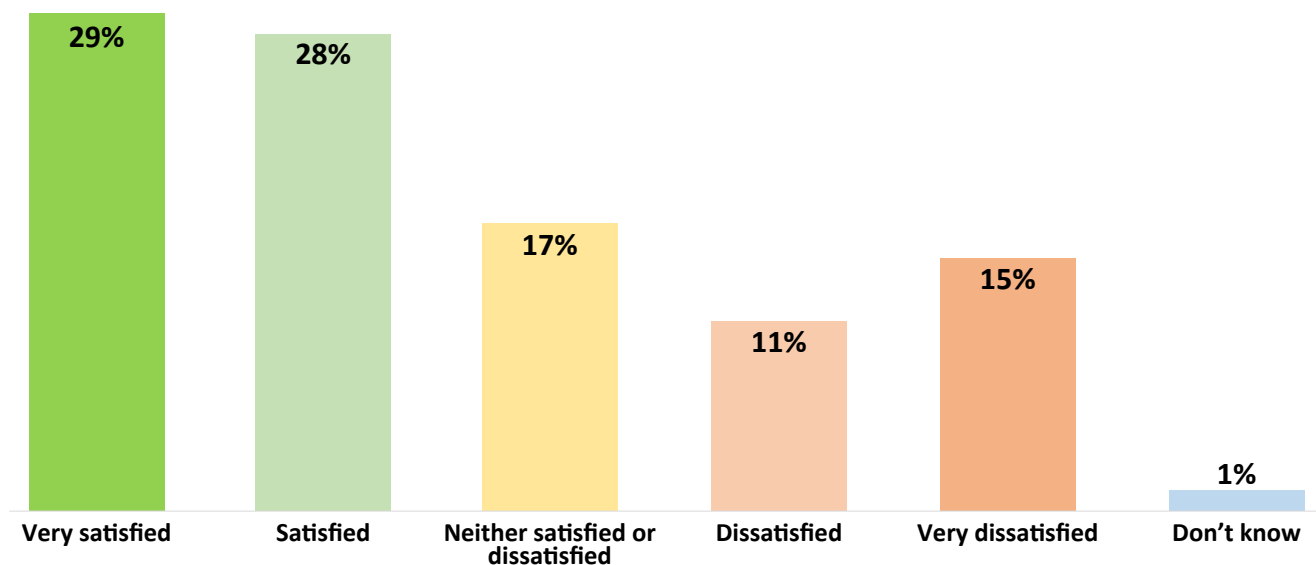
- > How cases are allocated for investigation;
- > The use of arrest powers and bail in domestic abuse cases; and
- > The evidence gathering process, including securing electronic evidence.

It begins by exploring what victims said about their level of satisfaction with the actions taken by the Garda Síochána after their incident was reported.<sup>71</sup>

## Victim Satisfaction After their Incident was Reported

Victims who responded to the Inspectorate's survey were asked how satisfied or dissatisfied they were with the actions taken by the Garda Síochána after their incident was reported. Figure 3.1 shows the reported levels of satisfaction.

**Figure 3.1 Victim Satisfaction Levels with Garda Action**



Source: Garda Inspectorate survey

<sup>71</sup> It is important to note that some of those who responded to the survey may have reported a non-crime incident. Non-crime incidents are not subject to the same investigative actions as a crime incident.

Overall, 57% of respondents were satisfied with the action taken by the Garda Síochána, 26% were dissatisfied, 17% were neither satisfied nor dissatisfied, while 1% answered that they did not know.

Respondents were invited to give reasons why they were satisfied or dissatisfied with the actions taken by the Garda Síochána. Some victims who were satisfied said they were listened to and believed, while those who were dissatisfied reported that they had not been taken seriously. Some of the more common investigation-related reasons given by victims who were satisfied included that:

- > The perpetrator was arrested at the time;
- > The perpetrator was charged and brought to court;
- > Their statement was taken; and
- > They were taken to a safe place.

In contrast, victims who were dissatisfied said gardaí:

- > Were too slow to take action or took too long to deal with the case;
- > Did not arrest the perpetrator; or
- > Said that nothing could be done.

## Allocation of Domestic Abuse Investigations

While it is usual practice that the garda member who responds to an incident will investigate any crimes disclosed, this is not always the case. In addition to members of regular units who respond to most calls for service, the Garda Síochána has other specialist units that may conduct investigations into certain types of

domestic-motivated crimes. In this section, the Inspectorate explores the roles of the Garda National Protective Services Bureau (GNPSB), divisional detective units and Divisional Protective Services Units (DPSUs) in relation to the investigation of domestic-motivated crimes and the decision-making process for allocating investigations to these specialist units.

### Garda National Protective Services Bureau

Among other responsibilities, the GNPSB provides advice, guidance and assistance to gardaí investigating matters such as sexual crimes, online child exploitation, human trafficking, organised prostitution and domestic abuse. There is a National Domestic Abuse Unit (NDAU) within the GNPSB. The unit does not routinely investigate domestic-motivated crimes, but members in the bureau may be assigned to investigate or assist in the investigation of a complex or serious domestic abuse case.

### Divisional Detective Units

Divisional detective units undertake investigations into a range of serious offences, including homicide offences, which is a collective term for offences including murder and manslaughter. Although in Ireland there is no legal definition of domestic homicide, the United Nations Office on Drugs and Crime has defined it as including '*homicides perpetrated by intimate partners or by other family members: siblings, parents, children, other blood relatives and other members of the family*'.<sup>72</sup> Between 2013 and 2021, 33% of the 388 cases of murder, manslaughter and infanticide in Ireland had a domestic abuse motivation.<sup>73</sup> Of the 25 cases in 2021, 52% were associated

72 United Nations Office on Drugs and Crime, 2019. [Global study on homicide: Gender-related killing of women and girls.](#)

73 Garda Síochána, 2022. [Domestic, Sexual and Gender-Based Violence](#)

with domestic abuse.<sup>74</sup> Investigations into these cases are usually conducted by detectives from the local division, led by a senior investigating officer.

## Divisional Protective Services Units

Each division has a DPSU with a remit to investigate sexual crimes, child abuse and more serious cases of domestic abuse. DPSUs aim to deliver a consistent and professional approach to such investigations. The units were set up with a staffing level of two sergeants and 10 garda members, although some divisional officers have assigned additional personnel to deal with the operational demands on the unit. Guidance issued to coincide with the establishment of the DPSUs indicated that they should deal with domestic abuse in cases where:

- > The suspected offence was assault causing harm or a more serious crime type;
- > There had been three incidents in three months; or
- > The victim was assessed as high-risk.

This was revised during the development of the Garda Operating Model and the creation of a blueprint for how crime investigations are allocated.<sup>75</sup> This removed reference to the types of domestic-motivated offences that DPSUs should deal with, focussing instead on repeat incidents or the level of risk as determined by the Garda Síochána's risk assessment tool.

In addition to investigating serious domestic-motivated crimes, the blueprint assigns to DPSUs the investigation of rape and serious

sexual assault offences on adults irrespective of the relationship between the victim and offender. The inspection team was told that some DPSUs did not have the capacity to deal with the volume of cases that should be assigned to them. At the time of this inspection, an internal review of DPSUs was being conducted but had not been completed. This review included an analysis of their workloads for 2021 and 2022.

## How Investigations are Allocated

The inspection team spoke with members of all ranks in four divisions and the GNPSB and examined a selection of incidents on PULSE to understand how domestic abuse investigations were allocated in practice.

The Inspectorate found that members of regular units investigated the vast majority of domestic-motivated crimes, with some community gardaí also conducting investigations. In some cases, members of detective units, DPSUs or divisional domestic abuse champions had been assigned to assist with an investigation.<sup>76</sup> The types of assistance provided included making initial contact with the victim or recording their statement. Cases of coercive control, rape and sexual assault were usually assigned to DPSUs, although the Inspectorate identified one case of coercive control that was being investigated by a member of a regular unit. It was explained that this was an experienced member and that a senior investigating officer, incident room co-ordinator and family liaison officer had also been appointed to the investigation.

The superintendent or acting superintendent chairing the Performance Accountability

74 At the time of this inspection, the Garda Síochána defined domestic abuse as '*the physical, sexual, financial, emotional or psychological abuse of one person against another who is a family member or is or has been an intimate partner, regardless of their gender or sexuality*'.

75 The Garda Operating Model reduced the number of garda divisions and restructured how they are managed. Under the model, each division is headed by a chief superintendent who oversees four functional areas: business services; performance and assurance; crime; and community engagement.

76 Domestic abuse champions were introduced by the Garda Síochána to support the introduction of the Risk Evaluation Tool and to assist in altering and improving the culture of the organisation in its response to domestic abuse.

Framework meeting may reassign a case to a more experienced member or a specialist unit for investigation. The decision would be taken in conjunction with the DPSU inspector or a senior detective. Some divisions inspected described a formal triage process that was in place to escalate incidents for reassignment if necessary.

Although guidance in place at the time of the inspection said that cases of assault causing harm and other more serious cases, such as threats to kill, should be dealt with by DPSUs, it was more common for these types of cases to be dealt with by regular unit members. This was also the case even if the victim was a repeat victim of domestic abuse. This was illustrated by a series of serious assaults carried out over a 13-month period by a young person on their parent. All of these cases of assault causing harm were investigated by members of regular units, although three of the six were assigned to the same member.

This inspection found that DPSUs were dealing with a small proportion of domestic abuse cases. For example, in one division that had 295 open domestic abuse investigations in 2022, four were being dealt with by the DPSU, five by the detective unit and 286 by regular unit members. The capacity of DPSUs and skills of individual members were identified by the Garda Síochána as factors in deciding whether to reallocate investigations. Reference was often made to the fact that when DPSUs were established the same number of sergeants and garda members were assigned to each unit irrespective of the anticipated workload. It was also pointed out that many regular unit members had the necessary skills to investigate domestic-motivated crimes. As a result, some members of garda and sergeant rank were unclear about the circumstances in which a case would be reassigned to a specialist unit.

This inspection found that separate incidents reported by the same victim were often investigated by different garda members. For example, a female was the victim of seven domestic-motivated crimes, including assaults and breaches of domestic violence orders. Although three of these crimes were reported over a 12-day period, each had a different investigating member. In total, five different regular unit members were investigating cases involving this victim. In a different case, a victim who had reported a number of incidents to the Garda Síochána explained that she found it traumatising to have to recount her situation to different garda members.

## International Practice

In Australia, the Victoria Police Service operates a family violence response model, in which investigative responsibility is determined by the family violence risk assessment score and the type of offences reported. In most cases, general duties officers retain the investigation and risk management of cases that are rated medium or standard risk.<sup>77</sup> In addition to unit supervisors, each 24-hour police station in Victoria has a Family Violence Liaison Officer. This officer is a supervisor who is responsible for ensuring that front-line officers provide a consistent and co-ordinated approach to family violence. Each geographical police division in Victoria has a Family Violence Investigation Unit, the role of which is to investigate serious, complex and cold cases and support front-line officers and other specialist units. There is also a Family Violence Command Taskforce that undertakes investigations in respect of any high-risk offender who has committed a family violence crime against three or more victims. The taskforce is part of the Family Violence Command, a headquarters-based unit that also has responsibility for policy

77 A general duties officer performs a similar role to a member of a regular unit in the Garda Síochána.

development and family violence projects.

In the UK, most police services, including Humberside and Kent, have a crime allocation policy that assigns investigations according to the level of assessed risk and type of crime. In these police services, standard-risk cases are assigned to uniformed response officers or members of neighbourhood policing teams, while medium-risk cases are usually assigned to specialist units within geographical divisions. High-risk cases or those involving the most serious types of crimes such as rape are allocated to a specialist headquarters unit, whose remit may expand beyond serious domestic-motivated crimes. In Kent, Proactive Vulnerability Investigation Teams are based in its geographic divisions. As well as conducting investigations into the more serious cases, these teams implement tactics to protect victims and manage offenders. In Humberside, Domestic Abuse Safeguarding Teams carry out work in relation to victim protection and offender management. These teams are separate from investigation teams.

## Assessment

The investigation model in the Garda Síochána is similar to that in place in comparable jurisdictions. In all police services that the Inspectorate engaged with, front-line officers investigated the majority of domestic abuse cases, while geographically-based specialist units dealt with cases that are more serious. Each also had investigative capability at the organisational level and an allocation policy for investigations. However, the Inspectorate identified some weaknesses in the garda model. Unlike other police services, the Garda Síochána did not have a clear description of what type of domestic abuse cases the GNPSB should investigate. This resulted in an ad hoc approach to allocating investigations to the bureau. It was

also the case that the resources assigned to some DPSUs were insufficient to deal with all of the investigations that should be allocated to them according to internal guidance documents. Consequently, investigations that should be assigned to DPSUs remained with regular unit members or occasionally were reassigned to other units. This has the potential to contribute to the inconsistent service described to the Inspectorate by some victims and support organisations.

To address these issues, the Garda Síochána needs to clarify the investigative function of the GNPSB and define the types of cases that it will deal with. It must also use the findings from the DPSU review to determine the level of resources needed to investigate the types of domestic-motivated crimes assigned under the Garda Operating Model. Resourcing decisions must take account of the GNPSB's investigative role. The Garda Síochána must also have regard to the capacity needed to safeguard victims and manage offenders in each case in addition to investigating the reported offences.

The Inspectorate was concerned to find that victims who had reported a number of domestic abuse incidents often had different investigating members for each one, even when incidents occurred in close succession. This approach increases the risk of missing a pattern of abuse and opportunities to prefer charges for more serious offences like coercive control. It may also contribute to further trauma for the victim. To address this, the Garda Síochána should enhance its operating model by including guidance on reassigning investigations to minimise the number of different investigating members dealing with each victim.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 10

The Inspectorate recommends that the Garda Síochána review and update its policy and practice for allocating investigations of domestic-motivated crime incidents. This should include:

- > Clarification of the investigative function of the Garda National Protective Services Bureau; and
- > Guidance on reassigning investigations involving repeat victims to minimise the number of investigating members.

## Gathering Evidence in Domestic Abuse Cases

This section considers how members of the garda workforce gather evidence in domestic abuse investigations. It considers the role of those who have first contact with a victim or witness; evidence gathering at the scene of an incident; digital recording of victims' evidence; and how evidence of online offending is secured. It also reports on the various systems used by the Garda Síochána to manage investigations.

### Gathering Evidence at First Contact

Gathering evidence starts even before gardaí arrive at the scene. Information provided to police during the initial report of an incident can be crucial and starts to build a picture of the incident, as well as any history of abuse. For example, background sounds captured on the call recording system and first descriptions given may help to corroborate accounts of an incident. The questions asked during the reporting stage are important not only for assessing the level of risk to the victim, but also because the answers given

could identify additional offences or be used as evidence in criminal proceedings. As discussed in Chapter 1, while the introduction of pro-forma checklists for call-takers should expand the level of questioning at the reporting stage, they were not used in garda stations.

In terms of preservation of physical evidence, call-takers said that they would provide advice to the caller about how to do this. For example, they might tell the caller not to clean up if damage had been caused.

### Gathering Evidence at the Scene

Actions taken by police during the immediate response to an incident are critical to the investigative process. This is known as the 'golden hour' as it presents the best opportunity for evidence to be preserved, witnesses identified and suspects arrested where possible. Irrespective of who may have ultimate responsibility for investigating the incident, first responders have a vitally important role.

Critical early investigative actions include recording the demeanour of all parties present or involved in the incident; noting any injuries; documenting the victim's first account; noting details of the scene; and protecting it for forensic examination if necessary. It is also important that gardaí attending the scene ascertain if any children are present and check on their safety, welfare and wellbeing.

### Investigative Guidance from the Office of the Director of Public Prosecutions

In August 2023, following consultation between the two organisations, the Office of the Director of Public Prosecutions (DPP) provided the Garda Síochána with a guidance document on best practice in relation to investigating domestic abuse cases. This detailed and comprehensive guide includes advice on preparing investigation files. It

encourages investigators to look beyond the reported incident to identify other criminal offences such as coercive control or threatening behaviour. In addition to routine lines of enquiry, the guide identifies other potential sources of evidence. These include footage from camera doorbells, recordings from smart speakers and enquiries with local postal workers, window cleaners or delivery services. The Inspectorate was told that this guidance document had been sent to divisional officers, circulated on the internal newsbeat email and was available on the garda portal.

## Garda Investigation Management Systems

At the time of this inspection, the Garda Síochána was operating three systems for managing investigations. These were:

- > PULSE: While PULSE is primarily an incident recording system, it includes an investigation section that should be used by the investigating member to record their actions. It also has a facility for supervisors' directions. However, documents associated with an investigation such as statements of evidence are not uploaded to the PULSE system.
- > Jobs book: This is a paper system for recording investigative actions in relation to more serious offences that have an appointed senior investigating officer and an incident room co-ordinator.
- > Investigation Management System (IMS): This new electronic system had been rolled out to a number of divisions at the time of this inspection. It sets out a structured approach for the investigation of various types of crimes, including those with a domestic motivation. It auto-generates tasks for the investigating member, such as victim engagement

and obtaining a statement from the member who first interacted with the victim. Documents associated with the investigation can be uploaded and accessed by other authorised members such as assistant investigators and supervisors. IMS negates the need to complete the investigation section on PULSE.

The Inspectorate reviewed domestic abuse cases on PULSE and IMS and found that IMS introduced a much more structured approach to investigations, facilitated easier access to case information by relevant people and had the potential to reduce delays caused by the manual transfer of files. While the DPP guidance was available on the garda portal, the types of enquiries it suggests were not included in the IMS task list.

## Assessment

Research by the European Agency for Fundamental Rights identified that women often experience several incidents of abuse by a partner before they decide to report to police.<sup>78</sup> Therefore, it is important that garda members look for evidence that abuse may be occurring, even if the incident they responded to does not appear to be a crime or was not reported as domestic abuse. It is also vital for gardaí to establish if the incident under investigation is part of a wider series of events, or if there is any indication that incidents are increasing in frequency or seriousness. In addition to using the Risk Evaluation Tool to assess the level of risk to a victim, the searching nature of the questions it contains can help to ascertain if other offences have been committed.

As some victims may be reluctant to support the prosecution of their abuser, police must gather all available evidence from the outset to build the prosecution case. As such, it is essential that each member of the garda workforce who receives a report of domestic abuse recognises the importance of their

78 European Union Agency for Fundamental Rights, 2014. [Violence Against Women: an EU-wide survey](#).

role in the investigation process. In Regional Control Centres, the use of the domestic abuse pro-forma on the GardaSAFE system will help to maximise the information gleaned when reports are made there. The absence of a similar structured approach by those receiving in-person reports at garda stations may result in important information being missed. To address this gap, the GardaSAFE pro-forma should also be used in garda stations.

The guidance issued by the DPP provides clarity for investigators and a benchmark for assessing the standard of investigations and prosecution files. While not exhaustive, the guidance provides a significant number of lines of enquiry, not all of which will apply to every case. However, these are not included on IMS. The Inspectorate considers that the guidance should be linked to the IMS task list for all crimes with a domestic motivation. This would help to ensure that members fully consider the broad range of investigative enquiries listed. In the interim, the Garda Síochána needs to take proactive steps to ensure that all relevant personnel are familiar with the DPP guidance and that it is used to inform all domestic abuse investigations.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 11

The Inspectorate recommends that the Garda Síochána ensure its domestic abuse pro-forma and the Director of Public Prosecutions' guidance document are integral to procedures for investigating domestic-motivated crimes. In particular, it should:

- > Ensure that the pro-forma is used when a victim reports in person to a garda station;
- > Take proactive steps to ensure all investigators are familiar with the guidance document; and
- > Link the guidance document to the Investigation Management System task list for domestic-motivated crimes.

## Recording Victims' Testimonies

Usually, victims who report a crime to the Garda Síochána are invited to make a formal written statement of complaint. This sets out the details of the offence(s) committed against them and is usually required to initiate a prosecution against the suspect(s) in the case. The statement may be taken by a garda member at the scene or sometime after the incident occurred. If a prosecution is directed, the victim will typically be required to attend court and give evidence in their case.

Subject to certain safeguards, section 16 (1)(b) of the Criminal Evidence Act 1992 permits a video recording of a statement made during an interview with a member of the Garda Síochána or any other competent person to be admissible in certain circumstances. The provision only applies to children who are:

- > A victim of an offence; or
- > A witness (but not the accused) in relation to certain offences, including sexual offences.

## International Practice

As part of its efforts to tackle domestic violence, the government in New South Wales, Australia, amended legislation to enable a victim in a domestic abuse case to give their evidence-in-chief by way of an

audio-visually recorded statement.<sup>79</sup> This is referred to as digital video evidence-in-chief (DVEC) and is accepted by the court provided the victim is in court and available for cross-examination. Practitioners welcomed the change, with research indicating that, *'the practice was perceived by law enforcement to save time, reduce cost, diminish complainant stress and offer strong contemporaneous and adjunct visual evidence regarding domestic violence incidents'*.<sup>80</sup> The research also indicated that when coupled with other law enforcement technologies like body-worn cameras, DVEC could positively influence conviction rates for domestic abuse offences. It also suggested that DVEC might reduce some secondary trauma. A similar system has been implemented in Victoria, Australia and Victorian police officers told the Inspectorate that most cases where DVEC was used were not contested.

## Assessment

Victims of domestic abuse face many challenges as they navigate the criminal justice system, often at the same time as they are engaged with family courts and other statutory services. The requirement to attend in person to give evidence can be traumatic and stressful and some victims may decide not to do so. Video-recorded statements could help to mitigate some of the challenges of giving evidence in person. However, while video-recorded statements of children are admissible in courts in Ireland in certain circumstances, the provision does not extend to adults. As such, the Inspectorate believes that consideration should be given to introducing legislation that permits victims and witnesses, but not the accused, in criminal proceedings for domestic abuse offences to give their evidence via a video-recorded statement. This should include offences such as coercive control and breach

of a domestic violence order, as well as other offences that are classified as having a domestic motivation. Legislation should apply equally to adults and children and incorporate fair trial safeguards similar to those in section 16 of the Criminal Evidence Act 1992.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 12

The Inspectorate recommends that the Department of Justice consider introducing legislation that allows a video recording of a statement made by a victim or witness during interview with a member of the Garda Síochána or other competent person in relation to a domestic abuse offence to be admissible as evidence at trial.

## Securing Digital Evidence

Historically, domestic abuse mainly occurred in the physical environment. However, digital platforms provide opportunities for offences such as stalking, harassment, coercive control and breaches of domestic violence orders to be committed in the virtual space. As such, garda investigators need to be able to identify and secure digital evidence as part of their investigation. The Garda Síochána described this aspect of investigations as complex.

While each garda region has a cyber-crime hub, some divisions told the Inspectorate that they had developed local arrangements for examining electronic devices. In some

79 New South Wales Consolidated Acts, 1986. [Section 185A Criminal Procedure Act 1986](#)

80 Simpson, H., 2021. [Under Justitia's lens: the efficacy of NSW Police Force audio-visual evidentiary statements for domestic violence matters](#)

places, this was an individual member who, in addition to their core role, was trained to download data from mobile phones. In other divisions, a specific unit had been set up to undertake this work. Garda members emphasised that if they needed to examine a victim's device, they only retained it for a short period, although no maximum period was specified. In general, the victim was not given a replacement phone, although the Inspectorate was made aware of one case where this had happened.

The Blueprint for Crime developed as part of the Garda Operating Model includes a Divisional Technical Support Unit within the crime functional area. According to the model, these units will support crime investigations by examining mobile phones for evidential purposes, gathering and viewing CCTV evidence, and producing evidence from these sources for court.

The European Parliament and the Council of the European Union's new directive on combating violence against women and domestic violence, states that '*victims of cyber violence should be able to upload materials relating to their report, such as screenshots of the alleged violent behaviour*'.<sup>81</sup> Although GardaSAFE, the Garda Síochána's new computer aided dispatch system, is capable of receiving uploaded images, this function had not been activated at the time of this inspection.

## International Practice

In England, Gloucestershire Constabulary uses mobile digital forensic technology to extract relevant data from a victim's device without the need for police to retain the device and provide a replacement. The

examination is carried out on a laptop in the presence of the owner of the device and is confined to the time period that is relevant to the investigation. The process operates in compliance with a statutory code of practice on the extraction of information stored on electronic devices.<sup>82</sup> It is also governed by guidance issued by the UK College of Policing that acknowledges the requirement to balance the need to follow all reasonable lines of enquiry, guarantee a fair trial, and uphold peoples' rights to privacy.<sup>83</sup> In other police services in England and Wales, there is a policy under which vulnerable people whose phone cannot be examined and returned within 24 hours should be issued with a replacement.

## Assessment

Given the prevalence of online offending, not only in respect of domestic-motivated offences, it is critical that the Garda Síochána has the capacity and capability to examine devices in a manner that is timely, fair and does not compromise the integrity of investigations or the safety of victims. In its review of the Garda Síochána's structures, strategies and processes to deal with transnational organised crime, the Inspectorate recommended the establishment of Digital Media Units in all divisions.<sup>84</sup> These units will provide vital technological support to the investigation of domestic-motivated crimes. The importance of that recommendation is reiterated.

Handing a device over can be very traumatising for a victim, particularly if it holds communications with support services, friends or family members in the immediate aftermath of an incident or when a victim is most vulnerable. Therefore, in

81 The European Parliament and the Council of the European Union, 2024. [Proposal for a Directive of the European Parliament and of the Council on Combating Violence Against Women and Domestic Violence](#)

82 UK Home Office, 2022. [Extraction of Information from electronic devices: code of practice](#).

83 College of Policing, 2021. [Authorised Professional Practice. Extraction of material from digital devices](#)

84 Garda Inspectorate, 2024. [Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána](#), Recommendation 3.3

addition to having the investigative capacity to examine devices, the Garda Síochána should put arrangements in place to help overcome a victim's reluctance to hand over their device. To achieve this, the organisation could implement several options. These include issuing replacement devices; enabling victims to upload relevant material themselves; and introducing technology such as that used by Gloucestershire police to extract data immediately. These options would avoid victims being without a device, which is likely to cause further distress and potentially compromise their safety if they have no means to call for help.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 13

The Inspectorate recommends that the Garda Síochána develop a range of options to facilitate the forensic examination of devices belonging to domestic abuse victims that minimises the impact on them and does not compromise their safety.

## Use of Powers of Arrest

The Domestic Abuse Intervention Policy in place at the time of this inspection required garda members to be proactive in arresting domestic abuse perpetrators. Some victims may not support this approach because the situation may have calmed down, they do not want the perpetrator to have a criminal conviction, or they may be afraid of retaliation. However, the policy is clear that the victim's views must not be the

determining factor in respect of making an arrest. This section reports on garda powers to arrest, including proposed changes to these powers, and the extent to which arrests are made for domestic-motivated crimes.

## Making Arrests for Domestic-motivated Crimes

Before a garda member can make an arrest, they must have reasonable cause to suspect that the person has committed an offence and there is a power of arrest for that offence. While there is a power of arrest for the offence of breaching a domestic violence order, not all offences that may have a domestic motivation have a corresponding power of arrest.<sup>85</sup> For example, there is no power to arrest a person suspected of assault contrary to Section 2 of the Non-Fatal Offences against the Person Act, 1997, known as assault minor. The General Scheme of the Garda Síochána (Powers) Bill addresses this gap.<sup>86</sup> The Bill repeals many of the existing powers of arrest and establishes new general powers that include:

- > A power of arrest for a serious offence<sup>87</sup>; and
- > A power of arrest for an offence that is not a serious offence provided the member has reasonable grounds to believe that the arrest is necessary to:
  - Prevent harm;
  - Prevent the continuation of an offence;
  - Prevent the person from obstructing a member of the Garda Síochána or any other person exercising powers under an enactment, in exercising his or her duties;
  - Ensure the person appears before a court;

<sup>85</sup> Available at: [irishstatutebook.ie](http://irishstatutebook.ie)

<sup>86</sup> Available at: [gov.ie](http://gov.ie)

<sup>87</sup> A serious offence is one that is punishable with five or more years' imprisonment.

- Prevent interference with witnesses or evidence; or
- Charge the person with the offence.

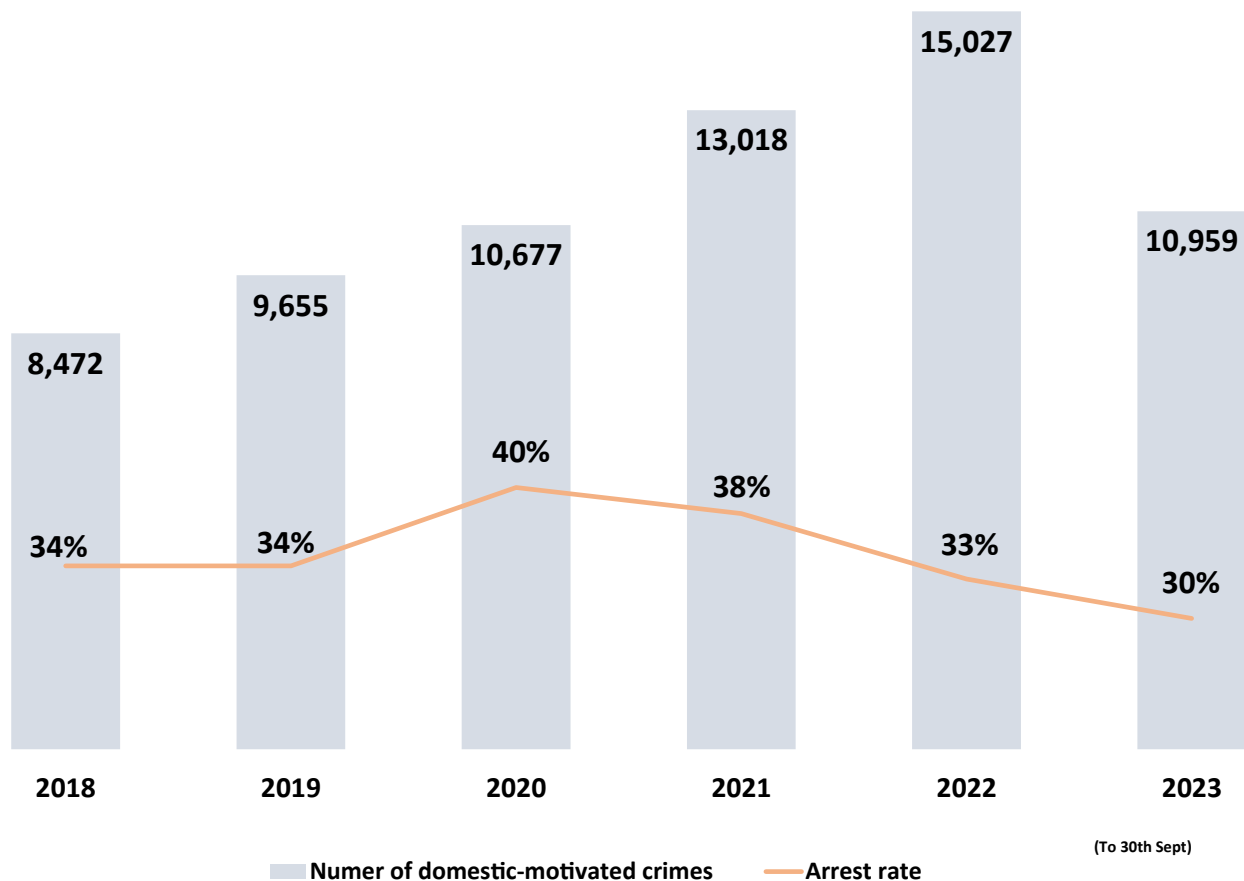
Sometimes suspects may be invited to attend a garda station voluntarily in relation to an investigation. This may be because there is no power of arrest. The number of suspects dealt with this way in relation to domestic-motivated crimes is not known, as the Garda Síochána does not keep records when this option is used.

## Arrest Rates for Domestic-motivated Crimes

Using PULSE data, the Inspectorate examined the number of domestic-motivated crimes over a five-year period and compared this with the number of persons arrested to determine the arrest rate.

Figure 3.2 shows the number of domestic-motivated crimes and the corresponding arrest rate by year for all divisions for the years 2018 to 2022 and from 1 January to 30 September 2023.

**Figure 3.2 Number of Domestic-motivated Crimes and Corresponding Arrest Rate by Year – All Divisions**



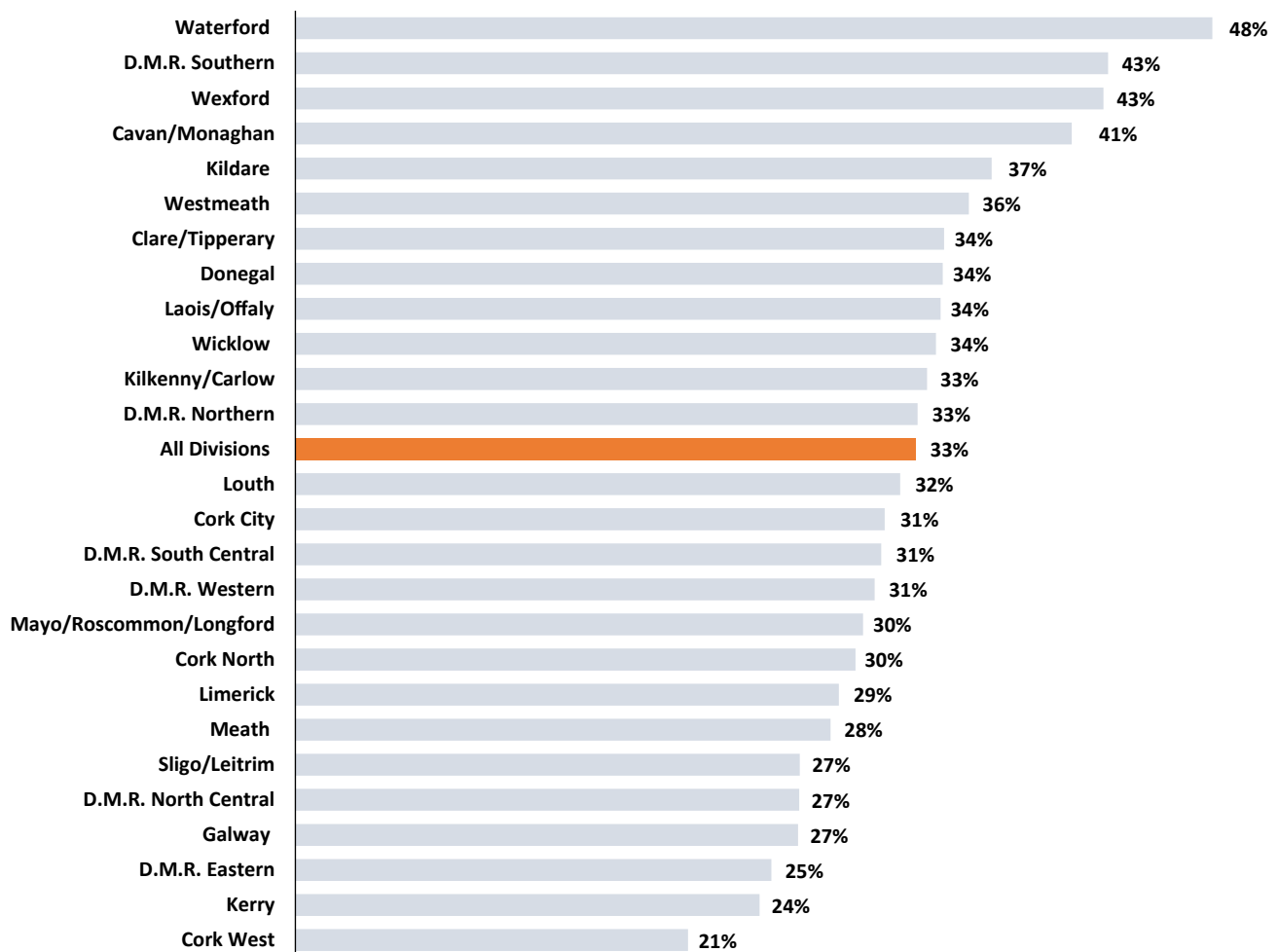
Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

Against an ongoing increase in the number of reported crimes with a domestic motivation, the overall arrest rate increased from 34% in 2019 to 40% in 2020 before reducing slightly in 2021 and falling to 33% in 2022. The arrest rate for offences in the period from 1 January to 30 September 2023 was 30%. It is important to note that not all offences have

a power of arrest. In addition, the arrest rate can change over time due to arrests occurring on a different date from the incident date.

The Inspectorate then examined the arrest rate in each division in 2022, the most recent period for which full-year data was available. This is shown in Figure 3.3.

**Figure 3.3 Arrest Rate for all Domestic-motivated Crimes by Division – 2022**



Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

This analysis illustrates the variation in arrest rates across all garda divisions. The examination of individual cases as part of the Performance Accountability Framework process included whether an arrest had been made and the Inspectorate identified some cases in which an arrest was directed as a result. However, there was no analysis of arrest rates and the reason(s) for such variations at the strategic level.

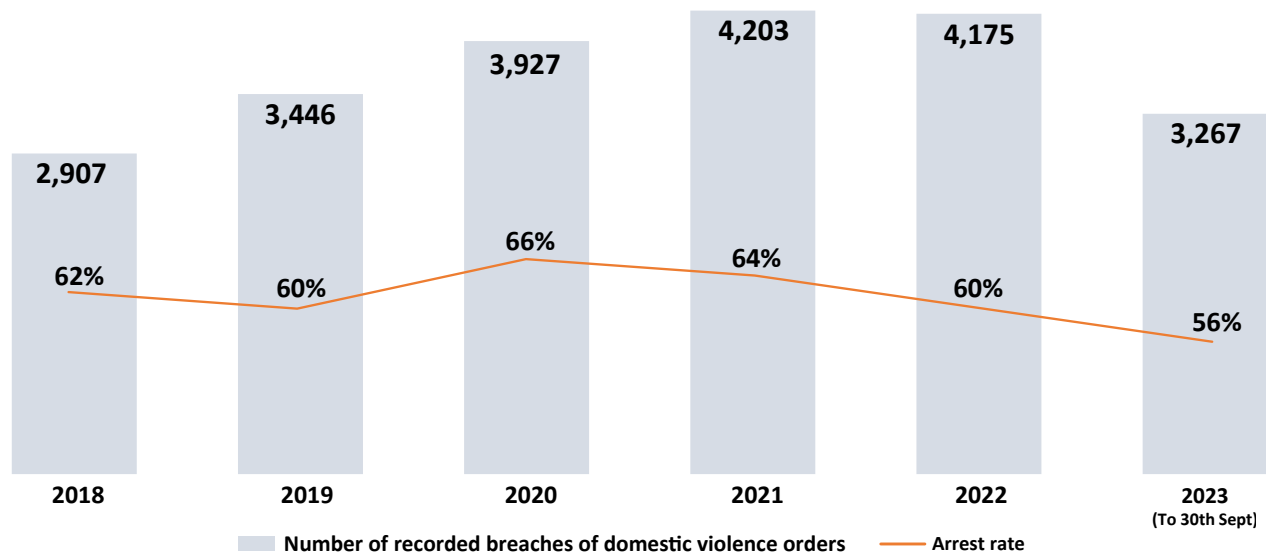
### Arrest Rates for Breaches of Domestic Violence Orders

The data was further examined to determine the arrest rate for breaches of domestic violence orders during the same period. In 2018, the arrest rate for breaches of domestic violence orders was 62%. It fell to 60% in

2019 before increasing to 66% in 2020. It reduced slightly in 2021, before falling to 60% in 2022. The arrest rate for offences reported up until 30 September was 56%. The increase in arrest rates in 2020 and 2021 coincided with the introduction of Operation Faoiseamh. For each phase of this operation, the Garda Síochána Analysis Service provided information relating to breaches of orders that were undetected at that point in time. This information was forwarded to divisions, which were asked to review it and take action as necessary.

