

IRELAND

Recommendations to improve data collection on intimate partner violence by the police and justice sectors



The recommendations were developed after an in-depth analysis of data collection from the police and justice sectors. The relevance and feasibility of the recommendations were discussed with national professionals whose work is closely related to the topic at a meeting on 25 April 2017 in Dublin, Ireland. The suggestions were revised upon participants' feedback. The recommendations aim to improve administrative data collection on intimate partner violence to better inform policies and to help the Member States meet the monitoring requirements outlined in both Directive 2012/29/EU (the Victims' Rights Directive) and the Istanbul Convention.

1. Legislative and policy recommendations

Implement policy documents

A bottom-up approach is in place when it comes to the improvement of data collection and fulfilling the requirements of the Istanbul Convention. In other words, the country first prepares itself institutionally with necessary changes to the system before committing to the obligations of international requirements. This has resulted in important policy initiatives such as the second national strategy on domestic, sexual and gender-based violence 2016-2021 ⁽¹⁾ or the Istanbul Convention action plan ⁽²⁾. For instance, the national action plan for 2016-2021 draws parallels with the Istanbul Convention and the Victims' Rights Directive, the actions of which should be taken to fulfil certain obligations related to these legal instruments.

However, despite the political engagement, shortcomings remain on the practical level when it comes to data collection. For instance, the recent quality reports published by the Garda Inspectorate and the Central Statistics Office suggest that there are ongoing issues with the misclassification of crimes. Additionally, despite the fact that the Garda's domestic violence policy document ⁽³⁾ states that police officers should record the victim–perpetrator relationship in cases of domestic violence, consistency with this information is still lacking, which has resulted in unreliable data, despite strong policy commitment.

It is recommended that the policy initiatives be implemented on a practical level with necessary actions, such as training for police officers and practical guidelines. If these are already in place, then an overall close monitoring of implementation is recommended. This will enable the country to truly improve its data collection to reap the benefits of the progressive policy initiatives that are being adopted.

Ratification of the Istanbul Convention

The Istanbul Convention was signed in 2015, but it has not yet been ratified. The Istanbul Convention is the most comprehensive international legal instrument to fight against gender violence and compels the signatory parties to report data in order to monitor their progress in achieving the convention's overall objectives. As a result, Member States that have signed the convention have a solid starting point to take the necessary steps to improve their data collection practices.

It is recommended that necessary steps be taken to ratify the Istanbul Convention in the immediate future.

2. Data collection infrastructure and cooperation between different authorities

Improve information links between the police and justice sectors

The Department of Justice and Equality should take steps to foster inter-organisational ties when it comes to data collection and sharing. Currently, there is limited integration of the police and justice sectors in terms of data collection. The only interagency link is the one between PULSE, the Garda (Irish police force) system, and the Criminal Case Tracking System (CCTS), the Court's services system. However, information on the victim is recorded by the police sector but not transferred to the courts. This creates a lack of continuity for data and presents an obstacle providing an overall picture of how the justice system deals with victims of domestic violence.

It is recommended that initiatives like the criminal justice interoperability pilot project, which facilitates the exchange of information between the PULSE and CCTS systems ⁽⁴⁾, be supported. The plans for a criminal justice operational hub, currently being discussed, should be given priority.

⁽¹⁾ National Office for the Prevention of Domestic, Sexual and Gender-Based Violence and Department of Justice and Equality, *Action plan — Second national strategy on domestic, sexual and gender-based violence 2016-2021*, 2016.

⁽²⁾ Department of Justice and Equality, *Istanbul Convention action plan*, 2015.

⁽³⁾ Garda, *Domestic violence policy*, 2017 (available at <https://www.garda.ie/en/About-Us/Publications/Policy-Documents/Domestic-Violence-Policy-.pdf>).

⁽⁴⁾ National Office for the Prevention of Domestic, Sexual and Gender-Based Violence, *What the research tells us* (available at: <http://www.coscie/en/COSC/Pages/WP08000146#nsda>).

