

**THE RESPONSE OF THE
VOLUNTARY AND STATUTORY
SECTORS
TO THE PROBLEM OF
DOMESTIC VIOLENCE**

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**Breast Bruised, Brains Battered,
Skin Scarred, Soul Shattered
Can't scream, Neighbours stare
Cry for help - no one's there**

A stanza taken from poem by

Nena Nehru, a battered Indian Woman.

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CHAPTER 1

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Introduction

Fundamentally, the central task of this study is concerned with examining the current responses of the Voluntary and Statutory sectors to the issue of Domestic Violence in the Irish Republic. Domestic Violence is clearly an issue of social importance as it infringes on the victims' basic human rights. It concerns the use of intentional physical mental or verbal abuse in a way that causes injury or suffering to the individual by an intimate or ex-intimate partner. However, it should be noted that Domestic Violence can also encompass threats of abuse.

Regardless of the form Domestic Violence may take, it is the sad truth that the victims of this crime are predominantly female. Feminist scholars believe that the exertion or threat of violence by males is a reflection of dominant ideologies about male supremacy. The female victim may be easily suppressed, or controlled by it with violent words or actions. Violence in whichever guise it takes is representative of a patriarchal ethos which continues to prevail in societies world-wide.

The main motivating reason behind this present research lies in the recent attention the issue of Domestic Violence has received of late. Domestic Violence is no longer a private sorrow for its victim to bear alone. Victims are now encouraged to speak out and break the painful silence. Being hit by the man whom one knows as an intimate or an ex intimate is a victimising experience. Love can easily become transformed into a 'game' in which only one person knows the rules the abuser. For the victim a life which was once full of meaning can be replaced with a life which is arid and void. Negative feelings come to replace what was once positive.

Yet, to walk away after experiencing repeated violent outbursts takes courage. It is thus imperative that modern societies have the necessary mechanisms to facilitate victims' needs as well as setting out ways to put an end to the continuance of Domestic Violence. The eminent C. Wright Mills, in the *Sociological Imagination* astutely defined this arena as the 'personal troubles milieu'.

It is the task of this present study to elucidate the current responses to this issue by the Voluntary and Statutory Sectors of Irish society. This, in turn, shall shed light on the 'protective' measures and other 'options' available to victims of domestic violence.

The Voluntary Sector in this country provides a number of vital services and functions in a number of areas which are also of statutory concern. This is particularly true of provisions for victims of domestic violence offered by a number of organisations in this sector. It is often to such organisations that victims first turn and as a result, their social needs are often dealt with great flexibility and professionalism.

Nevertheless, these Voluntary organisations also co-exist alongside the formal or Statutory sector of Irish Society. The response of the Statutory sector in any event is determined by State policy on the matter. Issues of State and Social concern like Domestic Violence thus require an adequate response from this sector. It is imperative that adequate support mechanisms for victims of such violence are provided as the welfare of such individuals is a prime responsibility of the State as such. Similarly, programmes to prevent or eradicate domestic violence are also of the utmost importance. Any act of violence is a crime and thus domestic violence is no different. To have

adequate redress under the Law is a crucial step for any victim of such violence. This research has proved timely in so far as it coincides with the Introduction of the Domestic Violence Act 1996. This Act proving to be a major development in the response of the statutory sector to this issue shall be examined later in this work.

The research objectives of this study can be outlined as follows:

- to highlight the response of the Voluntary Sector to the issue of domestic violence.
- to highlight the response of the Statutory Sector to the issue of domestic violence.
- to ascertain what type of relationship exists between these sectors in regard to dealing with the issue of domestic violence.

The outcome of these research questions shall be dependent on the methodological framework employed in this research. To obtain the relevant data it was decided to carry out a number of semi-structured interviews with representatives of the Voluntary and Statutory agencies involved in this area. The data obtained shall be examined in the light of two selected methodological frameworks namely the top down/bottom up approach and comparative analysis. The bottom up/top down approach shall be used to elucidate the relationship existing between the Voluntary and Statutory agencies involved in this study. It shall assist in determining whether an interface or symbiotic relationship exists between these sectors or not. Comparative analysis has been incorporated to highlight the Irish Statutory response against a 'Europe' and non-Europe background. This will ascertain whether Ireland has been influenced by its membership to the European Community as such. Likewise, by placing the Irish State's response against a non-

European background i.e: Canada, shall prove enlightening. The response of the Canadian Government to this issue has been documented frequently. It is hoped that this inclusion of Canada shall serve to highlight Irish Statutory policy inadequacies and/or potential initiatives on domestic violence.

Thus, the overall chapter layout of this thesis shall unfold as follows:

- Chapter 2** - A selective 'Review of Literature' focusing on key issues relevant to this research.
- Chapter 3** - Presents 'Methodological Framework' chosen for this research.
- Chapters 4 & 5** - Present the current responses of the Voluntary and Statutory Sectors to the issue of Domestic Violence.
- Chapter 6** - Discussion of findings and conclusions.

To conclude, it is hoped this research shall serve to highlight the need for a continuous re-appraisal of both the Voluntary and Statutory Sector's responses to the issue of domestic violence. Efforts need to be continuous if results are to be obtained. Nevertheless, the onus of this thesis shall not be on the arena of policy making. Instead, this thesis will have reached its goal if it serves to render a view of the role of 'values' in the responses of each sector. This research will have succeeded if it translates as C. Wright aptly put 'public issues into the terms of their human meaning'.

CHAPTER 2

REVIEW OF LITERATURE

In recent times the issue of Domestic Violence has proved to be an enraging and disturbing social problem affecting the majority of modern societies. Domestic violence can be defined as:

“The intentional physical abuse of a woman in a way that causes pain or injury, or the threat of physical abuse by the male partner with whom she lives or has lived.”

(Montgomery and Bell quoted in McWilliams et al 1993 P.2).

This definition aptly provides a basis from which this present work shall expand. It highlights that Domestic Violence has a propensity to be gender specific affecting women. Such violence thus, also, reveals the continuing presence of patriarchal relations within relationships (Anderson 1993, P. 169). Male domination is a system which has been evident throughout the course of history and still appears to continue today. Nevertheless, it should be noted that men may also be victims of domestic violence but this is not common place. (Pagelow, 1984).

Incidence of Domestic Violence

Fundamentally, the form Domestic Violence takes is predominantly physical but it may also take the form of mental or psychological abuse. (Davies 1994 P.2). A recent Irish study by Lyons et al (1992) provided a profile of women who were using the Adapt Refuge in Limerick. Adapt House “as a refuge primarily offers itself as an emergency place of safety to which a woman experiencing violence, with or without children can come” (Lyons et al 1992 P.5). This study revealed that among 87% of respondents, physical attack had taken place. It was also relevant that (47%) of this physical violence

was of a very extreme nature. However, mental and psychological abuse was also experienced by 73% of respondents in this study. (Lyons et al 1992, P.31). It was also revealed that the pain experienced is heightened by the fact that often times the abuser is an intimate male partner. Similarly, once violence occurs is likely to occur again quite frequently and the intensity of the attack may also increase. (Lyons et al 1992 P.31).