Figure 3.4 shows the number of reported breaches and the corresponding arrest rate by year for all divisions for the years 2018 to 2022 and from 1 January to 30 September 2023.

**Figure 3.4 Number of Breaches of Domestic Violence Orders and Corresponding Arrest Rate by Year – All Divisions**



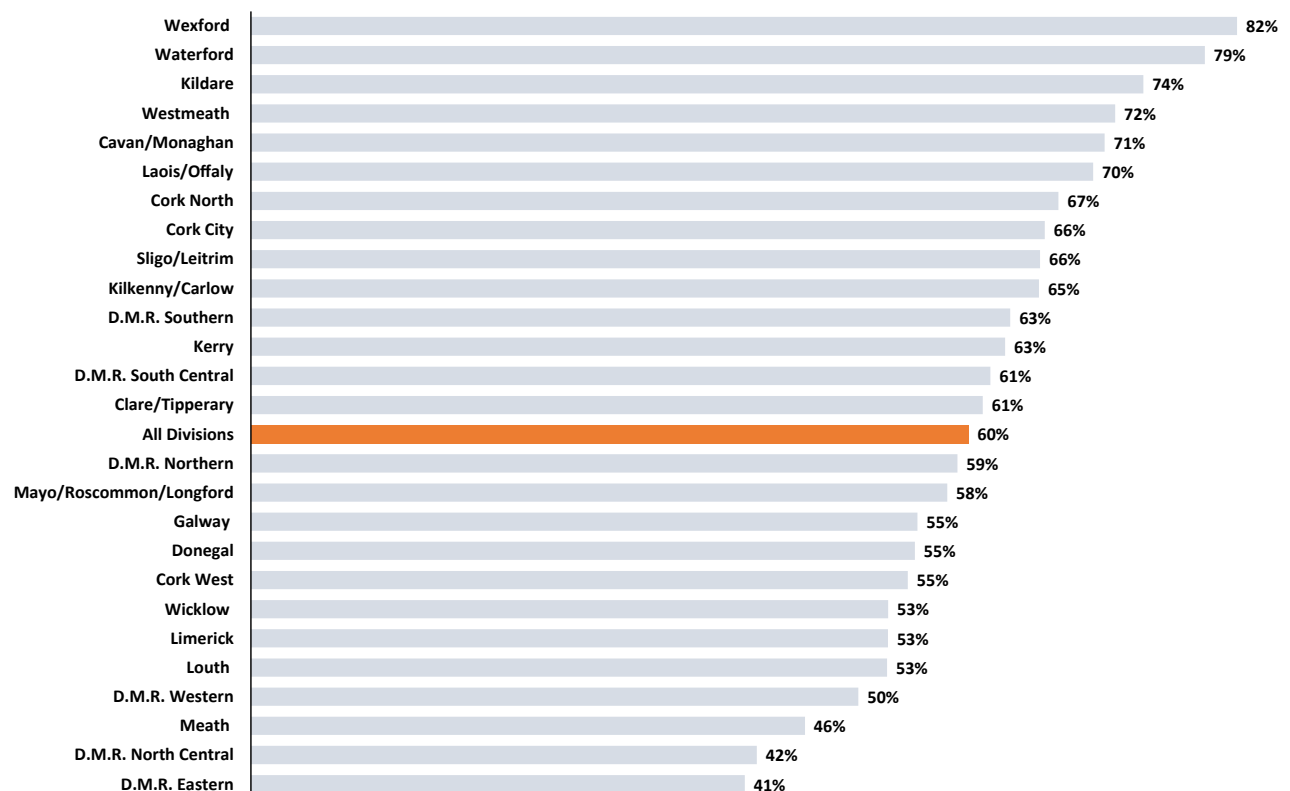
Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

The Inspectorate also examined the 2022 arrest rate for breaches of domestic violence orders by division. This is shown in Figure 3.5.

This analysis revealed that twice as many breaches resulted in an arrest in the division

with the highest arrest rate compared to the division with the lowest rate. While an arrest may not always be possible, this is a significant variation that requires further examination by the Garda Síochána.

**Figure 3.5 Arrest Rate for Breaches of Domestic Violence Orders by Division – 2022**



Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

## Examination of PULSE Incidents for Evidence of Arrest – All Offences

As part of its examination of domestic-motivated crimes on PULSE, the Inspectorate looked for evidence that an arrest had been made. While an arrest was recorded for most of the breaches of orders, in some instances the arrest did not take place until several days after it was reported. For other crimes with a power of arrest, some arrests were made at the time of reporting, some took place a number of days after the offence was reported and others had no record of an arrest. In a few of the latter cases, charge sheets had been issued, indicating that an arrest had been made but had not been recorded on PULSE. Even if a power of arrest exists and a suspect is identified, there may be insufficient grounds to arrest.

In several incidents where the suspect was not arrested at the time the offence was reported, a superintendent had issued a direction to make an urgent arrest. In cases where there was a delay in making the arrest, there was no recorded explanation for this. This may have been because the suspect could not be located. It may also have been because the investigating member was making enquiries and gathering evidence from other sources before arresting the suspect. Unlike other jurisdictions, Irish legislation does not permit gardaí to release an arrested person on police bail to return to the garda station to enable further enquiries to be made. In addition, when a person has been arrested and released without charge, they cannot be re-arrested for the same offence unless a court issues an arrest warrant.

The Inspectorate analysed PULSE data to ascertain how soon an arrest was made after an incident was reported. From 2018 to 2020, the proportion of arrests made on the same or following day was 77%. Although the rate dropped slightly between 2021 and

2022, it had risen to 79% for the period 1 January – 30 September 2023. While this is a good indicator of compliance with the Garda Síochána's pro-arrest policy for domestic-motivated crimes, the Inspectorate was told that this type of analysis was not routinely carried out by the Garda Síochána.

## Assessment

Where there is a power to arrest and sufficient grounds to justify it, the immediate arrest of a suspect is an important tactic to protect the victim and interrupt the cycle of abuse. Not arresting the suspect when a power exists and there are grounds to do so is a missed opportunity to reduce the risk of further harm to the victim and to send a clear message to the perpetrator that criminal behaviour will be dealt with immediately and decisively. However, the limited circumstances in which a person may be re-arrested as part of an investigation and the process for doing so constrains the making of immediate arrests. As a result, this may hamper the Garda Síochána's short-term ability to keep victims safe. The inability of garda members to release a suspect on bail is also a limiting factor.

The Inspectorate welcomes the general power of arrest proposed in the Garda Síochána (Powers) Bill. Broadening the power of arrest to include the vast majority of offences will enable gardaí to consider this tactical option for every domestic-motivated crime.

It is concerning to see the overall reduction in arrest rates since 2021 and the wide variation of arrest rates for domestic-motivated crimes among divisions. The arrest rates for breaches of orders also varied significantly. While an arrest will not be possible in every situation, the range suggests that the pro-arrest policy may not always be fully complied with. The focus that Operation

Faoiseamh placed on arrests for breaches of orders must be reinforced. It is positive to see that when arrests were made, the majority of these took place soon after the offence was reported. However, the Garda Síochána should monitor this data to ensure the protective value of arrests is maximised and unnecessary delays that may adversely affect victims' safety are avoided.

In order to determine whether the pro-arrest policy is being complied with, scrutiny of arrest rates needs to be strengthened and the Garda Síochána must regularly compile and proactively monitor management information in relation to domestic-motivated crime incidents. This should include arrest rates for domestic-motivated crimes, including breaches of domestic violence orders and the length of time from when a complaint is made until the suspect is arrested.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 14

The Inspectorate recommends that the Garda Síochána regularly compile and proactively monitor management information in relation to domestic-motivated crime incidents. This should include but not be limited to:

- > Arrest rates, including arrests for breaches of domestic violence orders; and
- > The length of time from when an offence is reported until the suspect is arrested.

## Use of Bail

Bail is a positive action that can assist in preventing further abuse or violence and protecting victims from harm. This section examines the use of station and court bail in domestic-motivated crimes, both of which apply after a person has been charged with an offence.

### Station Bail

Following the arrest and charge of a suspect, the member in charge must decide whether that person can be released on bail or held in garda custody and brought before the next available court.<sup>88</sup> This is known as station bail. Under Section 31 of the Criminal Procedure Act 1967, station bail may be granted if the member in charge considers it prudent to do so and there is no other warrant in force directing that person's detention. The member in charge cannot attach any conditions to station bail such as requiring the suspect to stay away from the victim or a particular location.

Prior to 2022, members of the Garda Síochána were directed that station bail could not be granted to a person who had contravened a domestic violence order. In a legal challenge to this instruction, lawyers argued that because the offence of breaching such an order was not included in the Criminal Procedure Act 1967, there was no legal requirement for a member to refuse station bail to a person charged with that offence.

Following the success of this challenge, the Garda Síochána issued a new instruction that removed the absolute requirement to bring the accused to the next available court. The instruction went on to explain that members in charge must apply the

<sup>88</sup> This is the member of the Garda Síochána who is assigned to look after a person is custody once they are brought to a garda station. The role is specified in the Criminal Justice Act 1984 (Treatment of Persons in Custody in Garda Síochána Stations) Regulations 1987.

same considerations to granting station bail for breaches of domestic violence orders as to they do for all other offences. As part of their decision-making process, members in charge must consider the rights of the victim and suspect by weighing up the probability that the person may re-engage in the activity that led to their original arrest and the risk to the victim should they do so. The updated instruction sets out the factors that should be considered by the member in charge. These include the likelihood of the suspect:

- > Re-engaging in the activity that led to their original arrest;
- > Interfering with witnesses or the alleged injured party;
- > Interfering with evidence; and
- > Turning up at court.

At the time of this inspection, there had been no appeal of this decision or proposal to amend the relevant legislation to enable all breaches of domestic violence orders to be brought back to court immediately.

If the member in charge refuses to grant station bail, the arresting member should object to the granting of bail at court or request that the court attaches certain conditions to the bail. To do this, the arresting member prepares a report for the court presenter outlining the reasons for their objection and identifying conditions that should be sought if the court decides to grant bail.

## Court Bail

Objections to the granting of court bail are governed by the O'Callaghan principles and the Bail Act 1997.<sup>89</sup> The O'Callaghan

principles are derived from the Supreme Court case of AG v O'Callaghan 1966. They state that bail can be refused if there is a likelihood that the accused would evade justice by absconding or interfering with evidence or witnesses. Under Section 2 of the Bail Act 1997, where a person is charged with a serious offence, a court may refuse bail or release the accused on bail with certain conditions. In addition to the requirement to attend court on subsequent hearing dates, not commit any offence and be of good behaviour, conditions may also include that the accused:

- > Resides or remains in a particular district or place in the State;
- > Reports to a specified garda station at specified intervals;
- > Refrains from attending at premises or other places specified by the court; and
- > Refrains from having any contact with person(s) specified by the court.

The Domestic Violence (Amendment) Bill 2024 proposes that offences under section 33 of the Domestic Violence Act 2018 (breaches of domestic violence orders) become serious offences and be included in the schedule of offences in the Bail Act 1997.<sup>90</sup> Once the Bill is enacted and commenced, courts will be able to impose a broader range of conditions on offenders charged with breaching domestic violence orders.

Garda court presenters present most objections to bail.<sup>91</sup> However, in some courts, including emergency sittings, the investigating member may present the

<sup>89</sup> Available at: [irishstatutebook.ie](https://irishstatutebook.ie)

<sup>90</sup> Available at: [oireachtas.ie](https://oireachtas.ie)

<sup>91</sup> A court presenter is a specialist role performed by garda sergeants. They present prosecution cases on their first hearing; deal with applications and objections to bail; and manage adjournments and guilty pleas.

objection. The Inspectorate heard that on occasions, inexperienced members failed to make an effective application by confusing the two legal bases for objecting to bail. The remedy proposed was to ensure that a specialist court presenter were used on all occasions.

When a court imposes bail conditions, the investigating member is responsible for monitoring compliance with them. In addition, the conditions are circulated within the local area on weekly crime bulletins. This inspection found that bail conditions were not recorded on PULSE and, as a consequence, access to this information was not available to all garda personnel, including call-takers and dispatchers.

A District Court Judge expressed concern that gardaí were not always aware of the importance of proactively checking compliance with bail conditions in domestic abuse cases, particularly where conditions require that the offender stay away from the victim and have no contact. The judge emphasised the need to carry out sufficient bail checks and highlighted that gardaí must have this information available in court in order that appropriate decisions can be taken regarding the continuation or revocation of bail.

## Breaches of Bail

If an individual fails to comply with any of their bail conditions, the Garda Síochána must apply to the court for a warrant to arrest the person and bring them back to court to answer all charges relating to the bail. This process creates a time delay between the breach of bail being detected and the offender being brought to court, during which further breaches may be committed.

## International Practice

In Scotland, police have the power to release a suspect from custody for the purpose of making further enquiries. This is known as “Investigative Liberation”. Police officers can also impose liberation conditions on a suspect such as not interfering with witnesses. Police must notify the victim before the suspect is released. Conditions cease to apply after 28 days or sooner if police re-arrest or charge the suspect. The suspect is entitled to apply to a court to have the conditions reviewed.

In England and Wales, legislation is in place to enable police to release a suspect who has not been charged on pre-charge bail, with or without conditions. Bail management must be closely aligned to an investigative plan. Although the final bail decision remains with the police, investigators must seek the views of the victim where practicable on whether conditions should be imposed, and if so what conditions. They must also conduct a risk assessment of the case, including any risks to the victim, witnesses, public, investigation and the suspect as part of the decision-making process.

Police in New Zealand have specific powers in relation to bail in connection with family violence offences.<sup>92</sup> For example, a police employee who grants police bail to a defendant charged with a family violence offence may impose any condition that they consider reasonably necessary to protect the victim and any person who resides with or who has a familial relationship with the victim. In addition, a person arrested and charged with breaching a protection order must not be released on bail by police during the 24 hours immediately following their arrest, unless they are being brought to court. If the person is not brought before a court during the 24 hours immediately following

the arrest, police may release the person on bail with conditions if necessary.

## Assessment

The Inspectorate considers that there are opportunities to strengthen bail legislation and practice in order to make it a more effective tool for preventing further abuse and protecting victims.

Because of the identified legal constraints, garda investigators may complete their enquiries before arresting and charging a suspect. In domestic abuse cases, delaying the arrest may put victims at additional risk. In some other jurisdictions, police can arrest a suspect and release them on bail while enquiries are completed, before bringing them back into custody and charging them if appropriate. Police may impose bail conditions at both of these stages. It is notable that New Zealand recognised the unique risks associated with domestic abuse and enacted specific bail legislation for family violence. These approaches aim to balance the competing rights of the suspect and the victim.

Under the Third National Strategy on Domestic, Sexual and Gender-Based Violence there is an action to examine a number of issues as part of a review to identify outstanding and emerging law reforms. These include the possibility of limitations on availability of bail for breaches of barring orders where there is a history of violence. The Inspectorate considers that this review should also examine:

- > The ability of gardaí to attach conditions to station bail granted following a person being charged and released from garda custody;
- > The availability of a power that gardaí may release a person on bail to enable investigative enquires to be

completed. This would compel the person to return to a garda station on a set date;

- > The ability of gardaí to impose conditions on a person released on bail to return to a garda station; and
- > A remedy to the judgement regarding bail that would enable gardaí to bring every person suspected of breaching a domestic violence order to the next available court.

To avoid jeopardising the case for objecting to bail or obtaining strong bail conditions, the Garda Síochána should ensure that only suitably trained members, such as court presenters or prosecutors, are responsible for these applications.

While local circulation of bail conditions is important, they should also be immediately uploaded to PULSE. This will avoid a time lag associated with weekly bulletins and provide personnel from other divisions or units with ready access to the bail conditions imposed on a suspect. Adding bail conditions to PULSE may also create additional enforcement opportunities.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 15

The Inspectorate recommends that the Department of Justice include the following in its review of emerging and outstanding law reforms:

- > The ability of the Garda Síochána to attach conditions to station bail;

- > The availability of a power for the Garda Síochána to release a person on bail to enable enquires to be completed. This power would compel the person to return to a garda station on a set date;
- > The ability of the Garda Síochána to impose conditions on a person released on bail to return to a garda station; and
- > A remedy to the bail judgement that would enable the Garda Síochána to bring all those suspected of breaching a domestic violence order to the next available court.

#### Recommendation 16

The Inspectorate recommends that the Department of Justice work with the Garda Síochána and the Courts Service to have all bail conditions and any amendments to those conditions immediately uploaded to PULSE.

# 4

## *Chapter 4* *Prosecutions, Detections and* *Outcomes of Domestic-motivated* *Crimes*



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

# Chapter 4 - Prosecutions, Detections and Outcomes of Domestic-motivated Crimes

## Introduction

In this chapter, the Inspectorate examines the role of the Garda Síochána in the prosecution of domestic-motivated crimes, at the time of the inspection and into the future. It looks at how victims are supported during the prosecution process, including through the provision of special measures at court. The vulnerable witnesses court in Dublin, which aims to hear domestic abuse cases expeditiously, is discussed in the context of garda involvement. The role of the Garda Síochána in reducing attrition rates is also included.

This chapter also reviews the Garda Síochána's performance in relation to its prosecution function. This includes an explanation of how crimes are detected and the type of information that should be examined to ensure that detections are correctly claimed and categorised. The chapter highlights the need for more information about the results of domestic abuse investigations to be publicly available and comments on the Garda Síochána's new system for outcomes-based reporting.

## Directing and Prosecuting Cases

When a crime is reported to the Garda Síochána, an investigation is conducted and when the investigation has concluded a decision is made whether to prosecute the suspect. Depending on the seriousness of the offence, the decision to prosecute is

taken either by the Office of the Director of Public Prosecutions (DPP) or by the Garda Síochána, which can initiate prosecutions in the district court in the name of the DPP by virtue of Section 8 of the Garda Síochána Act 2005 as amended. All those who prosecute in the name of the DPP are required to adhere to its *Guidelines for Prosecutors*.<sup>93</sup> This includes members of the Garda Síochána.

## The Garda Síochána's Current Role in Directing and Prosecuting Cases

*General Direction No 3* issued by the DPP outlines the categories of cases that can be directed on and prosecuted by the Garda Síochána.<sup>94</sup> All cases in which the suspect is or was a member of the Garda Síochána must be forwarded to the DPP for direction and representation.

Before a decision to prosecute is taken, the garda decision-maker must be satisfied that there is sufficient admissible evidence to prove beyond a reasonable doubt that the accused is guilty of the offence charged and that prosecution is in the public interest. Although not a requirement in all cases, some garda decision-makers referred to seeking advice from the DPP or State Solicitors to assist them in their decision-making.<sup>95</sup> They commented positively on the benefits of having access to such advice.

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93 Office of the Director of Public Prosecutions, 2019. [Guidelines for Prosecutors](#) [5th Edition - December 2019]

94 Office of the Director of Public Prosecutions, 2021. [Section 8 Garda Síochána Act 2005. General Direction No. 3.](#)

95 State Solicitors are appointed to act on behalf of the DPP in the circuit court in their area and to appear in the district court when requested by the DPP.

In practice, the majority of decisions to prosecute cases in district courts are taken by the Garda Síochána without reference to the DPP. These include domestic-motivated crimes such as assault contrary to section 2 of the Non-fatal Offences Against the Person Act 1997, known as assault minor, and breaches of domestic violence orders. While individual members of garda rank may initiate and conduct prosecutions for breaches of domestic violence orders, most decisions to prosecute are taken by a superintendent or inspector.

Once a decision to prosecute has been taken by the Garda Síochána, a member attends court to present the case. In most places, this is done by sergeants who are permanently assigned to the role of court presenter. In addition, court presenters deal with adjournments, applications and objections to bail and guilty pleas. They also assist in setting dates for contested cases by bringing information about witness availability to court. In Dublin, investigating members may attend court to present their own case, which can result in a number of individual members attending the same court rather than one court presenter. If a person pleads not guilty in a prosecution directed by the Garda Síochána, an inspector or superintendent from the relevant garda division usually prosecutes the contested matter.

The Inspectorate found that garda prosecutors and court presenters had received different combinations of training for their role. Most of those spoken to had undertaken the Garda Síochána's online training course on domestic abuse that was aimed at the majority of garda personnel. Many also referred to attending promotion courses that included an input from the DPP on file quality, prosecution decision-making and the Domestic Violence Act 2018. Some described their training as "on the job",

others held academic qualifications in law and all had access to a section on the garda portal that contained prosecution-related information. None of the garda prosecutors or court presenters had been trained to work in a trauma-informed or trauma-responsive way. However, the Garda College informed the Inspectorate that it had developed a one-year diploma in court presentation in collaboration with the University of Limerick. Two cohorts, consisting of 22 inspectors and 44 sergeants had completed the course. In addition to improving participants' technical skills in respect of all prosecutions, the course aims to '*help improve the court experience for victims of crime and in particular victims of violence in domestic settings*'.

A judge informed the Inspectorate that domestic abuse cases in the district court could be technically difficult. It was explained that often there are, for example, complex evidential matters raised where there are allegations of threats made via social media or other electronic communication. The judge highlighted the imbalance in legal expertise, knowledge and skills that may often arise between defence lawyers and prosecuting or presenting gardaí in such cases. In the judge's view, this could lead to inequalities in how victims fare within the court system.

### DPP Representation in Domestic Abuse Cases in Dublin District Court

The DPP provides an advocacy service in Dublin District Court in respect of more complex matters that are suitable for hearing in that court. These include cases where the Garda Síochána has taken the prosecution decision and decided to submit the file to the DPP for representation. The DPP undertook to provide this service in respect of prosecutions for domestic-motivated crimes in the Dublin District Court area.

Members of the Garda Síochána told the Inspectorate that there were no set criteria for referring these cases to the DPP and the decision to do so was usually taken by the supervisor of the investigating member. While most members spoken to supported this system of representation, several held the view that it was beneficial for garda members to gain experience of prosecuting domestic abuse cases. A judge who spoke with the Inspectorate said that it was their understanding that in Dublin the decision to seek representation from the Office of the DPP rests solely with gardaí themselves and cases still arise (albeit less frequently) where gardaí prosecute these matters themselves without recourse to a solicitor from the Office of the DPP.

At the time of this inspection, the Garda Síochána was not collecting data on the number of cases being sent to the DPP for representation, nor was it recording the reason why some cases were not forwarded. It was also the case that the system did not operate beyond the Dublin District Court area.

### Conducting Prosecutions without a Victim's Support

The prosecution of a domestic-motivated crime is more likely to succeed if the victim supports police action and is willing to give evidence in court. However, victims may decline to make a formal statement at the reporting stage or decide that they do not wish to give evidence in court. There are many reasons for these decisions including fear of reprisal, coercion or the impact of trauma. It may also be the case that an unprofessional investigator uses the victim's lack of support as a way to expedite closure of the investigation rather than considering a prosecution without the victim's support.

If a victim withdraws from the criminal justice process, consideration should be given to proceeding with an evidence-led or victimless prosecution. Victimless prosecutions provide an option to hold the perpetrator to account without the victim giving evidence. The same test for prosecution applies in these circumstances, namely that there is sufficient admissible evidence to prove beyond a reasonable doubt that the accused is guilty of the offence charged and that prosecution is in the public interest.

The DPP advised that directing officers also consider the potential to cause further trauma to the victim by proceeding without their support. The new directive of the European Parliament and the Council of the European Union on combating violence against women and domestic violence states that '*criminal proceedings shall continue even if the report or accusation has been withdrawn*'. In addition, it provides for the issuing of guidelines to ensure that proceedings are conducted in a manner that prevents secondary or repeat victimisation.

In relation to cases where the prosecution was directed by the Garda Síochána, the Inspectorate identified that a number of different approaches were taken when a victim decided that they no longer supported this course of action. Some court presenters told the Inspectorate that in these circumstances they might withdraw the case. Others said that they would not take this decision but rather would ask the victim to attend court to confirm that they were not acting under duress and to explain to the judge that they no longer supported the prosecution. The court presenters said that this may result in the case being dismissed. One garda prosecutor described how they would refer such a case to the DPP for direction in relation to continuing

proceedings, while another had consulted with the National Domestic Abuse Unit before deciding to proceed without the victim's support.

The *Guidelines for Prosecutors* state that where there is a change of circumstances or new information comes to light it will be necessary to consider whether the prosecution should continue. It goes on to say that the approval of the person who directed the prosecution should be sought for any proposed withdrawal of charges and that the prosecutor should also consider whether to consult with the investigator. Although the *Guidelines for Prosecutors* apply to garda prosecutors and presenters, this aspect was not being fully adhered to. While the circumstances of each victim and their case are different, this variation in how decisions are reached when a victim withdraws their support is an example of inconsistent practices within the Garda Síochána.

The history of the relationship and level of risk to the victim should be considered by the Garda Síochána when deciding whether or not to continue with a prosecution. This information is contained in the Risk Evaluation Tool (RET), although a copy of the form is not included in the prosecution file. It was explained to the Inspectorate that the form was for risk assessment purposes only; it was a point in time assessment that may have changed since it was completed and that taking this approach meant that the form was not disclosable to the defence.

In relation to victimless prosecutions, the Inspectorate found that there was no information recorded on PULSE to identify whether a case was suitable to proceed without

the victim's support, or to flag cases that had gone ahead without it. As a result, strategic oversight of such cases is unnecessarily complicated and data on the number of victimless prosecutions taken by the Garda Síochána is not readily available.

## International Practice

The Crown Office & Procurator Fiscal Service (COPFS) is Scotland's public prosecution service. It is responsible for taking all decisions to prosecute and for presenting cases in court. *The Joint Protocol between Police Scotland and the Crown Office & Procurator Fiscal Service* refers to actions and decision-making when a victim decides not to proceed.<sup>96</sup> The protocol states that there is a '*presumption against the discontinuation of proceedings where a sufficiency of evidence remains*', even if the victim makes such a request. It goes on to say, '*there is a public interest in ensuring that perpetrators are held to account and understand that victims do not have the authority to discontinue proceedings*'. The prosecutor is also responsible for establishing if the victim's reluctance is due to threats or pressure from the perpetrator or anyone else.

In other jurisdictions, including Northern Ireland<sup>97</sup> and Scotland<sup>98</sup>, police are required to provide prosecutors with relevant information from the risk assessment to enable them to make informed decisions. In England and Wales, the Crown Prosecution Service advises prosecutors to request from the police a copy of the risk assessment for each case as a matter of routine.<sup>99</sup>

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96 Crown Office & Procurator Fiscal Service, 2019. [Joint Protocol between Police Scotland and the Crown Office & Procurator Fiscal Service](#).

97 Public Prosecution Service, 2024. [Policy for Prosecuting Cases of Domestic Abuse](#).

98 *ibid* at 82

99 UK Crown Prosecution Service, 2022. [Domestic Abuse](#)

## The Future Role of the Garda Síochána in Directing and Prosecuting Cases

Both the Inspectorate<sup>100</sup> and the Commission on the Future of Policing in Ireland<sup>101</sup> recommended that the Garda Síochána should not have a prosecution function. The Government subsequently commissioned a further study and accepted a recommendation that the Garda Síochána should retain this function.<sup>102</sup> The *Report of the High Level Review Group on the Role of An Garda Síochána in the Public Prosecution System* proposed a five-year implementation plan to take forward its recommended reform model. It also recommended that a Summary Prosecutions Reform Steering Committee (SPRSC) comprising key stakeholders, including the Garda Síochána, DPP, Courts Service and Department of Justice, have responsibility for the planning and design of the model and monitor its implementation.

The review group linked the reform model to the roll-out of the Garda Operating Model and also noted the need for IT connectivity between the DPP and Garda Síochána. The group highlighted that an essential element of the model was the Divisional Court Management Office within the Performance Assurance functional area of each division. It envisaged that this would enhance court management services through the introduction of standardised processes and quality assurance checks. While the review recommended that the Garda Síochána retain general responsibility for prosecutions in district courts, it also recommended that the DPP be supported in considering ‘*additional types of cases that should be submitted to the Office for a decision on whether to initiate a prosecution and provide legal representation in*

*the District Courts, both in Dublin and outside Dublin*’.

## Assessment

The Third National Strategy on Domestic, Sexual and Gender-Based Violence directs two actions towards the Garda Síochána in relation to prosecutions. These are to consider emerging international initiatives or best practice to aid the policing and prosecution of domestic, sexual and gender-based violence and to improve prosecutions for breaches of domestic violence orders by reiterating and reinforcing training.

With regards to training, not all garda prosecutors and court presenters had received role specific training in relation to domestic abuse cases. This has the potential to result in inconsistencies in practice across different court areas. It also creates an “inequality of arms” between garda prosecutors and court presenters and defence representatives, which may adversely impact on the right of victims and perpetrators to a fair trial. The variation in the approach taken by garda prosecutors and court presenters when a victim decides not to support a prosecution may also adversely impact on the rights of the parties involved, including the victim’s right to life under Article 2 of the European Convention on Human Rights. This situation is exacerbated by the fact that in Dublin individual garda members without specialist training may present their own cases in court. This is also an inefficient use of garda resources.

The Scottish model and the new directive of the European Parliament and the Council of the European Union on combating violence against women both place a

100 Garda Inspectorate, 2015. [Changing Policing in Ireland](#), Recommendation 4.1.

101 Commission on the Future of Policing in Ireland, 2018. [The Future of Policing in Ireland](#).

102 High Level Review Group on the Role of An Garda Síochána In the Public Prosecution System, 2022. [Report of the High Level Review Group on the Role of An Garda Síochána in the Public Prosecution System](#)

strong emphasis on the continuation of criminal proceedings without victims' support. This requires a collective and consistent approach among all parts of the criminal justice system, underpinned by agreed operational guidelines. In its report *Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána*, the Inspectorate recommended that the Department of Justice convene a review by relevant stakeholders to explore the use of digital and technical evidence to support victimless prosecutions and develop guidelines to support this approach.<sup>103</sup> This is highly relevant to the prosecution of domestic-motivated crimes.

In addition to developing guidelines for victimless prosecutions, the following mechanisms have the potential to enhance the prosecution of domestic-motivated crimes:

- > Augmenting the training for garda prosecutors and court presenters by adding specific domestic abuse related modules to existing training, while also ensuring that only those who are appropriately trained perform these roles;
- > Ensuring that where representation by the DPP is available, all relevant domestic abuse cases are forwarded for representation;
- > Extending the DPP representation scheme that is already in place in Dublin to all district courts; and
- > Classifying domestic-motivated crimes as a category that must be forwarded to the DPP for prosecutorial decision-making and legal representation.

Taking account of the complexity of many domestic abuse cases, the challenge of securing convictions without victims' involvement and the overarching "zero tolerance" approach, the Inspectorate considers that responsibility for directing on and prosecuting all domestic-motivated crimes should sit with the DPP. Therefore, the Inspectorate recommends that as part of its review, the SPRSC consider domestic-motivated crimes as a category that should be submitted to the DPP for a decision on whether to initiate a prosecution and provide legal representation in district courts. A phased approach, starting with representation in contested cases and direction and representation in cases in which the victim has withdrawn their support could be helpful. The SPRSC should also consider the expansion of the DPP's representation scheme for domestic abuse cases to all district courts outside of Dublin. The Inspectorate recognises that these are significant changes that, if implemented, would require increased resources in the DPP's office and changes in the existing arrangements with State Solicitors offices.

In the interim, the Garda Síochána should ensure that where representation is available, all relevant domestic-motivated cases are forwarded to the DPP. Where representation is available and a case is not forwarded, the Garda Síochána should record the rationale for this decision. It should also compile and analyse data on the number of cases sent or not sent for representation.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendations.

<sup>103</sup> Garda Inspectorate, 2024. [Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána](#), Recommendation 5.6.

### Recommendation 17

The Inspectorate recommends that the Department of Justice bring the following proposals to the attention of the Summary Prosecutions Reform Steering Committee:

- > That consideration be given to classifying domestic-motivated crimes as a category of crime that should be sent to the Director of Public Prosecutions for prosecutorial decision-making and legal representation; and
- > That the Director of Public Prosecutions consider expanding representation in domestic abuse cases to all areas outside Dublin.

### Recommendation 18

The Inspectorate recommends that pending the implementation of Recommendation 17, the Garda Síochána:

- > Develop specific domestic abuse-related training modules for garda prosecutors and court presenters and ensure that only those who are appropriately trained perform these roles;
- > Ensure that where representation is available, all relevant cases are forwarded to the Director of Public Prosecutions;
- > Record the rationale for each decision to not forward a case for representation; and
- > Compile statistics on the number of cases sent or not sent for representation.

## Supporting Victims of Domestic Abuse at Court

Navigating the criminal justice system can pose significant challenges to victims of domestic abuse who seek support and solutions from it. These challenges can be exacerbated by the fact that victims may also be engaged in family law and legal childcare processes. A 2023 report by the National Women's Council highlighted key experiences that may prompt victims of domestic and/or sexual violence to withdraw not just from the part of the system that had a negative impact on them, but from all of the legal processes they are involved in.<sup>104</sup> Those experiences were:

- > Absence of comprehensive court and non-court support;
- > A systemic lack of understanding of the impact of domestic and/or sexual violence upon victims;
- > Delay in the legal process or processes; and
- > The court-day experience.

## Providing Support for Victims at Court

Support for victims at court can have many forms. Garda prosecutors, court presenters and investigating members all described how they support victims at court. This included by explaining the court processes, bringing victim and witnesses to designated rooms in the court where these are available, or signposting them to victims' organisations that are present in the court. Victim support organisations that met with the Inspectorate provided positive feedback, saying that in most cases gardaí were helpful, willing to engage and offer advice to victims.

104 Egan, N., & O'Malley Dunlop, E., 2023. [A Report on the Intersection of the Criminal Justice, Private Family Law and Public Law Child Care Processes in Relation to Domestic and Sexual Violence.](#)

A number of victims' organisations provide court support and accompaniment. Victim Support at Court (V-SAC) is the only voluntary service in Ireland dedicated solely to court accompaniment. It has a permanent presence in the Criminal Courts of Justice in Dublin, handles cases from all parts of the country and operates a court accompaniment service in some Dublin District Courts and in the Eastern and South Eastern Circuit Courts. In courts where V-SAC is unable to provide accompaniment, it links with local victim support organisations to arrange this. Notwithstanding the good work done by V-SAC and other court accompaniment services, court support for victims of domestic abuse should be available in every court and form part of the wraparound service described in Chapter 2. Garda members should be able to refer victims via the single entry point described in Recommendation 6.

### Special Measures at Court

Victims of crime may be entitled to special measures during criminal proceedings. Examples of measures include excluding members of the public or particular persons from the court during the proceedings and enabling the victim to give evidence through a live television link, via an intermediary or from behind a screen.

It is the responsibility of the Garda Síochána to assess each victim of crime to determine whether they require any special measures to facilitate their attendance at court. This is in addition to the requirement to assess the victim's need for special measures during the investigation process. The assessment process as required by the Criminal Justice (Victims of Crime) Act 2017 is set out in Chapter 2.

This inspection found that when investigating members prepared files for the DPP, they attached a pro-forma report that included

an assessment of the victim. This pro-forma asked whether the victim was vulnerable, had a disability, required assistance with communication such as translation or would benefit from special measures. This information was then considered by the DPP and, if needed, the DPP prosecutor applied to the court for measures to be put in place. A different pro-forma report was used for cases being prosecuted by the Garda Síochána, but this did not contain information about the victim's needs.

Although the RET contains information that could assist in determining a victim's need for protection or special measures, as explained earlier, a copy of the form is not included in the prosecution file.

During the detailed examination of 137 domestic-motivated crimes on PULSE, the Inspectorate found no reference to consideration of the need for special measures at court, regardless of the seriousness of the crimes or the level of risk to the victim. The garda prosecutors and court presenters spoken to during the inspection said that they had never applied to a court for special measures.

### Assessment

In its report *Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána*, the Inspectorate made a recommendation to develop guidelines to support the standardised and consistent provision of protective and special measures.<sup>105</sup> One of the aims of these guidelines is to ensure that there is a standardised process to share information with relevant criminal justice partners in relation to what measures are required for each victim or witness and why. This recommendation is equally relevant in cases of domestic abuse and as such is emphasised here.

<sup>105</sup> Garda Inspectorate, 2024. [Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána](#), Recommendation 5.2.:

Because any identified need for special measures at court is recorded on an individual paper file and not on PULSE, the Garda Síochána has no easily retrievable information on the number of victims assessed as needing special measures at court. In relation to cases prosecuted by garda members, the Garda Síochána had no information about how many victims were assessed as needing special measures at court, whether an application was made and the result of it. Consequently, the organisation is not in a position to determine if victims' needs have been properly assessed and met. This information gap could be addressed by adding mandatory fields to PULSE to show whether a victim requires special measures at court, which measures are proposed and whether they have been granted. Monitoring the quality and outcome of victim assessments for special measures at court would enable the Garda Síochána to identify any weaknesses in its own systems and contribute to improved victim support at court.

The Inspectorate acknowledges that although the Garda Síochána assesses victims' needs for special measures in cases that are submitted to the DPP, its members do not make the applications. However, the Garda Síochána could work collaboratively with its criminal justice partners to understand how it contributes to ensuring victims' needs at court are met.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 19

The Inspectorate recommends that the Garda Síochána proactively monitor how victims' needs for special measures at court are assessed. It should also monitor the extent to which these are applied for and provided in cases prosecuted by garda members.

## Vulnerable Witnesses' Courts

Court 18 in the Criminal Courts of Justice in Dublin is designed to comply with the requirements of the Criminal Justice (Victims of Crime Act) 2017 and as such is designated as a vulnerable witnesses' courtroom. A judge who sits in Court 18, which deals with a considerable number of contested domestic abuse prosecutions in Dublin, described how they manage the court lists to ensure cases are heard promptly so that victims are less likely to disengage from the criminal justice process. They also try to ensure that only domestic abuse cases are listed on a particular day so that the proper protections under the legislation can be applied, for example, dealing with matters in camera, hearing evidence via video link and other protective measures. The judge pointed out however that initial court appearances are dealt with in separate remand courts where there is a "general list" of criminal matters. These courts are where initial applications regarding bail are usually dealt with by the prosecuting garda member only.

It was explained to the Inspectorate that the absence of a permanent court presenter in Court 18 created a challenge to the efficient management of domestic abuse cases in that court. For example, their absence contributed to a lack of information about the availability of witnesses, a lack of information on bail compliance and can also impact sentence hearings ultimately leading to delays. The Inspectorate has been informed that Court 18 now has a court presenter once every two weeks and, while this is an improvement, the issues highlighted remain.

The Third National Strategy aims to extend this initiative to other court locations.

## Assessment

The vulnerable witnesses' court is an important initiative to support victims of domestic abuse and the planned expansion

to other courthouses is welcome. In order for it to operate as effectively as possible, the Garda Síochána should ensure that it contributes to the efficient running of the court. This requires a garda representative to be present at each sitting with all the necessary information required by the court, including the availability of prosecution witnesses. This will allow hearing dates to be fixed at the earliest opportunity and unnecessary adjournments avoided. Therefore, the Garda Síochána should appoint a permanent court presenter to Court 18 and to any other vulnerable witnesses' courts that are established by the Courts Service.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 20

The Inspectorate recommends that the Garda Síochána permanently assign a court presenter to Court 18 in the Criminal Courts of Justice in Dublin and to all vulnerable witnesses' courts that are established by the Courts Service.

## Keeping Victims Engaged in the Criminal Justice Process

Delays in the criminal justice system can contribute to victims of domestic abuse withdrawing from the process. Unnecessary or avoidable delays can occur at the investigation stage and when prosecutorial decisions are being taken, as well as when the case goes to court.