3. Technical recommendations

3.1. Recommendations on data recording systems

Improve data collection from the police sector through systematic tagging of domestic violence incidents

The police currently uses an electronic system to record incidents, namely PULSE. All the information on a given incident is recorded in this system, along with details of the victim and of the perpetrator. A police officer may flag the incident as 'domestic violence' if they are convinced that the incident has a domestic violence dimension. Ongoing changes to the system will make the flagging of the incident with a specific tag (domestic violence M.O. — modus operandi) compulsory.

It is recommended that this change be fully implemented and that the application be closely monitored. These changes, if implemented correctly, will enhance the data availability, thereby improving the performance of the country in fulfilling the reporting requirements of the Istanbul Convention.

Improve data collection from the police sector through well-defined relationship categories

There are ongoing adjustments to the recording system of the police which will make the tagging of incidents related to domestic violence compulsory. This will greatly improve data availability. However, there is one aspect that remains challenging for data collection. Domestic violence has a broader scope and data on these incidents alone is not enough to determine whether the parties involved in the incident are intimate partners or have another type of relationship (siblings, parents and so forth). This data should be completed with exact relationship information. While the recording system has a specific field to collect information on the relationship between the victim and the perpetrator, these relationship categories are not well defined and there are currently around 70 relation-type categories to choose from. This is counter-productive and results in unreliable data.

It is recommended that steps be taken to specify and condense these relationship categories. Recording of this information should be made compulsory for all offences. The reference point for grouping more detailed categories can be the classification used by the International Classification of Crime for Statistical Purposes (current intimate partner/spouse and former intimate partner/spouse) ⁽⁵⁾. Furthermore, as persons who do not share a household are not explicitly recorded, they should also be taken into account as a separate category.

Improve data collection from the justice sector with a centralised system

Data collection from the justice sector presents important challenges. Currently, the CCTS does not allow for the recording of information for statistical purposes. Additionally, the courts do not prioritise statistical information on the victims or perpetrators. There are no quality assessment systems for data in place and no specific units for data handling. This results in missing information from the courts services. There are very general statistics on the number of cases broken down by offence categories, but no information on the victims or on their relationship with the perpetrator.

It is recommended that the courts services take the necessary steps to adapt the system to record data on the victim and on the perpetrator, as well as on other essential information like the relationship between the parties involved. In doing so, the CCTS can be used as a starting point. Data availability from the justice sector should be treated as a priority.

Take steps towards calculating the costs of intimate partner violence to the police and justice sectors

Violence against women in general and intimate partner violence in particular have far-reaching impacts on societies. The most acute and straightforward of these impacts is the financial impact of the violence on the institutions that are dealing with the incidents and with the persons involved. A considerable amount of human and financial resources is devoted to dealing with cases of violence. Although there is no specific study focusing on these costs, the number is estimated to be around EUR 990 million per year ⁽⁶⁾. It is important to estimate the costs for the national context when it comes to policymaking.

It is recommended to develop a methodology for calculating the costs of intimate partner violence to the police and justice sectors. Alternatively, cost calculating models developed by the European Institute for Gender Equality (EIGE), namely purpose-built models, can be used. The number of crimes treated by the police and the number of domestic violence cases, as well as the annual police expenditure are available. These three indicators might be used to calculate the costs based on a purpose-built model. For the justice sector the number of cases related to domestic violence can be used.

⁽⁵⁾ United Nations Office on Drugs and Crime, *International Classification of Crime for Statistical Purposes*, Vienna, 2015, p. 100.

⁽⁶⁾ The figure is calculated according to the methodology used in EIGE's 2014 study based on broad extrapolation of United Kingdom data (EIGE, *Estimating the costs of gender-based violence in the European Union: Report*, Publications Office of the European Union, Luxembourg, 2014).

3.2. Recommendations on the indicators developed by EIGE

Indicator 1 — Annual number of women (aged 18 and over), victims of intimate partner violence (7) committed by men (aged 18 and over), as recorded by police

In Ireland there is currently no specific criminal offence of domestic violence listed. Additionally, the relationship between the victim and the perpetrator is not systematically recorded for offences related to intimate partner violence. This results in a lack of data on intimate partner violence. However, with the changes presently being implemented, it will be compulsory to flag incidents of 'domestic violence' (M.O.). Following this, it will be possible to capture the number of domestic violence cases on the basis of offences selected.