Evidence appears to indicate that domestic violence often occurs within intimate relationships. Straus et al (1980) believe that the marriage license may well transcend to be a hitting license for some couples. Their U.S. study revealed that if one is married there is a one out of three chance that your spouse will hit you. It also revealed that one out of every twenty couples interviewed had experienced a "beating up". (Straus et al 1980, P.291). Results also revealed that a "large proportion of American husbands and wives see violence as a normal part of married life". (Straus et al 1980, P.301).

In the light of these findings recent statistics published by the U.S. Department of Justice 1995 do not appear surprising. These statistics revealed that in 29% of all cases of violence against women by a lone offender, the perpetrator was a husband, ex husband, boyfriend or ex boyfriend. Similarly, it was revealed that women are six times more likely than men to experience violence committed by an intimate. Violence against women by intimates also proved constant across racial and ethnic boundaries.

Warning Signals

Without doubt, abuse can creep slowly into a relationship. Horley in her renowned book *The Charm Syndrome* (1991) points out that one can detect certain warning signs of a prospective abusive relationship. Jealousy and over possessiveness may be translated as signs of love when in fact they may act as indicators of a partner's predisposition to

abuse. (Horley, P.146). Being secretive, acting childishly as well as using his partner as an emotional prop can also highlight a man's potential to abuse his partner in some form, be it physical or psychological. (Horley, P.146).

A recent study by McWilliams and McKiernan (1993) points out that when violence occurs in a relationship, its reoccurrence may be preceded by certain trigger factors, particularly alcohol abuse. Alcohol proved to be a relevant factor in 66% of respondents' relationships in this Northern Irish Study. In 21% of cases the victim was hit by her partner when he had been drinking. Nevertheless, 45% of respondents reported being hit by their partner when he was drunk and sober. Women also reported being hit when their partner was between bouts of drinking or hungover. However, it was also noted in a recent study in the Irish Republic that stress, financial or communication problems may also serve as trigger factors. (Lyons et al 1992 P.33). It is, therefore, evident that one cannot generalise too much as regard what may trigger bouts of violence.

Similarly, one cannot accurately generalise about the social position of victims of such violence. Domestic violence has the capacity to permeate class boundaries in so far as it can occur in families of any socio-economic background. Lyons et al (1992) found that the majority of victims in the Adapt Refuge were from a low socio-economic background. It was also found that victims often lacked the necessary resources which would facilitate them leaving a violent situation once and for all. (Lyons et al 1992 P.55). This issue of economic dependence was also highlighted in 'Making the Links' (1995) - a recent report commissioned by Women's Aid. It revealed that 77% of respondents believed that economic dependence was one of the main reasons why women do not leave a violent partner (Making the Links, P. 22).

Impact of Violence on Victim

It is true to say that once the violence begins it will have a severe effect on its victim.

Often a victim will alter her own behaviour as an attempt to “bring out the loving side of her partner, the side she fell in love with”. (Horley 1991 P. 92). By suffering in silence victims will often not only prolong their agony but also give the abuser ‘tacit’ permission to continue his behaviour (Horley 1991 P.145). Silverman (1981 P.16) reveals that an abused woman is in “a precarious relationship with the larger community to which she relates”. Her identity is in fact spoiled.

Therefore, the question remains as to how a victim can rationalise what is happening to her. Ferraro and Johnson (1983) prove useful in elucidating how women experience being battered by someone they love. The responses of women interviewed in this study were assigned to six categories of rationalisation.

Category number one referred to “the appeal of the Salvation Ethic” (Ferraro and Johnson, P.328). Women in this category were abused yet rationalised it by believing they could be of help to others. Victims believed that their partner’s violent behaviour was abnormal. It was therefore the victim’s responsibility to help him return to his ‘normal self’. Ferraro and Johnson P.328.

Category number two involved the technique of denying the victimiser. In this instance women victims believe that it is external factors which are the cause of their partner’s violent outburst. External factors which may be blamed include stress at work or

unemployment. Such factors clearly provide a focus and thus facilitate the victim to 'deny their husband's intent to do them harm' (Ferraro and Johnson P.329).

Category number three refers to 'the denial of injury' as a form of rationalising violent behaviour. This response is common among many battered women. Even amidst the blood and the bruises the victim will deny that she is injured. This denial does not 'mean that women feel no pain'. (Ferraro and Johnson, P.329). Victims who rationalise the violence in this way are aware they are hurt but define the pain as being tolerable.

Category four, 'the denial of victimisation' is the most common response among victims. (Ferraro and Johnson P.329). Victims often believe that they are to blame. Some women in Ferraro and Johnson's study believed violence 'could have been avoided if they had been more passive'. (Ferraro and Johnson P.329).

Category five refers 'to the denial of options by a victim'. This means of rationalisation is perhaps the most worrying. Leaving becomes blocked by the effects of 'years of abuse and oppression' (Ferraro and Johnson P.330). In particular, a battered woman may come to believe that she will never receive the same intimacy and companionship if she leaves her partner. The prospect of a life independent of anyone appears lonely. Similarly, it is not uncommon that the abused believes her abuser is the only man she could ever love. (Ferraro and Johnson, P.330).

Finally, category six, 'the appeal of higher loyalties' concludes Ferraro and Johnson's (1983) study of the techniques employed by victims to rationalise violent behaviour. This method involves victims enduring violence for the sake of some other commitment, be it

traditional or religious. (Ferraro and Johnson P.330). For example, a religious viewpoint may incorporate the belief that women should serve their husbands. Clergy may in turn reinforce this viewpoint by advising the victim to 'pray and try harder to please their husbands'. (Ferraro and Johnson, P.330). However, traditional ideologies regarding family life may also inspire many women to remain in such violent relationships. If a victim appeals to either example of higher loyalties, she is in fact grasping an ideal which 'overshadows the mundane reality of violence'. (Ferraro and Johnson P.331).

It is thus evident that victims of violence often employ techniques to make sense of their new found situation. As Silverman (1981. P.16). points out, an abused woman is in 'a precarious relationship with the larger community to which she relates'. Her identity is in fact spoiled. It is believed that as victims continue to suffer in silence they are in fact beginning to turn their feelings inward (Silverman 1981 P.17). yet, as Horley (1991, P.89) points out victims are 'are resilient courageous women who in the face of a living hell cope admirably'.

Nevertheless, it is only when attempts to seek help succeed that victims can begin to rebuild their lives. (Ferraro and Johnson 1983, P.335). Re-building a new life is a slow process. Likewise, victims will, in the course of this, come to experience feelings of anger. It is believed that years of internalising such anger will be replaced by blatant expression. (Horley 1991, P.168). Anger is a sign that the victim is in touch with her feelings once again. (Horley 1991, P.168). It is thus crucial that the victim receives the help she needs at this crucial stage.