An action under the Third National Strategy aims to reduce attrition rates. One of the ways it seeks to achieve this is to reduce the timescale from complaint to trial. This requires a whole of system approach such as that in place in England and Wales. There, a Criminal Justice Board comprising representatives of all of the criminal justice agencies monitors the length of time that cases spend at each stage of the system and strives to reduce unnecessary delays. The Inspectorate previously recommended the establishment of this type of board at the national level, as well as divisional-level criminal justice groups.<sup>106</sup>

While it is important to examine the system from end to end, each criminal justice organisation has a responsibility to ensure that it is operating efficiently and effectively. During its examination of PULSE, the Inspectorate found that in many of the less complex cases, perpetrators were arrested and charged or summonsed within a few days of the incident being reported and court proceedings occurred relatively quickly thereafter. However, it was not unusual for the more serious cases reviewed, such as coercive control, sexual crimes or threats to kill or cause serious harm, to be under investigation for one to two years. The reasons for such lengthy investigations were not apparent.

The local Performance and Accountability Framework (PAF) meeting structure includes regular reviews of all open investigations to ensure that they are being progressed expeditiously. However, there was no consolidated data at divisional or organisation level to indicate if the Garda Síochána was managing investigations in an efficient and timely manner or to identify opportunities for improvement.

## Assessment

The Inspectorate acknowledges that there may be justifiable reasons for lengthy investigations in some complex cases. It also recognises that the period of time to finalise investigations, take prosecutorial decisions and complete any subsequent court proceedings can have a negative impact on victims' support for prosecution. Reducing the time from complaint to trial is an essential part of the work to ensure a consistent approach, avoid unnecessary delays and reduce attrition rates. This requires the collection of relevant data relating to all stages of the criminal justice process. Therefore, the Garda Síochána needs to collate and analyse data in relation to the length of time taken from the date an offence is reported until the date the corresponding file is submitted for a prosecution decision. This information should also be used by the organisation to identify good practice and areas for improvement in its own processes as well as contribute to an end-to-end approach to reduce delays in the criminal justice system.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 21

The Inspectorate recommends that the Garda Síochána collate and analyse data in relation to the length of time taken from the date an offence is reported until the date the corresponding file is submitted for a prosecution decision. This information should be used to monitor and improve performance.

## Detections

The *General Crime Counting Rules* are a detailed set of instructions that must be followed to ensure the integrity of statistical information about recorded crimes and detections.<sup>107</sup> Under the rules, a criminal offence can be classified as detected when criminal proceedings have been commenced against at least one person involved in that offence. Criminal proceedings are commenced when the person is charged with the offence or a summons is applied for. For this to happen, there must be sufficient admissible evidence, which if given in court, would have a reasonable probability of conviction. If there is insufficient admissible evidence, the crime will remain undetected.

Other circumstances in which a crime can be classified as detected are when a Fixed Charge Notice (FCN)<sup>108</sup> is issued or an adult caution<sup>109</sup>, juvenile caution<sup>110</sup> or informal caution<sup>111</sup> is administered.

<sup>107</sup> Central Statistics Office, n.d. [General Crime Counting Rules](#).

<sup>108</sup> Some offence types may be dealt with by issuing a Fixed Charge Notice; these include road traffic offences and some public order offences.

<sup>109</sup> An adult caution may be administered for certain types of offences provided there is prima facie evidence of the offender's guilt, the offender admits the offence, understands the significance of a caution and consents to being cautioned. Offences include minor assaults (contrary to Section 2 of the Non-Fatal Offences Against the Person Act, 1997); criminal damage; theft; possession of cannabis as well as some public order offences. It is not a conviction but is recorded on PULSE.

<sup>110</sup> An informal caution is recorded where a garda member uses their discretion to issue an informal caution for an offence. The informal caution is recorded on PULSE.

<sup>111</sup> A juvenile caution is administered to a child between the ages of 10 and 18 in respect of an offence for which the child accepts responsibility, agrees to be cautioned and, where appropriate, agrees to supervision under the Youth Diversion Programme.

These types of detections also require sufficient admissible evidence before a notice can be issued or a caution administered.

In addition, the *General Crime Counting Rules* permit certain cases to be marked as detected when there is sufficient evidence but a decision has been taken not to prosecute. In these cases, a superintendent must approve the detection and confirm the specific reason for it before submitting a request to have PULSE updated. The specific reasons include:

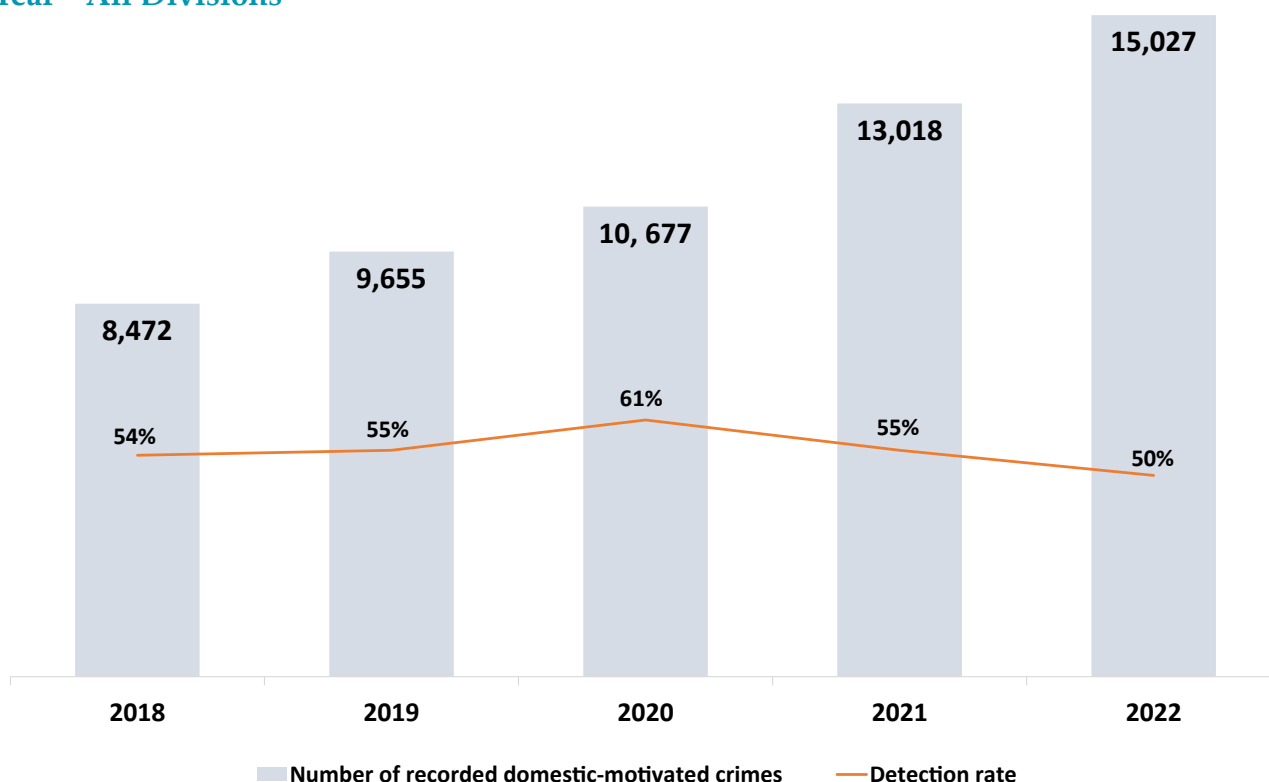
- > The victim or an essential witness refuses or is permanently unable to give evidence;
- > The decision-maker decides that the public interest would not be well served by proceeding; or
- > There is a time limit for commencing proceedings, but that time limit has expired and the relevant superintendent approves the detection.

The detection status of a crime is recorded on PULSE, with the reason for it being detected or not detected captured in a drop-down field. The fact that a crime is classified as detected does not automatically mean that a person has been convicted of that crime, as the summons or charge that resulted in it being marked as detected may have been withdrawn or dismissed at court.

### Detections for Domestic-motivated Crimes

Using PULSE data, the Inspectorate examined the detection rate for all recorded crimes with a domestic-motivation, including breaches of domestic violence orders, over a five-year period.<sup>112</sup> Figure 4.1 shows the total number of crimes and corresponding detection rate by year for all divisions for the years 2018 to 2022.

**Figure 4.1 Reported Domestic-motivated Crimes and Corresponding Detection Rate by Year – All Divisions**



Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

112 It is important to note that figures are operational and may be liable to change, as some investigations are ongoing.

This shows that against a year-on-year increase in the number of reported domestic-motivated crimes, the overall detection rate increased from 54% in 2018 to 61% in 2020 before falling to 50% in 2022.

Breaches of domestic violence orders accounted for 37% of all domestic-motivated crimes in 2020, falling to 28% in 2022. The corresponding detection rates for such breaches was 91% and 89% respectively. As the proportion of reported breaches and the high detection rate are significant factors in the overall detection rate, the Inspectorate examined the detection rate for domestic-motivated crimes excluding breaches of domestic violence orders. It found that the detection rate had increased from 36% in 2018

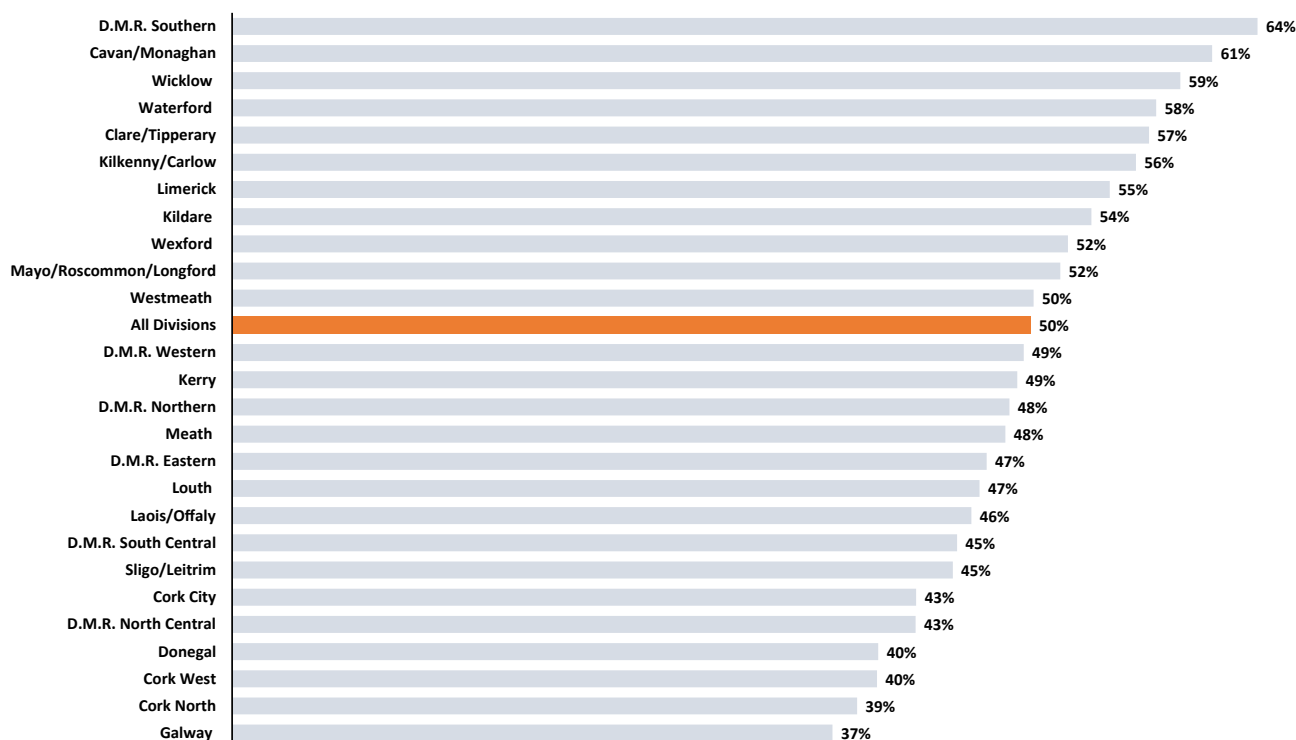
to 43% in 2020, before decreasing to 35% in 2022. Due to differences in the crime counting rules in other jurisdictions, the Inspectorate has not compared garda detection rates with those of other police services.

### Detection Rates by Division

The Inspectorate analysed the detection rate for all domestic-motivated crimes in 2022 by division. This is shown in Figure 4.2.

This analysis identified a notable variation in the detection rates, ranging from 64% to 37%. Further examination of the detection rates for breaches of orders by division found that these ranged from 97% to 76%.

**Figure 4.2 Detection Rate for all Domestic-motivated Crimes by Division – 2022**



Source: Data provided by the Garda Síochána, analysis by the Garda Inspectorate

### Categories of Detections

When the categories of detections were analysed, the Inspectorate found that the vast majority of detections arose from charging the offender or issuing a summons requiring them to attend court. Adult cautions accounted for 3% of all detections from 2018 to 2020 and 2% in 2021 and 2022. Of the cases

dealt with by adult caution, 67% were for minor assaults and 24% were for criminal damage. Juvenile cautions accounted for 1% of detections in 2020 and 2022 and 2% in 2018, 2019 and 2021. The majority of these were for minor assaults (38%) and criminal damage (30%). Informal cautions were applied in 104 cases between 2018 and 2022.

Analysis of all closed cases reported between 1 January 2018 and 30 September 2023 and categorised as “not detected” showed that approximately 40% of these were due to the complainant withdrawing their evidence or not assisting the investigation

### Review of Detected Cases that do not Result in a Conviction

When a charge sheet or summons is issued following a direction to prosecute, this information is recorded on PULSE, which then automatically updates the status of the case to “detected”. If the prosecution does not result in a conviction, the General Crime Counting Rules require a superintendent to conduct a full review of the circumstances. If they are satisfied that there was a reasonable probability, based on sufficient evidence, that the person charged committed the crime, the detection status will remain as “detected”.

Of the cases examined by the Inspectorate, 38% of those that were classified as detected on PULSE had been withdrawn or dismissed at court. However, the Inspectorate found no evidence that these unsuccessful prosecutions had been reviewed to ascertain if the detection should remain or to identify any learning from them. Garda prosecutors and court presenters said that they were unaware of any formal system to undertake reviews.

The inspection also identified that there was no analysis of the number and type of cases that were withdrawn or dismissed in court or the reasons for these. As a result, opportunities to identify possible trends and, if appropriate, to implement corresponding remedial actions were being missed. This was despite a recommendation in the

Inspectorate’s 2020 report *Countering the Threat of Internal Corruption* that the Garda Síochána should strengthen the supervision of cases it prosecutes.<sup>113</sup> This included a requirement to explain in detail a garda decision to discontinue a case and to record the reason for a case being struck out in the district court.

### Oversight of Cases Handled by the Garda Síochána

This inspection found that the Garda Síochána’s oversight of cases it prosecutes was limited. It does not monitor the categories of detections claimed, the length of time taken to investigate cases and bring them to court, or information about special measures. It does not review unsuccessful prosecutions to ensure that detections are claimed appropriately.

In addition, the DPP had no formalised oversight of how the Garda Síochána performs the prosecution function, even though prosecutions are taken in the name of the DPP. This gap was also identified by the High Level Review Group on the Role of An Garda Síochána in the Public Prosecution System, which recommended an enhanced oversight role for the DPP. The review envisaged that this would include ‘*the development of protocols around agreed standards relating to decision making and representation within AGS [An Garda Síochána], as well as protocols relating to the audit and quality assurance processes*’.<sup>114</sup> The Inspectorate supports this recommendation.

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113 Garda Inspectorate, 2020. [Countering the Threat of Internal Corruption](#), Recommendation 19.

114 High Level Review Group on the Role of An Garda Síochána In the Public Prosecution System, 2022. [Report of the High Level Review Group on the Role of An Garda Síochána in the Public Prosecution System](#).

## Assessment

As previously recommended by the Inspectorate, the Garda Síochána needs to enhance its oversight of its prosecution function. While the Garda Síochána has data that would enable much deeper analysis of how effectively it performs this function, the absence of routine monitoring and auditing of this information means that the organisation cannot be certain that it is pursuing criminal justice outcomes in a consistent, effective and ethical manner. For example, detections should be audited to ensure that the applicable criteria are met and the method of detection is appropriate to the circumstances of the case.

The absence of reviews of individual cases that have not resulted in a conviction at court is an example of inadequate internal scrutiny. This gap also hampers any evidence-based understanding of why prosecutions fail and what can be done to improve the likelihood of achieving convictions. The Garda Síochána can only achieve this level of insight if it systematically reviews each of these cases, identifies why the prosecutions were unsuccessful and records the reason in a format that can be easily accessed and analysed. It also needs to understand the extent to which it progresses victimless prosecutions and the result of any such cases it takes.

If conducted at divisional and organisational level, this level of analysis will enable learning and good practice in relation to prosecuting domestic abuse cases to be identified and disseminated. It will also facilitate analysis of trends and patterns, including an understanding of any regional or divisional variations. Overall, it will contribute to protecting victims and preventing domestic abuse by holding perpetrators to account.

To gain the necessary level of insight, the Garda Síochána firstly needs to know the

number of domestic abuse cases in which it is responsible for the prosecution decision. It should then keep under regular review a number of key performance indicators, including:

- > Detection rates analysed by detection category;
- > The number of convictions achieved at court for domestic-motivated crimes;
- > The reasons why convictions are not achieved in cases where a charge or summons has been issued; and
- > The number of victimless prosecutions taken, along with results of these cases.

Where DPP representation for domestic-motivated crimes is available, the Garda Síochána should also record the number of cases sent to the DPP for representation, the number not sent and the reasons for not sending.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 22

The Inspectorate recommends that the Garda Síochána regularly compile, analyse and monitor management information in relation to its prosecution function for domestic-motivated crimes. This should be done at organisational and divisional levels. The information should include but not be limited to:

- > The number of prosecution decisions it takes;

- > Detection rates analysed by detection category;
- > Reasons why prosecutions were unsuccessful;
- > The number of court convictions achieved;
- > The number of victimless prosecutions taken, along with results of these cases; and
- > Where the Garda Síochána takes a decision to prosecute and representation is available from the Director of Public Prosecutions, the number of cases sent for representation, the number not sent and the reasons for not sending.

## Reporting on Detections for Domestic-motivated Crimes

The Garda Síochána publishes information about the volume of reported domestic-motivated incidents and takes the opportunity to speak publicly about some individual cases following their conclusion at court. However, there is no information in the public domain about detection rates for domestic-motivated crimes. The Central Statistics Office (CSO) publishes reports on detection rates calculated using PULSE data.<sup>115</sup> Although these present the rate broken down by crime category and garda region, the CSO does not report on the detection rate for domestic-motivated crimes. However, there is work underway involving the CSO and Cuan to design and deliver a national survey to produce statistics

relating to domestic, sexual and gender-based violence. This forms part of the Third National Strategy.

In contrast with Ireland, the UK Office for National Statistics compiles and reports annually on a range of data relating to domestic-motivated crimes obtained from police services and the Crown Prosecution Service.<sup>116</sup> The data includes:

- > The arrest and charging rate;
- > The overall number of prosecutions; and
- > The percentage of prosecutions that lead to a conviction.

In Australia, the New South Wales Bureau of Crime Statistics and Research publishes information about trends in domestic violence, including data on domestic violence related assaults.<sup>117</sup> This includes the number of people appearing in court, the proportion found guilty and the penalties imposed. In Victoria Australia, the Family Violence Database is produced annually by the Crime Statistics Agency to provide publicly accessible data and statistics on family violence.<sup>118</sup> The database includes features such as linkage of justice data to show the progression of family violence incidents through the criminal and civil justice systems. It also integrates data from different sources to generate insights about priority cohorts and local areas.

115 Available at: [cso.ie](https://www.cso.ie)

116 Available at: [ons.gov.uk](https://ons.gov.uk)

117 Available at: [bocsar.nsw.gov.au](https://bocsar.nsw.gov.au)

118 Available at: [crimestatistics.vic.gov.au](https://crimestatistics.vic.gov.au)

## Assessment

Routine publication of information about arrest and detection rates, the overall number of prosecutions, and the percentage of prosecutions that lead to a conviction would send a strong message to victims and perpetrators that the Garda Síochána and its criminal justice partners are committed to robust action to tackle domestic abuse. The Inspectorate welcomes the work being done by Cuan, the CSO and other partners to enhance data collection in relation to domestic, sexual and gender-based violence. It considers that data relating to prosecutions, detections and convictions for domestic-motivated crimes should form part of that work. Based on international practice and its engagement with the Garda Síochána and support services, the Inspectorate also considers that this type of information should be publicly available. Information of this type is available to people in other countries and the provision of such data will serve to better inform the public of the full extent of domestic abuse cases dealt with by the Garda Síochána and will provide greater transparency as to what happens to domestic-motivated crimes in the criminal justice system. As prosecutions for certain domestic abuse offences may be taken by the Garda Síochána, the Inspectorate is of the view that all data relating to decisions to prosecute, detections and convictions should be capable of being disaggregated. To achieve this, the Inspectorate recommends that the Department of Justice work with Cuan, the Garda Síochána and the CSO to compile and publish additional data in relation to the prosecution of domestic-motivated crimes.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 23

The Inspectorate recommends that the Department of Justice work with Cuan, the Garda Síochána and the Central Statistics Office to regularly compile and publish additional data in relation to domestic-motivated crimes. As a minimum, this should include:

- > The number of prosecution decisions taken;
- > The detection rate broken down by detection category;
- > The number of cases where a charge or summons was issued and the proportion that resulted in a conviction at court; and
- > The number of victimless prosecutions taken, along with results of these cases.

## Outcomes

The reason for a crime investigation being closed is known as the outcome. There are two main types of outcomes: sanction outcomes and non-sanction outcomes. A sanction outcome is a detection and, as described earlier, is achieved when a person is charged or summonsed to attend court, cautioned or issued with a FCN. Examples of non-sanction outcomes include cases in which there is insufficient admissible evidence to bring the case to court or where there is sufficient evidence but it is not in the public interest to proceed.

In 2021, the Garda Síochána established a working group to examine how information about outcomes of investigations are captured. This section looks at the Garda Síochána's new approach to outcomes-based reporting that was developed by the group.

## Outcomes-based Reporting

The working group established to examine outcomes had a number of aims. These included obtaining a better understanding of the reasons why detections (sanction outcomes) were not always achieved and finding a way to report on the different reasons that cases are closed once the investigation was finalised. The Garda Síochána emphasised that outcomes-based reporting is a data capture process and does not change its investigative policies or procedures. Outcomes-based reporting does not examine the reasons why cases in which there was sufficient evidence to bring the offender before a court did not result in a conviction.

Initially, the group identified 14 types of non-sanction outcomes to categorise the reasons why incidents were not detected. Following a pilot study in Galway division, the working group found that the number of categories for non-sanction outcomes needed to be increased to capture all of the possible ways in which an investigation was finalised. They agreed on 32 options consisting of six main categories and a number of sub-categories. The full list of non-sanction outcome categories is:

- > DPP: No Prosecution Directed
  - Sample charges only directed
  - Not in the public interest
  - Suspect died before proceedings could be initiated
  - Suspect too ill
  - Victim, complainant or an essential witness is dead or too ill.
  - Complaint withdrawn by victim – suspect identified

- Child victim – parent/guardian consent to interview not forthcoming
- Child under the age for criminal responsibility<sup>119</sup>
- Insufficient evidence to sustain a prosecution
- > Superintendent: No Prosecution Directed
  - The sub-categories are the same as for the category of DPP: No Prosecution Directed
- > Investigation Not Advanced
  - Victim does not support further action, suspect identified
  - Victim does not support further action, suspect not identified
- > Prosecution Prevented
  - DPP prosecution directed, suspect deceased before charging
  - Superintendent prosecution directed, suspect deceased before charging
  - Prosecution time limit expired
- > Investigation Complete
  - Suspect left jurisdiction, European Arrest Warrant in existence<sup>120</sup>
  - Suspect left jurisdiction, European Arrest Warrant not in existence
  - No suspect identified (superintendent approves)
- > Action Taken by Another Body/ Agency

<sup>119</sup> In Ireland, the general age of criminal responsibility for children is 12. This means that children under 12 cannot be charged with an offence. There is an exception whereby children aged 10 or 11 can be charged with murder, manslaughter, rape or aggravated sexual assault.

<sup>120</sup> The European Arrest Warrant, introduced under Council Framework Decision 2002/584/JHA, is a cross-border surrender procedure used to secure the detention of a person in one Member State for prosecution or the serving of a custodial sentence in another. More information available at: [europa.eu](http://europa.eu).

The Garda Síochána explained that an outcome type must be added to PULSE before a crime incident can be closed. This update process occurs at PAF meetings, with access to the relevant section of PULSE being limited to superintendents, PAF administrators and staff in the Garda Information Services Centre.<sup>121</sup> While the process went live across all divisions in November 2023, the Garda Síochána advised that 2024 data will form the baseline for management information in future years.

#### Recommendation 24

The Inspectorate recommends that the Garda Síochána implement a robust quality assurance process as part of its outcomes-based reporting system.

### Assessment

The Garda Síochána must ensure that every opportunity to proceed with a prosecution for a domestic-motivated crime is taken. This includes in situations when victims feel unable to support police action, for example because of the impact of their trauma, or because they have been coerced by the perpetrator or others acting in support of the perpetrator. To help it to achieve this, the organisation needs a better understanding at the strategic and operational level of how domestic abuse investigations are finalised. The outcomes-based reporting system is a positive development that will enable the Garda Síochána to understand the reasons why cases are not detected. This is particularly important in domestic-motivated crimes. However, the Inspectorate would draw attention to the potential to misclassify outcomes, given the large number of categories of non-sanction outcomes coupled with the number of different decision-makers across 21 garda divisions. As such, a robust quality assurance process is needed to ensure a standardised and consistent application of the system.

### Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

121 The role of garda staff in the Garda Information Services Centre is to record, classify and update incidents on PULSE.

# 5

## *Chapter 5* *Prevention of Domestic Abuse*



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

# Chapter 5 - Prevention of Domestic Abuse

## Introduction

The prevention of domestic abuse is an important tool in how all societies deal with this issue and there is a responsibility on society as a whole to support the prevention of domestic abuse. As referenced in the Istanbul Convention, it requires ‘*far-reaching changes in attitude of the public at large, overcoming gender stereotypes and raising awareness*’.<sup>122</sup> Police services and other support organisations play the important role of delivering this goal.

This chapter reflects the prevention pillar of the Istanbul Convention and elements of the Third National Strategy on Domestic, Sexual and Gender-Based Violence. In so doing, it looks at how the Garda Síochána seeks to prevent domestic abuse through early intervention as part of an education approach, engagement with the media and awareness-raising initiatives. It also considers how offender management can contribute to prevention and examines the role of the Garda Síochána in perpetrator programmes and other intervention methods.

## Education

### Garda Schools Programme

The Garda Síochána has a long history of delivering awareness-raising programmes to school-going children on a range of public safety-related topics such as road safety, crime prevention, online communication and vandalism. More recently, that has included dealing with serious criminal offences such as knife crime. The content of the

programme is tailored by age and delivered by specially trained garda members across the country. Figures provided by the Garda National Community Engagement Bureau to the Department of Justice for the period 1 September 2021 to June 2022 demonstrate the significant reach of the programme. In that period, the programme engaged with 175,310 students across a range of different year groups.<sup>123</sup>

The key objectives of the Garda Schools Programme are to:

- > Give children an understanding of the consequences of criminal behaviour;
- > Reduce the level of offending behaviour through early engagement and intervention; and
- > Increase the wellbeing of children through crime prevention awareness and advice.

The Inspectorate was informed by the Garda Síochána that the programme had been reviewed with the Department of Education. This led to a number of changes to make the programme more reflective of Irish society and extend it to include pre-school children (early years).

Although the Garda Schools Programme is regarded as a key part of the organisation’s community engagement and crime prevention toolkit, it does not include domestic abuse. The Garda Síochána indicated that as part of its review of the

122 Council of Europe, 2011. [Istanbul Convention](#).

123 [Response to Parliamentary Question 5 July 2023](#)

response to violence against women and girls, it had concluded that the Department of Education should take the lead for any input on raising domestic abuse in schools. This is in line with the Third National Strategy, which identifies the Department of Education as having the responsibility for domestic abuse awareness amongst children. There is an opportunity as part of this programme for the Garda Síochána to highlight that children can be victims or perpetrators of domestic abuse.

### Education, Young People and the Third National Strategy

As part of the development of the Third National Strategy, a consultation and analysis process led by the Department of Justice commenced in April 2021. This was undertaken under the four pillars of the Istanbul Convention. This included submissions on the prevention of domestic abuse and specifically on education. The consultation identified a need to educate young people about healthy sexual and intimate partner relationships, the dangers of coercive control, staying safe online and pornography. It concluded that education on healthy relationships needs to start as early as possible and should be led by the Department of Education to ensure all pupils get the same evidence-based, best practice, inclusive curriculum.<sup>124</sup>

The Third National Strategy includes specific education actions for school-going children, those in third level education and for those children who are outside of formal education. The 2024 implementation plan notes that there has been substantive progress in educational and curriculum redevelopment since the publication of the strategy in 2022. It

indicates that in 2024, the school curriculum and corresponding resources at primary level, junior and senior cycle Social, Personal and Health Education and Relationships and Sexuality Education will include age-appropriate content on consent, domestic violence and coercive control.<sup>125</sup> This work is led by the Department of Education and supported by the National Council for Curriculum and Assessment (NCCA). The Garda Síochána is not referenced explicitly as being responsible for the delivery of these actions and the Garda Schools Programme is not referred to in the implementation plan. However, the Inspectorate was informed during the course of this inspection that individual garda members have attended schools and delivered presentations and information in relation to domestic abuse.

Although not directly referred to in the Third National Strategy, the Inspectorate was informed that the Garda Síochána has engaged with the Department of Education on curriculum development. However, at the time of the inspection there were no discussions on developing modules on domestic abuse.

### Garda Involvement in Local Education Initiatives

At a local level, the Garda Síochána has been involved in the development and delivery of domestic abuse awareness-raising programmes. This involvement was often at the invitation of local bodies or agencies that were running their own campaigns. The Inspectorate found a good example of this in Sligo Leitrim division where local garda members have been working alongside partner agencies to try to address the impacts of domestic abuse and coercive

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124 Department of Justice, 2022. [Appendix 4 - Summary Consultation Findings from the 2021 Consultation Process](#).

125 Department of Justice, 2024. [The Third National Strategy on Domestic, Sexual and Gender-Based Violence: 2024 Implementation Plan](#).

control on children and young people in the area. Garda members had worked with the local Children and Young People's Services Committee (CYPSC)<sup>126</sup>, the Sligo Leitrim and West Cavan Domestic Violence Advocacy Service and Tusla on a report that documents the work carried out by CYPSC's Domestic Violence Working Group and presents recommendations arising from that work.<sup>127</sup> In addition to being a core community engagement activity, the report is part of a collaborative, community programme to raise awareness and educate young people about domestic violence and coercive control.

The Inspectorate was informed that the Sligo Leitrim CYPSC had rolled out the Healthy vs. Unhealthy Relationships programme to every first year class in the Sligo Leitrim area. Under this programme, each class received six information sessions that included material on domestic abuse and coercive control. Typically, the recipients of the programme were about 12 years old and, in most cases, it was indicated that they are more likely to have experienced issues in the home rather than as part of an intimate relationship. It was the view of CYPSC that there is a role for community gardaí to become involved in this initiative and that there is scope for the programme to be expanded.

The TLC Kidz project is a community co-ordinated response for children and mothers in recovery from domestic violence and abuse.<sup>128</sup> The project seeks to create a common vision and shared responsibility among services in supporting the recovery of children who have experienced domestic abuse. The project has been delivered on an

inter-agency basis in North Tipperary since 2005 and more recently in South Tipperary, Waterford and Carlow.

A key element of the project is to provide a co-ordinated inter-agency response, to upskill professionals and to support children in their recovery. This response includes the involvement of the Garda Síochána. A key part of the governance structure of this programme is the steering group, which consists of community partners involved in the organisation and delivery of the programme. This group supports a co-ordinator in their duties, promotes the programme among agencies, encourages shared ownership in addressing domestic abuse, provides referrals and ensures the release of staff to deliver the programme. The Garda Síochána is currently represented by a community garda member on a steering group in one of the divisions visited. The Inspectorate was informed of the positive engagement by the member who is regarded as an *"excellent role model"*. Independent evaluation of the programme in 2018 found that it had resulted in a number of positive outcomes for children, the community and the organisations involved. The evaluation also found that the inter-agency approach led to a number of positive outcomes including a cultural shift in the approach of the organisations involved and enhanced referral plans.

## Assessment

It is clear from the Inspectorate's engagement with the Garda Síochána at national and local levels that education is a key part of its prevention strategy. Through its schools

126 Children and Young People's Services Committees are responsible for securing better outcomes for children and young people in their area through more effective integration of existing services and interventions. More information available at: [cypsc.ie](http://cypsc.ie)

127 Children and Young People's Services Committees Sligo Leitrim n.d. [Lens on Domestic Violence: The Sligo Leitrim response to children and young people.](#)

128 Available at: [barnardos.ie](http://barnardos.ie)

programme, the Garda Síochána has the potential to reach many thousands of children across the country annually and is in a position to highlight to children and young people the criminal consequences of domestic abuse including child-to-parent violence and other sexual and gender-based crimes. However, the absence of domestic abuse from the Garda Schools Programme and the fact that this topic was not included in a review of the programme with the Department of Education represents a missed opportunity. Furthermore, the absence of agreed key messages and lack of a lesson plan for garda members delivering domestic abuse programmes mean that messaging may be inconsistent or inappropriate.

The Inspectorate considers that the Department of Education should work with the NCCA, Cuan and the Garda Síochána to add domestic abuse to the Garda Schools Programme. This would ensure that the programme includes a focus on domestic abuse in an age- and stage-appropriate way and complements work underway in the formal education curriculum and as part of the Third National Strategy. This approach should ensure that the Garda Síochána's engagement is informed by educational experts and operates within the agreed curriculum. This will help to develop and deliver a consistent service to children in schools nationwide.

The Garda Síochána should continue to collaborate with other organisations on domestic abuse education and awareness programmes outside of the formal education curriculum. To ensure consistency of garda messaging, input to these activities should be guided by the same principles as contained within the formal education programme and mirror its content.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 25

The Inspectorate recommends that the Department of Education work with the National Council for Curriculum Assessment, Cuan and the Garda Síochána to add domestic abuse to the Garda Schools Programme in an age- and stage-appropriate way.

## Media and Awareness-Raising

Comprehensive public awareness campaigns are key to preventing domestic abuse. Such campaigns play an important role in educating the public, challenging society to confront the issue of domestic abuse, and creating a supportive environment for victims. They are also designed to speak to perpetrators with a view to deterring them from committing such acts. The Third National Strategy recognises the importance of awareness-raising campaigns and the published implementation plans set out various commitments to develop comprehensive public campaigns. A key aim of such campaigns is to ensure that myths and misinformation around domestic abuse and other types of abuse included under the strategy are challenged. Another key aim is to increase victim confidence in the Garda Síochána and other state agencies. The strategy also commits to supporting existing campaigns which will continue to play a central role in reducing domestic abuse. The Garda Síochána plays a full and active role in these campaigns.

## Multi- agency Campaigns Involving the Garda Síochána

The Garda Síochána's involvement in multi-agency campaigns is an important part of its approach to prevention. These campaigns aim to educate the public, raise awareness about the signs and consequences of domestic abuse, and encourage individuals to report incidents and seek assistance. At the national level, the Inspectorate was informed that a key part of the work of the Garda National Protective Services Bureau (GNPSB) is raising awareness. Locally, garda members attend community events highlighting domestic abuse. The Garda Síochána is very visible in its support of high-profile campaigns such as 16 Days of Activism, White Ribbon Day, Go Purple Day and the Safe Pharmacy initiative.

## 16 Days of Activism

The 16 Days of Activism is an international campaign which is a collaborative endeavour involving governmental bodies, non-profit organisations, advocacy groups and communities across Ireland. It is a key public awareness campaign in respect of domestic abuse in Ireland and its primary objective is to raise public awareness about the prevalence, impact and consequences of gender-based violence. It is observed annually from 25 November (International Day for the Elimination of Violence against Women) to 10 December (International Human Rights Day).

The Garda Síochána is to the fore in supporting this campaign. As part of the 2023 campaign, the Garda Síochána was proactive in highlighting the issue of domestic abuse across its social media channels. An example of a garda social media post is shown in Figure 5.1.

Figure 5.1 Garda Social Media Post on 16 Days of Activism



Source: Garda Síochána website

As part of the 16 Days of Activism, the GNPSB hosted a press conference on 7 December 2023. This provided an update on what the Garda Síochána was doing to tackle domestic abuse, coercive control, human trafficking and female genital mutilation. During the press conference, the Garda Síochána outlined that it had received over 54,000 domestic abuse reports up to 7 December 2023, an increase of 8% on 2022. It also highlighted the introduction of its new Risk Evaluation Tool. As part of this campaign, the GNPSB featured prominently on national television and radio channels highlighting the issue of domestic abuse.

Garda messaging was translated into 14 different languages and an information video by the GNPSB encouraging victims to report domestic abuse at their local garda stations included sign language interpretation. The Inspectorate was informed by some organisations that some campaigns do not feature minority groups and as a result, this may lead to a lack of awareness of the supports available in such communities.

## White Ribbon Day

White Ribbon Day is part of the broader international White Ribbon Campaign run by White Ribbon Ireland. It is an integral part of the global movement dedicated to ending violence against women and promoting gender equality. A key objective of the campaign is to engage men and boys as allies and advocates in the movement to end violence against women, recognising their role as part of the solution. Observed annually on 25 November, this initiative mobilises men and boys across the country to take a stand against all forms of violence and abuse directed at women. The campaign is supported by government departments and agencies including the Department of Justice, the Garda Síochána, non-profit organisations

including the Men's Development Network, community groups and individuals. As part of the campaign, Men's Development Network has developed a White Ribbon pledge that has been supported by the Garda Commissioner and the Minister for Justice.

The importance and use of public awareness-raising campaigns as a prevention tool was also highlighted to the Inspectorate during its engagement with divisions. In the divisions inspected, it was confirmed that engagement and awareness-raising is a key strand of how the Garda Síochána contributes to preventing domestic abuse. The Inspectorate found through interviews with support services and other bodies that there were a number of community initiatives that included very positive engagement with the Garda Síochána. These included:

- > Lens on Domestic Violence training in Sligo Leitrim;
- > Vulnerable Persons Group in Thurles;
- > A pilot of an app showing available spaces in local refuges;
- > Awareness-raising programmes directed at younger people; and
- > Events such as Go Purple Day and local coffee mornings.

This engagement is very positive and demonstrates a willingness in the Garda Síochána to be visible in the community and to support awareness-raising initiatives.

## Go Purple Day

Go Purple Day was first organised in 2020 by a community garda to help strengthen local partnerships between domestic abuse services and the Garda Síochána. It is now a national day of awareness about domestic

abuse, which is co-ordinated by the GNPSB to ensure consistency and support. The campaign is supported by domestic abuse services at both a national and local level and is promoted across all garda social media channels. At a divisional level, initiatives and events are organised. These typically involve the Garda Síochána engaging with local support organisations. Go Purple Day is a very positive example of partnership working, as well as how a local policing initiative can be developed and implemented nationally. A social media post promoting Go Purple Day is shown in Figure 5.2.

**Figure 5.2 Garda Social Media Post Promoting Go Purple Day 2024**



Source: Garda Síochána

## Safe Pharmacy

Safe Pharmacy was launched in July 2022 and by September 2023 had 1,087 participating pharmacies located nationwide. Figure 5.3 shows the number of Safe Pharmacies in each county.

