

Sexual violence in Ireland: Past, present & future

Issues and conclusions from Dublin Rape Crisis Centre's
40th anniversary conference

Royal College of Surgeons in Dublin, 7 November 2019



To mark 40 years supporting survivors of sexual violence, the Dublin Rape Crisis Centre (DRCC) held a full-day conference on 7 November 2019 at the Royal College of Surgeons in Ireland (RCSI). Entitled 'Sexual Violence in Ireland: Past, Present & Future', the event aimed to reflect on the origin and role of the Rape Crisis Centre to date and to look at services seeking to prevent sexual violence and heal the harm it causes, as well as international obligations and accountability mechanisms. The event also looked forward, to reflect on society-wide strategies to combat sexual violence in Ireland. There were inputs from an wide array of people: service providers, educators, policy-makers and activists.

Summary of Sessions 1 & 2



It was important for DRCC to emphasise the role of survivors of sexual violence in grounding and shaping our past, present and future work. Thus the day began with a powerful and moving intervention from Lavinia Kerwick from a survivor's perspective of the DRCC. She said that survivors have the right to live their lives, not just exist, which means the support systems must be there for them in doing so. She also named the importance of rape crisis centres in helping survivors rebuild their lives.

The attendees were then welcomed by DRCC Chairperson Ann Marie Gill and Dean of the Royal College of Surgeons in Ireland Hannah McGee, with the latter recalling the collaboration of RCSI and DRCC on the first major survey of sexual violence in Ireland, SAVI, and noting that rape and sexual assault is a public health scourge, not just a private tragedy for the people involved.

The first session focused on the early years of the DRCC and the context for the establishment of the DRCC in the Ireland of 1979. Chaired by writer and journalist Susan McKay, it featured DRCC founders and former staff: Anne O'Donnell, Evelyn Conlon, Barbara Egan and Olive Braiden. The panel reflected on the difficult, sometimes hostile atmosphere for women at the time and the difference that a Rape Crisis Centre with a Helpline made for women who had experienced sexual violence. Issues like the constant battle to fund services still remain today but as the panel noted, progress had been made over the four decades, especially in terms of recognition of the damage done by sexual violence in society.

The second session started with a keynote from the European Union's Special Representative for Human Rights and former Tánaiste, Eamon Gilmore. He focused on international instruments and developments. He said that the EU advocated zero tolerance of violence against women & girls, which he said was a global issue affecting 35% of women and girls worldwide. He noted that it was no longer a matter of personal goodwill to stop violence against women; it was a matter of law, and that dismissing rape jokes as mere locker room talk was an insult to our basic values as humans with rights.

The following panel was entitled 'The DRCC Now: Understanding how to Prevent Harm and Heal Trauma in our Times', moderated by journalist and broadcaster Claire Byrne. It comprised Liri Kopaci di Michele of the Committee on Equality and Non-Discrimination, Parliamentary Assembly of the Council of Europe, Anita Clancy-Clarke of Tusla, Maeve Lewis of One in Four, DRCC's own Angela McCarthy, Hannah McGee of RCSI and Oonagh McPhilips of the Department of Justice and Equality. Liri updated the room on developments at the European level regarding sexual violence and how legislation is catching up. Here she referred to consent as central to the definition of sexual violence in the Istanbul Convention's provisions: consent must be given voluntarily. The conference also heard how DRCC's experience of training therapists in post-war Croatia, Bosnia & Herzegovina, and Kosovo in the 1990s helped our current capacity to support asylum seekers. It also spoke about the importance of State services for young people, and heard of the measures taken by the government on sexual offences, as part of the implementation of the Istanbul Convention. A combination of legal instruments, a model of victim centred care, and allied campaigns for social change was required to tackle gender-based violence.

The second session ended with an address from DRCC Chief Executive, Noeline Blackwell who reminded the audience why the holistic nature of a Rape Crisis Centre means the model is still the most effective way to help survivors and to turn its expertise to tackling wider sexual violence in society. She also outlined five main areas that must be prioritised to advance the campaign to end sexual violence:

- Identification of needs and services for those impacted by sexual violence, informed by their own lived expertise as amplified by DRCC;
- Research and information underpinning programmes so that policy and service provision is evidence informed.;
- A serious commitment to informing and educating young people in healthy relationships, including early implementation of the long-overdue review of Sexual and relationships education by the National Council for Curriculum & Assessment; and
- An equally serious commitment to awareness raising to build a society where sexual violence is no longer tolerated, keeping a focus on a nationwide understanding of consent;
- Ensuring adequate resources to carry out our mission.