Explaining Domestic Violence

Domestic violence is clearly an issue of great social importance. Therefore, it is not surprising that this issue has prompted much sociological interest and research. However, it has become evident that social scientists differ in how they approach an analyses of the causes of Domestic Violence. (Kurtz 1993, P.253). In particular two sociological perspectives have proved to be prolific in this regard, namely, the family violence approach and the feminist approach.

The family violence approach views violence between couples as 'spouse abuse'. (Kurtz 1993, P.253). Such violence can also be seen "as part of a pattern of violence occurring among all family members". (Kurtz 1993, P.253). Straus et al (1980) proponents of this approach believe violence is a common feature of family life:

"It seems as if violence is built into the very structure of the society and the family system itself ... It (wife beating) is only one aspect of the general pattern of family violence which includes parent child violence, child to child violence, and wife to husband violence". (P.44).

The family clearly is the central unit of analysis in this approach. Straus et al (1980) conclude that 'Each generation learns to be violent by being a participant in a violent family - Violence begets violence'. (P.121). It was also found that violence is often used by the most powerful family member. This power can be held by either spouse according to this perspective. (Straus et al 1980).

However, the feminist approach wishes to address the important question as to why women tend to be targets of such violence. (Kurtz 1993, P.261). It thus follows that gender relations play an important role in this approach. Feminist researchers believe men may use violence as a way to control their wives/partners.

Dobash and Dobash (1970) conclude from their Scottish study that:

‘Differential marital responsibility and authority give the husband both the perceived rights and the obligation to control his wife’s behaviour and thus the means to justify beating her.’ (P.93).

Feminists also argue that this use of violence is perpetuated through women’s economic dependence on their husbands. (Kurtz 1993, P.260). Fleeing from violent husbands is not a clear-cut decision. Researchers within this perspective also believe that patriarchal ideologies as well as norms facilitate in ‘accounting for why some males adopt violent behaviour’. (Kurtz 1993, P.261).

The Politics of Domestic Violence

Regardless of how one seeks to explain Domestic Violence, one cannot deny its existence. Domestic Violence is a social problem and therefore requires immediate attention. However, it should be noted that it was not until the 1970’s that Domestic Violence was truly highlighted. The so-called Battered Women’s movement had begun particularly in the United States. The prime movers behind this movement included those working with battered women on a day to day professional basis as well as those who

were part of a growing feminist wave of activism. (Tierney 1982, P.211). What was once 'socially invisible' became central to public discussion. (Tierney 1982, P.215).

However, the Irish situation was not as quick to deal with this situation. In studying the position of women in Irish society and the general politics of Domestic Violence, one must take account of three factors namely the modern women's movement, the influence of the Catholic Church and Ireland's membership of the European Community. These three factors interplayed and have influenced social progress in the Irish Republic to date.

Initially, the new Irish state of 1922 clearly conveyed political rights and a constitutional status to Irish women. (Manning 1978, P.92). Yet, it was the Constitution of 1937 which clearly defined a woman's role in Irish society. The domestic sphere became the destiny of Irish women as stated in Article 41.2.

'In particular, the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved'.

In general terms as Mahon (1996, P.187) points out, the construction endorses a patriarchal system in which the male is the breadwinner and the woman is confined to the Domestic Sphere. However, it is also true that a 'Catholic moral code' became enshrined in the Constitution. (Robinson 1978, P.61). This is perhaps best illustrated by the status afforded to the family in Irish Society. The family was a fundamental unit of society and thus deserving of the 'inalienable and imprescribable rights' afforded to it by the

Constitution (Article 41.1). It thus followed that there was a reluctance on the part of the State to become involved in what was believed to be 'family business'. (Richardson, P.4). The issue of Domestic Violence was thus assigned to the 'family business' category and therefore could often continue to occur behind closed doors.

It is evident that from this period up until the 1960's a high degree of familialism continued to prevail. This 'prevailing ethos was an amalgam of nationalism and of a conservative Roman Catholicism'. (Hilliard 1992, P.253). Roman Catholicism clearly re-enforced the principle of non-intervention in family affairs. Social Policy in this period thus reflected the influence of the Catholic Church in Irish society. It should also be noted that the period 1922 - 1969 proved to be a 'precondition for the resurgence of the Women's Movement in the 1970's'. (Connolly 1996, P. 7). This period clearly facilitated the development of strategies which would help the Movement to later re-emerge. The modern Irish Women's Liberation Movement began in 1970. It became public in 1971 with the publication of its manifesto Chains or Change. The stage was now set for a revaluation of the rights of women as citizens and the 1970's proved receptive to this. Initially, the 'Contraception' issue took central place in the Movement's Mandate. This issue led the Catholic Church to respond stating that it was a question of public morality.

However, other important issues were brought to the fore in 1972. This year marked the establishment of A.I.M. (Action Information Motivation Group). (Mahon 1996, P.190).

This group was set up with the main purpose of seeking 'legal reforms for women through a combination of research reports and the support groups for deserted and

battered wives'. (Mahon 1996, P.190). Also, it was the Dublin Aim Group which founded the Women's Aid Committee and it was this Committee which set up the first hostel for battered women in Ireland. AIM groups spread throughout the country and these in turn helped many additional hostels to be opened. Some of these hostels 'were later taken over by local Social Service Councils administered by the Church and funded by the Health Board'. (Mahon 1996, P.190). (Mahon 1996 P. 190) also points out that AIM groups nation-wide also 'advised women on their legal rights and helped them get barring orders or find temporary refuge accommodation if in a violent relationship'.

This year also coincided with the publication of the Report of the Commission on the Status of Women (1972). It was this report which provided the first official picture of the position of women in Irish society. Clearly, it emerged that women were being subjected to inequalities and injustices. (McCarthy 1978, P. 103). However, it also highlighted that 'Society failed to anticipate changes in relation to the aspirations of women'. (McCarthy 1978, P.103). Significantly, 1972 also marked Ireland's joining the European Economic Community (E.E.C.). This event in turn would prove instrumental in setting the pace for social change in the Irish Republic. Membership to the E.C. in turn meant the Irish State would have to bring its legislation/social policy in line with Europe. The pervasive ideology of women's only role being in the home was severely challenged by the onset of women's groups as well as reform at the E.C. Level. (McLaughlin 1993, P.227).

The mid 1970's onwards witnessed the growth of voluntary agencies which catered for the needs of women. These included organisations like Women's Aid, Adapt and Cherish. (Connolly 1996, P.21). Similarly, women's groups looked towards Europe if a

solution could not be obtained within Irish shores. (McLaughlin 1993, P.228). This is exemplified in the case of Mrs. Josie Airey. Mrs. Airey believed the Irish Courts were not protecting her from her violent estranged husband. An injunction could not be issued unless a Judicial separation was granted. Mrs. Airey stipulated how a Judicial separation was beyond her means and also how she failed to be eligible for free Legal Aid. It was therefore believed justice was not being done if one had to rely on wealth. This case was thus brought before the European Court of Human Rights. The results being a ruling that the Irish Government were in breach of articles in the Convention of Human Rights. (McLaughlin 1993, P.230). Clearly, this case highlighted the issue of Domestic Violence both at a national as well as a European level.