It is recommended that the implementation of this change be monitored carefully. To further refine this information, the relationship between the victim and the perpetrator should be recorded systematically, using the categories of 'current intimate partner/spouse' and 'former intimate partner/spouse'.

General category for indicator	Existing offences — statistical classification
Physical intimate partner violence	Manslaughter/dangerous driving causing death/murder attempt/assault causing harm/poisoning/minor assault
Sexual intimate partner violence	Rape of a female/sexual offence involving mentally impaired person/aggravated sexual assault/sexual assault
Psychological intimate partner violence	Harassment, stalking, threats/coercion/menacing phone calls/murder threat/blackmail, extortion
Economic intimate partner violence	Robbery from person/blackmail, extortion/theft from person

Indicator 2 — Annual number of reported offences related to intimate partner violence against women committed by men (aged 18 and over)

This indicator is quite similar to the first one, apart from the unit of measurement being the number of crimes as opposed to the number of female victims. The data collection systems are currently unable to populate this indicator. With the current changes, as mentioned above, it would be possible to report on the number of domestic violence cases. However, the lack of specific relationship information concerning the victim and the perpetrator should be addressed in order to report complete data on this indicator.

Indicator 3 — Annual number of men (aged 18 and over) perpetrators of intimate partner violence against women (and percentage of male population that are perpetrators)

The data collection system is currently able to capture the information about the number of perpetrators for cases reported to the police. However, as mentioned above, the lack of precise information regarding the relationship between the victim and the perpetrator results in a lack of data about intimate partner violence cases.

Indicator 9 — Women victims of intimate femicide (8) (aged 18 and over) committed by a male intimate partner (aged 18 and over), as a share of the women victims of homicide (aged 18 and over)

The challenge with this indicator is that the absence of specific information on the relationship between the victim and the perpetrator does not allow for the identification of incidents of femicide as defined by this study. Regarding the denominator of this indicator, the total number of female victims of homicide is available though not published or communicated to Eurostat.

For indicators 2, 3 and 9

It is recommended to systematically record the relationship between the victim and the perpetrator using the categories of 'current intimate partner/spouse' and 'former intimate partner/spouse' in order to populate this indicator.

(7) Any act of physical, sexual, psychological or economic violence that occurs between former or current spouse or partner, whether or not the perpetrator shares or has shared the same residence with the victim (EIGE, *Terminology and indicators for data collection: Rape, femicide and intimate partner violence*, Publications Office of the European Union, Luxembourg, 2017).

(8) The killing of a woman by an intimate partner and death of a woman as a result of a practice that is harmful to women. Intimate partner is understood as former or current spouse or partner, whether or not the perpetrator shares or has shared the same residence with the victim (EIGE, 2017).

Indicator 4 — Annual number of women (aged 18 and over) victims of physical intimate partner violence ⁽⁹⁾ committed by men (aged 18 and over), as recorded by police

Ireland is unable to populate this indicator. In order to do so, the exact relationship between the victim and the perpetrator should be recorded.

It is recommended to systematically record the relationship between the victim and the perpetrator using the categories of 'current intimate partner/spouse' and 'former intimate partner/spouse' in order to populate this indicator. Additionally, data on the following offences can be used to populate this indicator: manslaughter/dangerous driving causing death/murder attempt/assault causing harm/poisoning/minor assault.

Indicator 5 — Annual number of women (aged 18 and over) victims of psychological intimate partner violence ⁽¹⁰⁾ committed by men (aged 18 and over), as recorded by police

Ireland is unable to populate this indicator. In order to do so, the exact relationship between the victim and the perpetrator should be recorded.

It is recommended to systematically record the relationship between the victim and the perpetrator using the categories of 'current intimate partner/spouse' and 'former intimate partner/spouse' in order to populate this indicator. Additionally, data on the following offences can be used to populate this indicator: harassment, stalking, threats/coercion/menacing phone calls/murder threat/blackmail, extortion.

Indicator 6 — Annual number of women (aged 18 and over) victims of sexual intimate partner violence ⁽¹¹⁾ committed by men (aged 18 and over), as recorded by police

Ireland is unable to populate this indicator. In order to do so, the exact relationship between the victim and the perpetrator should be recorded.