**Figure 5.3 Safe Pharmacy Logo and Number of Participating Pharmacies (July 2023)**



Source: Irish Pharmacy Union Website

The pharmacies provide any person who is experiencing domestic abuse with a safe and secure location to seek support. They provide access to a phone in a private consultation room and contact details for local support services. This allows victims to contact the Garda Síochána and other support services if they wish. This service has been developed through cross-sectoral working between pharmacies, the Garda Síochána, Safe Ireland and the Health Service Executive. Training is provided to staff in all participating pharmacies and each pharmacy has a domestic abuse champion. At the time of this inspection, the Garda Síochána did not have data in relation to the number of calls it receives through this initiative.

## Assessment

Public awareness campaigns play a key role in preventing domestic abuse by highlighting its impact and promoting that help and support are available. The Garda Síochána is very active in terms of engaging with partner agencies on such campaigns and shows a clear willingness to support, often at a multi-agency level, the promotion of such initiatives.

While the Inspectorate fully supports the role played by the Garda Síochána in these campaigns, it considers that the organisation should be more proactive in developing its own awareness-raising plan that highlights its role in relation to domestic abuse. This should complement other multi-agency campaigns and actions in the Third National Strategy and be developed in collaboration with relevant partner organisations. As demonstrated by Go Purple Day, the Garda Síochána has the ability to take the lead on developing and delivering such campaigns.

It is important that national-level garda campaigns or press conferences are adapted for local communities and delivered locally. For example, while the GNPSB press conference during 16 Days of Activism provided an invaluable opportunity for the Garda Síochána to publicise what it can offer victims and to highlight areas of concern about domestic abuse, this could have been augmented by tailored messaging at divisional level. Nonetheless, the use of messaging in different languages, including sign language, by the Garda Síochána is positive and helps to ensure that key messages reach as wide an audience as possible.

To ensure that the Garda Síochána fully

realises the potential from public awareness campaigns, the Inspectorate believes that these should be regularly evaluated to assess their impact. The findings of the evaluations should be used to further develop the Garda Síochána's awareness-raising initiatives and inform its policing plans for domestic abuse. Currently, opportunities are being lost in relation to the needs, trends and effective interventions working on the ground, including innovative initiatives such as Safe Pharmacy. From a policing perspective, this initiative could be further enhanced through analysis of the volume and types of calls received. Given the proliferation of pharmacies across the whole country, there is an opportunity to analyse data for each county to build a more detailed picture of the prevalence of domestic abuse in communities, which can help to better inform policing responses at a local level.

While Go Purple Day is an example of how a front-line policing initiative can be supported and developed into a national annual awareness campaign, there was no structured mechanism within the Garda Síochána to share good practice or learnings from engagements with local communities, support services or groups. This is something the Inspectorate also found in its inspection into transnational organised crime and can mean that good practice may be limited to local areas and opportunities missed to introduce similar good practice, including service improvements, across the country. To address this, the Inspectorate recommended that the Garda Síochána develop an evaluation and implementation framework to assess and incorporate learning from organisational initiatives and community-based interventions.<sup>129</sup>

<sup>129</sup> Garda Inspectorate, 2024. [Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána](#), Recommendation 6.7.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 26

The Inspectorate recommends that the Garda Síochána continue to develop and implement a tailored domestic abuse awareness-raising and communications plan to increase awareness of domestic abuse across all communities. The plan should:

- > Highlight the role of the Garda Síochána in relation to domestic abuse;
- > Complement actions under the Third National Strategy on Domestic, Sexual and Gender-Based Violence; and
- > Be evaluated to ensure that it is achieving its objectives.

## Offender Management

Offender management aims to hold perpetrators to account and reduce their offending behaviour. It applies tactics including enforcing the law and pursuing criminal justice outcomes as well as referrals to programmes aimed at changing behaviours or overcoming substance abuse, which may be linked to offending. This section considers how the Garda Síochána manages domestic abuse offenders as part of a multi-agency approach and as a single agency.

Article 16 of the Istanbul Convention requires parties to the Convention to ‘*establish preventive intervention and treatment programmes directed at perpetrators of domestic violence*’. It states that these programmes should be designed to encourage offenders to take responsibility for their actions with the ultimate aim of preventing reoffending. In line with the Convention, the implementation plan for the Third National Strategy includes a focus on perpetrator programmes with an action to develop and resource a National Perpetrator Prevention programme for convicted and non-convicted perpetrators of domestic and sexual violence offences. This section looks at perpetrator programmes as part of offender management and the role of the Garda Síochána in these.

### Multi-agency Offender Management in Ireland

In Ireland, the Offender Management Strategy and Governance Group oversees the national approach to offender management. This high-level group includes senior representatives from the Department of Justice, Garda Síochána, Probation Service and Irish Prison Service. The aims of the *Action Plan for the Joint Management of Offenders 2019–2021* included to develop enhanced arrangements for the assessment and management of perpetrators of domestic abuse and to continue to develop domestic abuse perpetrator programmes to address the behaviour of such offenders and better support their victims.<sup>130</sup> While there is no follow-up report or more recent plan, the *Criminal Justice Sectoral Strategy 2022–2024* also contains a commitment to strengthen and enhance its multi-agency approach to engaging with offenders in order to reduce their reoffending and to improve

outcomes.<sup>131</sup> In addition, actions under the Third National Strategy include establishing a working group to develop a mechanism to oversee the multi-agency management of intimate partner violence offenders and agree a work plan for the development of a National Perpetrator Programme.

At the time of this inspection, there were two pillars within the offender management programme, the Joint Agency Response to Crime (JARC) and the Sex Offender Risk Assessment and Management framework (SORAM). During meetings with members of the high-level group, the Inspectorate was advised that it planned to introduce a new pillar for domestic abuse offenders, as well as one for offenders involved in complex cases. The group indicated that it planned to use best practice from JARC, SORAM and international practice to develop these new pillars.

### Sex Offender Risk Assessment and Management

SORAM is a joint approach by the Garda Síochána and the Probation Service to manage the risk posed by convicted sex offenders who are under the supervision of the Probation Service to victims and the wider community. The Sex Offenders (Amendment) Act 2023 placed SORAM on a statutory footing. It also enhanced the powers available to the Garda Síochána to manage sex offenders and keep people safe, including giving it the ability to disclose details of the offender where it is considered that there is a significant threat to public safety.

At the strategic level, SORAM is overseen by the Offender Management Strategy and Governance Group. This is supported by the National SORAM Steering Group, which

comprises representatives from the Garda Síochána, Probation Service, Tusla, Health Service Executive, Irish Prison Service and Local Authority Housing.

At the local level, SORAM teams consist of representatives from the Garda Síochána, Probation Service, Tusla and Local Authority Housing. These teams are supported by the national SORAM office, which has co-located staff from the Garda Síochána, Tusla and the Probation Service.

Locally, teams conduct a risk assessment for each sex offender and draw up a plan to manage the risk. The plan includes joint visits by the Garda Síochána and Probation Service. If a child protection issue arises, a referral is made to Tusla in accordance with *Children First: National Guidance for the Protection and Welfare of Children*. It is possible that offences committed by sex offenders are classified as having a domestic motivation and, as such, some domestic abuse perpetrators may be managed through SORAM.

### Joint Agency Response to Crime

JARC is a strategic offender management initiative involving the Garda Síochána, Probation Service and Irish Prison Service, with the active support and engagement of the Department of Justice. The key objectives of JARC are to:

- > Develop and strengthen a multi-agency approach to the management of prolific offenders;
- > Prioritise such offenders for targeted interventions and supports to address their behaviour; and
- > Reduce crime and victimisation in local communities.

131 Department of Justice et al., 2022. [Criminal Justice Sectoral Strategy 2022–2024](#).

Under JARC, offenders causing the most harm are identified and selected as clients under one of several offender management programmes. Each programme is delivered on the ground by an operational team of front-line gardaí, probation officers and prison officers who work closely with each client to address the factors behind their offending and to direct them away from criminality. JARC offers its clients tailored supports and practical help with addiction, education, training or other needs. Clients are closely monitored by the relevant agencies and any offending activity or other negative behaviour such as associating with other known offenders is quickly detected and dealt with. This is also the case with offenders who are identified as potential clients but who choose not to engage with JARC.

In 2018, independent evaluations were completed on each of three pilot JARC programmes. These evaluations found that while it was difficult to draw definitive conclusions given the relatively small numbers of clients (about 120 in total) and the limited measurement timeframe (18 months approximately), all the indications were that the pilot programmes had helped to reduce both the frequency and severity of reoffending among their client groups and had helped many clients to move away from criminality altogether. A further independent review of the JARC programme commenced in 2022. The Garda Síochána advised that the company engaged to conduct the review was examining the offender management model in Ireland with a view to updating the approach. This work has focused on offenders who are classed as having a high impact on the community.

The Garda Síochána advised that while the initial focus of JARC was on acquisitive

crime, the programme can be adapted for use in other areas including domestic abuse. Information provided by the Garda Síochána showed that of the 141 clients participating in JARC at 31 December 2023, 33 had been involved in at least one domestic-motivated crime. However, it was not clear if this was the primary reason for their referral to the scheme or if they were involved in any specific domestic abuse-related programmes.

Despite the operation of SORAM and JARC, there was a recognition by all bodies involved in offender management that a gap exists in relation to managing the most harmful domestic abuse offenders. It was also clear to the Inspectorate that the Garda Síochána did not have a structured process to identify all of the most harmful or prolific domestic abuse offenders for intervention either as a single agency or as part of a multi-agency approach. The Garda Síochána was running Operation Devise in relation to offenders connected with a domestic homicide and had expanded it to include coercive control. The operation is aimed at identifying and where necessary taking action to protect the offender's new partner. More information about Operation Devise is contained in Chapter 6.

### Strategic Approach to Offender Recidivism

The Garda Síochána has developed a framework for delivering a consistent approach to the management of prolific and recidivist offenders. Known as the Strategic Approach to Offender Recidivism (SAOR), it is a case management approach to holistically manage individual offender's court cases, charges, bail conditions, inter-agency liaison and to communicate how the offender is managed within the organisation.

The procedures for SAOR state that chief superintendents nominate offenders to be case managed, but no criteria to assist the identification of offenders are included. A case manager (CM) is then assigned to each offender and an alert is placed on PULSE requesting that other garda members who interact with the person notify the CM accordingly. The CM is expected to attend all court appearances, advise on bail conditions and endeavour to have all cases remanded to a single date. The CM is empowered to engage with external bodies such as the Probation Service, Courts Service, Prison Service and Health Service Executive in relation to a person who is being case managed. There is no requirement on the CM to engage with victim support services or victims directly.

The CM creates a case management action plan and maintains a folder that includes details of the offender and the plan. This includes information on the person's offending behaviour and any bail conditions; an assessment of the impact of this on the community; risk factors associated with the person; and their involvement with external support organisations. There is a defined process in place to monitor and oversee the creation and implementation of each individual plan. While the SAOR framework provides a structure within which repeat offenders can be managed, the Garda Síochána was unable to provide reliable data on the number of domestic abuse offenders who were being managed using this process.

During engagement with garda members from four divisions, the Inspectorate found that levels of awareness and application of the SAOR framework varied. In some places, the Inspectorate was informed that the case management system did not operate but that repeat offenders would be flagged

for attention as part of the Performance Accountability Framework (PAF) process. In one division, the Inspectorate was told that where multiple domestic abuse incidents were identified a CM would be appointed, as well as hearing that case management would not be used in these circumstances. This is reflective of what the Inspectorate found across the four divisions visited.

It is mandatory that the Superintendent Considerations section on PULSE is completed in relation to all incidents of domestic abuse and that a record is kept of assessments, directions or notifications given. This was cited as a means of keeping track of prolific or high-harm offenders. As reported in Chapter 2, the Superintendent Considerations usually consisted of generic actions, with the Inspectorate being told that other action may be directed during the PAF meetings but not recorded on PULSE. Relevant disruption tactics identified by the Garda Síochána were its pro-arrest policy in respect of domestic-motivated crimes and applying for and monitoring bail conditions. The Inspectorate found that overall, the pro-arrest policy was adhered to, but opportunities to use bail as a proactive disruption tactic were underutilised. The Garda Síochána did not outline any other measures it would take with a view to interrupting or disrupting the most harmful or prolific domestic abuse offenders, including in relation to offenders who may be involved in other types of criminal activity. The SAOR framework did not set out intervention tactics to prevent recidivism.

## **International Practice**

In Australia, Victoria Police has developed a list of tactical options that can be applied to manage the risk posed by domestic abuse perpetrators. These include legal

options such as arrest, charge and remand, checking compliance with court orders and bail conditions, as well as proactive prevention strategies such as ensuring they understand the terms of court orders, follow-ups with family members in relation to the perpetrator's wellbeing and referrals to specialist support services. Investigating members select the most appropriate options from the list and compile a concise management plan that is available to all front-line officers who may have dealings with the perpetrator.

Victoria Police is part of a highly developed multi-agency structure designed to tackle domestic abuse including through perpetrator interventions and offender management. Under the Victoria model, local agencies and organisations meet formally to deal with high-harm domestic abuse offenders and manage the safety of victims. The meeting, known as a Risk Assessment and Management Panel (RAMP), is co-chaired by a representative from a specialist family violence service and Victoria Police. It is attended by representatives from Corrections Victoria, the Department of Families, Fairness and Housing, alcohol and drugs services, child protection and mental health organisations. Cases are selected for RAMP if, based on a multi-agency risk assessment, the perpetrator is assessed as presenting a serious and imminent threat to the victim.

The RAMP is a standing panel that meets monthly and decisions are made in advance as to what organisations should attend. The RAMP is tasked with looking at a case in the round and deciding what contributions can be made by each organisation to prevent further offending and keep the victim safe.

This can include policing interventions but may also involve mental health or family supports. The victim is represented on the panel by a support agency which can share information with the panel to best represent the needs of the victim. This does not require the consent of a perpetrator. The mechanism for sharing relevant information to enable the work of the RAMP is explained in Chapter 7.

In the UK, police services and other bodies have the ability to look at non-statutory options to prevent domestic abuse. These include police collaborating with other agencies on initiatives such as the Multi-agency Tasking and Co-ordination (MATAC) process. The key aims of the initiative are to prevent further domestic abuse related offending, improve victim safety, change offender behaviour and improve partnership engagement.<sup>132</sup> Agencies who may be involved include housing and probation services, addiction services and victim support organisations, although this can vary according to who is already involved with the perpetrator. Police and partner agencies can nominate individuals for the MATAC process and once included in it, perpetrators are subject to an agreed range of interventions such as the provision of support or the application of disruption or enforcement tactics. Perpetrators who are included in the MATAC process are informed that they have been identified as causing harm to victims and that the police will do all in their power to disrupt and deter them. Progress is monitored at regular meetings of the partners, usually chaired by the police representative. MATAC is not based in statute so information is shared under an information sharing agreement. An evaluation of the impact of MATAC in the North Yorkshire area showed a reduction in

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132 College of Policing, 2024. [Multi-agency tasking and coordination \(MATAC\) to reduce domestic abuse offending](#).

offending by those included in the process, although it could not be determined if MATAC was the only factor affecting the perpetrators' behaviour.

Recent UK research undertaken by the Policing Research Partnership at the University of Liverpool looked at the management of serious domestic abuse perpetrators, known as High Harm High Frequency offenders (HHHF).<sup>133</sup> The research found that HHHF commit multiple domestic abuse offences, as well as other acts of violence over long periods of time against the same and different victims. It identified that a high proportion of HHHF offending relates to public disorder, drug abuse and mental health issues. Although domestic abuse accounts for a small proportion of their overall pattern of offending, it is usually serious, for example rape and serious violence, and can have devastating effects on victims and their families. The research found that police strategies for managing HHHF should include disruption and incapacitation of the top 50 HHHF in each police service area to reduce all crime including domestic abuse and that the mixed profile of offending by this cohort should be recognised as the opportunity for disruption.

## Assessment

The importance of offender management strategies as a mechanism to prevent domestic abuse from occurring cannot be overstated. The Istanbul Convention and the Third National Strategy both recognise their importance not only in dealing with perpetrators of domestic abuse but as a key tool to ensure that victims are protected. The extent and type of interventions to manage

a domestic abuse offender will depend on the nature and frequency of their offending, including whether they are a high-harm or prolific offender.

The absence of a mechanism to identify all such offenders is a significant weakness that means that the Garda Síochána does not know how many and where these offenders are and the risks they pose. This hampers the ability of the Garda Síochána and other partners to interrupt or disrupt offending behaviour. To address this, the Garda Síochána needs to devise a process to identify those offenders who pose the greatest risk of domestic abuse. It should create a menu of tactical options that can be applied to all domestic abuse offenders, including the most harmful. This should include tactics that can be operated as a single agency, as well as those that operate in partnership and should include options such as SAOR, JARC and referral to the domestic abuse offender management pillar once it is established. It should also include perpetrator programmes, which are described in the following section.

It was apparent through meetings with garda members that there was no cohesive or consistent disruption policy in place. The SAOR framework sets out in detail how the Garda Síochána should case manage repeat offenders. However, this is primarily an internal process and does not involve joint working with other state agencies or domestic violence organisations. Considering that this is an internal garda process, the Inspectorate was concerned that it was not widely referenced by garda members. While some elements of good practice were found, the application of SAOR to domestic abuse offenders appeared to be ad hoc at best. In addition, while international police services

<sup>133</sup> The research defined HHHF as people who have offended more than once against two or more current or former intimate partners or family members. University of Liverpool, n.d. [HIGH HARM HIGH FREQUENCY. Police Strategies for Managing Serious Domestic Abuse Perpetrators.](#)

and research highlight the role disruption policies play in preventing domestic abuse, the Inspectorate considers that the garda approach is too narrow.

Through the JARC and SORAM programmes, the Garda Síochána has demonstrated that it can work in partnership and both programmes demonstrate the benefits of this type of approach. However, when compared with international practice the garda approach to managing domestic abuse offenders is less developed, structured and comprehensive. In addition, there was no formal system of multi-agency working in relation to high-harm or prolific domestic abuse perpetrators.

The Inspectorate is concerned about the delay in developing a strategy and framework for domestic abuse offender management and recommends that this is addressed as a matter of urgency. The recognition by all bodies involved that a gap exists should create an impetus to develop the necessary structures drawing on best practice from SORAM and JARC, as well as international examples such as MATAAC and RAMP. While the Offender Management Strategy and Governance Group is working to introduce a domestic abuse pillar, the Inspectorate considers that Cuan should play a role in taking this work forward.

## Perpetrator Programmes as an Offender Management Tactic

### Istanbul Convention

In requiring state parties to establish preventive, intervention and treatment programmes directed at perpetrators of domestic violence, the Istanbul Convention emphasises that close co-operation with the state system including police services, the courts, probation services and child protection or welfare services is essential.

The Convention also states that preventive programmes should seek to closely co-operate with specialist women's support services where possible. This point was emphasised by the Council of Europe, which stated that any such programme must have as its primary concern the human rights of the victim. It pointed out that a perpetrator's participation in a programme can influence the victim's decisions to stay in the relationship, which could lead to further abuse and harm to the victim.

## Third National Strategy on Domestic, Sexual and Gender-Based Violence

In line with the Istanbul Convention, the Third National Strategy contains a commitment to develop and resource a National Perpetrator Programme for convicted and non-convicted perpetrators of domestic and sexual violence offences. It also commits to developing integrated safety support structures for partners and children, which reflects the position of the Council of Europe. There is no reference to the Garda Síochána having a role in the implementation of this action even though the Council of Europe advocates for the inclusion of police services in the delivery of such programmes. Indeed, the Third National Strategy includes an action to develop more collaborative working and to build a shared understanding around the roles of different services in relation to domestic abuse. This is designed to ensure that any gaps in response to service users are closed and specifically mentions evidence-based perpetrator programmes. This is another action that is expected to be delivered in the medium term and which is also led by the Department of Justice, Cuan, Tusla and the Probation Service with support from other front-line services. At the time of inspection, there was no update available in relation to progress towards implementing these actions.

## Perpetrator Programmes – The Probation Service and Other Service Providers

The Probation Service is the key agency through which perpetrator programmes are provided for domestic abuse offenders, as well as for other crime types. Its involvement occurs where there has been a conviction and the judge requests that it compiles a pre-sanction assessment report to inform sentencing. The Probation Service conducts an initial assessment using its own assessment tool in order to establish the nature of the offence and to gauge whether the service can successfully intervene with the perpetrator to reduce the risk of reoffending.

Although the Probation Service said that it was unable to easily identify its domestic abuse clients, it estimated that across its operational areas it was dealing with approximately 350 perpetrators of intimate partner violence. This related to a variety of offences with the top three identified as:

- > Breach of safety / barring orders (46%);
- > Assault causing harm (42%); and
- > Criminal damage (12%).

Offenders were predominantly male (92%) and had committed offences against their female partners.

In relation to domestic abuse, the Probation Service delivers a perpetrator programme called CHOICES through two non-governmental organisations, namely MOVE Ireland and MEND. It has also committed to develop and make available a one-to-one rehabilitation programme for men convicted of intimate partner violence who are not

suitable for the CHOICES programme or who are unable to secure a place due to capacity limits.

CHOICES provides the opportunity for perpetrators to learn about the impact of their behaviour on their partner and family. It has been approved by the Department of Justice and includes an integrated victim support component to safeguard the partners of men participating on the programme. There were 18 domestic abuse perpetrator programmes running across the country at the time of this inspection, although there were some geographical gaps where the programme could not be accessed.

The programme lasts approximately 32 weeks and consists of one-to-one sessions and classes that have a minimum of seven to eight people. The programmes operate on a rolling basis which means that people can only be accepted on to the programmes at certain times of the year and as a result, there can be lengthy waiting times. Participants must continue to make progress in order to remain on the programme; they are subject to a risk assessment after each module and must pass a mid-programme evaluation. The components of the programme are shown in Figure 5.4.

**Figure 5.4 Components of the CHOICES Programme**

Source: The Probation Service

While the Probation Service most often deals with court-mandated attendees, perpetrators may self-refer on to the programme. The Inspectorate was also advised that it was possible for the Garda Síochána to make perpetrators aware of the availability of the programme and to refer them with their consent.

The Inspectorate found that there was little knowledge or awareness of the CHOICES programme among garda members and there was a reported lack of referrals by the Garda Síochána to MOVE Ireland and MEND. During the course of the inspection, it was indicated by the Garda Síochána that there is no legal basis for the gardaí to refer people to perpetrator programmes. However, the Inspectorate is not aware of any legal measure that precludes such referrals.

Where the offender has reached prosecution there is a clear pathway for referral by the judge to the Probation Service. However, in instances where no criminal offence has been identified or the victim decides not to pursue a criminal justice outcome, there is a gap. The Inspectorate was informed that a perpetrator referral stream from the Garda Síochána may be a valuable tactic and an opportunity for early intervention with the perpetrator. The Probation Service also noted that the Garda Síochána is one of the state agencies that can encourage perpetrators to self-refer to this programme but it was noted that in practice this does not happen. The possibility of developing a garda referral stream had been raised by one non-governmental organisation with the GNPSB. While the Garda Síochána did not dismiss the idea, nothing had come of it during the timeline of this inspection.

## International Practice

In England and Wales, the Drive Project was piloted between 2016 and 2019 with the aim of reducing the number of child and adult victims of domestic abuse by deterring perpetrator behaviour. The project implements a whole-system approach using intensive case management and one-to-one interventions alongside a co-ordinated multi-agency response. It operates over a ten-month period. Working closely with victim services, police, probation, children's social services, housing, substance misuse and mental health teams, case managers work to disrupt the behaviour of perpetrators, support them to change and to address their needs, or do a combination of both. Some of this work, such as behaviour change interventions, is delivered directly in contact with perpetrators. In other cases, where attempts to make contact have failed, the work goes ahead without direct engagement with the perpetrator. Indirect work includes information gathering and sharing, and multi-agency working with the aim of managing risk and disrupting opportunities for abuse to occur.

An evaluation of the pilot examined perpetrator behaviour in the 12 months after they completed Drive. Key findings included that the number of incidents of domestic violence and abuse behaviour by Drive service users had reduced substantially. For example:

- > Physical abuse reduced by 82%;
- > Sexual abuse reduced by 88%;
- > Harassment and stalking behaviours reduced by 75%; and
- > Jealous and controlling behaviours reduced by 73%.

The evaluation also found that the involvement of statutory agencies including police and probation services was key in engaging service users.

## Assessment

Although the Garda Síochána does seek to prevent domestic abuse from occurring, the Inspectorate was concerned that there was little awareness among garda members of the programmes offered by MOVE Ireland and MEND to male perpetrators of domestic abuse. It was also concerned that there had not been engagement on, or full consideration given to, how the Garda Síochána can best leverage these services to potentially reduce instances of domestic abuse and to support victims.

The support for perpetrator programmes in Ireland as evidenced by the Third National Strategy is welcome. However, the Inspectorate considers it important that perpetrator programmes are not limited to those directed to attend as part of a court-mandated process. It also considers that perpetrator programmes should form part of a multi-agency response to domestic abuse offenders and this type of approach should be considered in the context of the development of the National Perpetrator Programme under the 2024 Implementation Plan for the Third National Strategy. In that regard the Garda Síochána should not be peripheral to these programmes. It has an important role in making perpetrators aware of their existence and referring potential attendees to them outside of the court-mandated process. Given the key role the Garda Síochána plays in relation to domestic abuse, it is important that the organisation has sufficient capacity and resourcing to operate effective domestic abuse offender management. This is what the Istanbul Convention envisaged.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 27

The Inspectorate recommends that the Garda Síochána develop and introduce a process to manage domestic abuse offenders.

This should include:

- > A definition of what constitutes a high-harm or prolific offender;
- > A method to assess the risk posed by each domestic abuse offender;
- > A menu of tactical options that can be applied to offenders;
- > Assignment of responsibility for the management of high-harm or prolific offenders; and
- > The development of direct referrals by the Garda Síochána to perpetrator programmes.

### Recommendation 28

The Inspectorate recommends that the Department of Justice work with all partners including Cuan to introduce a multi-agency approach to offender management that is not only at the post-conviction stage.

# 6

## *Chapter 6*

### *Protecting Victims of Domestic Abuse*



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

# Chapter 6 - Protecting Victims of Domestic Abuse

## Introduction

The chapter looks at the role of the Garda Síochána in protecting victims of domestic abuse at the time of the inspection and what steps can be taken in the future to ensure that victims receive appropriate protection.

To protect victims, the Garda Síochána needs to understand the level of risk of harm posed to them and then identify what steps it can take to mitigate these risks. The chapter describes how risk is assessed and explains some of the tactics available to garda members to help mitigate risk. It describes the multi-agency approach to risk assessment and management in place in other jurisdictions. The chapter then examines the system of domestic violence orders and how this operates in Ireland. It also considers the international practice of domestic violence disclosure schemes.

## Assessing the Risk to Victims of Domestic Abuse

To understand the level of risk posed by the perpetrator to the victim, the Garda Síochána has introduced a three-tier risk identification and assessment process. This involves information being gathered at the point of first contact, during the initial garda response and then considered at a more senior level.

### Tier 1 – Regional Control Centre or Call for Service

As described in Chapter 1, the first tier of the risk assessment process occurs when a call for service is received. It is worth

re-emphasising the importance of this initial contact in terms of identifying and assessing any risk to a victim. This is the first opportunity for the Garda Síochána to take steps to protect the victim. It is therefore important that information gaps do not arise at this stage and risks are properly identified and assessed.

### Tier 2 – Domestic Abuse Risk Evaluation Tool

The Garda Síochána's Domestic Abuse Risk Evaluation Tool (RET) is used '*to aid a decision-making process through which members of Garda Síochána determine the best course of action by estimating, identifying, qualifying or quantifying risk*'. It was developed by the organisation taking account of the expertise of a domestic abuse service with experience of UK domestic homicide reviews. The RET was introduced on a phased basis during the course of this inspection. Guidance states that the RET '*will be utilised by all members when responding to or engaging with a victim of domestic abuse to ensure their protection and safety*'. Members must consider utilising the RET but completion is not mandatory. The guidance emphasises the important role of first responders saying that they are required to complete a RET at the scene of a domestic abuse incident, unless '*this is not possible due to the arrest of the offender or the requirement for medical attention*'. It states that the RET can be completed at the call-back if not done at the scene. The Garda National Protective Services Bureau (GNPSB) further explained that as the RET is a point-in-time assessment,

it may not be required if the risk to the victim has already been mitigated by other actions.

The RET contains 22 questions that should be asked using the specific wording and order on the form. They are grouped under a number of headings including:

- > Controlling tactics;
- > Physical abuse;
- > Triggers and escalation; and
- > Victim's perception of risk/danger.

These questions are designed to provide an insight into the risk or perceived risk the victim is or may be in at the time that the RET is completed. Once completed, the garda member will use their professional judgement and experience to finalise their risk assessment grading as either standard, medium or high. Factors that are considered when determining the grading include the extent of abusive or controlling behaviour, the level and frequency of physical violence and whether there has been any change in the circumstances of the relationship. The assessment of the level of risk should be reviewed by a sergeant, taking account of previous incidents and any relevant information about the offender on PULSE.

### Tier 3 – Review of Domestic Abuse Risk Assessments

When a RET has been completed it is included for discussion at Performance Accountability Framework (PAF) meetings. All aspects of each domestic abuse incident are examined during the PAF meeting including the computer aided dispatch incident log, the PULSE incident record and the RET. Actions taken by the garda member and any Investigation Management System jobs created on foot of the RET are also reviewed. The RET grading is either confirmed or adjusted at the PAF meeting. As

part of Tier 3, the PAF meeting can identify any additional actions considered necessary and the RET can be completed again at this point.

### Introduction of the Risk Evaluation Tool

Prior to the introduction of the RET there was no standardised risk assessment carried out by garda members and decisions on risk were based on professional judgement.

At the time of the inspection, RET training was being delivered through a series of e-learning modules, augmented by online briefings provided by the GNPSB. Garda members told the Inspectorate that in-person training would be more beneficial as it would allow for discussion on members' questions and experiences from using the RET.

To coincide with the introduction of the RET, domestic abuse champions were appointed in each division. A key part of their role was to assist in the roll-out of the RET and to guide front-line garda members in how to use it. Although the role had been defined by the Garda Síochána, a number of the champions spoken to had not received any additional training for the role and did not demonstrate a clear understanding of their responsibilities.

The inspection team found that while garda members were aware of the RET and the requirement for it to be used, some were unclear about its overall purpose. Several members expressed reservations about the appropriateness of the questions, as well as the requirement to complete the form at the time of the incident, suggesting that it may be better to complete it the next day when the situation may be calmer. Many members spoken to were not aware that there were domestic abuse champions who could provide assistance.

It should be noted that at the time of the inspection the RET was a hard copy form, although the Inspectorate was told that plans were progressing to add the RET to mobility devices. This would enable quicker access by supervisors and reduce the administrative burden of uploading paper forms.

During the inspection, a number of victim support services told the Inspectorate that they were not aware of the RET. A common point highlighted was that there seemed to be a reluctance or unwillingness from the Garda Síochána to share details of the questions asked and this in turn led to concerns about how it was operating and its potential impact on victims. Where support services had knowledge of the RET, for the most part none had been involved in its development and all highlighted a general lack of information in relation to the detail of it. Some support services and garda members also raised concerns that asking some of the questions in the RET may traumatised victims. The importance of having trauma-informed and responsive trained gardaí undertaking this process was highlighted to the Inspectorate.

As the RET had not been fully rolled out during the course of the inspection, there had been no formal evaluation completed by the Garda Síochána and the Inspectorate did not fully assess its operational use. However, a review of the overall use of the tool is included in the 2024 programme of work for the Garda Internal Audit Unit. It was explained that the audit would examine the procedures for completing the RET and training in its use, but would not look at the impact of or outcomes from it. Furthermore, there were no plans to engage directly with members who complete the forms, victims or victim representatives.

## Role of the Domestic Abuse Inspector

Each division has a domestic abuse inspector, whose role in the operation of the RET is considered vital by the Garda Síochána. Prior to the introduction of the RET, the 2017 Domestic Abuse Intervention Policy required these inspectors to be notified of any escalation in risk in relation to victims in their area and ensure that certain actions are taken as described in the policy. Some of the inspectors spoken to explained that this task had been superseded by the introduction of the PAF process and the RET; although they also made the point that they tried to review each completed RET.

Domestic abuse inspectors have a responsibility to provide guidance to members on an ongoing basis in relation to the RET and the management of risk. The inspectors were also required to engage with support services in their area to ensure that they are fully aware of the RET so that those services can fully support victims. However, as already reported some organisations were not aware of the tool.

Domestic abuse inspectors in the divisions where the RET had been introduced assured the Inspectorate that forms were being completed and reviewed by supervisors. While they acknowledged the need to conduct risk assessments, some raised concerns with aspects of the form including that it is too impersonal and formulaic, the questions may be leading and that they can be distressing for some victims.

## Monitoring the Level of Risk

Although guidance suggests that the RET may be used on more than one occasion, members in the divisions where it had been rolled out told the Inspectorate that it was designed for use at the initial incident only. As a result, it was not being used in a dynamic way to keep the level of risk

under review. This is particularly important in circumstances where the level of risk may escalate, such as when the offender is released after arrest, or decrease when an offender is taken into custody.

It was not clear who was responsible for the continuing assessment of risk to a victim. The RET guidance document states repeat victims should be monitored in order to identify and assess any variance in the RET forms, particularly in the context of escalation. However, the guidance does not indicate how frequently this should happen or who is responsible for the monitoring. The guidance is silent on who monitors the risk to victims who are not repeat victims.

### The Risk Evaluation Tool and Information Sharing

Information contained in a RET is not shared with any other agency or organisation, including domestic abuse service providers and other statutory agencies such as the Office of the Director of Public Prosecutions. This position is set out in the guidance document. In contrast, some support organisations share their risk assessments with the Garda Síochána on a case-by-case basis with the victim's consent. However, it was not clear how or if this information was incorporated into the garda risk assessment process. The need for continual and dynamic risk assessment was also highlighted as critical by the support services interviewed.

### Trinity College Review of International Risk Assessment Models

In 2019, academics from Trinity College Dublin completed a review of domestic abuse risk assessments on behalf of the Garda Síochána.<sup>134</sup> The review looked at how risk was assessed by police services

internationally and examined the risk assessment model proposed, and now introduced, by the Garda Síochána. The review highlighted the benefits that engagement with other groups could have in terms of risk assessment. It also outlined the importance of organisations in this area measuring risk coherently where a victim may be engaged with a number of different organisations. It pointed out the potential and importance of having an assessment tool that could be used collaboratively with other disciplines and organisations, including domestic abuse support services and statutory organisations such as Tusla. It concluded that the Garda Síochána should future proof its risk assessment process through considering other multi-agency risk assessment processes that are in operation in other jurisdictions.

While supporting the need for front-line members to receive extensive training in terms of risk identification, the study also suggested that not all police officers can or should be tasked with conducting risk assessments. It also noted that those who are expected to perform this task require specialist knowledge and experience, particularly when working with offenders and victims.

### Assessment

The introduction of the RET marks a positive step forward by the Garda Síochána in how it assesses risk in domestic abuse cases. However, a number of further steps should be taken to enhance its operation and effectiveness.

Although the Inspectorate agrees that front-line members should complete the RET in real time, it has concerns about the

<sup>134</sup> Trinity College Dublin, 2019. *International review of the literature on risk assessment and management by first responders to domestic abuse incidents.*

training that has been provided for this task. The training was, of necessity, provided primarily via an e-learning module. While the training explained the process and emphasised some of the potential pitfalls, it did not train members to ask the questions and deal with the responses in a trauma-informed or responsive manner. As domestic abuse incidents can often be a high-stress environment, this training deficit creates a risk that garda members may unintentionally cause further trauma to victims. There is also a risk that the RET may be viewed as an administrative task rather than a critical part of protecting the victim. This concern could be addressed through a further round of in-person trauma-informed training. This may serve to offset some of the concerns around who should complete the RET.

Although the RET guidelines allow for further risk assessments to take place, they were rarely repeated or reviewed and as such the risk assessment process was not being used to its full potential to protect victims. The Inspectorate considers that the risk assessment should be a dynamic process that is reviewed and updated when significant new information comes to light or when a significant event takes place. It is also essential that there is clarity about who is responsible for ongoing risk assessments regardless of how many incidents have been reported by the victim.

The rationale as to why the Garda Síochána has not shared information about its risk assessment process with domestic abuse support services is unclear and seems contrary to its own guidance note. This states that other services, especially local domestic abuse services, should be informed about the existence of the RET but should not be provided with a copy of it. There does not appear to be any operational imperative around keeping it confidential and the result of not sharing it is causing confusion

amongst support services that are engaged directly with victims. There is a risk that this lack of engagement may undermine the use of the RET in the future. A briefing for victim support services on its use should be provided. This would allow for discussion around risk, particularly when an organisation may also be completing its own risk assessment.

While a review of the overall use of the RET is included in the 2024 programme of work for the Garda Internal Audit Unit, the value of this examination is limited by the fact that it will not include the views of members who complete RETs, victims or victim support services. The Inspectorate considers that a more comprehensive evaluation of the impact and effectiveness of the Garda Síochána's risk assessment and management process is needed. This should include input from all relevant stakeholders. The Garda Síochána should consider engaging an expert in domestic abuse risk assessment and management to conduct the evaluation or, at a minimum, be part of a garda evaluation team.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 29

The Inspectorate recommends that the Garda Síochána ensure that risk assessments are reviewed and updated when significant new information comes to light or when a significant event takes place. It should also ensure that there is clarity about who is responsible for the ongoing assessment of risk.

**Recommendation 30**

The Inspectorate recommends that the Garda Síochána conduct an evaluation of its risk assessment and management processes. This should include the operation of the Risk Evaluation Tool and take account of feedback from victims, domestic abuse support services and relevant statutory agencies.

## Managing the Risk to Victims of Domestic Abuse

Once the risk to a victim has been assessed, steps need to be taken to manage or mitigate that risk. Law enforcement actions such as arrest and bail are important risk mitigation tactics and have been discussed in Chapter 3. This section looks at other tools and tactics employed by the Garda Síochána to manage risk, including some that operate in partnership with other organisations. It also considers the garda process to manage risk.

### Protecting Victims through Crime Prevention

Crime prevention is a statutory function of the Garda Síochána. Although the organisation has a *Crime Prevention and Reduction Strategy 2021–2024*, there is no specific reference to domestic abuse and limited information about preventing online offending.<sup>135</sup> It is also the case that the garda victim information booklet does not contain any crime prevention advice, particularly in relation to domestic abuse.

Crime prevention tactics designed for other crime types can be applied in domestic

abuse cases. The Inspectorate identified one such example in another jurisdiction. In the UK, SmartWater is already used to protect property and deter thieves by being applied to high-value items. The substance stays on skin for up to six weeks and on clothing for much longer. As each batch of SmartWater is unique, laboratory analysis can categorically link a perpetrator to the specific batch that was sprayed. Spraying a house with SmartWater acts as a deterrent to the perpetrator. In turn, this helps to reduce risk and can potentially contribute to the successful prosecution of a domestic abuse case. There has already been a conviction in the UK of a person sprayed with SmartWater. The man was harassing his ex-partner and breaching a court order stipulating that he must leave her alone. When he tried to get into the victim's house, she sprayed the coded liquid from a canister from the protection of her window. This placed him at the scene and the man was convicted and jailed. While the technology has been available for many years, its application in domestic abuse cases represents a new advancement.

Under the garda Domestic Abuse Intervention Policy, there is a requirement for a victim to be offered crime prevention advice and where appropriate offered the support of the local crime prevention officer. This inspection found that while the provision of crime prevention advice was directed as part of the Superintendent Considerations on PULSE, this did not always fit the circumstances of the incident. The Inspectorate's review of PULSE incidents found that crime prevention officers were rarely tasked to engage with domestic abuse victims and when crime prevention advice was recommended, there was no record of advice having been provided. The Inspectorate was informed that referrals to crime prevention officers

had become less frequent as Divisional Protective Services Units (DPSUs) were responsible for providing specialist crime prevention advice in domestic abuse cases. As already identified in this report, the vast majority of domestic-motivated incidents are investigated by front-line gardaí and may not involve the DPSU.

