

Motion re: Gender Based Violence

That Dáil Éireann -

commends:

- the courage of Natasha O'Brien and the powerful advocacy that she has provided on behalf of the victims and survivors of violent crime since Thursday 20th June 2024;

resolves:

- to address the epidemic of gender-based violence, and the re-victimisation that is experienced by so many survivors as a result of criminal justice processes in some cases that go through the courts;

notes that:

- recent sentencing decisions have caused significant public disquiet with serious questions about sentencing outcomes for those convicted of gender-based violence, as well as other violent crimes;
- Women's Aid recorded over 40,000 disclosures of abuse against women and children in 2023, an 18% increase on 2022, and the highest ever number documented;
- the Citizens' Assembly on Gender Equality and the Oireachtas Committee on Gender Equality both made several recommendations on improving supports for victims and survivors of domestic, sexual and gender-based violence, many of which have yet to be implemented;
- despite renewed investment in refuge places for survivors of domestic violence, Ireland is still well below the required provision under the Istanbul Convention of one family refuge place for every 10,000 of population; thus needing at least 512 places, well above the planned 280 places that will be in place by the end of 2026 once 150 new units are delivered;

recognises that:

- the DPP has the power to seek a review of sentences on grounds of undue leniency, and that in 2022 there were 37 such appeals by the Director of Public Prosecutions to the Court of Criminal Appeal, 30 of which were upheld;
- the principles of separation of powers and of the independence of the Director of Public Prosecutions are central to our system of justice, but that the Oireachtas must reflect on the issues within the criminal justice system highlighted over the last fortnight;
- the Judicial Council Act 2019 established the Sentencing Guidelines and Information Committee but much work remains to be carried out to ensure the publication of sentencing guidelines;
- significant policy changes have taken place to address domestic, gender and sexual based violence, including the establishment of Cuan to implement the Zero Tolerance strategy, but much work remains to be done;
- following the courageous work of the Women of Honour, a Tribunal of Inquiry is now underway into the complaints processes in the Defence Forces relating to bullying, discrimination, harassment and sexual misconduct;

calls for:

- a review of the practice of suspended sentences, and the criteria used for applying these to those convicted of violent crimes;
- increased urgency in the development of sentencing guidelines by the Judicial Council, clear guidelines on the use of character references, and a comprehensive database of judicial sentences;
- reforms to the Courts system to better protect and support victims and survivors of domestic, sexual and gender-based violence, including provision of effective training for legal professionals and the judiciary;

- consistency in sentencing and provision of access to rehabilitation programmes for perpetrators of domestic, sexual and gender-based violence;
 - the introduction of a Commissioner to act as an independent advocate and voice for victims and survivors;
 - a review of Defence Forces regulations in order to deal more proactively with members either accused of, or convicted of, violent crimes;
 - increased funding for the provision of additional refuge places in line with the Istanbul Convention;
 - increased resources in Budget 2025 for Cuan, and a commitment to multi-annual funding for rape crisis centres and other DSGBV service providers.
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- *Ivana Bacik, Brendan Howlin, Alan Kelly, Ged Nash, Aodhán Ó Ríordáin, Seán Sherlock, Duncan Smith.*