The period from 1980's to the present day has witnessed some significant changes in regard to the issue of violence in the home. There has been a growth of women's groups nation-wide. It is such groups who supply the necessary pressure to obtain results. (Mahon 1996, P.204). The Report of the Second Commission on the Status of Women was published in 1993. The issue of Domestic Violence was examined carefully in this report. In particular, it highlighted the need for a reassessment of the forms of legal redress and counselling services available to victims. This report (1992 P.45) also welcomed the co-operation of women's organisations involved in providing support services to battered women with the Garda.

Since the publication of this report (1993) there has been an increase in awareness of Domestic violence. Domestic violence is now an issue of priority and is, thus, placed on the political agenda. It has become a social problem and as a result its very existence

implies a responsibility to find a solution. As Gusfield (1989, P.32) points out - there is a 'troubled persons industry', which in turn sets in motion a particular discourse. Fraser (1989 P.161) believes need interpretation has become part of modern day discourse. Yet women's needs are often placed on the agenda but are dealt with very differently. (Fraser 1989, P.149).

It is the aim of this present study to seek to ascertain the response of Voluntary and Statutory Sectors to the needs of Domestic Violence victims. It shall also seek to elucidate, whether these sectors work symbiotically to achieve results. Nevertheless, the central question which will be answered concerns the adequacy of current provisions for victims of Domestic Violence.

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CHAPTER 3

METHODOLOGY

Fundamentally, this research was undertaken within the context of the current responses of the Voluntary and Statutory sectors to the needs of victims of Domestic Violence. The main research aim being concerned with elucidating these responses in a critical light. Also, this research endeavoured to highlight the relationship that existed between the Voluntary and Statutory agencies involved in this very specific area of service provision. Following this it was hoped that one would be in a position to ascertain whether an interface or symbiotic relationship existed between these two sectors. Thus, this research had a precise core as it specifically dealt with agencies involved in a particular area i.e. Domestic Violence.

Data Collection

However, for these research questions to be answered successfully it was imperative that the method of Data collection would be carefully selected. Similarly as McGreil (1977, P.42) states 'Validity and reliability are the most important criteria by which an instrument is considered acceptable'. Thus one had to select a method which would supply the required data accurately as well as guaranteeing a high response rate. It was decided to use a number of semi-structured interviews in order to obtain the necessary data. Having selected the method of data collection it was now necessary to ascertain the size of the sample involved. It was decided to focus on the main Organisations and Statutory agencies involved in this particular area on a day to day basis. Initial contact was subsequently made with representatives of each Organisation/Department. This initial groundwork proved beneficial to the whole research process in a number of ways. In particular it facilitated in establishing whether representatives were willing to participate

in the research process. Also, if co-operation was guaranteed then the likelihood of a high response rate was assured.

It was decided to focus the interview on a number of areas:

- Nature and functions of Organisation or Department.
- Involvement with other organisations in the Voluntary Sector.
- Involvement with the Statutory Sector.
- Opinions on recent provisions for victims of Domestic Violence in the Irish Republic.
- Status of Organisation/Department with regard to developing future Policy on Domestic Violence.

It was also crucial to utilise the interview situation fully. This could only be achieved if one treated it as a site of social interaction. The development of rapport was imperative if results were to be of top quality. Similarly, one had to appear competent as well as value-free when carrying out the interview.

Methodological Framework

However, it was decided that the data attained would be explained in the light of two specific approaches namely Comparative Analysis and the Bottom-up/top-down approach. By incorporating both these approaches it was believed one could elucidate the responses of both Voluntary and Statutory Sectors to the issue of Domestic Violence.

Similarly, this methodological framework would also serve to place this study's research problem in a wider context.

The Bottom-up/Top-down approach

It is believed this approach would facilitate in highlighting the relationship of the Voluntary and Statutory Sectors involved in dealing with the issue of Domestic Violence on a day to day basis. The Voluntary Sector in this country has a tradition of pioneering new services which are subsequently taken up by the Statutory Sector. However, despite statutory developments, the Voluntary Sector has not diminished. In regard to the issue of Domestic Violence the Voluntary Sector has proved pivotal in highlighting and serving the needs of Domestic Violence victims. It is envisaged that this approach shall serve to highlight whether the Voluntary Sector is in fact working to substitute or make up for the Statutory Sector's inability to deal effectively with the issue of Domestic Violence. This approach will also serve to highlight whether an interface or symbiotic relationship exists between these two vital sectors of Irish society.

Comparative Analysis

Comparative analysis has been selected in order to competently study the Irish State's response to the issue of Domestic Violence via the Statutory sector. The question remains as to whether Ireland is in fact influenced by its E.C. Membership when it comes down to formulating family policy. By examining the Irish response to the issue of Domestic Violence in the light of developments in the social character of Europe a clearer picture will emerge.

It was also decided to place the response of the Irish Statutory Sector in comparison with a non-E.C. country as such. Canada was chosen as it has gained a reputation of late for its successful understanding of Domestic Violence, as well as its provisions for the victims of this crime. By placing the Irish context against the Canadian experience one can highlight Irish policy inadequacies that may exist in this area.

The use of Comparative analysis in this study shall prove worthwhile in a number of ways. It shall serve to highlight similarities as well as identifying differences. In particular, it may also serve to highlight alternatives that the Irish State may consider when dealing with the sensitive issue of Domestic Violence. Comparative analysis will also serve to place the overall research question in a much wider context. It will facilitate moving from a narrow parochial perspective to a much wider spectrum. The main objective being 'Lesson', that an awareness of flaws or inadequacies will quickly emerge.

The use of both approaches endeavour to examine the response of both the Voluntary and Statutory Sectors to Domestic Violence. The Irish situation to date shall be critically evaluated in the light of both approaches and this in turn shall place the research problem in a wide yet defined context.

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CHAPTER 4

THE VOLUNTARY SECTOR

This chapter presents the data received from the Voluntary Sector in the course of this research. Each organisation is examined individually and the data received is presented under a number of sub headings.

WOMEN'S AID

Background

Women's Aid is an organisation with over twenty years of experience in dealing with the needs of victims of Domestic Violence. Since the founding of Women's Aid in the Irish Republic a number of branches have been set up nation-wide. This organisation provides a variety of services to women who have been subjected to Domestic Violence. It became evident in the course of my contact with this organisation that Women's Aid are adamant that the serious nature of such violence is highlighted. This is crucial if its status as a social problem is to become firmly established on a national level. It was also pointed out that it is imperative that the adequate support mechanisms are in play for victims of Domestic Violence. Often women will remain in a violent relationship as they do not have the necessary resources or are unaware of the options available to them. Women's Aid plays a vital role in facilitating the victim to abandon a violent relationship, advocating that 'no man has the right to hit you'.

Services Provided

Women's Aid have responded to the issue of Domestic Violence successfully and offer a number of invaluable services both to the victim and society at large.