Over lunch, staff ran information stands on DRCC's various activities, from therapy & support to policy & advocacy to education & training, plus how to get involved in volunteering or donating. A presentation of photographs from Derek Speirs and Irish Times headlines 1978-1980 was shown as a background throughout. On display were artworks generously donated by renowned Irish artists Joe Caslin, Fatti Burke, Jacky Sheridan and Conor Merriman which were then auctioned in aid of DRCC.

The afternoon session saw attendees split into four different sessions, each with a panel of extremely engaging and knowledgeable speakers and moderators (see below). Key conclusions from each group were then fed back to the final session moderated by DRCC Board member Aibhlin McCrann who, with audience participation, honed the points into a final set of recommended directions to take forward. The conference ended with a closing address and thanks from Ann Marie Gill and a superb performance from the Maria Lane Choir which provided a very appropriate end to a full and inspiring day.

Attendees took part enthusiastically in the many Q&A sessions during the conference and we hope the final conclusions presented below reflect their insights as well as the information gleaned during conference discussions. Sincere thanks to all our speakers and panelists and to all who attended.

Panel A:

Preventing Sexual Violence Among Young People



Panel: Leonie O’Dowd (DRCC), Dr Siobhan O’Higgins (NUI Galway), Farouq Raheem, Rachael Treanor (NYCI)

Moderator: Caitriona Freir

Rapporteur: Jane Baird

Observations: The group raised some questions: How do we tackle violent language around sexuality being normalised? How do we ensure parents are well equipped to discuss these issues with their children, given there is little communication around these issues at home?

There was broad agreement that any strategy must

- be youth informed and diversity & gender-conscious.
- take a whole of life and whole of society approach, starting very early, involving teacher and adult training, and developing empathy and a sense of self/respect.
- address the impact of pop culture and encountering pornography at an early age.
- equip young people to critically assess pornography.
- take a positive sexuality approach – focusing on healthy relationships.

Feedback

- It is not possible to talk about consent unless we talk about sex;
- Professionals working with victims of sexual violence can become very hardened, so continuing CPD and a requirement to become recertified in order to continue working would help.

What is needed:

Support from parents, crèche staff, midwives, teachers, sports clubs to ensure the ‘whole of life/society’ approach. It can include the bystander approach, pervade a range of spaces,

Legislation to clarify what is ok to post on social media and what isn’t.

Awareness-raising: for schools and youth services about the law and what it means for young people.

for young people that sexuality is great, but that it should be set in the right context.

Actions:

- Early intervention.
- Awareness campaigns at various levels, with parents playing a key part in success.
- Legislative protection.

Panel B: Meeting the Needs of Victims/ Survivors



Panel: Declan Daly (An Garda Síochána), Shirley Scott (DRCC), a panel of survivors

Moderator: Anne Marie Homan

Rapporteur: Eileen Noonan

Observations:

- Survivor vs victim vs ‘someone who experienced sexual assault’ – different terms needed.
- Policy isn’t enough, **action is also needed**. There is a need to break the silence so people aren’t left alone with the impact of abuse that was perpetrated against them. This would lessen the shame that victims feel.
- Regarding the **Criminal Injuries Tribunal**: one person said the process was extremely onerous, she had to prove her case, it is still ongoing after 4.5 years, it involved psychological and physical assessment with intrusive question regarding her intimate life.

Feedback:

- At government level, cross-departmental cooperation and joined-up thinking is required to support work being done to support survivors and prevent sexual violence. The long-term healthcare needs of survivors were not being addressed.
- An Garda Síochána as a structure should review its procedures for working with victims/survivors as it is often their only resort.
- Parents need to be empowered to talk to their children about sex, consent & privacy.
- How to give children a safe space, where they can speak and disclose where needed? Especially where abuse is happening in the home.
- A collaborative approach with INTO, Primary Principals Network & training colleges would be worthwhile.

Actions:

- In communities where it is known that abuse was perpetrated, as is the case where clerical abusers were based, the community needs to acknowledge what happened and services need to seek out victims and offer support and help.
- Medical health staff need to take the time to listen to their clients/patients, ask them what has happened to them, so their **symptoms can be seen in the proper context**.
- **There needs to be discussion with children and young people** around sex, consent, drugs and alcohol – make it something that can be spoken about, it will protect children and also give them permission to speak if something happens to them.
- All staff who work with victims need training on the needs of victims and impact of trauma in order to avoid re-traumatising survivors.
- The **Criminal Injuries Tribunal** should be replaced with a new body with input from victims on how it should operate.