## Other Tactics to Mitigate Risk

In addition to conducting an investigation and providing crime prevention advice, the Inspectorate was told by the Garda Síochána that it utilises a number of other mitigation tactics. These include:

- > Directing focused patrols of relevant areas;
- > Creating a premises alert that highlights that there is a history of domestic abuse at the relevant address;
- > Appointing a family liaison officer in more serious cases;
- > Issuing a Garda Information Message to warn the recipient that there is a real and imminent threat to their life;
- > Making referrals to Tusla; and
- > Increased victim engagement.

## Multi-agency Approaches to Managing Risk in Ireland

This section highlights two examples of multi-agency approaches to managing risk involving the Garda Síochána.

### High Risk Victim Support Programme

The High Risk Victim Support Programme is a collaborative project involving Women's Aid, Vodafone Ireland and the Garda

Síochána. The programme provides vital protection to high-risk victims of domestic abuse in five European countries including Ireland. It does this through provision of a specially adapted piece of technology that enables enhanced access to police in an emergency.

### Operation Sabháilte

Operation Sabháilte was developed by Limerick division to provide additional support, guidance and advice to those at serious risk of domestic abuse. The operation commenced in December 2020 and was targeted at high-risk victims of domestic abuse, with dedicated and trained garda resources in place to identify and engage with this cohort. The desired outcomes of the initiative were to raise awareness of domestic abuse within the Garda Síochána and take a victim-centred approach. This was done through engagement with the victim to understand their specific needs. The Garda Síochána partnered with the support service ADAPT House in Limerick and dedicated garda domestic violence liaison officers (DVLOs) were appointed in the division to run this operation. The Inspectorate was informed that strong working relationships with ADAPT and other stakeholders have been developed as a result of this initiative. More importantly, the operation was positively received by victims, who reported that the support received from the Garda Síochána was excellent. The Inspectorate was informed that DVLOs engaged with victims outside of the formal police setting and that they had received trauma-informed training from ADAPT house. The full-time DVLO was attached to the DPSU and staff from ADAPT were very complimentary of their ability to understand the issue of domestic abuse and the manner in which they engaged with victims.

As Operation Sabháilte had been set up prior to the introduction of the RET, it had its own set of risk-based criteria to identify those victims who should be supported. Once the RET was introduced, it was used alongside the Operation Sabháilte criteria, a process that was considered as adding value to the RET. Operation Sabháilte did not run in isolation in the division and domestic abuse cases continued to be reviewed through the PAF process.

The Inspectorate was informed that Operation Sabháilte had contributed to the development of enhanced multi-agency working in Limerick between the Garda Síochána, Courts Service and ADAPT House. Locally, this helped to resolve other related issues such as the service of court orders. In the view of its stakeholders, the operation improved the protection of victims and increased their confidence in how the State responds to domestic abuse. Despite these benefits, the Inspectorate was subsequently informed that the operation had ended.

## Safety Planning

Safety planning is a way to increase a victim's personal safety and the safety of their children. The Inspectorate found that the Garda Síochána did not generally play a role in safety planning, with members explaining that this was the responsibility of the victim with the support of domestic abuse services. However, some garda members said that they could be involved in supporting a plan that has been put in place by others.

In one division visited, the Inspectorate was told that a safety plan would be put in place for high-risk victims, especially if children were involved. It was explained that garda members would play an active role in developing the plan. These high-risk cases were forwarded to the domestic abuse inspector who co-ordinated the development

of the plans. Actions could include assigning a dedicated garda member, identifying a safe location for the victim, putting in place plans for a priority response to any calls from the victim and ensuring appropriate supports were in place. The Inspectorate was provided with an example of a safety plan that was put in place following engagement between the local DPSU, Tusla and the local authority. Each organisation agreed what measures they would put in place and this was discussed with the victim to get their input.

In other divisions visited, the Garda Síochána was far less involved in safety planning. Exceptions to this related to safety plans put in place by Tusla to ensure the protection of a child. In these circumstances, the Garda Síochána can be involved in the development of a plan. While this does not appear to happen in every case, Tusla said that it will often make a safety plan available to garda members and based on that, the Garda Síochána may proactively carry out welfare checks and provide updates to Tusla. In relation to safety planning, the Inspectorate found a lack of consistency across divisions.

## The Risk Management Process

The initial garda response to a domestic abuse incident may have resulted in actions that reduced the risk to the victim, for example by arresting the suspect. These actions are reviewed at the daily PAF meeting and if necessary additional actions can be directed. However, as reported in Chapter 2, actions to protect victims were rarely tailored to the individual, were not captured in a risk management plan and in the cases examined there was no record on PULSE of specific actions having been carried out. It was also not clear who had overall responsibility for managing the risk.

## Assessment

The Garda Síochána needs to ensure that each victim of domestic abuse has a risk management plan based on their personal circumstances and assessed level of risk. This should build on the standard actions already being taken, such as providing information about domestic violence orders and basic crime prevention advice. For many standard-risk cases, these actions should be sufficient, but additional measures may be necessary to protect those at a higher level of risk. To help decide on the most appropriate mitigation tactics in each case, the Garda Síochána should have a toolkit of measures from which investigating members can identify those most suitable for each victim. It should include actions such as providing specialist crime prevention advice or equipment, law enforcement interventions, as well as supporting the development of safety plans. Other innovative tactics such as SmartWater could also be included. Each risk management plan should be documented, kept under review and updated as necessary. It should be clear who is responsible for managing the risk and implementing the identified actions within the plan.

The *Crime Prevention and Reduction Strategy 2021–2024* is focused on volume crime such as burglary, but given the scale and serious nature of domestic abuse, it should be considered in a similar way. This does not appear to be the current practice and in that regard, it is the Inspectorate's view that there is a gap in relation to the provision of crime prevention advice to victims. This is not to say that the Garda Síochána is not active in preventing such abuse from occurring. However, the lack of consideration of domestic abuse issues in the garda crime prevention strategy creates a gap in terms of approach. While it is to be expected that front-line garda members can advise people

on basic crime prevention measures, the expertise of crime prevention officers should be leveraged more often, particularly in more serious domestic abuse cases.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 31

The Inspectorate recommends that the Garda Síochána develop a tailored risk management plan for each domestic abuse victim based on the assessed risk to the victim. To support these plans, the Garda Síochána should develop a toolkit of measures that could be employed to protect victims of domestic abuse and prevent such abuse from continuing.

## Multi-agency Risk Assessment and Management in Other Jurisdictions

As part of this inspection, the Inspectorate engaged with police services in Australia and the UK to find out how they approach risk assessment and management, including safety planning.

### Australia

In Australia, Victoria Police requires officers to complete a Family Violence Report upon response to a domestic abuse incident. The report incorporates a 34-question risk assessment tool and information about the involved parties that is automatically generated from the police database. The

report is then used to determine the level of risk management required by police, the safety measures needed and who manages the investigation.

Unlike the position in Ireland, risk assessments are shared with relevant partners to inform risk management decisions. This is done through the Central Information Point, which was established by the Victorian Government to support effective risk assessment and management in medium- and high-risk domestic abuse cases. It is a co-located multi-disciplinary team comprising police, Courts Service, Department of Health and Human Services and the Department of Justice and Regulation. Representatives of each organisation are authorised to obtain information from their respective databases and make it available to multi-agency Risk Assessment Management Panels (RAMPs) and support and safety hubs.

A RAMP is a formal meeting of key local agencies and organisations who conduct a multi-agency risk assessment of people who are at high risk of serious harm from family violence. The purpose of the RAMP is to manage the victim's overall case by assessing what contributions each body can make. Each RAMP is co-chaired by a representative from a specialist family violence service and Victoria Police. Core members include representatives of community corrections, the Department of Families, Fairness and Housing, clinical mental health services, alcohol and drug services, men's family violence services, family services and child protection. The RAMP is a standing panel that meets monthly and pre-meetings are held to decide which organisations should be included for each case.

All statutory organisations and funded agencies that are involved with family violence must align with the Multi-agency Risk Assessment and Management framework (MARAM).<sup>136</sup> MARAM was established under the Family Violence Protection Act 2008 with the aim of increasing the safety and wellbeing of victims by ensuring relevant services can effectively identify, assess and manage family violence risk. The framework ensures that there is a shared understanding of risk assessment and management.

The RAMP is augmented through a network of support and safety hubs, known as the Orange Door, in each of the state's 17 Department of Health and Human Services regions.<sup>137</sup> One of the key facets of the Orange Door is that it receives police referrals for victims and perpetrators. It can also perform risk and needs assessments and safety planning using information provided by the Central Information Point. Orange Door sits outside the criminal justice system but it demonstrates how a police service and other support services can collaborate and work more effectively together to support victims of domestic abuse through the sharing of information, pooling of resources and operational coherence.

## United Kingdom

In the UK, the Domestic Abuse, Stalking, Harassment and Honour-Based Violence risk identification and assessment model (DASH) has been used by most police services for over 20 years. DASH is also used by partner agencies who work with victims of domestic abuse in order to help them to identify those who are at high risk of harm and who should be referred to a multi-agency meeting in order to manage the risk. More recently,

136 Victoria Government. 2023. [Family Violence Multi-Agency Risk Assessment and Management Framework](#)

137 Victoria Government, 2024. [About The Orange Door](#)

the Domestic Abuse Risk Assessment (DARA) has been developed for use by UK police first responders as the primary risk assessment tool.<sup>138</sup> DARA has fewer questions than DASH and is described as having more prompts to help officers gently probe into what might be happening rather than asking a perfunctory set of intimate questions. Findings from a pilot study indicated higher rates of agreement between first responders and domestic abuse experts on the level of risk. Initial findings also suggested an increase in the identification of coercive and controlling behaviour, with victims more prepared to disclose to this style of questioning. The DARA does not replace the DASH.

In places where DARA is used, risk is further assessed by secondary specialist teams within the police service. Guidance from the UK College of Policing highlights the need for risk assessment to be a continuing and dynamic process and subject to frequent review to ensure it reflects any change in circumstances. It also states that ongoing assessment of risk remains the responsibility of the first responder unless the case is formally handed over to another member or unit.<sup>139</sup>

UK police services are part of a collaborative response to domestic abuse known as a Multi-agency Risk Assessment Conference (MARAC). MARAC is a non-statutory process that brings together statutory and voluntary agencies to collectively support adult and child victims of domestic abuse who are at a high risk of serious harm or homicide, and to disrupt and divert the behaviour of the perpetrator(s).<sup>140</sup> Core

MARAC agencies are police, Independent Domestic Violence Advisors (IDVAs), housing, children's services, probation service, primary and mental health services, substance misuse service and adult social care. MARAC's working assumption is that no single agency or individual can see the complete picture of the life of a victim, but all may have insights that are crucial to their safety.

At the beginning of the multi-agency process, agencies refer victims who they have identified as high-risk to their local MARAC. Before the meeting, all participating agencies gather relevant, proportionate and necessary information regarding the victim, any children and the perpetrator. The agency representatives attend the MARAC to discuss the shared information and suggest actions. Agencies are expected to keep in contact with each other between MARACs, which are usually held monthly or fortnightly. This is a crucial part of the process and ensures there is a co-ordinated response to domestic abuse.

In the UK, police services have a role in helping to develop and support safety plans as part of their risk management processes. In general, the victim (with assistance from an IDVA or other independent advocacy service) should carry out the safety planning, with police officers contributing to the process by implementing safety measures as part of a risk management plan or safety action plan. Safety planning should be carried out in consultation with other agencies such as the fire service, housing, and children's services.<sup>141</sup>

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138 UK College of Policing, 2024. [Understanding risk and vulnerability in the context of domestic abuse](#).

139 *ibid*

140 UK Home Office, 2022. [Domestic Abuse Statutory Guidance](#)

141 UK College of Policing, 2021. [Victim Safety and Support](#).

As part of the development of safety plans in the UK, police ensure that crime prevention advice in relation to locks, home security, phones and alarms is included as part of the considerations. While there is a role for specialist domestic abuse officers, this is in an advisory capacity to victims and should be included as part of the safety planning process with the IDVA or support service. Similar to Ireland, voluntary sector groups are recognised as having particular expertise in the development of safety plans. However, in the UK victims are further supported by the IDVAs, while police provide advice on how to reduce risk by identifying additional safety measures that can be put in place. These build upon any safety measures put in place by the victim.

## Assessment

By international standards, more can be done in the context of risk assessment and management. In other jurisdictions, risk assessment and management processes form part of a multi-agency approach involving police and other relevant partners. The models in Australia and the UK provide examples of how this can be developed for high-risk victims. Although the Garda Síochána does collaborate with other organisations, this can be narrow in focus and there is a need to further involve other domestic abuse organisations. For example, the Inspectorate considers that as a multi-agency way of working, Operation Sabháilte demonstrated a willingness and desire by the partners involved to find solutions to provide victims with the best service possible and had potential to be replicated in other divisions.

The role of garda members in relation to safety planning also requires action. There were differing systems in place across the

divisions inspected but the general approach was for the Garda Síochána not to play an active role. However, safety planning should form part of a multi-agency approach as this allows for more rounded decisions to be made in relation to a victim's safety and welfare. While the role of police is acknowledged as being central to assessing risk, it is important that all relevant agencies, including the Garda Síochána, are engaged.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 32

The Inspectorate recommends that the Department of Justice, in conjunction with Cuan, establish multi-agency risk assessment and management structures that bring together relevant agencies, including the Garda Síochána, to support high-risk victims of domestic abuse.

## Domestic Violence Orders

Domestic violence orders are a critically important tool to protect victims of domestic abuse. This section examines the types of orders that are available and the role of the Garda Síochána in their operation. It also reports on the systems in other jurisdictions where police have the power to issue immediate short-term notices to exclude domestic abuse perpetrators from the home and to apply to the courts for substantive orders.

## Orders Available Under the Domestic Violence Act 2018

The Domestic Violence Act 2018 was commenced in January 2019 and amends and consolidates the law in this area.<sup>142</sup> The Act introduced an emergency barring order and gives the court powers to prohibit a

respondent from communicating with and following an applicant or dependant. It also widened the eligibility criteria to allow more victims to apply for safety and protection orders. Figure 6.1 shows the types of order that are available and who is eligible to apply for them.

**Figure 6.1 Types of Domestic Violence Orders and Eligibility Criteria**

| Relationship to Respondent  | Barring Order | Safety Order | Protection Order | Interim Barring Order | Emergency Barring Order |
|---|---------------|--------------|------------------|-----------------------|-------------------------|
| Wife / Husband / Civil Partner / Former Spouse  | Yes           | Yes          | Yes              | Yes                   | No                      |
| A person who lived with the respondent in an intimate relationship before making the application (co-habitant)            | Yes*          | Yes          | Yes              | Yes                   | Yes**                   |
| A person who was in an intimate relationship with the respondent but did not live with them before making the application | No            | Yes          | Yes              | No                    | No                      |
| Parent of the respondent. Respondent has to be of full age and not a dependant  | Yes*          | Yes          | Yes              | Yes*                  | Yes**                   |
| Parent of a child whose other parent is the respondent  | No            | Yes          | Yes              | No                    | No                      |
| A person of full age who lives with the respondent. The relationship cannot be a contractual one such as landlord/tenant  | No            | Yes          | Yes              | No                    | No                      |

\* Applicant must have equal or greater legal or beneficial interest as the respondent in the property

\*\* Applicant has none or has less legal or beneficial interest than the respondent in the property

Source: Courts Service

Garda members who deal with domestic abuse incidents recognise that domestic violence orders offer protection to a victim and act as a deterrent to a perpetrator. In that regard, members advise victims about these orders. While this can be a support to victims, it is important that the information or advice provided is accurate. There was a consensus amongst stakeholders who engaged with the Inspectorate that the level of understanding of orders among garda members was inconsistent. It was explained that not all members were aware of the requirements around specific types of orders, including who can apply for certain types. This was in spite of guidance being available on the internal portal and the garda website. The Inspectorate was informed that this made the application process much more difficult for victims to navigate.

## Applying for an Order

In Ireland, the onus is on a victim of domestic abuse to apply for a domestic violence order on their own behalf. The Garda Síochána cannot apply for an order and does not provide evidence in the application process. Court Service officials can assist applicants to identify the most appropriate order to apply for, although court staff said that this aspect of their work was made more difficult if a garda member had provided inaccurate information about eligibility criteria. A summary of the application process is set out in Figure 6.2.

**Figure 6.2 Process for Applying for a Domestic Violence Order**

| How to Apply for a Domestic Violence Order                          |  |
|---|--|
| Step 1. Where to apply  | Go to the District Court office for the court area where you currently live.   |
| Step 2. Confirm the court order you want to apply for               | Court office staff will ask you for specific information.  |
| Step 3. Complete the paperwork                                      | Office staff will let you know your options.   |
| Step 4. Attend court hearing for immediate domestic violence order  | Court office staff will arrange for you to make your application to a judge at a court hearing.                        |
| Step 5. Respondent is served  | The Courts Service or Garda Síochána will serve the respondent.  |
| Step 6. Attend full hearing for Safety Order, Barring Order or both | You must show up in court on the appointed date and time. The respondent is also expected to attend this full hearing. |
| Step 7. After the court hearing                                     | If you are not happy with the court order, you may appeal the decision to the Circuit Court.                           |

Source: Courts Service – summarised by the Garda Inspectorate

## Service of Domestic Violence Orders

Prompt service of domestic violence orders and enforcement of the conditions contained in them is key to ensuring the safety of a victim. It is therefore critical that orders are served on respondents as soon as possible after they are issued by the court.

When an order is granted, it is required to be served on and notified to the respondent for it to enter into force. The method of service is usually determined by the court, which may direct that the order is served personally on the respondent by the Garda Síochána. The Inspectorate was told about one court in which the method of service was determined by the applicant. This can mean that orders are served by registered post, as victims may not want gardaí to attend at their house.

In the divisions examined, the Inspectorate found that local court offices had different arrangements in place for getting orders delivered to garda stations for service. In some places orders were emailed directly from the court office, in others they were posted and some were hand-delivered by court staff. In some cases, orders were given directly to a garda member at court, while some victims could also be asked to deliver orders to garda stations. Some of these methods create unnecessary delays in serving an order.

The Garda Síochána considers the service of orders to be a priority and has a tracking system in place to ensure that all orders are assigned to a member for service and efforts to effect service are recorded. Where the assigned member is unable to serve the order during their shift, the task is re-assigned to a member on the next shift. This process continues until the order is served. Despite this process, some garda members and several victim support organisations

highlighted the existence of delays and noted that when an order has not been served, victims can be particularly vulnerable as they are not fully protected by the law.

Garda members indicated that there can be inconsistencies in the information recorded on orders. This can include incorrect or unclear names and addresses which can cause service to be delayed. Members suggested that the inclusion of the respondent's date of birth and Eircode would help them to correctly identify the respondent and locate them more easily.

Although when serving an order, garda members are instructed to inform respondents of the conditions contained in the order, support services informed the Inspectorate that this does not always happen. Garda members described difficulties in interpreting what is contained in the order, which made it difficult to explain the conditions to a respondent. In one instance, it was suggested to the Inspectorate that garda members should not highlight the terms of an order to respondents as that might enable the respondent to use the terms of the order against the victim, as the order may include certain actions but exclude others that may be considered abusive by the victim. However, it is clear that respondents are entitled to this information and support services noted some positive outcomes when garda members took the time to explain an order to the respondent.

The commencement of the Garda Síochána (Recording Devices) Act 2023 has enabled the Garda Síochána to introduce body-worn cameras. This will assist garda members in relation to the investigation of domestic abuse cases but also has the potential to assist in relation to the service of domestic violence orders including by recording the explanation of the terms of the order. Body-worn cameras are used by police in a

number of other jurisdictions. These include in England and Wales where they are used to support applications for Domestic Violence Protection Notices (DVPNs) and Domestic Violence Prevention Orders (DVPOs), as well as to provide evidence in prosecutions for domestic-motivated crimes.<sup>143</sup> DVPNs and DVPOs are discussed later in this chapter.

## Assessment

There is a knowledge deficit in the Garda Síochána in relation to domestic violence orders. While it is a complex system to navigate and requires an understanding of the eligibility requirements of each order, it is imperative that members are able to provide the correct information about the different types of orders. This is not solely a formal training issue, but should form part of continuous professional development and on the job skills development. The process for obtaining an order requires the applicant to be the main driver and while garda members should not be expected to act in lieu of support services or court officials, it is important that they are in a position to provide correct information and advise victims when required.

This should also extend to engagements with respondents where members should fully explain what an order means when it is being served. The Inspectorate considers that body-worn cameras should be used to record the serving of domestic violence orders and the explanation of the terms of the order given by the garda member to the respondent. Footage could then be provided as evidence in any subsequent criminal proceedings relating to the terms of the order.

While the Garda Síochána has taken positive steps in identifying service of orders as a priority, some deficiencies remain. In

examining the issue of domestic violence orders, it became clear that the current process creates opportunities for delays, mistakes and misunderstandings to occur. A standardised electronic process for transmitting orders from the Courts Service to the Garda Síochána would better serve victims and would help both organisations to discharge their duties more efficiently and effectively. This would also reduce the administrative burden on garda members, although the Inspectorate recognises it would place an additional workload on court staff. The inclusion of dates of birth and Eircodes would also help to improve the process. As such, it would be beneficial if the Garda Síochána, the Courts Service and the Department of Justice engaged on this matter and implemented a solution that would ensure consistency and fulfil the related objective in the Third National Strategy to improve the serving of domestic violence orders.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 33

The Inspectorate recommends that the Garda Síochána enhance the effectiveness and efficiency of the domestic violence orders process by:

- > Delivering additional awareness-raising for all front-line personnel in relation to the different types of orders;

143 UK Home Office, 2022. [Domestic Violence Protection Notices \(DVPNs\) and Domestic Violence Protection Orders \(DVPOs\) guidance](#).

- > Delivering additional awareness-raising on how to explain orders to a respondent when serving a document on them; and
- > Directing garda members to activate body-worn cameras when serving domestic violence orders and explaining the terms of the order to the respondent.

#### Recommendation 34

The Inspectorate recommends that the Garda Síochána work with the Department of Justice and the Courts Service to put systems and processes in place that enable relevant footage from body-worn cameras to be available in a timely manner for applications for substantive domestic violence orders.

#### Recommendation 35

The Inspectorate recommends that the Department of Justice work with the Garda Síochána and the Courts Service to introduce a standardised electronic system for transmitting domestic violence orders to the Garda Síochána.

### Third Party Applications for Domestic Violence Orders

As outlined in the previous section, it is usually the victim who applies for a domestic violence order on their own behalf. However, under section 11 of the Domestic Violence Act 2018, Tusla can apply for an order on behalf of a victim. The Inspectorate was informed by representatives from Tusla that this power is not widely used and that its approach is to empower the victim to make the application themselves, with the support of dedicated domestic abuse support services.

Under the Domestic Violence Act 2018, a member of the Garda Síochána of sergeant rank or above may request the Courts Service to arrange a special sitting of a district court to hear an application for a domestic violence order. The Inspectorate was told that there are generally no issues with arranging a court sitting if required. In one division, it was raised that a local court may not always be available but an alternative solution is arranged. In this case, there is an out of hours number that can be called. In the Dublin region, there is a court available Monday to Saturday so special sittings are not usually required. In the other divisions inspected, special court sittings were not requested on a regular basis.

Unlike the approach in some other jurisdictions, there is no power to allow the Garda Síochána to issue notices or apply for domestic violence orders that would put immediate protections in place for high-risk victims and which would ensure they can remain at home if safe to do so. The Third National Strategy recognises that the victim should not, subject to safety concerns, be the person required to leave the home and the Department of Justice is examining this issue.

## International Practice

Police services in several other jurisdictions have powers to apply for court orders to protect victims of domestic abuse. In the UK, Domestic Violence Protection Orders (DVPOs) and Domestic Violence Protection Notices (DVPNs) have been in place across all 43 police services in England Wales since March 2014. DVPOs are civil orders that fill a “gap” in providing protection to victims by enabling the police and magistrates’ courts to put in place protective measures in the immediate aftermath of a domestic violence incident where there is insufficient evidence to charge a perpetrator and provide protection to a victim via bail conditions. The DVPN is a police-issued notice which can evict a perpetrator from a property and require that person to stay away from a victim. It can be issued by a member of the police at the time of an incident, is effective immediately and provides the victim with immediate support and protection. The notice must be served in writing, in person and must be approved by an officer of at least superintendent rank. Where a DVPN is served on a perpetrator, the police service is required to apply to a magistrate court for a DVPO which must be heard within 48 hours. Where a DVPO is granted, it can prevent a perpetrator from returning to the property and having contact with the victim for up to 28 days. These measures provide a victim with immediate protection while at the same time giving them the time and space to engage with support organisations, consider the options available to them and make informed decisions about what they want to do.

In Austria, the Protection Against Violence Act authorises a member of the police service to impose an emergency barring order against a domestic abuse perpetrator and to

evict the perpetrator from the residence in the event that they pose a threat and refuse to leave. The underlying principle is ‘*whoever hits must leave*’, which allows the victim to remain in the residence.<sup>144</sup> Emergency barring orders are issued for a term of two weeks and compliance is monitored by members of the police within the first three days. If the victim applies to the court for a civil protection order, the duration of the emergency barring order can be extended to four weeks, which gives the court time to decide on the victim’s application and enables continued protection for the victim.

Similar provisions exist in other jurisdictions such as New Zealand where the police service can issue Police Safety Orders. These operate in much the same way as the orders in the UK and can be issued by a police officer at the time of an incident. The police do not need the consent of the victim or perpetrator to issue the order and the person against whom it is issued must immediately leave the property and remain away for the period it is in place for. An order lasts for 10 days during which time the victim can remain in their home and decide what further action they want taken.

## Assessment

Although the Garda Síochána can request a special sitting of the district court to hear an application for an order, other immediate measures such as protection orders or safety notices in use in other jurisdictions are not available to it. This constrains the type of immediate protective measures the Garda Síochána can provide to high-risk victims. This type of power would substantially improve the ability of garda members to protect victims and ensure that they are not required to leave their home. This would

144 Federal Chancellery, Republic of Austria, n.d.. [Domestic Violence](#).

support the action under the Third National Strategy and bring Ireland more in line with other jurisdictions.

While empowering victims should be an integral part of any process, it must also be acknowledged that applying for a domestic violence order is a difficult process which requires the victim to take on a lot of responsibility at a time when they may be fearful and traumatised. As such, requests for assistance from Tusla should at a minimum be considered in cases involving children. In addition, garda members should be made aware of the option of using Tusla for assistance.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 36

The Inspectorate recommends that the Department of Justice consider introducing legislation to allow the Garda Síochána to issue immediate short-term notices to exclude domestic abuse perpetrators from the home and to apply to the courts for substantive orders.

### Recommendation 37

The Inspectorate recommends that the Garda Síochána raise awareness amongst garda personnel of Tusla's power to apply for a domestic violence order in certain circumstances.

## Domestic Violence Disclosure Schemes

This section considers the use of domestic violence disclosure schemes (DVDS) as a way of protecting individuals from domestic abuse. These types of schemes facilitate disclosure of a perpetrator's domestic abuse history to their partner or a relevant third party and operate in the UK, New Zealand, Spain and parts of Australia, Canada and the US. There is no such scheme in Ireland.

## International Practice

In 2014, police services in England and Wales piloted the first ever DVDS, also known as Clare's Law after Clare Wood, who was murdered by her partner in 2009.<sup>145</sup> Prior to the introduction of the DVDS, police already had common law powers to disclose information relating to an individual's previous convictions or charges where there was a pressing need for such a disclosure in order to prevent further crime. However, the DVDS provides a clear framework for the exercise of these powers in the context of domestic abuse. The DVDS was initially rolled out on a policy basis before being put on a statutory footing through the Domestic Abuse Act 2023.

The scheme has two elements: "Right to Ask" and "Right to Know". Under the scheme an individual or relevant third party, such as a family member, can ask the police to check whether a current or ex-partner has a violent or abusive past. This is the "Right to Ask" and if records show that an individual may be at risk of domestic abuse from a partner or ex-partner, the police will consider disclosing the information. The "Right to Know" enables the police to make a disclosure on their own initiative if they receive

information about the violent or abusive behaviour of a person that may impact on the safety of that person's current or ex-partner. This could be information arising from a criminal investigation, through statutory or third sector agency involvement, or from another source of police intelligence.

It is recognised that in cases of domestic abuse the point where a victim decides to leave an abusive relationship can be a dangerous time. Clare's Law seeks to strike a balance between the wellbeing of a victim and empowering them to make a more informed decision about whether to continue with a relationship.

As set out under statutory guidance, police services are required to take three key principles into account when considering whether to disclose information.<sup>146</sup> These are summarised as follows:

- > Principle 1 relates to whether a disclosure is reasonable and necessary and whether a disclosure would interfere with the rights of the person about whom a disclosure is made;
- > Principle 2 considers the data protection implications of a disclosure in the context of UK data protection laws; and
- > Principle 3 is concerned with whether or not the partner of the person seeking the disclosure should be informed.

The types of offences that may be disclosed range from common assault to murder and include controlling or coercive behaviour and false imprisonment.

The guidance on the scheme is clear that all disclosures must be accompanied by a robust safety plan that is tailored to the needs of the victim or potential victim and based on all relevant information available. While relevant information shared at multi-agency panels can be used to inform considerations around the disclosure of information, the final decision on whether to make a disclosure lies with the police service. Research undertaken in the UK has examined female victim-survivor perspectives of Clare's Law and DVDS. The study explored women's experiences with DVDS including around who is using Clare's Law; women's experiences and perceptions of DVDS; and the experiences of women who use the 'right to ask' compared to those who receive such information. The study suggested that offering female victims more information in the absence of any other kind of support may serve to make them feel responsible for the men's violence in their lives.<sup>147</sup> The study concluded that there should be an appreciation of the real experiences lived by women who suffer in violent relationships and that there was a need for the police to appreciate this. It is clear that where additional information is provided to victims, they should also be directed to support services.

Since its introduction, DVDS have become a key element of the UK police domestic abuse prevention and safeguarding toolkit. The number of disclosures under the scheme reflects how important it has become for people who consider themselves to be at risk. The rate of application and disclosure in England and Wales has continued to grow with 45,344 Clare's Law applications in 2022–23, a rise of 300% in five years. That total comprises 27,419 "Right to Ask" requests and

146 UK Home Office, 2023. [Domestic Violence Disclosure Scheme \(DVDS\) Statutory Guidance](#).

147 Durham University, 2023. [Is Clare's Law working?](#) Available at: . And Barlow, C., Renehan, N., and Walklate, S., 2021. [Clare's Law & Domestic Violence Disclosure Schemes: Victim-Survivor Perspectives](#).

17,925 “Right to Know” disclosures.<sup>148</sup> While there has been a considerable increase in applications, issues with the operation of the scheme have been identified. These include a decrease in the proportion of applications that resulted in information being provided and delays in responding to requests.

In South Australia, a person who is feeling unsafe in their relationship can apply to the police service for information about their partner or former partner to help make decisions about their safety and the future of the relationship.<sup>149</sup> A third party who is concerned about the welfare of someone they know can also make an application. Once an application is received, South Australia Police checks its records and shares the applicant’s details with a specialist domestic and family violence worker who arranges a meeting between the applicant, police and the support worker. The process is usually completed within 14 working days. Only the person at risk and their specialist family violence support worker is given the information during the meeting and no information is given to the person causing the concern.

In a similar scheme in New Zealand<sup>150</sup>, anyone can enquire about a person they are in a relationship with if they have concerns about their safety. This information can be requested in person at a police station, by approaching an on-duty police officer in a public place or through the use of the non-emergency police phone line. Disclosures must be made within 20 days of the application, but where there is a serious threat to a partner and/or their children, an urgent

disclosure can be made within 24 hours. An assessment of the pilot found that police officers, partner agencies and applicants were positive about the disclosure scheme. For example, it encouraged multi-agency working, with practitioners highlighting the importance of having a support worker attend the disclosure meeting alongside police and having a safety plan in place following a disclosure.<sup>151</sup>

As part of a review of DVDS, Dr Katerina Hadjimatheou of Essex University noted that for those considering the introduction of a DVDS, the schemes in South Australia and England and Wales are considered to be best practice.<sup>152</sup> The review also found that initial fears of litigation by perpetrators are unfounded and in 10 years of disclosure practice in England and Wales, no cases have been brought against police for violations of privacy.

## Domestic Violence Disclosure in Ireland

While DVDS have been introduced in a number of common law jurisdictions, no such scheme exists in Ireland. In effect, this means that there is no structured framework or process through which the Garda Síochána can provide similar types of information to victims. Over recent years, there have been calls by family members of victims, academics in this field and support services for the introduction of such a scheme in Ireland. This is an area that has previously been considered by the Department of Justice. In 2015, the then Department of Justice and Equality in consultation with

148 Lowe, J. Baynes, C. Bilton, C. 2024., [Lives at risk due to Clare's Law delays - daughter](#).

149 South Australia Police, *n.d.* [Domestic Violence Disclosure](#).

150 New Zealand Police. *n.d* [Family Violence Information Disclosure Scheme](#).

151 New Zealand Family Violence Clearinghouse, 2015. [Police introduce family violence disclosure scheme](#).

152 Policing Insight, 2023. [Domestic abuse disclosure schemes are being adopted by police around the world, but England and Wales and South Australia lead the way](#).

the Garda Síochána considered introducing a disclosure scheme in Ireland. However, at that time, it was concluded that this type of scheme or legislation was not required. This consideration took into account data protection laws at that time. The question arose again in 2019 and the response by the Department of Justice was that it keeps all laws under review. In the interim period, there has been no progress in this area and it is not included as an action in the Third National Strategy.

## Domestic Violence Register in Ireland

The Minister for Justice has previously highlighted support for the establishment of a domestic violence register but has indicated that it must be developed and introduced in a way that does not leave it open to challenge. In response, the Department of Justice has been conducting a detailed examination of the available policy options. At the time of this inspection, no details were available as to how this might operate if introduced. The Third National Strategy<sup>153</sup> also commits to developing proposals based on recommendations arising from research that examined the interface and interaction of civil family law, public criminal law and the child protection justice systems<sup>154</sup>. This proposed the introduction of a *‘national domestic violence court register on which information regarding previous orders and convictions of relevance would be stored’*. It is envisaged that the information *‘could be utilised by civil courts but not by criminal courts, save for the purpose of sentencing applications’*.

## International Practice

The UK introduced significant new measures in February 2023 designed to further crack down on domestic abuse offenders. These included adding offenders convicted of controlling or coercive behaviour and who have been sentenced to a year or more imprisonment to the violent and sex offender register.<sup>155</sup> This is part of the UK Government’s plan to ensure that domestic abusers are monitored more closely and that they are automatically and actively managed by police and other partner agencies under multi-agency public protection arrangements. In addition, a range of agencies have a legal duty to co-operate in order to manage the risks posed by dangerous offenders.

In 2023, New South Wales Police announced the establishment of a register to monitor repeat high-risk domestic abuse offenders.<sup>156</sup> This allows police across the state to feed intelligence into a domestic and family violence register with the goal of helping the police to better co-ordinate resources and work with other service providers. In addition, officers were given special training, with a dedicated team providing oversight and monitoring of high-risk perpetrators.<sup>157</sup> The introduction of the register was in response to recommendations from an auditor-general’s report that found significant changes were needed within the police service’s response to domestic and family violence.

153 Department of Justice, 2024. [ZERO TOLERANCE: The Third National Strategy on Domestic, Sexual and Gender-Based Violence: 2024 Implementation Plan](#).

154 Egan, N., & O'Malley Dunlop, E., 2023. [A Report on the Intersection of the Criminal Justice, Private Family Law and Public Law Child Care Processes in Relation to Domestic and Sexual Violence](#).

155 UK Government, 2023. [Domestic abusers face crackdown in raft of new measures](#).

156 The Canberra Times, July 2023. [Landmark domestic violence register to track offenders](#).

157 Audit Office New South Wales, 2022. [Police responses to domestic and family violence](#).

## Operation Devise

At the time of this inspection, the Garda Síochána was operating Operation Devise which had a focus on offenders connected with a domestic homicide. Operation Devise was established in 2017 and is the responsibility of the National Domestic Abuse Unit of the GNPSB. The key aim of the operation is to identify and where necessary take action to protect the partner of a person connected to a domestic homicide, in particular where signs of domestic abuse are emerging in the new relationship. The Inspectorate was informed that where this type of abuse is noted, the Garda Síochána will put in place processes to protect the current partner. This will typically occur when two or more incidents are recorded. In response, the GNPSB informs the local divisional officer, identifying the victim and notifying that the partner is an Operation Devise target. The division is expected to conduct further enquiries and decide what action to take. A person identified as a target is flagged on PULSE and any interactions between the person and the Garda Síochána should be recorded. This assists in building a profile of the person and can help the Garda Síochána to disrupt violent incidents before they occur. Although there were a large number of operational targets identified by the GNPSB, senior gardaí in the four divisions inspected were not aware of the operation or if any of the targets resided in their area. Unlike a DVDS, Operation Devise is garda led and is not driven by an applicant seeking information or protection from a partner or former partner.

Subsequently, the Inspectorate was advised that the operation had been expanded on 1 August 2024 to include offenders who have been charged with or convicted of coercive control. It was also informed that IT constraints that had limited the number

of persons that could be monitored under Operation Devise had been addressed.

## Assessment

The use of DVDS is well established in many jurisdictions and such schemes provide a framework through which victims and police services can interact to seek and disclose information about abusive partners or former partners.

Clare's Law provides a standardised set of procedures through which information can be disclosed while taking into account the data protection rights of the person about whom the information is being sought. This provides victims with more information and can help them to decide if they want to continue in a potentially abusive relationship or not. It also enhances the protection tools at the disposal of the police, which can lead to a positive intervention on behalf of a victim and prevent ongoing abuse. This allows police to be proactive rather than reactive to abuse. DVDS also empower people to seek out information regarding their partner and provide an expectation that police will find out what information exists and consider whether this should be disclosed.

The absence of a scheme in Ireland reduces the Garda Síochána's ability to protect people. Moreover, people in Ireland have fewer options than those in other places with regard to accessing information in relation to their partner. While a scheme must take cognisance of important considerations in relation to data protection and the rights of perpetrators, these must be balanced against the rights of victims. It is important that any scheme is resourced adequately and operated efficiently in order to avoid the issues identified in England and Wales.

Although Operation Devise is a positive initiative and its recent expansion is

welcome, it is limited in scope and deals with a very specific and limited cohort of victims or potential victims. In addition, it does not provide people with the same level of access to information as a disclosure scheme. As such, the Inspectorate considers that a broader DVDS similar to those in operation in other places should be introduced. This should work in tandem with Operation Devise.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 38

The Inspectorate recommends that the Department of Justice work with the Garda Síochána to introduce a domestic violence disclosure scheme.

### Recommendation 39

The Inspectorate recommends that the Garda Síochána expand the scope of Operation Devise to include the most harmful and prolific domestic abuse offenders. It should also raise awareness of the operation within the organisation.

# 7

## *Chapter 7*

### *Engagement and Partnership Working*



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

# Chapter 7 - Engagement and Partnership Working

## Introduction

This report has already identified numerous examples of how the Garda Síochána has worked with other organisations to encourage reporting of domestic abuse, prevent it from occurring, protect victims and bring offenders to justice. The purpose of this chapter is to look strategically at how engagement and partnership working between the Garda Síochána and other organisations can be enhanced. Internal partnership working in the Garda Síochána is also considered.

Effective partnership working relies on the ability to share relevant information in a legally compliant manner. The chapter reviews how information is shared between the Garda Síochána and other organisations, the limitations that exist and outlines how information sharing may be improved in the future to facilitate more effective joint working.