1. 'Advice and Support to Victims of Domestic Violence'

Women's Aid are often the first attempt a victim may have at seeking help. Thus, the response a victim receives at this critical stage will prove indicative of whether she will leave or continue to remain in a violent relationship. Women's Aid truly appreciate this and offer both the emotional and practical advice which is needed. Women's Aid offer a National Helpline which is manned by trained staff who can competently deal with any questions or worries callers may have. Women's Aid endeavour to provide victims with all the information they need as regard their 'rights' and 'options'. For example, Women's Aid recently published a booklet entitled 'Leaving a Violent Relationship: Your Rights and Options'. This booklet concisely dealt with a number of issues. These included the recent provisions of the Domestic Violence Act (1996) as well as a victim's Income and Housing entitlements.

2. Accommodation

Women's Aid recognise that the provision of accommodation is an essential service for women leaving a violent relationship. This organisation thus assists women in finding emergency accommodation in Refuges throughout the country. Refuges provide a haven from violence where a woman and her children can look to their 'new' future. The victim can gain stock of her life again and set about deciding what is best for herself and her family. Refuge accommodation thus provides a breathing

space for victims. However, it is not a long term solution. It is not a home.

Women's Aid responded to this by establishing their sister company - Sonas Housing Association in 1991. Its main aim being to confront the issue of homelessness for women who have been in a violent relationship. Funding has been granted to Sonas to provide twenty-five houses and a 'community' facility. Proposed tenants will be mainly those who have had a history of ongoing violence in the home. Housing of tenants will be based on a referral basis from Refuges and those housed can remain tenants for as long as such accommodation is required.

Education and Awareness

The Education and Awareness Programme run by Women's Aid seeks to highlight Domestic Violence as an opponent to gender equality. It is an issue which predominantly affects women and therefore it warrants the development of programmes which will increase awareness about its very existence. In particular, the programme was set up to empower women as social actors so that they would be encouraged to take actions in their own communities. This thus serves to increase understanding and awareness of the issue of violence against women among participants as well as the community at large.

Women's Aid is also concerned with developing a 'Schools project' which will strive to redress the norms and values which prevail in Society, especially those which contribute to discrimination of any kind. Norms and values supporting stereotypes or sexist

behaviour will be discouraged. Education thus is regarded as a key factor in leading to the eradication of violence against women.

Research

Women's Aid recently published 'Making the Links' (1995) which clearly highlighted the prevalence of violence against women in the Irish Republic. In the course of my contact with this organisation it was stated that research is crucial if a solution to this problem is to be found.

Involvement with the Voluntary/Statutory Sectors

Women's Aid stated the importance of liaison between both sectors if the issue of Domestic Violence is to be tackled. Domestic Violence is a complex problem and therefore it is very important all relevant agencies are to unite together to combat it. Women's Aid also recognise that this issue cannot be dealt with by one agency alone. Instead, it is necessary for an inter-agency approach to be developed. This would involve all relevant agencies working together with clear objectives and strategies.

Nevertheless, Women's Aid welcomed the introduction of the new Domestic Violence Act 1996.

THE DUBLIN RAPE CRISIS CENTRE

Background

This centre was established in 1979 to provide a comprehensive service to victims of sexual violence. It was pointed out in the course of my contact with this organisation that often the primary motivating factors behind sexual assault are non-sexual needs like anger or power. Similarly, it was also stated that in 1991 79% of the women who sought the assistance of this centre (having experienced sexual violence) had been assaulted by men they knew. Evidence also revealed that 42% of these assaults took place in the victim's own home. Thus such evidence reveals the necessity for the specialised services offered by this centre.

Services Provided

- 24 hour crisis helpline.
- Counselling service.
- Therapy service.

Education and Public Awareness Programmes

It became evident that the demand for this centre's services has increased of late. The respondent pointed out that in 1994 the centre dealt with a monthly average of 350 calls. Experienced counsellors will always be on call to help victims through the effects of the experience and answer any questions they may have. A therapy programme is also available to victims depending on the severity of their 'abuse'.

The respondent also stated that the Centre were concerned with increasing awareness of the prevalence of sexual violence in society. The Centre is active in producing leaflets or other literature to increase public awareness of this issue. Speakers will also be provided by the Centre to speak on sexual violence in Schools, Women's Groups etc.

The researcher was also alerted to the demand on the Education Service provided by this Centre. Training programmes are offered to those who come into contact with victims and survivors of sexual violence in the course of their work.

Involvement with the Voluntary and Statutory Sectors

It was stated that this Centre would refer clients to other Voluntary organisations if it was believed they could facilitate the client better. Similarly, other Voluntary organisations were aware of this centre's expertise and refer those individuals who were in need of these services.

The respondent stated that this Centre received 'funds' from the Eastern Health Board but this was not sufficient. This Centre was also reliant on voluntary support. An increase in resources is needed if the Centre is to cope with the increasing number of people seeking the services of the Centre.

It was also stated that this Centre participated in a working party which was set up in 1995. This party was representative of a number of women's groups. It was formed in consultation with the Minister for Justice. One of the group's aims being concerned with investigating the legal and judicial process in regard to how it applies to victims of sexual violence and other instances of violence against women.

IRISH ASSOCIATION FOR VICTIM SUPPORT

Background

The Irish Association for Victim Support was founded in 1985. It is a completely voluntary organisation whose primary objective is to provide the necessary support for 'victims' of crime. It is this organisation's main priority that the needs of victims are not forgotten.

Services Provided

- **Practical and Emotional Support.** Victim support endeavours to view the crime from the perspective of the victim. It also aims to facilitate the victim's needs by listening and respecting their feelings. Practical support will also be provided informing victims of their rights with regard to issues like Compensation or Legal Aid.
- **Lobbying constantly to improve Statutory provisions and compensation mechanisms for victims.**

Involvement with cases of Family Violence

It was stated by the respondent that this organisation would not deal directly with victims of Domestic Violence. Instead victim support would inform victims of such violence as to agencies who could offer more specialised help to them.

Involvement with the Voluntary and Statutory sectors.

Having already stated that Victim Support would inform victims of Domestic Violence of specialised agencies who could help, the respondent went on to state that these agencies

would be from both the formal and informal sectors of society. Such agencies would include Women's Aid, Aim, Rape Crisis, Garda and the Legal Aid Board.

The respondent also stated that victim support advocated greater inter agency co-operation on behalf of victims of crime. Greater support mechanisms need to be put in play for victims of crime especially in cases where it is necessary for victims to attend court proceedings.

AIM FAMILY SERVICES

Background

Aim was founded in 1972 just at the modern Irish Women's Liberation Movement was beginning to emerge in Irish Society. Its initial concerns were Legal reform for women, who were victims of Domestic Violence or others who may have been deserted by their husband. However, today this organisation has developed it's services further and has gained a reputation for providing invaluable assistance to those experiencing family or indeed 'marital' difficulties.

Services Provided

- Individual and ongoing counselling.
- A 24 hour telephone service.
- Family Mediation service.
- Up to date information on all aspects of family life.
- Drop-in Centre.

In the course of my contact with this organisation, I was informed that all volunteers in Aim are highly trained. This facilitates in providing a non-directive and non-judgmental counselling service to clients. Similarly, mediators in this organisation are also highly trained and are accredited to the Mediators Institute of Ireland.