Panel C:

Creating a Zero-Tolerance Society



Panel: Senator Ivana Bacik, Síona Cahill, Sean Cooke (Men's Network Ireland), Ellen O'Malley-Dunlop (NWCI)

Moderator: Susan Leahy. University of Limerick

Rapporteur: Eimear Kehoe

Panel C: Creating a Zero Tolerance Society

Observations: Some broad areas were identified which would, in the panel's view, assist in creating a society with zero-tolerance for sexual violence: Prevention & education; legislation, victim support & sentencing guidelines; and rehabilitation. Some questions also arose: How to remain outspoken, but not be labelled as 'difficult'? How to ensure men are in the conversation in a meaningful way? The White Ribbon project approach was proposed as a useful way to involve men. (White Ribbon Ireland is the national movement of the world's largest male-led campaign to end men's violence against women, with a presence in over 60 countries.) Another issue raised was how to ensure a wide public understanding that all incidents where there is a lack of enthusiastic consent are crimes.

Feedback:

A question arose as to how to measure the impact of sex education in terms of level of understanding of consent and reports of sexual violence. There was broad support for recommendations around legal and judicial reform including supports for survivors. Concern was expressed about reporting and recording of sexual violence incidents, giving the example of 3rd level institutions having disclosed only 24 reports in 4 years, which is unlikely to reflect the true level of sexual violence in colleges. Understanding of zero tolerance must include unhealthy relationships (disagreement around the term 'unhealthy': 'may be belittling' vs 'call it as it is - abuse of power. It is sexual violence & rape'). It was also pointed out that that zero tolerance must include training (incl CPD) for professionals working with the public. Finally, it was stressed again that awareness-raising campaigns are necessary.

Actions:

1. Prevention & Education:

- **Age-appropriate sexuality and consent education** from pre-school through to third level should be a priority for the Department of Education; it must be mandatory and delivered on a consistent basis. Consent workshops for young people should be peer-led and non-patronising. Healthy relationships and coercive control were highlighted as particular areas where education was needed for young people.
- **Education** in aspects of sexual violence, particularly the impact of new technology on young people (sexting, exposure to pornography causing self-inflicted trauma), and **CPD for professionals** in all frontline services (medical/nursing, Gardaí, legal and teaching) is vital. This would address the knowledge gap for many of these professionals.
- **Migrant and disadvantaged communities must be included** in education programmes.
- **Preventing and addressing the harm of day-to-day 'micro' sexual aggression** or verbal abuse, outside of the very extreme elements, is key to ensuring a zero-tolerance society.

- The importance of full, **evidence-based reporting** was noted as very important, particularly amongst Irish universities. Universities who encourage reporting of sexual assault and make those figures available are to be commended.
- An **impact measurement system** was needed for the three **models of Irish university consent** workshops to demonstrate impact and value for money.

2. Legislation

- The **defence of ‘honest belief’ should be reviewed.**
- **Judges should also receive training** on SV and **sentencing guidelines** should be put in place.
- **Separate legal representation** from the outset of legal proceedings is crucial for victims, to ensure victims feel supported through trials. Representation of victims in court is insufficient. Victims need a **legal advocacy service**, where the complainant has meaningful access (1 or 2 consultations) with a solicitor of their choice prior to a trial beginning. This would have an impact on prevention, as our current structures promote difficult trials, this would ensure complainants are supported through the entire process. The Legal Aid Board’s leaflet ‘Civil legal aid for complainants in rape and certain sexual assault cases’ was noted as useful.
- The **legal definition of consent** should be reviewed. Catherine MacKinnon’s new definition of consent as an abuse of power and trust was referenced. It was also noted that consent implies insubordination, that it is not mutual and equal.
- The **delay** in taking cases to trial was re-traumatising victims and must be tackled.

3. Rehabilitation

- **Compulsory rehabilitation programmes** for offenders while in prison should be investigated.

Panel D: Improving Policy with Better Data



Panel: John Fanning (DRCC), Caroline Kelleher (RCSI), Philip McCormack (Department of Justice), Helen McGrath (Central Statistics Office)

Moderator: Rebecca Pelan

Rapporteur: Denise Boyle

Observations:

Discussions ranged widely in this group over practical and ethical issues in data collection. The question was posed: when information is to be shared between agencies, which agency is best placed/equipped to ask sensitive questions on traumatic issues? Further, who owns the data gathered, what is its logic, and what is it being used for? There was a need for sensitivity in collecting data on marginalised groups and to understand their cultural contexts; also, to consider the concept of intersectionality. In addition, the data collection process must not simplify complex issues while yielding clear data.