## National Level Engagement

In the Garda Síochána, primary responsibility for engagement in relation to domestic abuse at the national level lies with the Garda National Protective Services Bureau (GNPSB). Within the bureau, a number of individuals and units engage with state agencies as well as with organisations that support victims and work with perpetrators of domestic abuse. These include the chief superintendent in charge of the bureau, the Garda Victim Liaison Office (GVLO), the detective superintendent who oversees the

GVLO, the National Domestic Abuse Unit (NDAU) and the detective superintendent in charge of the NDAU.

## Garda National Protective Service Bureau

The bureau is very active in terms of engagement with other state agencies and victim support organisations with regard to domestic abuse. It was a key contributor to the development of the Third National Strategy on Domestic, Sexual and Gender-Based Violence and is working with other agencies to implement a number of the actions arising from it.

The Inspectorate was told that the detective chief superintendent leads on engagement with key state agencies. This includes the Courts Service in relation to the service of domestic abuse orders, the Probation Service with regard to the management of domestic abuse offenders and the Director of Public Prosecutions about relevant legislation. Representatives from the bureau explained that they often meet support organisations at events they are invited to attend or address. These events were described as important opportunities to be visible and build relationships. The Inspectorate was told that these opportunities include attendance at international conferences or events and was given an example of being invited to make a presentation to the Latvian police service about how the Garda Síochána deals with domestic abuse.

Although representatives from the bureau described engagement as a significant part of their work, there was no formal engagement structure to meet with support organisations as a group or individually. The Inspectorate found that meetings took place with representatives from a number of organisations, but these were on an ad hoc basis. In the past, the Garda Síochána had convened a forum to bring together relevant support organisations, but this practice had ceased.

While there is no cross-sectoral group convened by the bureau, the Garda Síochána is a member of the Department of Justice led Victims' Forum.<sup>158</sup> This forum was established in 2022 and at the time of this inspection was jointly chaired by a senior official from the department and the chief executive of the victim support organisation One in Four. Relevant state agencies and approximately 70 victim support organisations are invited to attend. The primary function of the forum is to examine how victims' rights can be improved. It is designed to facilitate the exchange of information and provide an opportunity to address topics including awareness raising, victim protection, legislation, service provision and referrals of victims between agencies. While the remit of the forum extends to victims of all types of crime, the bureau views it as a mechanism through which it can further engage with domestic abuse support organisations. The Garda Síochána is represented on the forum by the GVLO, while the detective chief superintendent in charge of the GNPSB had presented to the forum on the work of the bureau.

## Garda Victim Liaison Office

The GVLO is part of the bureau and plays an important role in victim-related matters. The office supports the work of the detective superintendent who has strategic responsibility for victims' rights. The defined responsibilities of the GVLO include participating in the development and review of victim-related policies, providing guidance on the implementation of the *Victims Charter*, as well as engaging with criminal justice agencies and organisations that provide support and services to victims of crime. The GVLO does not generally have contact with victims and although it described having good levels of interaction with victim support organisations, there was no formal, structured engagement in that regard. At the time of this inspection, the GVLO was staffed by one executive officer, a reduction on the previous staffing level. The Inspectorate was later informed that no staff were assigned to this office.

## National Domestic Abuse Unit

The NDAU within the bureau has a wide range of policy and governance-related responsibilities. These include the development of working relationships with key stakeholders to enhance service delivery as well as the development of prevention and intervention opportunities. It is also tasked with providing advice, support and assistance in relation to the Domestic Abuse Intervention Policy to victim support organisations, members of the public and garda personnel. To promote the work of the unit, presentations are provided on domestic abuse interventions to internal and external stakeholders. Other examples of the unit's work with external partners include the implementation of the High Risk Victim

158 Department of Justice, 2022. [Minister McEntee welcomes Victims' Forum as key space to improve services and supports.](#)

Support Programme with Vodafone and Women's Aid and the creation of a domestic abuse information leaflet for the Traveller and Roma communities in co-operation with Pavee Point and other partner organisations.

## Feedback from Victim Support Organisations – National Level

At a national level, victim support organisations provided positive feedback in relation to engagement with the Garda Síochána. Most organisations reported that the Garda Síochána was receptive to engaging with them and stated that they had some level of contact with the GNPSB. One organisation informed the Inspectorate that it had been in regular contact with the bureau and that the bureau would keep it informed of any issues or changes that may impact on the work it is doing. This organisation also reported that the bureau would listen to any issues it had in relation to garda training and how the Garda Síochána dealt with domestic abuse cases. Although this contact was on an informal basis and the organisation in question spoke positively about the level of engagement, this was not always replicated by other support organisations. For example, another organisation felt that engagement should be enhanced through a more formal contact arrangement, such as an annual or bi-annual meeting within a defined structure. It believed that this would benefit their organisation as well as the Garda Síochána.

The Inspectorate met with a number of migrant support organisations in order to assess how the Garda Síochána engages with diverse communities in relation to domestic abuse. Although some of the larger organisations had contact with the GNPSB, this was usually in relation to other types of criminality, such as human trafficking, rather than domestic abuse. There was, however, engagement between migrant support

organisations, the bureau and the Department of Justice in relation to the immigration status of non-EEA nationals who are victims of domestic abuse. This included discussions about policy matters as well as specific cases related to the immigration status of a victim. However, the discussions did not include the circumstances of the victim's domestic abuse case, with the Inspectorate being advised that in such cases the immigration status of the victim did not adversely affect how their domestic abuse case was treated. A similar picture emerged in relation to other organisations that represent or advocate on behalf of communities such as elderly people, those with disabilities and the LGBTQI+ community.

A recurring feature of the feedback given to the Inspectorate by victim support organisations was that the level of contact from the Garda Síochána was often dependent on individual garda members. Consequently, a change of personnel within the Garda Síochána often resulted in a requirement to rebuild relationships from scratch.

## Assessment

Overall, the Garda Síochána recognises the importance of engaging with the state sector and with support services. The bureau's openness to engagement and the positive feedback from the organisations that met with the Inspectorate provide a solid foundation on which to build partnership working into the future. However, the Inspectorate believes that the current ad hoc nature of the contact means opportunities are being missed to fully understand the role of each organisation, the challenges faced by those they support or represent and what is working well. Furthermore, the Garda Síochána is not maximising the potential to share information and receive feedback

about the policing response to domestic abuse, discuss developments in the area and address any concerns.

To maintain and further develop relationships and create more effective communication between the Garda Síochána and relevant stakeholders, the Inspectorate considers that a formal, structured approach in the form of a stakeholder engagement plan is necessary. As a first step to develop this and to ensure that all communities are represented, the Garda Síochána should undertake a stakeholder mapping exercise to identify which domestic abuse and other victim support organisations it should engage with at the national level. In collaboration with the identified stakeholders, the Garda Síochána should determine the purpose, method and frequency of engagement. The Inspectorate considers that the engagement should consist of stakeholder events held on an annual or bi-annual basis, as well as bilateral meetings. The facility to convene the group in response to a significant development or serious incident should be available. The Inspectorate envisages the continuation of informal contact outside of the formal structure as necessary.

To avoid gaps or duplication of effort, responsibility for each aspect of engagement should be assigned to specific posts rather than individuals. This is important to ensure continuity of contact following any change of personnel and avoid undermining the engagement and successful partnerships that have been built over time. The Inspectorate believes that this garda-led engagement strategy in relation to domestic abuse is needed in addition to the Victims' Forum.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 40

The Inspectorate recommends that the Garda Síochána develop and implement a national-level domestic abuse stakeholder engagement plan. This should include:

- > The establishment of a national stakeholder engagement group comprising key domestic abuse and other victim support organisations;
- > A structured communication process that includes group events, bilateral meetings and meetings convened in response to a significant development or critical incident; and
- > Assigning responsibility for each aspect of engagement to specific posts.

## Divisional Level Engagement

In the divisions inspected, there was also an absence of structured engagement with victim support organisations. In general, chief superintendents or superintendents were not actively involved and in places where engagement at this level occurred, it was on an informal basis and based on personal contacts that had been established. Responsibility for engaging with support organisations was typically delegated to domestic abuse inspectors, although some garda members were assigned this responsibility.

The Domestic Abuse Intervention Policy requires that a sergeant is appointed in each division to maintain a list of the support organisations that are operating in their area and to engage with these organisations. While the Inspectorate found that this did

not always happen in a structured way, there was good engagement at an operational level with victim support organisations across the divisions inspected. Two examples highlighted during the inspection were engagement with a local Traveller group on the issue of coercive control, and daily contact between the domestic abuse inspector and a local domestic abuse support service during the pandemic. The inspection team found that not all Garda Victim Service Offices (GVSOs) had direct contact with victim support services, and some were not fully aware of the types of services provided by some of the organisations to which they were signposting victims.

The Inspectorate found that garda engagement with local migrant support organisations was also ad hoc in nature. While the focus of these organisations is often on immigration matters, there can often be an intersection between domestic abuse and a victim's immigration permission. This is particularly the case when a victim is resident in Ireland as a spouse or a dependant of a person who holds the primary immigration permission. In these situations, the spouse or dependant who is the victim of domestic abuse can apply to the Department of Justice for a change of immigration permission. Organisations that met with the Inspectorate explained that confirmation from the Garda Síochána that an investigation is underway can help to support applications made by victims for a new immigration permission. In such cases, migrant support organisations said that they refer domestic abuse victims to specialist domestic abuse services for more expert support. In that context, most of the organisations did not engage with the Garda Síochána or GVSOs on individual domestic abuse cases.

Although engagement with victim support organisations at this level was underdeveloped, there was a general recognition by garda personnel of the need to build and maintain relationships with all external stakeholders in order to provide a collaborative approach to dealing with domestic abuse. Garda personnel interviewed were supportive of this type of approach and recognised that it would provide an enhanced level of support to victims.

### Feedback from Victim Support Organisations – Divisional Level

Local domestic abuse support services that met with the Inspectorate reported having a good relationship with the Garda Síochána at divisional level and highlighted many positives. Support services gave examples of engagement with the Garda Síochána on successful initiatives such as 16 Days of Activism, Go Purple Day and other awareness-raising events such as coffee mornings. However, because there was no formal engagement structure and no direction from the organisation about how this engagement should operate, it was inconsistent in terms of how it was done and by whom.

While the positive role of community gardaí was acknowledged by a number of victim support services, several organisations identified scope for greater engagement between these members and local support services. They also highlighted the opportunities for community gardaí to raise awareness of domestic abuse issues and of the support that is available from the Garda Síochána and victim support organisations. A number of organisations were aware of the role of Garda Diversity Officers (GDO) and

recognised their role in building relationships with minority and diverse communities.<sup>159</sup>

Several organisations told the Inspectorate that engagement was often based on a relationship with an individual garda member and this was usually positive. However, they also identified the inconsistencies that can arise in terms of service delivery due to the experience or interest of some members. Organisations described how they have to rebuild their relationship with the Garda Síochána when individual members move on and a new member replaces them.

## Assessment

Within the Garda Síochána, efforts are being made to build and maintain strong relationships with local support services. Across the divisions visited, there were different views around who should engage with victim support services. Evidence pointed to an over-reliance on individual garda members to make and maintain contacts. This is not a criticism of the members concerned but reflects an approach that is too dependent on the individuals involved. As such, a formal domestic abuse stakeholder engagement plan should be developed and implemented in each division. This should begin with a stakeholder mapping exercise and mirror the national-level plan set out in Recommendation 40. To ensure a strategic and co-ordinated approach, a single post holder at superintendent rank should have overall responsibility for the divisional plan and should be the conduit for sharing information between local and national levels. The plan should set out the engagement roles and responsibilities of all

local units including the Divisional Protective Services Unit (DPSU), domestic abuse inspector, GVSO and community policing units. The Inspectorate considers that this approach can contribute to improvements in service delivery and support partnership working to tackle domestic abuse.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 41

The Inspectorate recommends that the Garda Síochána develop and implement a domestic abuse stakeholder engagement plan in each division. This should mirror the national plan set out in Recommendation 40, be led by a single superintendent and include:

- > The establishment of a divisional stakeholder engagement group comprising local domestic abuse and other victim support organisations;
- > A structured communication process including group events, bilateral meetings and meetings convened in response to a significant development or critical incident;
- > The domestic abuse awareness-raising and communications plan in Recommendation 26; and
- > Assigning responsibility for each aspect of engagement to specific posts.

159 Garda Diversity Officers are trained, developed and supported to actively engage with and attend to the concerns of minority, diverse and hard to reach communities, providing reassurance, building trust, extending the accessibility of the garda service and working in collaboration with local Garda Victim Service Offices to prioritise victim needs. Further information available at: [garda.ie](http://garda.ie)

## Working in Partnership with External Agencies and Organisations

Throughout this report, there are examples of work undertaken by the Garda Síochána with other agencies and organisations that have a direct impact on tackling domestic abuse. These include national-level initiatives like Safe Pharmacy and the Joint Agencies Response to Crime (JARC) programme that includes some domestic abuse offenders. Others, like Operation Sabháilte in Limerick division operate at the local level and some that began as a local partnership such as Go Purple Day are now run on a national basis. Overall, there are many very good initiatives being supported by the Garda Síochána across the country, although it was clear to the Inspectorate that many of these were driven by the domestic abuse support services rather than the Garda Síochána. While it may be the case that those organisations have more scope to develop such programmes, the Inspectorate considers that there is a need for more formalised multi-agency working structures between the Garda Síochána and stakeholders, both state bodies and support services. This report has made a number of recommendations to expand multi-agency working to areas such as referrals for victim support as well as risk assessment and management. This would bring practice in Ireland in line with other comparable jurisdictions and better reflect the aims of the Istanbul Convention and the views of GREVIO.

Working in partnership can be challenging both operationally and culturally. It requires the nominated representative of each organisation to commit to the aims of the partnership, take decisions on behalf of their organisation and be able to assign resources as necessary. Key to being able to work in partnership is the ability to

share information appropriately, including personal data. During this inspection, data protection legislation was often cited as a reason for not sharing information and was specifically mentioned in the context of referring victims to relevant support services. The interpretation of data protection legislation can limit opportunities for the Garda Síochána to work collaboratively with others.

This section examines how the Garda Síochána shares information and data with other stakeholders in relation to domestic abuse. It highlights areas where this is happening, looks at how information sharing occurs internationally and describes what needs to happen to ensure that relevant information can be appropriately shared.

### Information Sharing

While there are several good examples of information sharing arrangements between the Garda Síochána and other statutory organisations, there are also gaps that can result in a less effective service for victims of domestic abuse and barriers to dealing with offenders.

Joint working between the Garda Síochána and Tusla forms an integral part of the child protection and welfare system. The garda function in relation to child abuse is to preserve life, prevent crime, investigate and detect criminal offences and to vindicate the human rights of the child. The Children First Act 2015 requires the Garda Síochána to engage on matters of child welfare with Tusla, which is responsible for the assessment of the protection and welfare needs of the child.

Under the *Joint Working Protocol for An Garda Síochána/Tusla – Child and Family Agency Liaison*, each organisation is required to notify the other where specific issues arise

in relation to children.<sup>160</sup> In law, a member of the Garda Síochána must notify Tusla when they have reasonable grounds to suspect that a child has been harmed, is being harmed or is at risk of being harmed. There is a formal notification process that the Garda Síochána is required to adhere to in such scenarios. The Inspectorate was informed that the introduction of an online notification system has streamlined the process. The Garda Síochána told the Inspectorate that it sends a notification to Tusla in relation to every child present at a domestic abuse incident reported to the Garda Síochána. If a notified case meets the threshold for action, it is discussed at a joint meeting of Garda and Tusla representatives. These meetings are held locally every four to six weeks. Information sharing is vital to the operation of the Joint Working Protocol. While the notification process and structured schedule of meetings is not limited to cases where there is domestic abuse, it sets out what can be achieved between the Garda Síochána and other agencies where there is a commitment to partnership working and information sharing.

In another positive example of information sharing, an evaluation of the JARC initiative identified that there was an effective information sharing agreement in place. It found that the sharing of information among the agencies involved had improved significantly since the initiative had commenced.

A gap in information sharing arrangements was identified in relation to the compilation of pre-sanction assessment reports. The Probation Service is responsible for completing these reports on convicted offenders, including those convicted of domestic-motivated crimes, to assist with

decisions on sentencing. As part of the process to compile reports, Probation Service staff explained that they obtain some of the information they require from garda books of evidence that are available from the Courts Service. In less serious cases, they contact the local superintendent to request a summary of the evidence prepared by the Garda Síochána. However, Probation Service staff said that the information provided did not always meet their needs and as a result, they engaged with other garda members with a view to obtaining a more detailed profile of the offender. There was no formal process in place to request or provide this information. While the Probation Service and the Garda Síochána are partners in the JARC initiative, the JARC information sharing agreement is specific to that work and does not cover pre-sanction assessment reports.

## Referrals by the Garda Síochána to Victim Support Organisations

The Garda Síochána has very few formalised arrangements for sharing information with or making referrals to victim support organisations. At the national level, the Garda Síochána was proactive in establishing a referral process with Victim Support at Court (V-SAC). Under this process, garda members can refer victims of crime, their families and witnesses to V-SAC for court accompaniment. Referrals for support can be made by the investigating member usually by way of a phone call. The member provides limited personal information in relation to the case, typically the name of the accused, the first name of the victim and information in relation to the stage of the case in criminal proceedings. V-SAC confirmed that this usually occurs when there is a bail application due before the courts. In 2023,

160 The 2017 Joint Working Protocol sets out in detail how Tusla and the Garda Síochána should co-operate and interact with each other around child welfare concerns. Further information available at [tusla.ie](https://tusla.ie).

84% of all referrals to V-SAC were from the Garda Síochána. V-SAC further advised that 72% of those it supported who were involved in domestic violence cases had been referred by the Garda Síochána.

Some local domestic abuse support services advised the Inspectorate that they had referral processes in place that operated on the basis of consent. A number of these organisations said gardaí tended to refer victims by telephone rather than use their referral forms. Despite the existence of referral processes, organisations stated that gardaí preferred to signpost victims to them rather than make a direct referral.

## Study on Familicide & Domestic and Family Violence Death Reviews

In May 2023, the Department of Justice published a comprehensive study which examined a number of cases of familicide and domestic and family violence deaths that occurred between 2000 and 2018, where all legal and/or coronial procedures had been completed.<sup>161</sup> One of many important issues examined in the study was the sharing of information between different organisations involved in tackling domestic abuse. The study stressed the importance of co-ordinated systems to enable organisations who are in contact with the victim and perpetrator to share relevant information in order to develop a comprehensive and accurate risk assessment. The study examined the question of how multi-agency information sharing can function in the context of data protection legislation, while ensuring that the Garda Síochána and other bodies comply with their obligations under this regulation.

It made a detailed recommendation to address information sharing that included the development of a mechanism to share information about the highest risk cases, the introduction of legislation if necessary and the creation of information sharing protocols to enable the development of jointly owned risk assessments and risk management plans.<sup>162</sup>

The Inspectorate fully endorses the point made in the study that the aim of data protection legislation is not to restrict the flow of information for legitimate purposes, but to ensure that the basis on which data is used, processed, and retained is rooted in transparency and accountability. The Inspectorate shares the view of the report authors that information sharing can help to inform shared analysis of cases, leading to the development of comprehensive risk assessments and action plans. This work brings together the perspectives of victims' advocates, health workers, social workers, experts in child protection, domestic violence services and criminal justice organisations including the police.

## Information Sharing under the Policing, Security and Community Safety Act 2024 and the Third National Strategy

Once commenced, section 264 of the Policing, Security and Community Safety Act 2024 will enable the Garda Síochána (as 'a relevant body') to share documents and information, including personal data, with another relevant body or a prescribed body.<sup>163</sup> This must be for the purpose of the performance of the Garda Síochána's functions, the

161 Department of Justice, 2023. [Study on Familicide & Domestic and Family Violence Death Reviews](#). The study used the following definitions: Familicide – a multiple-victim homicide incident in which the killer's spouse/partner or ex-spouse/partner and one or more children are slain. Domestic and Family Violence Death Reviews – a mechanism to inform prevention-focused interventions to reduce domestic/family violence.

162 *ibid*, Recommendation Six 4.

163 Available at: [irishstatutebook.ie](https://irishstatutebook.ie)

functions of the other relevant body or the prescribed body concerned, where to do so is in accordance with law and to the extent that is necessary and proportionate for that purpose. The Minister for Justice is responsible for prescribing public bodies and for making regulations in relation to the nature of information that may be shared and the manner in which it is shared. There are also commitments in the Third National Strategy in relation to information sharing as part of the development of enhanced multi-agency working regarding domestic abuse.

## International Practice

As referenced in earlier chapters, other jurisdictions have more developed and defined multi-agency approaches to dealing with domestic abuse. For example, the state of Victoria, Australia has a highly evolved

system of partnership working involving the police and other relevant organisations. To facilitate information sharing between organisations, the Family Violence Protection Act 2008 established the Family Violence Information Sharing Scheme.<sup>164</sup> This scheme, which commenced in 2018, operates within existing privacy laws and permits the sharing of information for the purpose of assessing or managing the risk of family violence. Only services and organisations that are prescribed by regulation may share relevant information to promote the safety of victims and their family members. These are known as information sharing entities (ISEs). Figure 7.1 shows the services and organisations prescribed as ISEs.

**Figure 7.1 Information Sharing Entities in Victoria, Australia**

| Information Sharing Entities                |
|---|
| Specialist family violence services         |
| Child and family services                   |
| Child protection                            |
| Sexual assault services                     |
| Corrections                                 |
| Victim's services                           |
| Magistrates Court and Children's Court      |
| Police                                      |
| Mental health services                      |
| Housing and homelessness services           |
| Alcohol and other drug services             |
| Maternal and Child Health                   |
| General practitioners                       |
| Publicly funded hospitals                   |
| Community managed mental health services    |
| Community health services                   |
| State-funded aged care services and schools |
| Centre-based education and care services    |

Source: Government of Victoria, Australia adapted by the Garda Inspectorate

Only information that is relevant to assessing or managing the risk of family violence can be shared between ISEs; this includes relevant information about an adult or child victim, perpetrator or third party. There is no requirement to obtain consent from the perpetrator, allowing ISEs access to vital, risk-relevant information. In the case of victims, relevant information can only be shared with their consent, except when there is a serious threat or the information is relevant to assessing or managing risk to a child victim. Guidelines for the sharing of information are in place and persons authorised by an ISE to request or share information under the Act are required to be appropriately trained.

## Assessment

The limited nature of multi-agency working creates a risk that victims of domestic abuse are not protected to the extent that they could otherwise be. In addition, without access to all of the available information about the victim and perpetrator, any actions taken by an individual organisation are based on incomplete information and as such may be unsuitable or inappropriate in the circumstances.

By international standards, Ireland lags some way behind other countries in the area of information sharing. The *Joint Working Protocol for An Garda Síochána/Tusla – Child and Family Agency Liaison* is a positive example of information sharing and multi-agency working. However, the current level of information sharing between the Garda Síochána and other relevant stakeholders is a barrier to more effective multi-agency working. A similar concern was identified by the Inspectorate in its 2024 report, *Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána*.<sup>165</sup>

Concerns about sharing information or a lack of clarity about how data protection legislation applies should not stand in the way of legitimate work to safeguard the safety and wellbeing of people at risk. Other jurisdictions reviewed during this inspection have similar laws and rules, yet these have not prevented the development of information sharing processes among key organisations tackling domestic abuse. Orange Door and RAMPs in Victoria and the Multi-agency Risk Assessment Conference model in the UK show what can be achieved in the context of domestic abuse.

While it is vital that information sharing arrangements between partners comply with data protection laws, it is not sufficient to continually cite these as a reason for not sharing information. Data protection legislation allows for the sharing of relevant information in certain circumstances. Recommendation Six 4 in the *Study on Familicide & Domestic and Family Violence Death Reviews*, actions under the Third National Strategy and section 264 of the Policing, Security and Community Safety Act 2024 are all relevant to information sharing in the context of domestic abuse. However, it is important that the Department of Justice, the Garda Síochána, and other relevant state agencies find a way to allow this to happen as a matter of urgency.

As an interim step, and in advance of these actions being fully implemented, the Garda Síochána should consider how it can expand its information sharing agreements to include more organisations. The model utilised by the Garda Síochána and Tusla provides a template that has the potential to be adapted for use in the context of domestic abuse. This model is underpinned by legislation that provides a framework within which the two

165 Garda Inspectorate, 2024. [Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána](#), Recommendation 4.5.

organisations can work at local and national level. The Inspectorate has previously recommended that the Garda Síochána appoint a strategic lead to create an awareness programme for developing information sharing agreements. Implementation of this recommendation would assist in the creation of the information sharing agreements that are needed to facilitate multi-agency approaches to tackling domestic abuse.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 42

The Inspectorate recommends that the Department of Justice, in consultation with Cuan, the Garda Síochána and other relevant organisations, consider introducing legislation to enable the appropriate sharing of information to support multi-agency approaches to tackling domestic abuse.

### Recommendation 43

The Inspectorate recommends that, as an interim measure, the Garda Síochána review its information sharing policies and procedures to allow for more information sharing with partner organisations.

## Engagement and Partnership Working within the Garda Síochána

This section reviews engagement and partnership working within the Garda Síochána in the context of domestic abuse. In particular, it looks at how information about initiatives and potential good practice at a local level is shared within the Garda Síochána and considered for wider implementation.

The Inspectorate was informed by the GNPSB that it actively engages with garda personnel in divisions. Members and staff of all ranks and grades in the divisions inspected were generally positive about their interactions with their colleagues in the bureau and regarded them as a good source of information and guidance in relation to domestic abuse. Examples of positive communications from GNPSB personnel included their engagement in relation to Operation Faoiseamh, advice around the introduction of the Risk Evaluation Tool and their input to training for staff in the Regional Control Centres. Divisional personnel told the Inspectorate that the GNPSB had provided information on changes to relevant legislation and policy and cited the bail policy as a good example of this. The Inspectorate was also informed that the GNPSB provides advice in relation to the investigation of individual cases, although contact was more often about human trafficking or sexual assault cases than domestic abuse incidents.

Internally, the GVLO is required to support all garda personnel including GVSOs to provide consistent services to all victims of crime and trauma. Personnel working in the GVSOs who spoke with the Inspectorate stated that the GVLO was their point of contact if they had any victim-related queries. Another part of the GVLO role is to work in partnership with the Garda College to develop training. Examples of this work

included training for family liaison officers and the creation of e-learning modules to accompany the updated Garda Victim Service Policy. The GVLO explained that it had drawn on the expertise of victim support organisations when developing the modules.

The NDAU has a remit to develop and enhance partnership working. The Inspectorate was informed that as part of Operation Faoiseamh, the unit had engaged with garda analysts and divisions to identify domestic abuse cases that required follow-up action by each division. In addition to this example of internal partnership working, the unit stated that it has regular meetings with domestic abuse inspectors in each division. During interviews across the four divisions, the Inspectorate noted that in general the GNPSB was engaged with members at inspector rank and below. While there was less frequent contact at more senior levels, some chief superintendents explained that they may contact the bureau when deciding on who should investigate cases involving garda members. Overall, engagement between divisions and the bureau was ad hoc and tended to occur on a case-by-case basis.

In the past, the GNPSB had a limited role in relation to the development, evaluation and expansion of new initiatives aimed at tackling domestic abuse. For example, domestic abuse co-ordinators (DACTs) had been introduced by a Dublin district in 2017, before being expanded to the whole division and implemented in other parts of the Dublin Metropolitan Region as a result of local management decisions.<sup>166</sup> Another similar example was Operation Sabháilte in Limerick division, the expansion of which had been driven by the regional assistant commissioner. However, in 2022/2023 the NDAU conducted a review of local initiatives and was considering supporting the expansion of DACTs at the time of this inspection.

## Assessment

While the Inspectorate acknowledges the review of local initiatives by the NDAU, it is unclear if there is a requirement for divisions to notify or consult with the unit about new initiatives. As such, there is potential that good practice and learning at the local level is not always identified, evaluated and, if appropriate, shared across the organisation. This means that opportunities may be missed to introduce good practice across the country that would improve the standard of service to victims and deter perpetrators. There is an important role for the GNPSB in identifying and evaluating good practice with a view to replicating it across the organisation and that it should be more proactive in this regard. To assist in achieving this, it is the Inspectorate's view that the Garda Síochána develop a structured process for sharing information across the organisation about new initiatives, lessons learned and good practice. This should ensure regular two-way engagement between the policy owner, bureau and divisions and result in relevant information being considered at the strategic level for adoption by the organisation as appropriate.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 44

The Inspectorate recommends that the Garda Síochána develop a structured process for sharing information across the organisation about new initiatives, lessons learned and good practice.

<sup>166</sup> The role of a domestic abuse co-ordinator is to identify and support high-risk victims through direct engagement with victims and through the review of domestic abuse incidents. The role of the co-ordinator is not investigative.

# 8

## *Chapter 8*

### *Strategy, Governance and Accountability*



CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

# Chapter 8 - Strategy, Governance and Accountability

## Introduction

The Garda Síochána plays a critical role on behalf of the State in tackling domestic abuse. In 2018, the Garda Commissioner pledged to protect women and girls saying,

*“We need to ensure we respond effectively and efficiently but also with empathy and professionalism to domestic violence incidents”.*

Speaking to the Inspectorate at the beginning of this inspection, the Commissioner reiterated his commitment to treat domestic abuse as an organisational priority.

This chapter reviews how the Garda Síochána tackles domestic abuse by examining:

- > The strategic approach to dealing with domestic abuse;
- > The internal governance and accountability arrangements;
- > The availability and use of management information to support this important work; and
- > Divisional-level roles and responsibilities for dealing with domestic abuse.

It concludes by considering how the Garda Síochána should deal with domestic abuse involving members of the workforce.

## Strategic Approach to Domestic Abuse

This section looks at the strategies, plans and policies in place to inform how the Garda Síochána fulfils its statutory responsibilities to protect life, prevent crime, bring offenders to justice and vindicate human rights in the context of domestic abuse.

## ZERO TOLERANCE: The Third National Strategy on Domestic, Sexual and Gender-Based Violence

The Garda Síochána played an important role in the development of ZERO TOLERANCE: The Third National Strategy on Domestic Sexual and Gender-Based Violence. As a key partner in the delivery of the accompanying cross-sectoral implementation plans, the Garda Síochána has lead responsibility for delivering a number of the actions, as well as supporting the implementation of others.

## Garda Strategies

Every three years, the Garda Síochána publishes a strategy statement containing the high-level outcomes and priorities it plans to deliver in that period. In the 2022–2024 strategy statement, the Commissioner assured the public that *‘keeping people safe and protecting the vulnerable and victims of crime remains our central mission’*.<sup>167</sup> Although this strategy statement does not make specific reference to domestic abuse, it lists a number of strategic priorities including to:

- > Identify, engage and assist those at higher risk of violence or crime, increasing confidence in reporting;
- > Support multi-disciplinary partnerships, understanding the needs of victims and the vulnerable to collaboratively identify and provide appropriate supports; and
- > Ensure a consistent approach to the provision of supports and services for vulnerable people interacting with the Garda Síochána, protecting their human rights.

The Garda Síochána does not have a specific strategy to tackle domestic abuse. This was confirmed by a number of senior garda members in divisions who pointed to the Domestic Abuse Intervention Policy and policing plan objectives as their guide to tackling the issue.

At the commencement of this inspection, the Garda Síochána indicated that it was in the process of developing a domestic, sexual and gender-based violence strategy. It was explained that it would be formulated around the four pillars of the Istanbul Convention, namely prevention, protection, prosecution and co-ordinated policies. However, the Inspectorate was later informed that work on this strategy had been paused and that the Garda Síochána would instead adopt the Third National Strategy as its strategy for tackling domestic abuse.

## Garda Policing Plans

To support the 2022–2024 strategy statement, the Garda Síochána produces an annual policing plan.

## 2022 Policing Plan

The actions under the 2022 Policing Plan that were most relevant to domestic abuse included to:

- > Improve capability to support victims of domestic violence, including coercive control, with particular focus on building on the progress achieved under Operation Faoiseamh and the rollout of the Divisional Protective Services Units (DPSUs); and
- > Ensure appropriate supports are provided to victims and vulnerable people interacting with the Garda Síochána, considering independent recommendations, internal and external feedback.<sup>168</sup>

The Garda Síochána reported that it had achieved these objectives by:

- > Monitoring call-back rates and alerting underperforming divisions;
- > Introducing the Risk Evaluation Tool (RET);
- > Delivering bespoke training for DPSUs, developing training on the forthcoming Victim Service Policy and reviewing the training needs of Garda Victim Service Offices (GVSOs);
- > Running or participating in public awareness-raising campaigns; and
- > Developing proposals for online information tools for victims.<sup>169</sup>

168 Garda Síochána, 2022. [An Garda Síochána Policing Plan 2022](#).

169 Garda Síochána, 2022. [Annual Report An Garda Síochána. 100 Years of Keeping People Safe](#).

## 2023 Policing Plan

The 2023 Policing Plan includes an action to ensure that all victims interacting with the Garda Síochána receive the appropriate service and supports with a particular focus on domestic, sexual and gender-based violence.<sup>170</sup>

Activities undertaken to achieve this included:

- > Implementing actions under the Third National Strategy;
- > A review of DPSUs to ensure a consistent level of service and building a greater understanding of coercive control and gender-based violence;
- > Developing training to accompany the updated Victim Service Policy;
- > Reviewing the RET; and
- > Expanding the support programme for high-risk victims of domestic abuse.

While the Garda Síochána subsequently reported that progress had been made against these actions, it highlighted that resourcing gaps in the Garda National Protective Services Bureau (GNPSB) had delayed implementation of some of them.

## 2024 Policing Plan

Under Pillar 3 of the 2024 Policing Plan, the Garda Síochána aims to reduce harm by promoting and protecting the dignity and human rights of victims and all vulnerable persons interacting with the Garda Síochána.

It commits to work in partnership to provide victims of crime with appropriate services and supports, with a particular focus on domestic, sexual and gender-based crime.<sup>171</sup>

## Other Relevant Internal Policies

The Garda Síochána has a Domestic Abuse Intervention Policy, which defines domestic abuse and identifies interventions that garda personnel are required to make when responding to domestic abuse incidents. The policy was last updated in 2017, prior to landmark developments including Ireland's ratification of the Istanbul Convention; the enactment of the Domestic Violence Act 2018, which made coercive control a criminal offence; the introduction of DPSUs; and the publication of the Third National Strategy. Absent from the policy are 'statements of principle'. These are required by the Garda Síochána's procedures on developing policies and define the organisation's expectations in the policy area. Areas that the Inspectorate would expect to see covered under a statement of principle include the identification and management of repeat or high-risk victims and prolific or high-harm offenders. The policy and the Garda Síochána's 2015 Victim Service Policy were under review at the time of this inspection.

## International Practice

In addition to state-level strategies to tackle domestic abuse (also known as family violence in some jurisdictions), many police services have their own policing strategies focused on domestic abuse or more broadly on domestic, sexual and gender-based violence. For example, following the 2015 Royal Commission into Family Violence

170 Garda Síochána, 2023. [An Garda Síochána Policing Plan, 2023.](#)

171 Garda Síochána, 2024. [An Garda Síochána Policing Plan, 2024.](#)

in Victoria, Australia<sup>172</sup>, Victoria Police developed and published its internal strategy<sup>173</sup>. This sets out the service's strategic priorities and performance measures in this area of work. An assistant commissioner is responsible for overseeing its implementation and is part of the state-level monitoring and implementation body. Also in Australia, Queensland Police Service has a domestic and family violence strategy<sup>174</sup>, overseen by a senior officer and which is linked to a state-wide reform programme to end domestic and family violence<sup>175</sup>.

In England and Wales, police services have been implementing their own bespoke strategies to tackle violence against women and girls, including domestic abuse. One such example is Kent Police's overarching strategy to tackle violence against women and girls, which collates the relevant activities being undertaken and is accompanied by an action plan to track progress<sup>176</sup>. The strategies of each individual police service support the UK government's national strategy to tackle violence against women and girls<sup>177</sup> and plan to tackle domestic abuse<sup>178</sup>.

## Assessment

At the strategic level, it is clear that the Garda Síochána is committed to a human rights-compliant, victim-centric approach to tackling domestic abuse. It is also the case that many individual members of the workforce are dealing with domestic abuse in a professional and empathetic

manner. However, as this report has already identified and the experience of victims has highlighted, the standard of service delivery is not consistent.

As a first step towards achieving a consistently high standard of service, the Inspectorate considers that the Garda Síochána should have a whole of organisation domestic abuse strategy. This should define the Garda Síochána's strategic objectives for domestic abuse and focus all relevant parts of the organisation on their role in achieving these. The strategy should set out how it intends to prevent domestic abuse from occurring, protect victims from harm and bring offenders to justice and should include the stakeholder engagement plan described in Chapter 7. Although there was a view that the Third National Strategy should in effect be the garda strategy, it is too high-level to drive day-to-day operational activity. That does not diminish the important role of the Garda Síochána in contributing to the implementation of the Third National Strategy or the fact that strategic policing objectives may derive from the national strategy.

The garda strategy should be accompanied by an action plan with action owners, milestones and measurable outcomes. The plan should set out and co-ordinate the activity of national and local resources in order to ensure that:

172 Royal Commission into Family Violence, 2016. [Summary and Recommendations](#).

173 Victoria Police, 2018. [Policing Harm, Upholding the Right: Victoria Police Strategy for Family Violence, Sexual Offences and Child Abuse 2018–2023](#).

174 Queensland Police Service, 2023. [Domestic and Family Violence Strategy 2023-2025](#).

175 Queensland Government, 2016. [Domestic and Family Violence Prevention Strategy 2016-2026](#).

176 Kent Police, 2022. [Tackling Violence Against Women and Girls, 2021-2024](#).

177 Home Office UK, 2021. [Tackling Violence Against Women and Girls Strategy](#). The strategy explains that while the term 'violence against women and girls' refers to acts of violence or abuse, including domestic abuse, that disproportionately affect women and girls, the strategy applies to all victims of these offences.

178 Home Office UK, 2022. [Tackling Domestic Abuse Plan - Command paper 639](#).

- > Victims are encouraged to report their abuse;
- > The first contact between garda personnel and victims is a positive experience;
- > Victims are provided with information and support throughout the duration of the criminal justice process, their needs are identified and met, and their level of risk is assessed and managed;
- > All domestic-motivated crimes are fully investigated with a view to bringing offenders to justice;
- > Offenders, particularly prolific or high-harm offenders, are managed to prevent re-offending; and
- > Opportunities are identified to work collaboratively with other organisations or agencies or enhance existing arrangements to tackle domestic abuse.

Although the Garda Síochána has, on an ongoing basis, issued a number of instructions, updates and guides that relate to domestic abuse, it is concerning that the Domestic Abuse Intervention Policy was last updated and issued in 2017. The policy had been under review for some time and, at the time of writing this report, it had not been approved and published. Similarly, the 2015 Garda Victim Service Policy was under review. It is important that these are finalised and issued without further delay.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendations.

### Recommendation 45

The Inspectorate recommends that the Garda Síochána develop and implement a whole of organisation domestic abuse strategy and action plan.

### Recommendation 46

The Inspectorate recommends that the Garda Síochána update and publish its Domestic Abuse Intervention Policy and Victim Service Policy as a matter of urgency.

## Governance and Accountability

This section examines the governance and accountability arrangements in place to ensure that the Garda Síochána's approach to tackling domestic abuse is co-ordinated, effective and efficient. This includes how it ensures that policies and instructions relating to domestic abuse are fully and correctly implemented. It also describes the governance model that the Inspectorate considers necessary to oversee the effective delivery of the recommended garda domestic abuse strategy.