It was also pointed out that Aim's involvement with victims of Domestic Violence would be in the area of advising them of the legal remedies available to them.

Involvement with the Voluntary Sector

It was stated in the course of my discussion with this organisation that Aim may refer clients to other voluntary organisations which may deal more specifically with their problems. Similarly, a lot of Aim's clients have in fact been told about Aim Family Services by other voluntary organisations.

Involvement with the Statutory Sector

Aim also receives clients who have been referred to them via the Statutory Sector e.g. Garda. Also, it was stated that Aim constantly watches up dates in Family Law. The recent Domestic Violence Act 1996 has prompted Aim to produce an information leaflet on the Act's new provisions. This leaflet shall be made available to clients in late August/early September.

Aim may also come in contact with the Statutory Sector via funding arrangements. For example, the Aim group received a Community Development Education and Training Grant from The Combat Poverty Agency in 1995.

ACCORD

Background

Accord (formerly known as the Catholic Marriage Advisory Council) is regarded as one of the largest counselling organisations in the country. This organisation is fundamentally a Catholic one manned mainly by Catholics. However, it was pointed out to me that counsellors in this organisation do not bring their values or beliefs into counselling sessions. It is the job of the counsellor to help individuals explore their 'problem' situation. The counsellor thus will endeavour to supply individuals with the support they need.

Services Provided

- Marriage Preparation courses.
- Relationship and Sexuality workshops.
- Fertility awareness.
- Marriage and Relationship counselling.

Having discussed the provision of such services with the respondent, it became evident that there was no provision aimed at dealing with the issue of Domestic Violence in intimate relationships. When asked as to why this was the case it was stated that Accord would not have the expertise to deal successfully with this issue. However, Accord would inform clients as to other voluntary/statutory agencies who could successfully deal with their case. It was also stated that confidentiality would be guaranteed in regard to any dealings clients may have with Accord no matter how brief.

THE SAMARITANS

Background

Brief contact was made with this organisation. The respondent stated that this organisation always endeavours to provide a sympathetic and confidential support service to all callers. However, the Samaritans could not force callers to take advice in the case of Domestic Violence. Samaritans are trained to attempt to understand the feelings of callers. However, in the instance of someone asking for advice on leaving a violent relationship, the Samaritans will provide addresses of organisation or Helpline numbers which may provide the appropriate help.

CHAPTER 5

THE STATUTORY SECTOR

This chapter presents the findings of this research in regard to the response of the Statutory Sector to the issue of Domestic Violence. All relevant areas of Statutory provision shall be examined. Similarly, the Irish Statutory response shall be placed in comparison with European developments as well as the Canadian response to this issue.

Current Legislative Provision

Department of Equality and Law Reform

Article 40.1 in the 1937 Constitution of Ireland states that:

All citizens shall, as human persons, be held equal before the Law.

It is the responsibility of the Minister of Equality and Law reform to endeavour that this equality becomes a reality. In particular, this portfolio is concerned with ensuring that government policies are not discriminatory to female citizens. This Department is also responsible for administering a system of civil legal aid. However, this Department recently pursued a programme of reforming Family Law. The Domestic Violence Act 1996 was undoubtedly a consequence of this reform. This major development has improved protection for the victims of Domestic Violence and shall be examined herein. Similarly, it should be noted that the Department of Equality and Law reform have published an explanatory leaflet on this Act and it has been circulated to agencies dealing with this issue be they Voluntary or Statutory.

Domestic Violence Act 1996

The opening of the Domestic Violence Act 1996 states that it is:

‘An Act to make provisions for the protection of a spouse and any children or other dependent persons, and of persons in other Domestic relationships whose safety or welfare requires it because of the conduct of another person in the Domestic relationship concerned and for that purpose to repeal and re-enact with amendments the provisions of the Family Law (Protection of Spouses and Children) Act 1981, to provide for arrest without warrant in certain circumstances, to provide for the hearing at the same time of certain applications to a court under more than one enactment for orders relating to Domestic relationships and to provide for other connected matters.’

It is also evident that the enactment of this Act has provided a number of protective measures for individuals affected by Domestic Violence namely Safety Orders, Barring Orders and Interim Protection Orders.

Safety Orders

A Safety Order is an order of court which prohibits the violent individual from threatening to or carrying out further violence. The Safety Order will be granted only if the court:

‘is of the opinion that there are reasonable grounds for believing that the safety or welfare of the applicant or any dependent person so requires’. Section 2 (2).

If granted, a Safety Order will be in force for five years maximum. On expiring, a further Safety Order may be granted if the court believes it is necessary.

When in force, a Safety Order offers the following protection as sated in Section 2(2) - the violent individual;

‘(a) shall not use or threaten to use violence against, molest or put in fear the applicant or that dependent person, and

(b) if he or she is residing at a place other than the place where the applicant or that dependent person resides, shall not watch or beset the place where the applicant or that dependent person resides’.

Barring Orders

A Barring Order as its title suggests serves to prohibit the violent individual from remaining in the family home for its duration. When granted, a Barring Order is usually in force for three years. However, it may be granted for a shorter period if the court so decides.

The protection of a Barring Order is as follows as outlined in Section 3(3) of this Act;

‘A barring order may, if the court thinks fit, prohibit the respondent from doing one or more of the following, that is, to say:

- (a) using or threatening to use violence against the applicant or any dependent person;
- (b) molesting or putting in fear the applicant or any dependent person;
- (c) attending at or in the vicinity of, or watching or besetting a place where the applicant or any dependent person resides.’

However, this Act also provides for an Interim Barring Order to be issued if exceptional circumstances exist. This ‘interim barring order’ will be in force until the court decides



on whether to issue a Barring Order or not. Similarly, an interim barring order will only be granted if it is believed a Protection Order would not be sufficient protection for the applicant.

Protection Order

A Protection Order may be granted to an applicant while a court decides on the 'applicants' application for a Safety or Barring Order. The protection offered by a Protection Order is similar to that offered by a Safety Order. However, this order will cease to be effective once the court reaches a decision on the application for a Barring or Safety Order.

Protective measures are thus inclusive in this Act and will be set in play once the applicant belongs to one of the following categories.

Married Couples

A married person may apply for protection from a violent partner.

Cohabiting Couples

Couples who are living together are also offered protection under this Act, but the protection offered is dependent on how long they have been cohabiting and who owns the 'family' home. If one has been living with the violent partner for six months during the past year one can apply for a Safety Order. One can apply for a Barring Order if one has been cohabiting with the violent partner for six months during the past nine months. However, a barring order will not be granted if the violent partner has greater ownership rights to or indeed owns the 'family' home.

Others Living together

Protection may be offered to individuals who are at risk of further violence by someone with whom they live once that person is over the age of eighteen. A safety order will only be issued if a court has decided that the applicant's relationship with this individual is not contract based.