Framing questions under sexual health may be useful, particularly in view of the strong link between sexual health and sexual violence as opposite sides of same coin. The **Criminal Justice Hub**, an ambitious project of the Department of Justice, was discussed and the point made that consensus was

needed around definitions, the logic applied in its collection of data, and uniform standards in collection and collating. In addition, the definition of consent is key to the whole process.

Finally, the importance of story was underlined - data alone without personal stories is simply less effective. Any research project is ultimately about reflecting a moment in time. The DRCC was well placed in this regard through its victim-centred approach – giving power back to the survivor to tell their story. A quote from Seamus Heaney was used to illustrate this point: “Catch the heart off guard and blow it open”

Feedback:

- Various calls were made for:
 - A baseline of information about Irish society
 - Standardisation of data recording.
 - A central database containing information from all Rape Crisis Centres.
 - An ethical framework on data collection.
 - Communication around sexual health and sexual violence discourse.
 - Networking and partnership across the sector that includes education.
- It was noted that medical information was missing from the Criminal Justice Hub, as was quantitative data (also absent from the new Sexual Prevalence study being undertaken by the CSO).

Actions:

1. Data collection:

- Need to **include data from marginalised groups**, in a way sensitive to culture, disability & ethnicity.
- A **‘big picture’ approach** is needed, along the lines of Tusla, to overcome lack of consistency between agencies.
- Equally, reporting of data must not end in **victim-blaming** - practitioners can help in this process.

2. Communicating data:

- **Use the medium of story** to change social attitudes to sexual violence.

Session 3: DRCC Looking to the Future



Panel: Philip McCormack, Eileen Noonan, Leonie O’Dowd, Ellen O’Malley-

Moderator: Aibhlin McCrann (DRCC)

Rapporteur: Eimear Kehoe

This session summarised the issues arising on the four breakout sessions in conjunction with audience feedback. The audience again had an opportunity to debate the issues and offer feedback to the moderator. The reports from each of the panels and corresponding feedback have been included under the appropriate headings above.

The overarching theme echoing through all the panels was ‘big picture thinking’ – rather than a series of narrow focuses, a way to think of crossing sectors and approaches to as to maximise impact and reach all parts of society in effective and empathetic way.

Below we have distilled the numerous issues raised into four interlinking strands for action by DRCC and other interested agencies:

Actions:

- 1. Education:** We need an education programme on sexual health and relationships including consent that spans all stages of a young person’s development. This means in the formal childcare and education system, from post-natal care through to university, delivered in age-appropriate format and content. After formal education, there needs to be professional and tailored ongoing training, especially for frontline professionals, including judges, that includes mandatory CPD (continuing professional development). Parents must also be able to access support and guidance as needed.
- 2. Supports for survivors:** Supports need to be rethought from a survivor perspective. This intersects with the education programme above, such that frontline staff in contact with survivors must be trained in understanding trauma and its effects so they can more appropriately deal with survivors’ needs and difficulties. It also overlaps with legal reforms to ensure the system is less hostile to survivors, such as tackling delays in prosecution, comprehensive legal information and advice, and separate representation in court.
- 3. Law reform:** Several legal changes are needed including the implementation of sentencing guidelines, review of the ‘honest belief’ defence, and the possibility of compulsory offender rehabilitation programmes.
- 4. Data:** We need an evidence base for policy that includes all groups in society and that is based on a ‘big picture’ approach across all relevant bodies and agencies, state and non-state. It must have a consistent and sensitive approach to data gathering from the wide variety of partner sources, that bears in mind the human who is at the heart of the data, allowing for them to tell their story. It must reflect our society and reveal what is needed to free it from sexual violence.

Acknowledgements & thanks



We thank all those who made our 40th anniversary conference such a memorable and proud occasion. Our speakers and panellists generously gave up their day to share their knowledge and experience for which we are profoundly grateful. Heartfelt appreciation goes to all the DRCC staff who worked extremely hard throughout the day to ensure it went well and especially to our wonderful volunteers who once more selflessly gave up their time to help set up and run the event. Thanks go to Leonora Carney for her voluntary work on the conference including her tireless fundraising. We also thank our external supports: Elaine McDevitt for event organisation, Buck & Hound PR, photographer Derek Speirs, and Bearfoot Productions.

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Dublin Rape Crisis Centre, 70 Leeson Street Lower, Dublin 2, D02 VW13

National 24-Hour Helpline: 1800 77 8888

Web: www.drcc.ie

Email: info@rcc.ie

Administration line: 01-661 4911

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