It is recommended to systematically record the relationship between the victim and the perpetrator using the categories of 'current intimate partner/spouse' and 'former intimate partner/spouse' in order to populate this indicator. Additionally, data on the following offences can be used to populate this indicator: rape of a female/sexual offence involving mentally impaired person/aggravated sexual assault/sexual assault.

Indicator 7 — Annual number of women (aged 18 and over) victims of economic intimate partner violence ⁽¹²⁾ committed by men (aged 18 and over), as recorded by police

Ireland is unable to populate this indicator. In order to do so, the exact relationship between the victim and the perpetrator should be recorded.

It is recommended to systematically record the relationship between the victim and the perpetrator using the categories of 'current intimate partner/spouse' and 'former intimate partner/spouse' in order to populate this indicator. Additionally, data on the following offences can be used to populate this indicator: robbery from person/blackmail, extortion/theft from person.

Indicator 8 — Annual number of women (aged 18 and over) victims reporting rape ⁽¹³⁾ committed by men (aged 18 and over), as recorded by police

Ireland is able to populate this indicator.

⁽⁹⁾ Any act which causes physical harm to the partner or former partner as a result of unlawful physical force. Physical violence can take the form of, among others, serious and minor assault, deprivation of liberty and manslaughter (EIGE, 2017).

⁽¹⁰⁾ Any act or behaviour which causes psychological harm to the partner or former partner. Psychological violence can take the form of, among others, coercion, defamation, verbal insult or harassment (EIGE, 2017).

⁽¹¹⁾ Any sexual act performed on the victim without consent. Sexual violence can take the form of rape or sexual assault (EIGE, 2017).

⁽¹²⁾ Any act or behaviour which causes economic harm to the partner. Economic violence can take the form of, among others, property damage, restricting access to financial resources, education or the labour market, or not complying with economic responsibilities, such as alimony (EIGE, 2017).

⁽¹³⁾ Sexual penetration, whether vaginal, anal or oral, through the use of object or body parts, without consent, using force, coercion or by taking advantage of the vulnerability of the victim (EIGE, 2017).

Indicator 10 — Annual number of protection orders applied for and granted in cases of intimate partner violence against women by type of court

Thanks to the Domestic Violence Act, which is the legal basis for protection, banning and safety orders, it is possible to partially populate this indicator. In the legal context, a protection order is granted as a temporary measure before a banning or safety order is issued. In addition, the application form for banning and safety orders includes fields which specify the type of relationship between the person to be protected and the alleged perpetrator. In order to fully populate this indicator field, 'spouse of the respondent', 'civil partner' or 'intimate partner' should be used, along with the information on the sex of the applicant.

It is recommended that the recording systems be adapted to store this information electronically so that it can be retrieved for statistical analysis.

Indicator 11 — Annual number of men (aged 18 and over) prosecuted for intimate partner violence against women

Ireland is currently unable to populate this indicator. Even though some statistical information is available, different courts are using different systems and it is not possible to provide harmonised information from all courts. Additionally, the information mainly concerns procedural aspects, such as the outcome of cases, but there is no information on the persons involved. Another challenge is the lack of precise relationship information between the victim and the perpetrator.

Indicator 12 — Annual number of men (aged 18 and over) sentenced for intimate partner violence against women

Ireland is currently unable to populate this indicator. Even though some statistical information is available, different courts are using different systems and it is not possible to provide harmonised information from all courts. Additionally, the information mainly concerns procedural aspects, such as the outcome of cases, but there is no information on the persons involved. Another challenge is the lack of precise relationship information between the victim and the perpetrator.

Indicator 13 — Annual number of men (aged 18 and over) sentenced for intimate partner violence against women and held in prison or with a sanction involving a form of deprivation of liberty

Ireland is currently unable to populate this indicator. Even though some statistical information is available, different courts are using different systems and it is not possible to provide harmonised information from all courts. Additionally, the information mainly concerns procedural aspects, such as the outcome of cases, but there is no information on the persons involved. Another challenge is the lack of precise relationship information between the victim and the perpetrator.

For indicators 11-13

It is recommended that courts and prosecution services adapt a standard system that records information on the victims and the perpetrators as well as on the relationship between the two. Furthermore, the relationship categories have to be defined so as to discern cases of intimate partner violence. This information should be recorded in such a way that makes it possible to use the information for statistical analysis.



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