### The Role of the Policy Owner and the Garda National Protective Services Unit

The Assistant Commissioner, Organised and Serious Crime, is the domestic abuse policy owner and is responsible for eight national units including the GNPSB. The Garda Síochána's policy document *Development, Implementation, Monitoring and Review of Policy* refers to a monitoring role for policy owners to ensure that the policy

remains effective and fit for purpose.<sup>179</sup> The accompanying procedures document states that policy owners shall carry out, or cause to be carried out, such inspections or audits that are necessary in order to monitor compliance with the policy and associated documents. The Garda Internal Audit Unit examined victim call-back rates in 2022 and has included an audit of compliance rates for completion of the RET in its 2024 work plan.

The GNPSB is led by a detective chief superintendent who is the Garda Síochána's national lead on domestic abuse. The Governance Unit within the GNPSB is responsible for providing assurance to the detective chief superintendent and the senior leadership team in the bureau regarding compliance with relevant policies. The remit of this unit is broad and ambitious. It includes oversight, monitoring and reporting on national performance against policing plan targets; reviewing divisional performance and identifying areas for improvement; and assisting units within GNPSB in planning, analysis and reporting on areas of concern. At the time of this inspection, the Governance Unit comprised one member of staff and had been without an analyst for a lengthy period, although an analyst had been assigned at the start of 2024. Consequently, the unit's main focus was on monitoring the rate of compliance with the target to carry out 60% of victim call-backs within seven days and notifying underperforming divisions, if necessary. The unit had also carried out several other reviews including:

- > A review of 200 domestic abuse incidents to identify gaps in service delivery during the 'life-cycle' of the incidents;

- > An audit of 143 incidents categorised as coercive control: and
- > A review of a sample of 'Attention and Complaints' and 'Domestic dispute – no offence disclosed' incidents recorded on PULSE to ensure that they had been correctly categorised.<sup>180</sup>

However, there had been no examination of the quality of victim call-backs or victim assessments, nor of decisions taken in relation to the provision of special measures or protective measures for victims. A senior garda member in GNPSB stated that local management were responsible for quality control of these aspects of victim support, as well as for monitoring prosecutorial decisions and court outcomes.

In spite of having defined governance and oversight responsibilities, the Inspectorate found that in practice the roles of the policy owner and the GNPSB were very limited in relation to overseeing implementation of or monitoring compliance with the Domestic Abuse Intervention Policy. Nor did they have any significant role in terms of reviewing performance in relation to domestic abuse. With the exception of its oversight of compliance with the seven-day call-back rate, the bureau had not evaluated how divisions were performing against the policy in any detailed or formal way. For example, it did not assess the quality of investigation files or completed RETs, nor did it review performance in areas such as detection rates, court outcomes or attrition rates. Furthermore, it did not play any part in assessing the implementation or effectiveness of other policies that were integral to

179 Garda Síochána, 2018. [Development, Implementation, Monitoring and Review of Policy](#).

180 "Attention and Complaints" is a miscellaneous category for recording non-crime incidents on PULSE. A non-crime incident that had a domestic motivation should be categorised on PULSE as "Domestic dispute – no offence disclosed".

dealing with domestic abuse, such as the National Control Room Policy.<sup>181</sup> In general, governance and accountability in relation to domestic abuse were decentralised to senior management teams in divisions and regions and managed through the Performance Accountability Framework (PAF) process.

### Governance and Accountability at Regional, Divisional and Functional Area Level

The PAF process supports the Garda Síochána's overall management and governance functions. It provides an incident management process, as well as a standard structure for management meetings at national, regional, divisional and functional area level.<sup>182</sup> Meeting agendas are aligned with the pillars of the policing plan. This inspection reviewed how domestic-motivated incidents were dealt with under the PAF process.

In districts/community engagement functional areas, PAF meetings are held daily, weekly and monthly. The purpose of daily meetings is to review activity in the area for the previous 24 hours and issue instructions for unit briefings. Meetings are chaired by the local superintendent or acting superintendent, with the support of PAF administrators. As part of the incident management process, the superintendent should review each domestic incident, the garda response to it and the RET and any background information. They should consider the victim's need for protective and special measures and direct the provision of such measures if necessary. They may also

decide to reassign an investigation to a more experienced member.

Although information provided by the Garda Síochána indicates that these meetings are held daily, the Inspectorate found that the frequency of meetings depended on the volume of calls received and ranged from daily to bi-weekly. Even in the busiest districts, PAF meetings were not held at weekends, meaning that some incidents were not reviewed in a timely manner, thereby creating potential risks to victims. The Inspectorate found that in preparing for PAF meetings, PAF administrators were thorough and diligent in terms of checking that calls for service were correctly classified, Tusla notifications were completed, victim assessments had been conducted and call-backs were made. In some instances, these tasks were subject to multiple layers of checking including by the Garda Victim Service Offices, domestic abuse inspectors and Garda Information Services Centre.

Some of the places inspected had developed other local systems and processes to improve management of domestic abuse. These included setting up local databases to track important tasks such as the service of domestic violence orders and having PAF administrators issue email reminders to members to complete call-backs, something that could be automated. Although PULSE alerts the user if a victim of domestic abuse is a repeat victim, it does not distinguish if they are a repeat victim of domestic abuse. As a result, some districts had developed additional practices to ensure this information was readily available to the PAF meeting. These included further

181 The 2020 National Control Room Policy describes how telephone calls made to the Garda Síochána should be dealt with. It includes details of how to deal with calls related to domestic-motivated incidents. An updated policy was issued in 2024.

182 Under the Garda Operating Model, there are four geographic regions, each comprising between four and six divisions. Divisions are sub-divided into the functional areas of community engagement, crime, performance and assurance, and business services. Prior to the introduction of the model, divisions were sub-divided into geographical areas known as districts. At the time of the inspection, the divisions inspected were operating the district model.

research by PAF administrators to brief the superintendent or requiring investigating members to update the PULSE narrative to show that the case involves a repeat victim of domestic abuse. As identified in Chapter 2, many of the administrators spoken to auto-completed the Superintendent Considerations screen on PULSE using a standard form of words.

The purpose of weekly PAF meetings is to review key management items from the previous week and plan for the coming week. A key feature is the examination of the standard and progress of open investigations being conducted by the unit rostered to work that day. While investigations are examined on an individual basis, there is no strategic-level monitoring of the length of time taken to investigate domestic-motivated crimes.

Monthly meetings are more strategic in nature, have a set agenda and focus on governance and performance against policing plan objectives. While monthly strategic PAFs were supported by tactical assessments, there were no regular, comprehensive analytical reports produced that focused on domestic abuse.

At divisional level, PAF meetings are held at least fortnightly. Meetings focus on the overall management of the division, including the governance of districts/functional areas to ensure that key risks are being identified and addressed. Performance against policing plan objectives is monitored, as well as seven-day call-back rates and the completion of Superintendent Considerations on PULSE.

PAF meetings are held monthly at the regional level to consider the governance and management requirements. The Inspectorate was told that domestic abuse may feature on the PAF agenda and that analytical reports

in relation to call volumes, arrest rates and call-backs were available.

## International Practice

International police services reviewed as part of this inspection had an organisational-level unit, similar to the GNPSB. These included a Protecting Vulnerable People (PVP) Command in Kent and Humberside, England and a Domestic and Family Violence (DFV) Command in Queensland and Victoria, Australia. Each of these units had lead responsibility for developing their organisation's domestic abuse policy and strategy and overseeing their implementation. They also had a role in supporting the front-line officers to prevent, respond to, disrupt and investigate domestic abuse. Other tasks undertaken by some of these units included reviewing systems and processes to ensure continuous improvement, as well as developing and piloting new initiatives.

Kent and Humberside had high-level governance boards to oversee implementation of their strategies and drive their organisation's work to tackle domestic abuse. These operated in addition to daily incident management processes at local and organisational level. An officer of at least assistant chief constable rank chaired these boards. Core attendees included senior representatives from the PVP command, geographical divisions and national units such as training, control rooms, corporate communications and professional standards.<sup>183</sup> While these boards had a broad focus on protecting vulnerable people, a significant part of their remit was domestic, sexual and gender-based violence. Kent Police's PVP board was described by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) as a

<sup>183</sup> In these police services, Professional Standards Departments are responsible for criminal and misconduct investigations involving police officers.

*‘thorough system of strategic governance at both organisational and divisional level’.<sup>184</sup>*

## Assessment

There are many parts of the Garda Síochána involved in tackling domestic abuse including the GNPSB, geographical regions and divisions, the Garda College, Office of Corporate Communications, Community Engagement and Public Safety, and Internal Affairs. Each of these operates its own governance and accountability structure within the corporate PAF framework. There are some good examples of bilateral collaboration and co-ordination, such as the GNPSB and the Garda College working together to develop domestic abuse training. However, there is no single entity in the Garda Síochána directing and overseeing the totality of its work to prevent domestic abuse from occurring, protect and support victims, respond to reports, and investigate and prosecute cases.

The Garda Síochána’s ambition to treat domestic abuse as an organisational priority is weakened by the absence of an organisational strategy and action plan with a single owner. Additionally, while PAF provides a structured framework for oversight and governance, national units and regions/divisions were operating in silos in this regard. This further inhibits a whole of organisation approach.

The Inspectorate considers that in-depth organisational-level scrutiny is needed to drive continuous improvement in all aspects of the response to domestic abuse. It is the Inspectorate’s view that the defined responsibilities of the policy owner, Assistant Commissioner, Organised and Serious Crime, are too narrow to deliver holistic oversight. Furthermore, the remit of the national lead for domestic abuse, Detective

Chief Superintendent, GNPSB, regarding governance, accountability and performance monitoring at the organisational level is ambiguous.

To successfully achieve the Garda Síochána’s ambition, the Inspectorate considers that it should establish a single organisation-level entity, a Strategic Domestic Abuse Group, similar to the PVP boards described earlier. The core role of the group should be to co-ordinate a whole of organisation approach to domestic abuse, ensure consistent standards of practice and drive continuous improvement in how the Garda Síochána deals with domestic abuse. The group should be chaired by a member of sufficient rank to demonstrate the seriousness with which the Garda Síochána regards domestic abuse and with the authority to direct actions on behalf of the organisation. This could be achieved by assigning an enhanced governance and accountability role to the policy owner. It should complement the existing PAF processes.

Building on the good work of the bureau, the Inspectorate considers that it has a critical role to play in delivering a co-ordinated and consistent approach and contributing to the work of the group. This is in keeping with many of the bureau’s already defined roles, some of which are not being fully achieved. To operate on a strategic level, the bureau needs to be more actively involved with governance and oversight. As such, key governance functions of the bureau in relation to domestic abuse should be to:

- > Develop and oversee implementation of the domestic abuse strategy recommended earlier in this chapter;
- > Develop key performance indicators that contribute to the assessment of the organisation’s

184 His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services, 2022. [Police effectiveness, efficiency and legitimacy: An inspection of Kent Police.](#)

effectiveness and monitor performance against them;

- > Identify, pilot, evaluate and, if appropriate, roll out new initiatives;
- > Monitor the effectiveness of existing multi-agency work; and
- > Seek opportunities to develop new multi-agency partnership arrangements and enhance existing ones.

At divisional level, a member of superintendent rank should be responsible for local implementation of the strategy and action plan, as well as performance against measures within the framework.

While this recommendation is made in the context of domestic abuse, the Inspectorate considers that the remit of the group could be expanded in due course to include all aspects of sexual and gender-based violence.

### Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

#### Recommendation 47

The Inspectorate recommends that the Garda Síochána introduce an organisation-level Strategic Domestic Abuse Group, chaired by an assistant commissioner.

To support this approach, the Garda National Protective Services Bureau should be assigned an enhanced role in the strategic governance and oversight of domestic abuse.

## Performance Management / Information

This section considers how the Garda Síochána makes use of the large volume of domestic abuse-related data available to it to understand the nature and scale of reported domestic abuse, inform its response to it, and assess and improve its performance.

### Available Information

The Garda Síochána has undertaken a lot of work to improve data quality, as a result of which the Central Statistics Office removed the “with reservation” classification of garda statistics in October 2023. The Inspectorate welcomes this important development.

The Garda Síochána has expanded the type of data that it collects. For example, in 2021, it introduced a new field on the PULSE system to record the relationship between the parties involved in an incident. This enables a domestic motivation to be identified even if the specific motivation field on PULSE has not been completed. In 2023, a drop-down menu was added to PULSE to capture information about completion of the RET. As part of this inspection, 248 PULSE incidents with a domestic motivation were examined and the vast majority were found to have been classified correctly or, in a small number of the incidents, appropriately reclassified as part of the Garda Síochána’s ongoing data management processes.

In 2022, the Garda Síochána published a comprehensive report on domestic, sexual and gender-based violence for the period 2019–2021.<sup>185</sup> It used PULSE data that relates to incidents reported to the Garda Síochána but did not make use of relevant data from other agencies or support services. Although

185 Garda Síochána, 2022. [Domestic, Sexual and Gender-Based Violence: A Report on Crime Levels and Garda Operational Responses](#).

the report contains detailed analysis and high-level trends, it does not explain how the Garda Síochána planned to use the information or contain any actions developed as a result of the analysis.

The Garda Síochána Analysis Service monitors crime trends and disseminates analytical products to regions and divisions. The Inspectorate was told that these monthly reports identify trends and detection rates for domestic-motivated incidents, broken down by division and district/functional area. Other performance data can be obtained by running performance reports on PULSE. These include data in relation to the proportion of victim call-backs made within seven days of the incident and completion of Superintendent Considerations within a three-day target. However, this inspection identified that there was no scrutiny of court outcomes, no data on attrition rates, and no analysis of repeat calls, high-risk or repeat victims and prolific or high-harm offenders.

GardaSAFE, the new call-handling software, provides another rich source of readily accessible data in relation to domestic abuse calls. These include call volumes, repeat callers and locations, and the timeliness of call-taking and dispatch. GardaSAFE was being rolled out at the time of the inspection and the implementation team were consulting on the types of management reports that would be of use in the organisation.

## International Practice

Police services in other jurisdictions described to the Inspectorate how they use data to ensure accountability at organisational, regional and divisional levels and inform actions to drive continuous improvement. At a basic level, police services monitor the volume of domestic-motivated crime and non-crime incidents, their response times to such incidents, rates of charge/summons and outcomes.

In Australia, Queensland and Victoria Police Services each have measures in their domestic abuse strategy to enable them to assess whether they are achieving their objectives. Measures include:

- > Increased family violence-related crimes recorded;
- > Increased charges for family violence-related crimes and for contravention of orders;
- > Reduced repeat victimisation;
- > Reduced attrition rates for sexual offences;
- > Reduced repeat offending; and
- > Decreased incidents involving high threat/harm perpetrators.

There are no set targets, beyond seeking to increase or decrease the various measurements. This approach is designed to encourage decision makers to focus on the continual evolution of better practice. Victoria Police presents the measures in a dashboard.

Other qualitative performance measurements used by these services include organisation-wide targeted learning in family violence; expansion of innovative victim support models and enhanced practices to support victims during the prosecution process; and referrals to support services for perpetrators.

All international police services spoken to as part of this inspection were able to identify their most vulnerable victims and their serial or high-harm offenders and tailor actions to deal appropriately with both. Some police services were using algorithms to analyse information from their various databases to identify the risk associated with each offender. At the time of this inspection, Victoria Police had introduced a

Case Prioritisation Tool that used multiple decision points to predict escalations in family violence. The tool was developed in collaboration with a university and looked at factors such as the parties' history of violence, violence in the current relationship, age and breaches of bail.

Humberside Police had developed a Vulnerability Tracker that it considered essential for improved management of vulnerability, including domestic abuse. The automated system collates information from a variety of sources including police intelligence, crime and incident reports, custody records and referrals from local authorities in relation to vulnerable adults and children into a powerful searchable database. The database is updated daily and provides a detailed insight into vulnerability. As well as analysis by date, time and location (to street level), the tracker can provide detailed profiles such as repeat locations, details of offender cohorts, and which schools had children affected by domestic abuse, including the age profile of children. This granular level of detail enables Humberside Police and its partners to identify issues, prioritise them for action and apply problem-solving approaches, including education and prevention activities. In its 2021/2022 assessment, HMICFRS graded Humberside Police as outstanding for protecting vulnerable people and highlighted the tracker as innovative practice.<sup>186</sup>

## Assessment

The Inspectorate recognises the work undertaken by the Garda Síochána to improve the quality of its data, welcomes the lifting of the 'with reservation' status and acknowledges the ongoing development of PULSE to facilitate more detailed

searches and analysis. The introduction of GardaSAFE has provided another rich source of accessible data that should be used to inform the Garda Síochána's assessment of overall performance in relation to domestic abuse. For example, as well as measuring the timeliness of call-taking, dispatching and response, it could be interrogated to assess the quality of these activities and to routinely evaluate the standard of risk assessments conducted in the Regional Control Centres.

While there is some merit in monitoring the level of compliance with numerical targets relating to victim call-backs and completion of Superintendent Considerations, in isolation these are not an effective means of assessing how well the Garda Síochána deals with domestic abuse. For example, the overall extent to which victims are kept informed and the standard of updates are not assessed. Similarly, there is no examination of the quality of victims' needs assessments or how such needs are met.

Although some analytical reports are produced, their utility is limited because they do not include analysis of repeat or high-risk victims, prolific or high-harm offenders or repeat locations. In addition, because they are based exclusively on the Garda Síochána's data, they only provide a partial picture of a problem that is significantly under-reported.

The Inspectorate considers that the domestic abuse-related key performance indicators in use are not an effective means of assessing how well the Garda Síochána is dealing with domestic abuse. To enable the Garda Síochána to better monitor and assess its performance in this area and continuously improve its service, it should develop a comprehensive management information framework. This should be linked to the

186 His Majesty's Inspectorate of Constabulary and Fire & Rescue Services. 2022. [Police effectiveness, efficiency and legitimacy: An inspection of Humberside police.](#)

strategy and action plan and inform the work of the domestic abuse governance group already recommended. As part of the framework, the Garda Síochána should be able to identify repeat and high-risk victims, and prolific and high-harm offenders so that appropriate interventions can be made and monitored. The framework should include both qualitative and quantitative information and focus on outcomes such as reducing repeat victimisation, repeat offending and attrition rates; and improving victims' experiences. It should also include data from other organisations.

In relation to referrals to support services discussed in Chapter 2, the Garda Síochána should have an agreed mechanism for recording, collating and sharing anonymised data about the number and type of referrals it makes. This information should be examined at local and national level as part of the management information framework.

Ownership of the management information framework should sit with the appointed chair of the Strategic Domestic Abuse Group, with support from the Garda Síochána Analysis Service. Information should be compiled at organisational level and be disaggregated to divisional level. Building on the existing functions of GNPSB, it should have a key role in the monitoring of performance on behalf of the organisation and reporting on it to the group.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 48

The Inspectorate recommends that the Garda Síochána develop a comprehensive management information framework to assist in the management, monitoring and assessment of how it deals with domestic abuse.

## Divisional Level Roles and Responsibilities

As described in Chapter 3, the majority of domestic abuse investigations are conducted by front-line garda members with specialist units investigating a small proportion of all reported cases. In addition to conducting the investigation, it is the responsibility of the investigating member to manage domestic abuse offenders and ensure victims receive the necessary information, support and protection. To help address domestic abuse, support front-line members and engage with victims, the Garda Síochána has put in place a number of other roles. These include domestic abuse inspectors, champions and co-ordinators, GVSOs and DPSUs. This section contains the Inspectorate's findings and assessment of these roles, which are described in the introduction to this report.

### Domestic Abuse Inspectors

Although the responsibilities of domestic abuse inspectors are set out in the Domestic Abuse Intervention Policy, those who met with the Inspectorate had received no training for this portfolio role. Most held multiple portfolios, which affected the time available for domestic abuse-related duties. In addition, the Inspectorate was told that while the inspectors had good engagement

with the GNPSB, they tended to have little contact with each other. Most of the inspectors spoken to were engaged with their local victim support services, although in one division, this task had been assigned to the domestic abuse co-ordinators. The Inspectorate found that many aspects of the role of domestic abuse inspectors as envisaged by the Domestic Abuse Intervention Policy had been superseded by the introduction of the PAF and risk assessment processes. These included ensuring that domestic abuse incidents are correctly recorded, overseeing investigations, directing follow-up actions and managing risk. Consequently, the Inspectorate found duplication of effort and variations in the day-to-day functions performed by the domestic abuse inspectors in the divisions inspected.

### Domestic Abuse Champions

Each division has appointed domestic abuse champions, whose role is to improve the culture of the organisation in how it responds to domestic abuse and provide advice and support on domestic abuse issues to colleagues.

Across three of the four divisions visited, there was a degree of uncertainty as to what was expected of domestic abuse champions and a variation in who took on the role. In one division, champions were of sergeant rank, in another they were garda rank, while a third division had appointed members of both ranks. Although details of champions had been circulated to members, most champions interviewed for the inspection had not been contacted by colleagues in relation to domestic abuse. Some of the regular unit members interviewed did not know whether there was a champion assigned to their unit. Even when members knew who their local champions were, many

of them told the Inspectorate that they would usually seek advice from their supervising sergeant. Most of the champions spoken to said that they had not received training to assist them to perform the role and some were unsure of what the role entailed. There had been no networking events as envisaged when the system was set up.

During the course of its engagement, the Inspectorate noted that the champion role operated differently in the Dublin Metropolitan Region (DMR) Northern division. Here, the role was more defined and there was a greater understanding of it. Champions interacted with the domestic abuse co-ordinators (DACTs) and were tasked to provide information and support to high-risk victims. The system in the DMR Northern division is described in the next section.

### Domestic Abuse Co-ordinators

DMR Northern division was operating a system of DACTs, whose role was to review domestic abuse incidents, assess the risk to each victim and then ensure that support is provided to high-risk victims.

At the time of the inspection, this division was operating on the basis of four geographical districts. In each district, a garda member was performing the role of DACT. In two districts, DACTs were assigned on a full-time basis while in the other two districts, they were deployed on a case-by-case basis. All had different reporting lines and governance of the system was inconsistent, with the DPSU inspector, domestic abuse inspector, district superintendents and the detective superintendent having some involvement.

In two districts, DACTs reviewed all domestic abuse incidents and applied local guidelines to identify those victims who would benefit from contact from a

domestic abuse champion. These DACTs did not contact victims. They maintained a spreadsheet of cases that was regularly reviewed in conjunction with their sergeant in order to decide if a champion should be assigned. It was explained that each champion in the district may have responsibility for up to two victims and was required to update a local action log in relation to their involvement with each victim. In the other districts, the DACTs reviewed cases and then they provided support to identified victims. Examples of the types of support included providing advice about orders; bringing victims to family and criminal courts and accompanying them during court proceedings; and liaising with agencies and support organisations on behalf of victims. Contact with victims by DACTs or champions was in addition to updates by the investigating member.

DACTs advised the Inspectorate that they had a monthly peer support meeting to share experiences and good practice. In addition, annual training for DACTs has been in place since 2023. At the time of the inspection, the DACT system had been expanded to other divisions in the DMR. The GNPSB advised that it was supporting considerations to expand DACTs beyond the DMR.

### Garda Victim Service Office

While each garda division has a GVSO, which acts as the central point of contact for victims of crime and trauma, operating procedures mean that GVSO personnel have a very limited role in supporting victims of domestic abuse. It is typically the responsibility of the investigating member to provide information, advice and support to victims of domestic abuse. As such, the procedures require GVSO personnel to liaise with the investigating member or the relevant superintendent's office if a victim

contacts the office or needs to be updated. Among the four GVSOs examined, the Inspectorate found marked variations in relation to their work regarding domestic abuse victims. During Operation Faoiseamh, some GVSO personnel were involved in proactively making calls to historical victims of domestic abuse to provide support and identify vulnerable victims, but this work had ceased.

In terms of call-backs, some GVSOs monitored seven-day call-backs to ensure they were done, a task that was also being performed by PAF administrators. In one division, the GVSO notified the investigating member if they assessed that a call-back was needed. This usually occurred when a call-back had not been completed within three days of the incident being reported. In another division, the GVSO did call-backs after one and three months. Another said that they monitored cases to ensure Tusla notifications were completed if children were involved in the incident, while in a different division the GVSO brought details of victims that they thought could be directed to a local support service to the domestic abuse inspector.

When GVSOs received a call from a victim, one office said that they would not update the victim themselves but would contact the investigating member to do so. In contrast, another office said that they would provide an update based on the information recorded on the PULSE system.

In terms of potential risks to victims, one office told the Inspectorate that if they identified concerns from reading the PULSE incident, they would ask the Regional Control Centre to task a welfare check. Another said they would attempt to contact the victim directly and record this in a local GVSO document. Another office said that if they identified a repeat victim or potential

escalation of risk, they would flag this to the investigating member, a supervisor or, in some instances, a superintendent.

Each of the GVSOs engaged with as part of this inspection had some form of contact with their local domestic abuse support services. However, in line with other contacts highlighted in this report, this was on an ad hoc basis and some GVSO personnel were not fully aware of all of the services provided by these organisations.

The Inspectorate found that GVSO personnel were committed to their role, concerned about victims of domestic abuse and were working with their colleagues to assist victims. However, the standard operating procedures as they related to domestic abuse victims were not being applied consistently across the four divisions and a number of local practices had emerged. As a result, the service provided varied between locations.

## Divisional Protective Services Units

DPSUs are involved in the investigation of a range of crimes including child abuse, sexual offences and complex and serious domestic-motivated crimes. Although the allocation of domestic abuse investigations to DPSUs is governed by a set of risk- and harm-based criteria, this was not happening on a consistent basis, usually due to insufficient capacity within the units.

## Assessment

The Inspectorate acknowledges that the Garda Síochána has taken positive steps in recent years to develop and improve how it deals with domestic abuse. These include the establishment of DPSUs and criteria for the types of domestic abuse cases they investigate, the creation of the domestic abuse inspector portfolio and domestic abuse

champion role, the introduction of the RET, and through initiatives such as Operation Faoiseamh. However, it is the Inspectorate's view that the collective potential of these measures is not being fully realised.

The fact that serious and repeat domestic abuse cases are not consistently assigned to DPSUs in accordance with set criteria is an example. As such, the Inspectorate welcomes the DPSU review, including a review of capacity, which was ongoing at the time of this inspection. However, it is important that the review also takes account of the capacity needed to manage domestic abuse offenders and ensure victims receive appropriate information, support and protection, in addition to investigative capacity.

The Inspectorate considers it appropriate that investigations that do not meet the criteria for assignment to DPSUs sit with regular units. It considered suggestions that divisions have separate domestic abuse units, but discounted this option due to the importance of the initial response, the fact that this is mostly provided by regular units, the volume of domestic abuse incidents reported and overall resourcing pressures. However, this report has already identified some of the weaknesses and inconsistencies in relation to how domestic abuse is dealt with, along with recommendations for improvement. In implementing those recommendations, the Garda Síochána also needs to determine who has primary responsibility for each aspect of its response to a domestic abuse incident so that they are undertaken in a manner that is cohesive and avoids omissions or duplication of effort.

Although domestic abuse inspectors often fulfil important functions, the Inspectorate considers that a review of the role is now required. The Inspectorate considers that the domestic abuse inspector should primarily support the divisional superintendent who

is responsible for local implementation of the national domestic abuse strategy, as described earlier in this chapter. As such, the inspectors' responsibilities should be reviewed and updated to ensure that they complement new domestic abuse procedures such as the RET, as well as the PAF processes.

Overall, there was a significant gap between the vision for the role of domestic abuse champions and what had been achieved. It appears to the Inspectorate that while the concept has potential as a support mechanism for both victims and garda members, the role was poorly understood and underutilised and support for champions weak. To understand how that potential can be fully realised, the Garda Síochána needs to evaluate the scheme, identify good practice and, if appropriate, refresh it.

It is the Inspectorate's view that the service provided by GVSOs should be consistent regardless of location. To help achieve this, the standard operating procedures should be reviewed to ensure they are fit for purpose and serve all victims well. Good practice identified during the review should be incorporated into the updated procedures. The Inspectorate also considers that there are opportunities for the role of the GVSO to be enhanced and recommends that the review should consider the potential to expand the scope of the GVSO role in relation to providing regular updates and making referrals to support services. This would require all GVSO personnel to have a clear understanding of the services available in their area. Operation Faoiseamh provides a solid base from which the GVSO role can be further developed.

The Inspectorate considers that the risk assessment element of the DACT role has been made redundant by the introduction of the RET. It also appears to the Inspectorate that there is potential for duplication with

the functions of the PAF process in terms of assessing and addressing the needs of and risk to victims. While this enhanced level of support for high-risk victims of domestic abuse is positive, there is a need to determine whether the role is required in the long term given the victim support network envisaged under the Third National Strategy. If there is a role for DACTs, then it should be clearly defined and operated in a consistent manner within a standardised reporting structure.

As identified in Chapter 6, the Inspectorate also considers that there should be an appropriate level of resources with the right skills to manage offenders, especially those identified as prolific or high-harm offenders, whether on a single agency basis or as part of a multi-agency partnership.

At the national level, the Inspectorate considers that the Strategic Domestic Abuse Group should bring a greater focus to the operational response to reports of domestic abuse. The group should lead on the development of a cohesive and consistent divisional model that reflects the Inspectorate's assessment. The model should include clearly defined roles for domestic abuse inspectors and champions, capacity for managing prolific and high-harm offenders, and an enhanced role for GVSOs. The group should consider the future role of DACTs. Importantly, the group should future-proof the model to ensure that it is capable of implementing the types of multi-agency work that are essential in relation to domestic abuse.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

**Recommendation 49**

The Inspectorate recommends that the Garda Síochána develop a divisional model for tackling domestic abuse which is cohesive, coherent and that better co-ordinates the roles and responsibilities of available resources.

The model should include:

- > Divisional Protective Services Units that have the capacity to deal with the volume of domestic-motivated crimes referred to them in accordance with garda policies;
- > Capacity for the management of prolific and high-harm offenders;
- > Clearly defined roles for domestic abuse inspectors and domestic abuse champions;
- > An enhanced role for the Garda Victim Service Offices in relation to engagement with victims and victim organisations; and
- > Consideration of the future role of domestic abuse co-ordinators.

## Domestic Abuse Involving Members of the Garda Workforce

High-profile cases abroad and in Ireland have raised awareness of the fact that there are perpetrators of domestic abuse in all professions, including policing. This section begins by providing information about a retrospective review being conducted by the Garda Síochána into cases of domestic sexual and gender-based violence involving garda members. It considers how the

Garda Síochána can prevent unsuitable people from joining or continuing to work in the organisation, as well as its ability to identify incidents involving members of its workforce. It goes on to look at how these incidents are allocated for investigation and reviews how victims of abuse by members of the garda workforce are supported.

### Garda Review of Domestic Sexual and Gender-Based Violence Involving Members

In November 2021 and following the murder of Sarah Everard by a serving police officer in England, the Garda Commissioner announced a review of domestic, sexual and gender-based violence cases involving garda members. This retrospective review was focused on incidents that were reported to the Garda Síochána between October 2019 and December 2021 and required extensive work to identify relevant cases. The Garda Síochána subsequently appointed a senior investigating officer and investigation team to examine these cases. This work, to determine whether policies and procedures were correctly followed and victims received the necessary standard of service, was ongoing at the time of this inspection. The Inspectorate was told that lessons learned during investigations involving members were being incorporated into the new domestic abuse policy.

### Vetting

Vetting is a critically important process for identifying people who are unsuitable to be members of any police service or to undertake specific policing roles, such as staff employed through a third party to perform security or custody roles for the police service. The Inspectorate examined garda vetting for its 2020 report *Countering the Threat of*

Internal Corruption.<sup>187</sup> As part of the review of counter-corruption structures, strategies and processes in the Garda Síochána, the Inspectorate found that while vetting was conducted for all prospective members of the garda workforce before their appointment, there was no coherent recruitment and vetting policy or framework. The report made an extensive recommendation to address the identified weaknesses and improve vetting. In an update on progress to implement this recommendation, the Garda Síochána reported that it was developing an 'In-Career Garda Vetting Strategy, inclusive of an enhanced Internal Vetting Framework'.<sup>188</sup>

## International Practice

In a review of vetting practices following the murder of Sarah Everard, HMICFRS found that it was too easy for the wrong people to join and stay in police services in England and Wales.<sup>189</sup> It made a number of recommendations aimed at strengthening the vetting system. These included introducing more thorough pre-employment checks, and establishing better processes for assessing, analysing and managing risks associated with vetting and re-vetting of police officers and staff following misconduct proceedings in certain circumstances.

## Awareness of Domestic Abuse Cases Involving Garda Personnel

To be able to conduct effective criminal and misconduct investigations into members of the workforce who are accused of domestic abuse, the Garda Síochána needs to know that the perpetrator is part of the organisation. This is also important so that a victim has confidence that the matter will be dealt with objectively and receive

the information, support and protection to which they are entitled. While this may seem obvious, this inspection identified that the Garda Síochána could not be certain that it would know if the perpetrator or victim in a domestic-motivated incident is a member of the garda workforce. Ways in which the Garda Síochána could be alerted to the fact that an incident involved garda personnel are described in the following section.

## Self-reporting

The 2017 Domestic Abuse Intervention Policy requires members who are subject to a domestic violence order or become aware of any court proceedings against them to self-report to their divisional officer. The divisional officer must notify Internal Affairs if a member is, or is about to be, the subject of any court proceedings or order. The notification should include the divisional officer's recommendations and proposed actions in relation to any associated disciplinary issues. There was no such reporting requirement for garda staff.

Furthermore, there was no requirement for garda personnel involved in a domestic abuse incident, as a perpetrator or victim, to reveal their occupation to the attending unit. It is also the case that the PULSE system cannot easily identify if either party is a member of the garda workforce, nor can it flag if the applicant or respondent of a domestic violence order is a member of the workforce.

## Responsibility to Report Wrongdoing

The *Code of Ethics for the Garda Síochána* is a set of guiding principles for the organisation.<sup>190</sup> A key commitment in the code is to speak up

187 Garda Inspectorate 2020. [Countering the Threat of Internal Corruption](#).

188 Department of Justice, 2020. [Implementation Plan](#). Recommendation 14.

189 His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, 2022. [An inspection of vetting, misconduct and misogyny in the police service](#).

190 Policing Authority, 2020. [Code of Ethics for the Garda Síochána](#).

and report wrongdoing. While the majority of the garda personnel have made a written commitment to adhere to its standards, breaches of the code do not constitute a breach of the discipline regulations. However, behaviour that is contrary to the code may also constitute a breach of discipline and have consequences under the Garda Síochána (Discipline) Regulations 2007 or the Civil Service Code of Standards and Behaviour.

## International Practice

In Australia, Victoria Police has a detailed policy in relation to family violence that applies to all its employees.<sup>191</sup> It clearly sets out the responsibilities of those who receive information about family violence involving another employee, those who are involved in a family violence incident and those who respond to such incidents.

All employees receiving information about alleged family violence involving police employees are required to bring it to the attention of a supervisor or manager. Where the information relates to allegations of family violence being perpetrated by an employee, the standard policing response is initiated with additional safeguards applied. These are described in the following section.

Employees who are involved in a family violence incident must identify themselves as such to the responding members. In addition, any employee arrested for or charged with any family violence-related offence is required to inform their manager as soon as practicable. All family violence incidents involving employees identified as the perpetrator must be notified to the

Victoria Police Professional Standards Command (PSC).

## Supporting Victims of Domestic Abuse Perpetrated by Garda Personnel

Garda policy states that any member of its workforce who reports domestic abuse will be treated in a professional, sensitive and confidential manner. In addition to the support services available to members of the public, garda personnel may also avail of the garda Employee Assistance Service.<sup>192</sup> During the Inspectorate's fieldwork, it was apparent that some garda members did not fully appreciate that victims who work in the Garda Síochána may worry that reporting domestic abuse might have an adverse impact on their career or relationship with colleagues.

In a review of learning about police-perpetrated violence against women and girls, the UK College of Policing and the National Police Chiefs Council reported that '*police victims may experience particular challenges that require specialist support services*'.<sup>193</sup> The report highlighted Nottinghamshire Police's practice of engaging a dedicated Independent Domestic Violence Advocate (IDVA) for police victims of domestic abuse as a positive initiative. This service accepts direct referrals from the victim or from the employer with the victim's consent. The IDVA works with Nottinghamshire Police to agree an action plan to support the employee.

The 2017 Domestic Abuse Intervention Policy does not comment on the support that should be provided to members of the public

191 Victoria Police employees include police officers, reservists, recruits and police staff.

192 The Employee Assistance Service provides a non-judgmental, confidential, professional supportive service to all serving and retired staff of the Garda Síochána. Further information is available at: [garda.ie](https://garda.ie)

193 College of Policing & National Police Chiefs' Council, 2022. [Violence against women and girls. Themes, learning and next steps following police forces' reviews of police-perpetrated violence against women and girls.](#)

who make a report against a member of the workforce. Members who dealt with reports of domestic abuse told the Inspectorate that they would treat such a person in the same way as every other victim. They did not recognise the additional challenge of seeking help from the organisation that the perpetrator belongs to or the importance

of reassuring them that the matter will be taken seriously and dealt with in a professional manner. A victim who met with the Inspectorate recounted her experience of reporting her ex-partner, a garda member, on several different occasions and the challenges she faced. Her experience is described in Figure 8.1.

**Figure 8.1 Jennifer's Experience (not her real name)**

Jennifer had been in a long-term relationship with a garda member, Matt (not his real name) and they had a child together. Because of his physical, sexual and emotional abuse, which included shouting, hitting and belittling her over a two-year period, she separated from him. At that point, she had not reported the abuse to the Garda Síochána. Matt had told her that no one would believe her as he was a guard.

After the separation, Matt continued to harass Jennifer and while she wanted his behaviour to stop, she was still reluctant to call the Garda Síochána. Due to the persistent nature of Matt's abuse, Jennifer eventually contacted the Garda Síochána for help, although at first she declined to make a formal statement.

The abuse continued and on the next occasion she contacted the Garda Síochána she made a formal statement of complaint. While her experience with the first garda member she met was positive, Jennifer's case was later reassigned to another member who she described as uncaring and disinterested. She went on to explain other aspects of her experience with various members of the organisation including:

- > Intimidation from colleagues of her ex-partner;
- > Complaints made to the Garda Síochána that were not immediately recorded on PULSE;
- > Statements taken from her in connection with other crimes involving her ex-partner that were inaccurate accounts of the complaints she actually made; and
- > Poor responses from her partner's supervisor to complaints about his behaviour.

Describing her overall experience, Jennifer considered that some of the garda members she dealt with were helpful, but she believed that others minimised her experience to protect their colleague, something that she said made her situation even worse. She found it traumatising to have to repeatedly explain her situation to different garda members and although she did retell it, she was disappointed that commitments made to her by some garda members were not kept. This led Jennifer to say that there was only one garda member she felt she could trust from over 50 she had dealt with at various times.

Thinking about how the Garda Síochána treat victims, Jennifer emphasised the need for members to be better trained to comprehend the different responses they will hear from victims. She explained, "the guards need to see first-hand the impact domestic abuse has on victims and their lives to get the victim's perspective and to be able to effectively relate to people on the ground."

## Supervision and Investigation of Domestic Abuse Incidents Involving Garda Personnel

The Domestic Abuse Intervention Policy clearly states that a perpetrator of domestic abuse who is a member of the Garda Síochána will be dealt with in accordance with the law and policy. It is silent on who should investigate domestic abuse involving members of the Garda Síochána and does not refer to garda staff. The policy requires supervisors to monitor domestic abuse incidents, but they are not assigned any additional responsibility regarding the response to or investigation of an incident involving garda personnel. While supervisors in Regional Control Centres must review the CAD log before closing a domestic abuse incident, they have not been assigned any specific instruction regarding incidents involving garda personnel.