Parents

A parent may apply for protection against domestic violence by their own child once the child is over the age of eighteen. However, a barring order cannot be issued to the applicant if the 'adult' child possesses greater ownership rights to the home or indeed owns it. Nevertheless, a Safety Order may be granted on the court's decision.

Children

An individual's own children are protected against violence in this Act as are children which one may be looking after. Powers have also been granted to the Health Boards in regard to seeking such protection. These powers will not be effective until the 1st January 1997.

Contravention of any of the Protective measures offered by this Act is an offence. If such an Offence is committed, a fine not exceeding £1,500 and/or a term of imprisonment, no longer than twelve months shall be imposed.

The Response of the Garda

Powers of Arrest

The Garda Síochána have the power to enforce Irish legislation. However, prior to the introduction of the Domestic Violence Act 1996 Garda powers in cases of Domestic Violence were somewhat limited. This new Act has thus supplied the Garda with new improved powers of arrest.

A Garda may now arrest without warrant an individual who contravenes any of the protective measures granted by this Act. Similarly, a Garda may also enter and arrest without warrant any individual who he/she believes has committed or is in the process of committing an assault which causes bodily harm to another. These new Garda powers of arrest are in accordance with Section 18 of this Act.

Garda Initiatives on Domestic Violence

The Domestic Violence and Sexual Assault Unit

This special unit of the Garda Síochána was established in 1993 to deal with domestic violence, sexual assault and child abuse. It is situated at Garda headquarters in Dublin and a complete overview of how such cases are dealt with in the Dublin Metropolitan area. This unit also has an input into Garda training and in service training on such issues. It should also be noted that this unit liaises with Voluntary and Statutory organisations who work in the areas of domestic violence, sexual assault or child abuse. This liaison is further reinforced by regular formal meetings with such organisations to discuss current problems or related issues.

Garda Training in Domestic Violence

All student Gardai are provided with intensive training on Domestic Violence and Sexual abuse. This training alerts students to the delicacy of such cases and the procedures involved.

Similarly, senior members of the Gardai are also provided with in-service training in these areas. Such training alerts participants to current legal developments and its implications for Garda procedures.

The Legal Aid Board

The Legal Aid Board was set up in 1979 with the aim of providing a civil legal aid and advice scheme for individuals who are of modest means. The eligibility of an applicant to avail of legal services under this scheme is dependent on his/her 'disposable' income. Disposable income refers to the sum remaining after the deduction of certain allowances which are made for dependants, mortgage or rent payments and other specified outgoings.

Since the introduction of this scheme, the Board has established a substantial number of law centres around the country. Legal services are provided by Solicitors working full time in these Centres. These services cover most types of civil proceedings. It is true to state that the majority of applications for legal services are in relation to Family Law matters. However, delays in obtaining legal aid may result due to increasing demand and a lack of resources. Yet, having availed of the services provided by this scheme, clients may be asked to make a small financial contribution. Nevertheless, payment of this contribution is waived in cases of extreme financial hardship.

Department of Social Welfare - Lone Parent's Allowance

Victims of domestic violence who have been away from their husband for three months or over are entitled to apply for Lone Parent's Allowance. It is also imperative that the applicant:

- has at least one child who is dependent on and living with her.
- is living in the Irish Republic.
- is not cohabiting with someone.
- satisfy a means test of her income and assets.

Having satisfied each requirement fully, payment will follow.

Grants for locally based Women's Groups

Under this Scheme, the Department of Social Welfare may provide a grant to 'projects' being carried out by locally based women's groups. In the course of my contact with this department, it was pointed out that projects dealing with women affected by domestic violence or women's health issues can receive grant assistance under this scheme.

Department of Health - Health Policy

In basic terms, the development of Health policy in this country is the responsibility of the Minister for Health and the Department of Health. Such policy is subsequently administered through the regional Health Boards. However, this Department recently acknowledged that some health issues are particular to women. This acknowledgement culminated in the production of a discussion document entitled 'Developing a Policy for Women's Health' (1975). The aim of this publication being to encourage open discussion on this issue.

In the foreword to this discussion document Minister for Health, M. Noonan drew attention to the fact that:

‘the majority of women in this country are economically dependent, either on their husbands, partners or on the State and many may not be in a position to make the most healthy choices of their lives’.

The Minister also went on to recognise that women are often the victims of violence which effects physical and psychological well being. This document also went on to state that the Health service must continue to support those providing counselling and support for victims of such violence. Similarly, this document also advocated the continuation of the support of Refuge accommodation by Health boards throughout the country. This Department clearly proposed a future plan based on liaison with all groups involved in dealing with the wider issue of violence against women.

HEALTH BOARDS

Family Support Services

These services are carried out under the Community Care Department of Regional Health Boards. Family support services are provided to offer a mother relief from her children if she is under stress. Such services are activity based and such support workers do not provide counselling services.

The Social Work Department

Social Workers provide an invaluable service in providing counselling or referral of family cases. However, the new powers granted to the Health Boards under the Domestic

Violence Act 1996 will also prove crucial when implemented in January 1996. A Health Board under Section 6(1)(C) may:

‘if there are reasonable grounds for believing that, where appropriate in the circumstances, a person would be deterred or prevented as a consequence of molestation, violence or threatened violence by the respondent from pursuing an application for a safety order or a barring order on his or her own behalf or on behalf of a dependent person’

apply for Protection on their behalf.

If effective, this new power shall serve to allow Health Boards to apply for those who may fear taking action for themselves. Similarly, Social Workers will also be in a position to advise those concerned on other options under this Act, for example, the right of cohabiting couple to redress under this Act.

Supplementary Welfare Allowance

This weekly allowance is administered by the Health Boards through the Community Welfare officers at local health centres throughout the country. It is a weekly allowance made to individuals whose means is not sufficient enough to support their or their dependant's needs. Victims of domestic violence are entitled to apply for this allowance even if they have applied for a social welfare payment of some kind. If one satisfies the necessary means test this allowance will be granted while one's claim for a social welfare payment is being processed.

THE COMBAT POVERTY AGENCY

The Combat Poverty Agency was set up under the Combat Poverty Agency Act 1986. It became evident in the course of this research that this Agency provides a range of grants to Community and Voluntary groups. For example, Community Development Education and Training Grants. The aim of this scheme being concerned with aiding local and community groups in undertaking training and education which will in turn strengthen their skills and increase competence.

A 'European' Response?

To recapitulate, Domestic Violence is a social problem. Thus the response of the Irish Statutory Sector can be said to be the 'State's' attempt to deal with this issue. However, in the course of this research it became evident that the Irish Statutory Sector did not have a set policy on dealing with domestic violence. Instead, this Sector's response was reliant on the responses of the various Departments which go to make up this Sector. Yet, the question still remained as to whether this was unique to the Irish situation or not. Thus, it was decided to examine the response of European Union to this issue and whether it could in turn influence Member States on developing a policy on such an issue. Contact was made with the European Commission's office, Dublin.

It became evident in the course of this contact that there was no such policy at a 'European Community' level. Therefore, there were no directives issued and thus Member States were not obliged to take action. A directive 'is a framework law which requires every Member State to enact a law to meet the objective of the directive' (Springer 1994 P.3). However, I was alerted to the fact that Europe does have an interest in the family as an institution.

