

Dublin Rape Crisis Centre (DRCC) Submission on The Court Service Strategic Plan 2017-2020

Introduction

The Dublin Rape Crisis Centre (DRCC) is a non-governmental organisation which aims to prevent the harm and heal the trauma of rape and sexual abuse in Ireland. For almost 40 years, our work has been synonymous with providing crisis counselling and long-term therapy to adult women and men who have experienced rape, sexual assault and childhood sexual abuse. Our services include a national 24-hour helpline, one-to-one counselling, garda and court accompaniment. Training programmes, policy interventions and public awareness campaigns to prevent sexual violence have always been at the core of our work. Our preventive initiatives are central to a holistic and comprehensive approach to ending the trauma of sexual violence. This submission is informed by the experiences of the women and men accessing our services who are victims of sexual violence and who have had interactions with Court Services. We would like to draw your attention to a number of key issues and have chosen to use a number of priority headings from your previous strategic plan.

High Quality Service Delivery

Victims of sexual violence can be particularly vulnerable because of the intimate nature of the violence, and also because in three out of four cases, the victim and perpetrator are known to each other, often as intimate partners or family members. Vulnerable victims include those who have suffered abuse as children, and have often not been able to speak about or articulate it for years. The availability of the dedicated waiting rooms in the Criminal Courts of Justice for use by victims of sexual offences during the course of a trial is invaluable. It is however important that similar facilities become available for these victims throughout the country.

There are two provisions in the EU Victims Directive devoted to the specific protection needs of victims during criminal proceedings (Articles 22 and 23). These Articles clearly state that victims of sexual violence would benefit from special measures, due to their particular vulnerability to secondary and repeat victimisation. The option to avail of giving evidence to the court from a witness room via a video link is of particular benefit for these vulnerable victims. Similar to the assertion that victims of sexual offences should have access to dedicated facilities throughout the country, we would be advocating that they also have access to video link facilities. We look forward to seeing an on-going increase in the number of vulnerable victims of sexual offences being afforded access to these amenities.

Skilled and Engaged Staff

Sexual offences are associated with high levels of under-reporting. So, it is imperative that Court Service staff have an understanding of the complex nature of sexual violence and assert that victims are always treated with appropriate levels of empathy to avoid secondary victimisation by the criminal justice system. To ensure that this is consistently achieved, a commitment to adequate initial and continuing education and development for the staff of Court Services is essential.

Statistics

The importance of adequate data cannot be overstated. In the area of sexual violence where that crime is quite hidden, where under-reporting is common and contributes to deficits in the data available on the prevalence of sexual crimes, it is essential that Court Services produce extensive and relevant sexual offence statistics. There is little other research in the area and these crime statistics are a key source of knowledge for policy makers, decision makers, as well as for us here in the DRCC. A data management system that accurately and completely captures all relevant sexual violence data within the ambit of Court Services is essential. As is the consideration that must be given to Article 28 of the EU Victims Directive as it relates to the provision of data and statistics and Action 3.600 of the Second National Strategy on Domestic Sexual and Gender-based Violence 2016-2021 to establish a gold standard of data collection across the criminal justice agencies. Establishing a common definition of the key variables in order to enhance comparability across the different data areas is needed.

Case Management

Victims who come forward to report their sexual crime should be provided with an efficient and streamlined process that minimises the stresses involved wherever possible. It is vital that Court Services continue their collaborative work with the criminal justice agencies, to progress efforts aimed at reducing the time required for the processing and hearing of these court cases. Case management initiatives can lessen to some extent the stress associated with the trial so that the trial process does not become a secondary psychological trauma for victims.

A victim's experience of the criminal justice system begins with those they have first contact with and often ends with those in Court Services. That concluding encounter should be one of professionalism, commitment and care for the quality of the experience the victim has with Court Services which can increase the confidence of victims of sexual violence in the justice system.

For any further information on any of our observations above, please contact:

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