Senior gardaí highlighted that the chief superintendent in charge of the division where the domestic abuse incident occurred was responsible for deciding who should investigate an incident involving garda personnel. However, the Inspectorate found that there was an inconsistent approach to the allocation of such investigations. The Inspectorate was told that decisions were taken on a case-by-case basis and this could result in a case being assigned to a national unit such as the GNPSB or National Bureau of Criminal Investigations. Equally, a case might be allocated to the DPSU in the division in which the incident occurred, a DPSU in another division, or to a member of a higher rank from a neighbouring division. There were no criteria to inform this decision-making process.

The Garda Síochána Act 2005, as amended, states that if a member of the public or a

person acting on their behalf wishes to make a complaint against a member of the Garda Síochána, they can do so by making it to the Garda Síochána Ombudsman Commission (GSOC). Alternatively, if the complaint is made to the Garda Síochána, it must immediately be forwarded to GSOC. This avenue is not open to serving garda members to make a complaint against another member, although they could make a protected disclosure.<sup>194</sup> The 2017 Domestic Abuse Intervention Policy states that a person who makes an allegation of domestic abuse against a garda member should be informed that they can make a complaint to GSOC. Some senior gardaí said that they would refer a case in which a serving garda member was the perpetrator to GSOC, although some of these cases may be returned for investigation by the Garda Síochána, as permitted under the Garda Síochána Act 2005. GSOC explained that the victim's view is an important factor in deciding whether to refer a case back to the Garda Síochána for investigation.

## International Practice

In Australia, employees of Victoria Police who receive information about alleged family violence involving police employees are required to initiate a discussion with a supervisor or manager. It is also a policy requirement for an employee who is involved in a family violence incident to identify themselves as an employee to the responding police officers. Once the responding officers identify that any of the parties is an employee, they are required to notify a supervisor as soon as possible and, where practicable, the supervisor must attend and take charge of the incident. The supervisor is also responsible for arranging follow-up enquiries, notifying the senior officer on duty and ensuring

<sup>194</sup> A protected disclosure is a disclosure by a worker of information about a relevant wrongdoing that they became aware of in a work-related context. Further information is available at: [opdc.ie](http://opdc.ie)

that the Police Standards Command (PSC) receives immediate notification. Upon receipt of notification, the PSC determines how the matter will be dealt with, including whether the investigation will be conducted by it or by another unit at departmental or regional level. The PSC maintains oversight of family violence investigations assigned to other units. The assigned investigator is responsible for considering what other actions are required in relation to the employee while the investigation is ongoing. These include actions to manage any risks, potential reputational damage and community expectations resulting from the incident. Where a criminal offence has been disclosed, decisions to authorise charging of the employee are taken by the assistant commissioner in charge of the PSC.

In addition, an employee arrested for or charged with any family violence-related offence must notify their line manager as soon as practicable, following which the PSC is notified. This requirement also applies to offences arising in other jurisdictions. If an employee is suspected of a criminal offence or breach of discipline in relation to a family violence matter, consideration will be given to transferring them to a different role or suspending them from duty. If a breach of discipline is proven, it is not considered appropriate for that person to work in a specialist family or sexual violence role.

If the perpetrator is a police employee, an investigation must take place into the employee's possession of, or access to, firearms including police-issued firearms. Furthermore, if the employee is subject to a final Family Violence Intervention Order issued in Victoria or a domestic violence order issued in any other Australian state or territory, they are classified as a prohibited

person for the duration of the order and for five years afterwards.<sup>195</sup> It is an offence for a prohibited person to possess, carry or use a firearm including a police-issued firearm. Additional considerations taken by Victoria Police include the assessment and suspension of *'operational safety and tactics training qualifications to minimise any harm associated with operational safety equipment to employees who are involved in a family violence incident'*.

## Assessment

The review of domestic, sexual and gender-based violence incidents involving garda members being conducted by the Garda Síochána is vitally important. The Inspectorate welcomes the fact that lessons learned from it are informing the updated domestic abuse policy. However, as the review is retrospective, it was unclear to the Inspectorate how cases outside of its time frame were being identified for appropriate supervision and scrutiny other than through local knowledge or self-reporting.

The Inspectorate considers that there is a need for a detailed policy for domestic abuse involving members of the garda workforce. The policy should include a requirement for members of the workforce to disclose being under investigation, an allocation policy for investigations and a requirement for proactive supervision of the response to incidents. The policy should formalise the garda position in relation to access to police-issued and non-police-issued firearms during domestic abuse investigations and following the granting of a domestic violence order or conviction for a domestic-motivated offence. The Inspectorate considers that the model adopted by Victoria Police is transferable to Ireland. The requirement to report being

195 A Family Violence Intervention Order is a legal order issued by a court that aims to protect people from further family violence.

under investigation for a domestic abuse incident should apply in relation to incidents in any jurisdiction. In addition, garda policy should include clear directions about providing support and protection to garda personnel who are victims of domestic abuse.

The Inspectorate considers that additional mechanisms are needed to ensure that garda personnel who are parties to domestic abuse are dealt with appropriately. It should be a policy requirement for personnel to disclose their occupation to garda members who are tasked to deal with a domestic abuse incident. The aim of this approach is to ensure that victims are provided with suitable support, investigations are correctly allocated, and perpetrators are managed in the most appropriate manner.

Whether identified through self-reporting or local knowledge, all incidents of domestic abuse should be attended in person by a supervisor where practicable. Incidents where the perpetrator is a garda member or garda staff should be notified to Internal Affairs and Human Resources respectively, who should have documented procedures to deal with the personnel concerned. This should include consideration of their duty status, access to garda IT systems and access to police-issued or privately held firearms.

Although the Code of Ethics requires members of the workforce to report wrongdoing, police culture can prevent people from speaking out. To combat this, the Garda Síochána should require personnel who become aware of domestic abuse involving other members of the workforce to report this to a supervisor. The Garda Síochána should introduce an internal communication plan to ensure that all personnel are aware of their obligations to report concerns and to disclose their occupation to garda members who are tasked to deal with a domestic abuse incident.

In addition to considering the risks to state security, garda vetting needs to take account of public safety, including the safety of the most vulnerable in society. The Inspectorate considers that vetting should be on a continuum, with in-service reviews following the discovery of adverse information or misconduct proceedings, as well as in advance of appointment to certain specialist roles. Where vetting identifies concerns about a member of the workforce, but they continue to work for the Garda Síochána, then proportionate mitigations should be put in place to manage the risk. The Inspectorate re-emphasises its vetting recommendation in the *Countering the Threat of Internal Corruption* inspection report.

The Garda Síochána must be seen to take all reports of domestic abuse seriously; it must also show that there is no place in the organisation for an abuser and it must respond professionally to all allegations made against its personnel. The inability of some garda members to recognise the challenges that are faced by garda personnel reporting domestic abuse and the absence of specific directions about how to support victims of garda perpetrators are gaps that have the potential to undermine the Garda Síochána's significant public commitments. This creates a risk that cases involving garda members may not be dealt with objectively and robustly or at least be perceived to lack appropriate rigour. Immediate action is needed to address these weaknesses.

Finally, the Inspectorate is concerned about the absence of a policy for the allocation of investigations that involve garda personnel. While recognising that investigations have resulted in successful prosecutions of serving members, the approach of allocating cases to a wide variety of national and local units, which may not have the requisite understanding or skills, is an outlier in comparison with international practice. The

potential for inconsistencies coupled with a lack of strategic overview of such cases is a risk that also needs to be addressed. To address these issues, the Garda Síochána needs to have a comprehensive policy on domestic abuse involving garda personnel.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

- > Details of how the Garda Síochána will support personnel who are victims of domestic abuse and the support services available to them.

The policy should be accompanied by a communications plan to ensure personnel are aware of their responsibilities.

### Recommendation 50

The Inspectorate recommends that the Garda Síochána develop, implement and publish a comprehensive policy on domestic abuse involving garda personnel.

It should include:

- > A requirement for all garda personnel who become aware of domestic abuse involving other members of the workforce to report this to a supervisor;
- > A requirement for garda personnel to disclose being under investigation for domestic abuse in any jurisdiction;
- > An allocation policy for investigations involving garda personnel;
- > A requirement that the duty status of personnel under investigation, their access to garda IT systems and to firearms is examined and kept under review;
- > A requirement for supervisors to be made aware of and attend all domestic abuse incidents involving garda personnel where practicable; and

# 9

## *Chapter 9*

### *Training, Learning and Development*



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GARDA SÍOCHÁNA INSPECTORATE

# Chapter 9 - Training, Learning and Development

## Introduction

This chapter examines training, learning and development in the context of domestic abuse. It contains a summary of the training programmes provided by the Garda Síochána that have specific domestic abuse-related content. The chapter concludes by looking at the work of the Garda Síochána in relation to domestic homicide reviews, which are a mechanism to identify learning and improve the organisation's response to domestic abuse.

## Training Provided by the Garda College

Most training for garda personnel is developed and provided by the Garda College, often in conjunction with divisions, national units and external partners. The Garda College has three main training areas: Foundation Training; Crime, Specialist and Operational Skills; and Leadership, Management and Professional Development.

### Foundation Training

Since 2014, all student/probationer gardaí complete the BA in Applied Policing, which is a Level 7 programme accredited by the University of Limerick. Training in relation to domestic abuse includes all relevant directives, policy and legislation and occurs across three phases. Phase one is delivered at the Garda College and phases two and three are delivered in the divisions to which trainees are assigned. Student/probationer gardaí take exams and undergo assessments throughout their training.

The Inspectorate was informed that phase one training was developed in consultation with the Garda National Protective Services Bureau (GNPSB) and includes modules on domestic, sexual and gender-based violence, the provisions of the Domestic Violence Act 2018 and Children First legislation. Trainees are encouraged to utilise the Garda Decision Making Model when dealing with reports of domestic abuse.<sup>196</sup> The application of this model ensures constitutional and human rights, as well as the *Code of Ethics for the Garda Síochána* are central to decision making.

During phase two, probationer gardaí complete a one-day training course dedicated entirely to domestic abuse investigations. This is delivered in their division by the continuous professional development (CPD) trainer. The programme contains some of the modules from the online training package described later in this chapter, including high-risk indicators of domestic abuse, call procedures, post incident engagement and the victims' perspective. Probationer gardaí also complete case studies and have an opportunity to share their experience in relation to cases they are working on. Presentations are also made by the GNPSB and the local Garda Victim Service Office. The Inspectorate was informed that a primary focus of this training is to provide probationers with an opportunity to build upon their phase one training, clarify their understanding of the legislation and to provide a forum through which operational experiences can be shared with fellow probationers.

196 Garda Síochána, 2019. [Garda Decision Making Model](#).

Phase three includes another one-day domestic abuse training programme delivered by the divisional CPD trainer. This includes other modules from the online training programme including PULSE data quality, coercive control, the criminal justice process, objecting to bail and file preparation. Other topics covered include domestic violence orders, call-backs to victims of domestic abuse and garda responsibilities in relation to children in domestic abuse situations.

The Inspectorate was also informed that the practice of including presentations from victim support services in foundation training had ceased during the Covid-19 pandemic and had not recommenced. This was identified as a weakness by various support services, as well as by garda members. It was recommended to the Inspectorate that support services should be included in garda training on domestic abuse as often these services can give the victims' perspective and can help the Garda Síochána to develop more trauma-informed practice around how garda personnel engage with victims. Although under the Third National Strategy on Domestic, Sexual and Gender-Based Violence, the Garda College has committed to develop and deliver a trauma-informed curriculum to the entire garda organisation, this had not been completed. Consequently, the Inspectorate recommended in its 2024 report *Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána* that the Garda Síochána develop and implement a trauma-responsive framework that included trauma-responsive training for all members of its workforce.<sup>197</sup>

## Crime, Specialist and Operational Skills

The training area of crime, specialist and operational skills in the Garda College includes detective courses, as well as training for senior investigating officers and specialist interviewers. The Garda College indicated that the classroom-based detective garda programme includes training on domestic abuse and coercive control, with an emphasis on compliance with the 2017 Domestic Abuse Intervention Policy.

It was explained that training on domestic abuse is delivered through presentations from the GNPSB, with content determined by a detective superintendent from the bureau. These presentations were described by the Garda Síochána as additional information provision designed to enhance knowledge around domestic abuse. The Garda Síochána regards them as complementary to personal upskilling through dedicated online learning, operational experience and notified policy and procedure changes. In addition, the Inspectorate was informed that the Garda College trains specialist interviewers who are tasked with interviewing vulnerable victims and witnesses, including victims of domestic-motivated crimes.

As previously described, the Garda Síochána has developed a specialist training programme for garda prosecutors and court presenters. In addition, it has ensured that domestic abuse is included in training for call-takers and dispatchers, and delivered a bespoke training package to Divisional Protective Services Units.

<sup>197</sup> Garda Inspectorate, 2024. [Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána](#), Recommendation 5.5.

## Leadership, Management and Professional Development

The remit of this area of the Garda College includes development programmes for newly promoted personnel. Training on domestic abuse is provided as part of promotion programmes for members being promoted to the ranks of sergeant, inspector and superintendent. This focusses on policy compliance, investigations and prosecutions with an emphasis on quality improvement. The programme includes a speaker from the Office of the Director of Public Prosecutions.

### Core Training Programme

In addition to the training provided to trainee and probationer garda members, the Garda Síochána previously delivered a CPD programme known as the Core programme. This programme was developed by the Garda College in conjunction with CPD units in each division and commenced in 2018. The programme included training in relation to domestic abuse and victims of crime more generally. The programme ran from 2018 to 2020, when it stopped because of the Covid-19 pandemic. The Inspectorate was informed that because CPD units are involved in delivering other training, including probationer training and training in new IT systems such as the Investigation Management System and GardaSAFE, the Core programme had not recommenced.

### Online Learning Modules

In addition to the domestic abuse training received as part of the general police training, the Garda Síochána has developed a domestic abuse online learning programme consisting of 14 modules. The initial programme was released in the first quarter of 2021 and comprised nine modules. A further four modules were released on

a phased basis across the organisation. In November 2021, another module was released, which covered the requirements of PULSE regarding domestic violence orders. All garda members and staff are required to complete a selection of modules based on their role and rank/grade. The completion rate across the organisation was reported to be over 90%.

During engagement with garda members of all levels, the Inspectorate was informed that more in-person training on domestic abuse was needed. The prevailing belief was that the online modules do not provide the opportunity to meet with colleagues to discuss their experiences, new initiatives or good and bad practice. This was particularly relevant in relation to the roll-out of the Risk Evaluation Tool (RET) where garda members believed that the opportunity to discuss the tool with peers would be beneficial.

### Other Learning Resources

The garda portal is an internal intranet site for sharing training, policy and procedures documents. The portal contains all key domestic abuse-related documents including practice guides for incident investigation and file preparation. It is updated with any new material as necessary and is accessible on a 24-hour basis. Garda personnel also have access to the Garda Síochána's internal video platform, known as GTube. This contains instructional videos for operational gardaí.

### International Practice

In Victoria Australia, recommendations made by the Royal Commission into Family Violence led to the development of the Centre of Learning for Family Violence within the Victoria Police Academy. The centre aims to improve the response to domestic abuse by ensuring personnel are better equipped

with the capabilities and confidence to support victims and hold perpetrators to account. Funding for the centre, which opened in April 2019, was provided by the Victorian Government. At the time of this inspection, the centre had 35 specialist staff led by an inspector, supported by a team of police officers and staff. It is equipped with contemporary learning equipment, including systems capable of live streaming that provided regional and rural police employees with access to education and training.<sup>198</sup>

The core principles underpinning the work of the centre in terms of curriculum design and education delivery are that training is victim-centric, evidence-based and trauma-informed. The centre provides a number of training programmes in relation to domestic abuse including a foundation training programme for police recruits. This programme is delivered in phases one and three of the 31-week recruit training programme at the Victoria Police Academy. Phase one training provides an introduction to family violence and is delivered over six one-hour sessions. Phase three provides comprehensive family violence training over 27 one-hour sessions. Recruits also take part in role-play exercises in the simulation centre at the academy. A range of scenarios has been developed to reflect the types of situations officers are likely to encounter on duty.

Further training is delivered to probationary constables between 12 and 18 months after their foundation training and before they are confirmed in position. This training is delivered by family violence training officers, who are academy staff located in each of the 21 police divisions. These officers also provide local training for front-line employees and supervisors, as well as

specialist officers and staff in areas such as risk identification and assessment, safety planning, digitally recorded evidence-in-chief and quality assurance.

## Assessment

Overall, the Inspectorate believes that there is a good level of training available to new joiners, as well as for more experienced garda members. However, this inspection has identified areas in which training, learning and development should be enhanced.

The Inspectorate considers that the development and implementation of a trauma-responsive framework, including trauma-responsive training for all garda personnel is critically important and would enhance the organisation's engagement with victims of domestic abuse. This is particularly important with regard to answering the highly personal and sensitive questions on the RET. A trauma-responsive approach is discussed in the Inspectorate's 2024 report, *Transnational Organised Crime: A Review of the Structures, Strategies and Processes in the Garda Síochána*. That report recommends that the Garda Síochána develop and implement a trauma-responsive framework.

The provision of online training allows the Garda Síochána to train large numbers of members and at a time that suits people. Online training enabled the Garda Síochána to deliver important information in relation to domestic abuse to personnel during the Covid-19 pandemic. This was positive given the increased risk of domestic abuse at that time. It also meant that training could continue despite restrictions that were in place. Even though those restrictions no longer exist, the use of online training remains an efficient and effective way to communicate important information.

198 Available at: [youtube.com](https://www.youtube.com/watch?v=...)

However, it is vital that personnel can ring-fence time to complete the modules. It is also important that the Garda Síochána gives due consideration to the suitability of the topic for online delivery and whether supplementary interactive sessions should be provided. For example, training in relation to aspects of the risk assessment process would benefit from being delivered in person to allow other organisations to be involved, as well as facilitate engagement between colleagues.

The Inspectorate also believes that there are many opportunities outside of formal training programmes to enhance learning and understanding of domestic abuse. These include more opportunities for peer-to-peer learning in units and stations and forums for members with specialist responsibilities such as domestic abuse inspectors and champions. The Inspectorate also advocates for greater engagement between front-line personnel and local support services through short briefing sessions and their participation in local training programmes. Hearing first-hand from support organisations and victims would elevate garda personnel's appreciation of the effects of domestic abuse and understanding of the impact of their actions.

Notwithstanding the domestic abuse-related training that is already available, the Inspectorate considers that there is a need to develop further the knowledge and skills of the workforce to deal effectively with domestic abuse. It therefore recommends a domestic abuse-related training plan that incorporates the aspects already described in this assessment. To ensure that the training plan is comprehensive and fully informed, the Garda Síochána should develop it in partnership with relevant agencies and support services.

## Recommendations

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 51

The Inspectorate recommends that the Garda Síochána enhance the skills and ability of all garda personnel involved in tackling domestic abuse through the provision of a domestic abuse-related training plan. The plan should be developed in consultation with relevant agencies and support services and include:

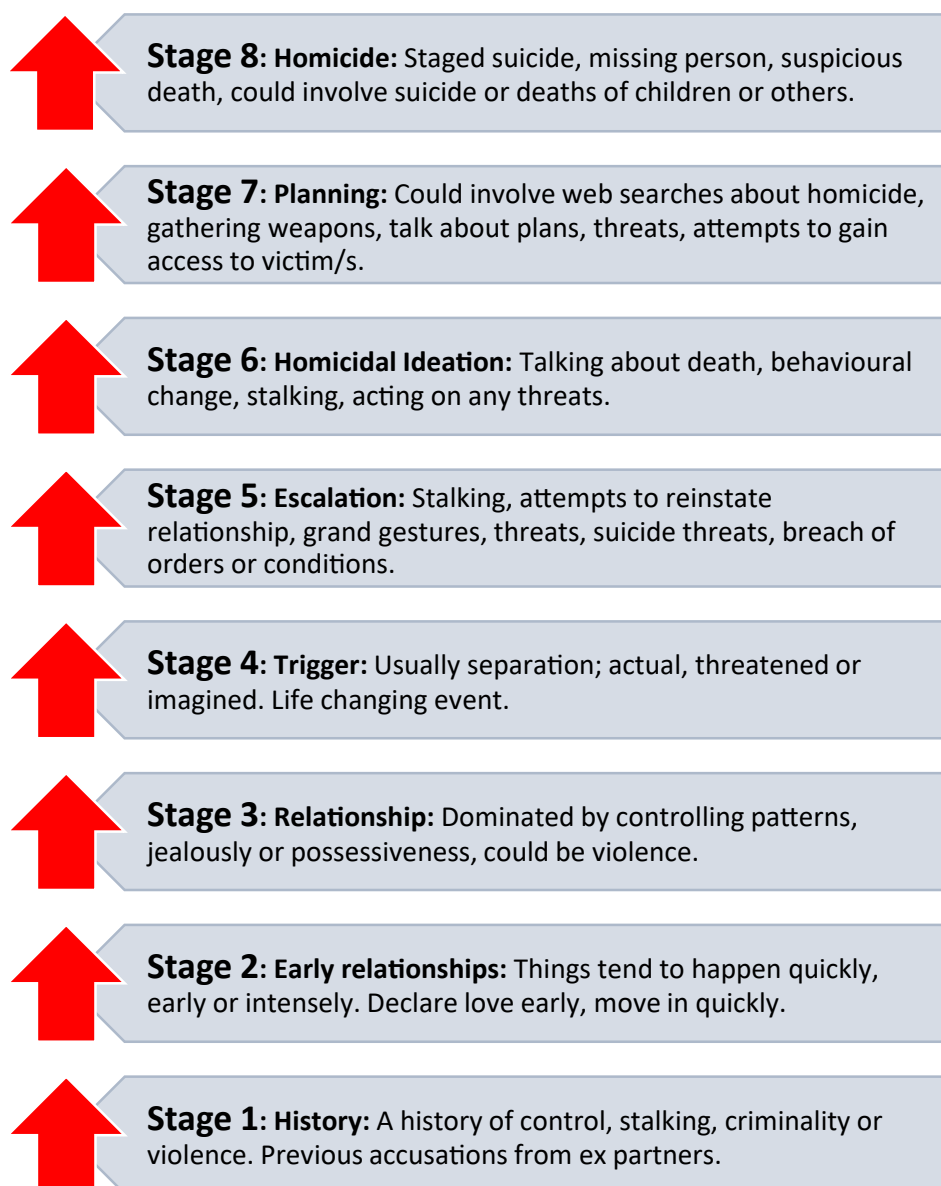
- > The introduction of trauma-responsive training for all personnel;
- > Provision of enhanced training to ensure garda members complete the Risk Evaluation Tool in a sensitive and trauma-responsive way;
- > Supplementary interactive sessions to accompany online training to enable garda personnel to share and discuss concerns and experiences;
- > The establishment of forums for peer-to-peer learning; and
- > Regular briefings and presentations to garda personnel at the local level by agencies and support services.

## Domestic Homicides

Rather than being so-called crimes of passion that are committed on impulse, research indicates that the risk of domestic homicide can be mapped on a timeline, with identifiable triggers such as separation or pregnancy.<sup>199</sup> The eight-stage timeline identified through research conducted by Professor Jane Monckton-Smith is illustrated in Figure 9.1.

199 Monckton-Smith, J. 2019. [Intimate Partner Femicide: using Foucauldian analysis to track an eight stage relationship progression to homicide](#).

**Figure 9.1 Eight-stage Timeline towards Domestic Homicide**



Source: Professor Monckton-Smith, author and Professor of Public Protection

Understanding of this sequence of behaviours and recognition of the indicators should enable professionals, including police officers, to identify risk factors and contribute to the prevention of domestic homicides. This timeline is incorporated into the Garda Síochána's online training programme on domestic abuse.

## Domestic Homicide Reviews

When domestic homicides tragically occur, it is important that lessons are learned by organisations that have been involved with the victim, their family and the perpetrator

irrespective of whether a criminal prosecution occurred.

At the time of conducting fieldwork for this inspection, there was a Domestic Homicide Review (DHR) team within the GNPSB. The team has since amalgamated with another unit to become the National Domestic Abuse Unit. One of the responsibilities of this unit is to review homicides carried out by the deceased person's partner or former partner once all related legal proceedings have been completed. It may also examine the circumstances leading up to the death

by suicide of a victim of domestic abuse, but not cases of familicide.<sup>200</sup> The Inspectorate was advised that familicides were reviewed by the Serious Crime Review Team within the Garda National Bureau of Criminal Investigation.

Senior garda members described a DHR as an internal management review to determine if the Garda Síochána had complied with relevant policies and procedures. There was a draft policy to guide these reviews. They referred to the reviews as an opportunity to learn lessons, improve investigation processes and enhance standards of service. Neither the family of the deceased nor any other agency that may have been involved with the victim, their family or the partner, participated in reviews. The Inspectorate was told that once a review had been finalised, a report with any recommendations would be sent to the chief superintendent in the GNPSB. The chief superintendent's role was to consider whether policies or procedures needed to be updated and to disseminate any learning to the wider organisation. Up until 2022, three DHRs had been completed within GNPSB.

At the time of this inspection, there was no legal basis for conducting DHRs on a multi-agency basis. Multi-agency reviews occur in other jurisdictions including Australia, New Zealand, Canada and the UK; although they operate differently in each place and not all deaths are the subject of a multi-agency review. International practice was extensively reviewed in an in-depth study, commissioned in 2019 by the then Minister for Justice and Equality. The study made detailed recommendations about the establishment of a DHR process

in Ireland. It highlighted the importance of expanding the purpose of reviews to include the ability to '*make recommendations to improve systemic responses to those in need/at risk*'.<sup>201</sup> At the time of this inspection, the study was under consideration by the Department of Justice. The Garda Síochána advised that the finalisation of its draft policy on DHRs would be guided by the outcome of the department's considerations.

## Assessment

DHRs are key to learning lessons from domestic abuse-related deaths. Organisations can then apply those lessons in order to improve how they support victims and to help prevent further deaths. The understanding of the circumstances leading up to a domestic homicide would be more comprehensive and the learning more far-reaching if reviews involved all of the organisations that had been involved with the deceased person, their family and the perpetrator. The Inspectorate recognises that effective multi-agency reviews require a legal basis, welcomes the important study on this matter and supports the prompt introduction of DHRs in Ireland.

In other jurisdictions, not all domestic homicides are examined as part of a multi-agency process. Furthermore, a critical early action of most multi-agency DHRs is an examination by each organisation of its interactions with the victim, their family and the perpetrator. The Garda Síochána has done this for a very small proportion of cases and needs to continue to do so in a systematic and timely way. To ensure consistency and effectiveness of its internal reviews, the Garda Síochána should formalise its

200 The Study on Familicide & Domestic and Family Violence Death Reviews found that there was no consistent definition of the term familicide. The study defined it as '*a multiple-victim homicide incident in which the killer's spouse or ex-spouse and one or more children are slain*'. Further information is available at [gov.ie](https://gov.ie) pp.64

201 Department of Justice, 2023. [A Study on Familicide & Domestic and Family Violence Death Reviews](#).

draft Domestic Homicide Review Policy. The policy should define the types of cases that will be subject to review. These should include deaths by suicide where a history of domestic abuse has been identified. The policy should also assign responsibility for reviews to the most appropriate unit to ensure consistency of approach. The policy should be updated once the legislation and procedures for multi-agency reviews are in place.

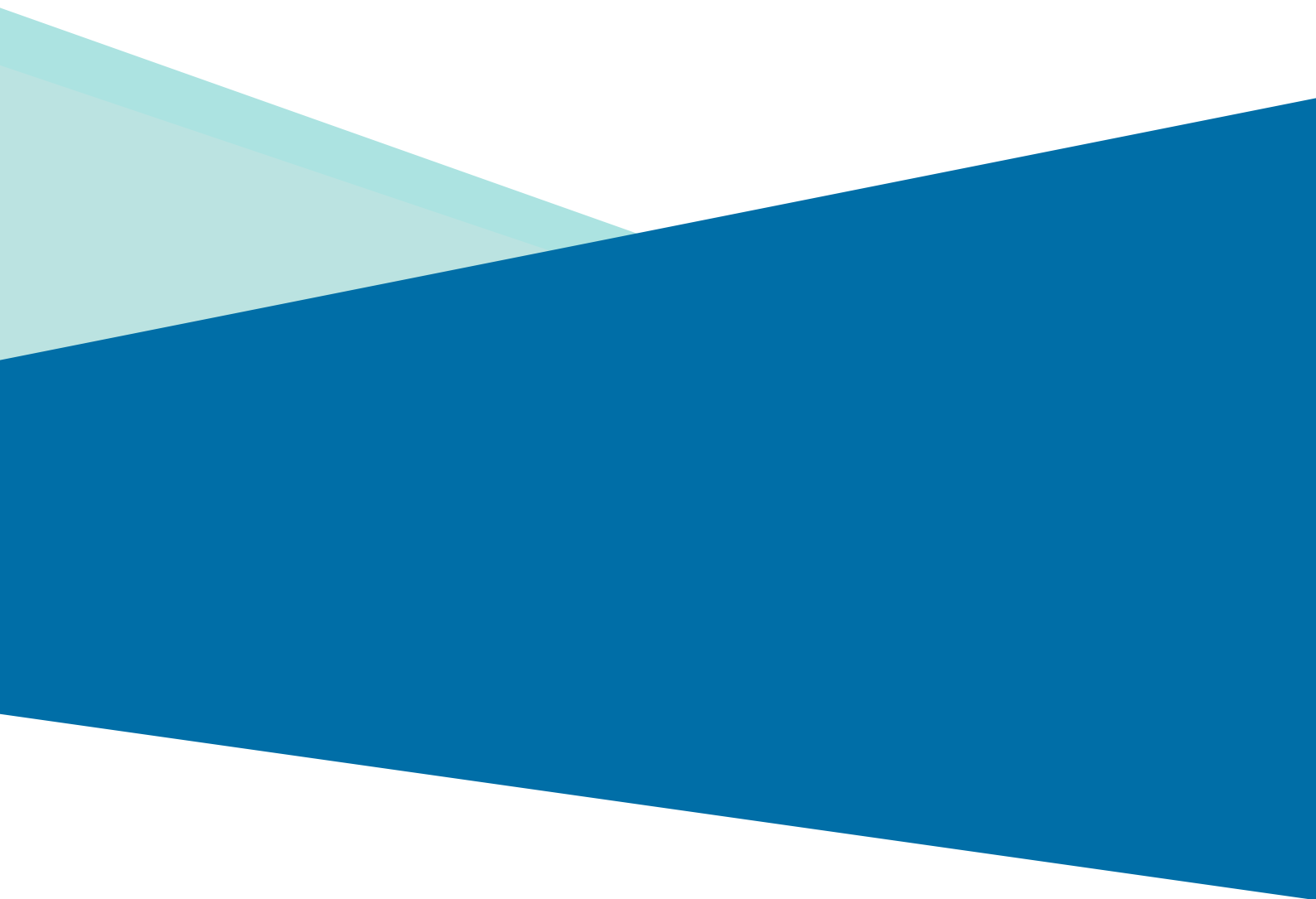
The Strategic Domestic Abuse Group described in Chapter 8 should consider reports from internal reviews and oversee the implementation of any agreed actions. In addition to informing organisational learning and driving improvements, this approach will help the organisation to prepare for future multi-agency reviews. Reports from future multi-agency reviews should also be directed to the group in due course.

## Recommendation

In light of these findings and assessment, the Inspectorate makes the following recommendation.

### Recommendation 52

The Inspectorate recommends that the Garda Síochána undertake a systematic review of all homicide cases with a domestic motivation and suicides with a domestic abuse background. To assist this action, it should formalise its Domestic Homicide Review Policy.



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# Appendix 1 - Domestic Abuse Victim Survey

Have you been a victim of domestic abuse?

- ☐ Yes
- ☐ No

**Section 1: This section asks you about your experience of Domestic Abuse.**

1.1 When did you last experience an incident of domestic abuse?

- ☐ In the last 12 months
- ☐ More than 12 months ago

1.2 On how many occasions have you been a victim of domestic abuse?

- ☐ On one occasion
- ☐ On more than one occasion
- ☐ Prefer not to say

1.3 What was your relationship with the abuser at the time of the domestic abuse?

- ☐ Current intimate partner or spouse
- ☐ Former intimate partner or spouse
- ☐ Family member
- ☐ Prefer not to say

1.4 What type of domestic abuse have you experienced? (Please tick all that apply)

- ☐ Physical
- ☐ Sexual
- ☐ Financial
- ☐ Emotional/Psychological
- ☐ Harassment/Stalking
- ☐ Prefer not to say

**Section 2: In this section, we want to find out if your Domestic Abuse incident was reported to the Garda Síochána and how the initial contact was dealt with. When answering these questions, please think about the most recent incident of Domestic Abuse you have experienced.**

2.1 Was your most recent domestic abuse incident reported to the Garda Síochána?

- ☐ Yes - it was reported
- ☐ No - it was not reported

2.1.1 Did you report it or did someone else report it on your behalf?

- ☐ I reported it
- ☐ Someone else reported it

2.2 How did you report your domestic abuse incident to the Garda Síochána?

- ☐ 999/112 phone call
- ☐ Non-emergency phone call to the Garda Síochána
- ☐ Reported incident in person in a Garda Station
- ☐ Can't remember
- ☐ Other

2.3 How satisfied or dissatisfied were you with the way your initial contact or report was dealt with?

- ☐ Very satisfied
- ☐ Satisfied
- ☐ Neither satisfied or dissatisfied
- ☐ Dissatisfied
- ☐ Very dissatisfied
- ☐ Don't know

2.4 What made you feel satisfied with the way your initial contact or report was dealt with?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

2.5 What made you feel dissatisfied with the way your initial contact or report was dealt with?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

Option if response is "no"

2.6 Was your most recent domestic abuse incident reported to the Garda Síochána?

- ☐ Yes - it was reported
- ☐ No - it was not reported

2.7 Why did you decide not to report your domestic abuse incident to the Garda Síochána? (Tick all that apply)

- ☐ Fear of retaliation from abuser
- ☐ Financial dependency
- ☐ Embarrassment/Shame
- ☐ Effect on children/wider family
- ☐ Lack of confidence in the Garda Síochána
- ☐ Previous experience with the Garda Síochána
- ☐ Other

**Section 3: This section asks you about what action the Garda Síochána took immediately after your most recent Domestic Abuse incident was reported (either by you or someone else, whether in person or by telephone).**

3.1 Did the Garda Síochána take any further action after your domestic abuse incident was reported?

- ☐ Yes
- ☐ No

3.1.1 What action was taken by the Garda Síochána immediately after your domestic abuse incident was reported?

- ☐ A Garda member spoke to me in person
- ☐ A Garda member spoke to me by telephone
- ☐ I can't remember

3.2 How satisfied or dissatisfied were you with the action taken by the Garda Síochána immediately after your domestic abuse incident was reported?

- ☐ Very satisfied
- ☐ Satisfied
- ☐ Neither satisfied or dissatisfied
- ☐ Dissatisfied
- ☐ Very dissatisfied
- ☐ Don't know

3.3 What made you feel satisfied with the way the Garda Síochána dealt with your incident?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

3.4 What made you feel dissatisfied with the way the Garda Síochána dealt with your incident?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

**Section 4: The Garda Síochána says that it will contact victims of Domestic Abuse within a defined period of time after their incident has been reported and responded to. In this section, we ask you about the follow-up contact you had from the Garda Síochána, after they had initially responded to your incident of Domestic Abuse.**

4.1 Did you receive further follow-up contact from the Garda Síochána?

- ☐ Yes
- ☐ No
- ☐ Can't remember

4.2 How satisfied or dissatisfied were you with the follow-up contact you received from the Garda Síochána?

- ☐ Very satisfied
- ☐ Satisfied
- ☐ Neither satisfied or dissatisfied
- ☐ Dissatisfied
- ☐ Very dissatisfied
- ☐ Don't know

4.3 What made you feel satisfied with the follow-up contact you received from the Garda Síochána?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

4.4 What made you feel dissatisfied with the follow-up contact you received from the Garda Síochána?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

**Section 5: As a victim of Domestic Abuse you should be given certain information by the Garda Síochána. In this section we ask you about the information that was offered or given to you.**

5.1 Did the investigating Garda give you their name?

- ☐ Yes
- ☐ No
- ☐ Can't remember

5.2 Did the investigating Garda give you their contact details?

- ☐ Yes
- ☐ No
- ☐ Can't remember

5.3 Did the Garda Síochána give you a reference number for your incident? (This is known as a PULSE incident number)

- ☐ Yes
- ☐ No
- ☐ Can't remember

5.4 Did the Garda Síochána give you advice or information about domestic violence orders?

- ☐ Yes
- ☐ No
- ☐ Can't remember

5.5 Did the Garda Síochána give you information about support groups or services who could offer you further assistance?

- ☐ Yes
- ☐ No
- ☐ Can't remember

5.6 How were you given this information? (tick all that apply)

- ☐ I was given a leaflet or pack containing information about support organisations
- ☐ I was told the name and phone numbers of support organisations
- ☐ I was sent a text message with the information about support organisations
- ☐ Other

5.7 Did the Garda Síochána tell you that you could make your statement to a garda member of the same gender?

- ☐ Yes
- ☐ No
- ☐ Can't remember

5.8 Did the Garda Síochána keep you informed about developments in the case against your abuser? (Examples of developments include being told that your abuser was being released from custody or was being prosecuted)

- ☐ Yes
- ☐ No
- ☐ Can't remember

5.9 Overall, how satisfied or dissatisfied were you with the information given to you by the Garda Síochána?

- ☐ Very satisfied
- ☐ Satisfied
- ☐ Neither satisfied or dissatisfied
- ☐ Dissatisfied
- ☐ Very dissatisfied
- ☐ Don't know

5.10 What made you feel satisfied with the information received from the Garda Síochána?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

5.11 What made you feel dissatisfied with the information you received from the Garda Síochána?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

**Section 6: In this section we ask you about your overall experience with the Garda Síochána.**

6.1 Thinking about your overall experience, how satisfied or dissatisfied were you with the Garda Síochána?

- ☐ Very satisfied
- ☐ Satisfied
- ☐ Neither satisfied or dissatisfied
- ☐ Dissatisfied
- ☐ Very dissatisfied
- ☐ Don't know

6.2 What made you feel satisfied with your overall experience with the Garda Síochána?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

6.3 What made you feel dissatisfied with your overall experience with the Garda Síochána?

Please detail below your reasons and do not share any personal information.

*1000 character(s) maximum*

6.4 Based on your experience, how likely would you be to report an incident of domestic abuse to the Garda Síochána in the future?

- ☐ Very likely
- ☐ Likely
- ☐ Unlikely
- ☐ Very unlikely
- ☐ Unsure

**Section 7: In this section we ask you some questions about yourself. Any information supplied will be treated in the strictest confidence and is collected for statistical purposes only.**

7.1 Which of the following best describes how you think of yourself?

- ☐ Male
- ☐ Female
- ☐ Non-binary
- ☐ Prefer not to say
- ☐ Other

7.2 Please describe your ethnicity?

- ☐ Irish
- ☐ Irish Traveller
- ☐ Any other White background
- ☐ African
- ☐ Any other Black background

- ☐ Chinese
- ☐ Any other Asian background
- ☐ Roma
- ☐ Indian/Pakistan/Bangladesh
- ☐ Arabic
- ☐ Mixed
- ☐ Prefer not to say
- ☐ Other

7.3 Which of the following best describes your sexual orientation?

- ☐ Straight/Heterosexual
- ☐ Gay/Lesbian
- ☐ Bisexual
- ☐ Asexual
- ☐ Prefer not to say
- ☐ Other

7.4 Which of the following age groups are you?

- ☐ 18-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65+
- ☐ Prefer not to say

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CIGIREACHT AN GHARDA SÍOCHÁNA  
GARDA SÍOCHÁNA INSPECTORATE

**Ríomhphost:** info@gsinsp.ie  
**Suíomh Gréasáin:** www.gsinsp.ie

**Email:** info@gsinsp.ie  
**Website:** www.gsinsp.ie

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