The European Observatory on national family policies was set up in 1989 by the European Commissions. Its aim being concerned with monitoring trends in the form the 'family' unit was taking throughout the Community. Similarly, it would in turn monitor all social, political, socio-economic or demographic changes which may impact on families. This 'Observatory' Committee would then in turn report to the European Commission on family policies.

This Committee recently published a report (1996) which covers the period from January 1994 - March 1995. It highlighted the fact that families across Europe are facing pressures and are not receiving adequate support. It also drew attention to how family forms are changing with the advent of cohabiting, divorce etc. In particular, this report stressed that the European Union and Member States should become more alert to the impact social and public policies may have on the family as an institution.

Yet, family policy is an area which is often subjected to scrutiny. No member state is uniform in how it approaches this issue. Europe, therefore, must be careful in how it approaches this area. It appears as if 'the family' as with an issue which often threatens it 'domestic violence' are left to member states to sort out. If nation states are left to their own devices it would appear that Convergence at a European Level will prove difficult.

The Response of "Canada" *

Canada is a country which has gained a reputation of late for its effective response to the issue of domestic violence and indeed violence against women in general. Such violence is recognised as being an issue of social importance and thus it is imperative that the nation ensure it stops. A recent 'Violence against Women' survey (1993) revealed that one in two Canadian women experience at least one incident of male violence from the age of 16. Clearly, these staggering statistics reveal that this is most definitely deserving attention.

In basic terms, it is true to state that the Federal Government of Canada exercises a 'zero tolerance' policy on violence against women. This Government, for example, announced a series of initiatives on family violence in February 1991.

The aims of these initiatives:

- Public awareness to alert Canadians to the extent and severity of such violence.
- To involve all Canadians in the eradication of family violence.
- To strengthen mechanisms to deal with victims of such violence as well as offenders.
- To also set about strengthening Canada's legal framework.

Thus, these aims formulated a strategic attempt at dealing with this issue, which would be carried out throughout Canada in the period 1991 - 1995.

Nevertheless, if this proposes to be the response of the Federal Government, how have Canadian provinces come to deal with this issue. It has been decided to focus on the province of British Columbia. This choice stems from the fact that according to the 'Violence against Women' survey (1993), this province experienced a high rate of violence (59%). Also, this survey highlighted that one in three British Columbian women are assaulted by their husband or partner.

In fact, the province of British Columbia has committed \$30 million to expand its service provision for victims of violence against women. Communication with the Ministry of Women's Equality in this province revealed a number of interesting points as to how the province deals with the issue.

Prevention

The British Columbian Government in 1995 launched 'Prevention of Violence against Women' week with the purpose of honouring all those working towards combating this issue. Yet, this province believes the real way forward lies in changing values or

behaviour which may facilitate in the growth of violence against women. Community based programs have been set up throughout the province to assist this move. Similarly, it is also believed that service providers involved in this area are to be assisted.

Stopping the Violence

Preventing violence is important but so is stopping violence which has already begun.

This province has subsequently set about developing a number of protective and support measures for those who may have experienced or are experiencing such violence.

Fundamentally, the British Columbian Government aims to make the legal system more responsive to the needs of women both pre and post trial. With regard to offenders, programmes are being developed to deal and counsel such men.

Alongside the support networks existing within the Justice system, victims of violence may also benefit from a number of community based programmes throughout the province. It is the aim of the British Columbian Government to aid women's organisations in gaining a stronger voice in regard to the planning of effective services for women in the coming year. It is of the belief that a co-ordinated response is crucial if success is to ensue. This Province's Government also strives to provide an efficient 'Refuge' like service for victims. A recent 'Transition Home' survey for the period 1994 - 1995 revealed that within a twelve month period, some 14,665 women and their children had made use of this service in British Columbia. Similarly, a number of sexual assault and women assault centres are in existence around the province, offering a number of valuable services to victims of violence.

Thus, it is evident that both at a Federal and Provincial Government level the issue of violence against women has received prompt attention. This alertness has been coupled by the adoption of worthwhile and effective measures. Thus, a number of these responses may prove instrumental in prompting a more streamlined response by countries world-wide.

CHAPTER 6

CONCLUSION

This study has thus served to present the responses of the Voluntary and Statutory agencies involved in dealing with the issue of domestic violence. Yet, the question still remains as to what these findings are indicative of.

In particular, this study illustrated the crucial responses offered by the Voluntary Organisations interviewed. Organisations like Accord or the Samaritans are in existence to listen to those initial cries for help. Yet, clearly Women's Aid and the Rape Crisis Centre provide invaluable counselling and practical support for victims of domestic or sexual violence. Such provisions in turn facilitate victims in making informed decisions about their position and indeed their future. In all of the organisations interviewed it became apparent that they approach the needs of their clients in a professional and flexible manner.

Research also figured highly in the agenda of a number of these organisations. For example, Women's Aid recently commissioned research into the current situation regarding Domestic Violence in the Irish Republic.

It is also true to say that the Voluntary Organisations interviewed did not work in isolation. Instead, a certain level of 'networking' occurred. Women's Aid, for example, would refer clients to the Rape Crisis Centre if they believed that the client's needs would be better catered for i.e. in cases of sexual violence. This integration which exists in turn leads to better improved service provision for clients. For example, victims may be informed about the existence of groups like Aim who can help them in regard to family 'law' matters.

Similarly, this study also revealed that the majority of Voluntary organisations had regular contact with the Statutory sector. Voluntary organisations in some instances acted as a bridge between both sectors. The 'Garda' Domestic Violence unit liaises daily with Women's Aid as it appreciates their expertise in this area. Communication between both sectors is thus evident.

Yet what of the relationship that exists between these sectors and how can it be defined. Clearly, the liaison that exists between both sectors is evidence that an interface of some kind is in existence. However, with regard to Policy development such an interface is in embryonic form only. The recent discussion document on formulating a Women's Health Policy called for the support of Voluntary organisations involved directly in this area. This document having highlighted the issue of domestic or general violence against women thus invited organisations involved in this area to assist in developing a strategic health policy which would incorporate this issue. Such organisations would thus contribute from the 'bottom' up. However, the implementation of such a Policy would inevitably be from the 'top' down.

A relationship also appeared to be in existence between both sectors as regards funding arrangements. Although funding was not elaborated on in great detail, it became evident that the voluntary organisations often lacked resources. Service provision was hindered by lack of necessary funding. Nevertheless, organisations like the AIM group spoke of receiving funding in the form of 'grants' from the statutory sector. The Combat Poverty Agency was mentioned as a source of 'grant' provision. Thus, financial arrangements like this are evident of an interface existing be it from the 'top' down.

The introduction of the recent Domestic Violence Act 1996 clearly marked a major contribution of the Statutory Sector to the issue of domestic violence. Protective measures under this Act e.g: Safety Orders are a recognition by the Statutory Sector that victims of violence are in need of protection. Similarly, this law also encompasses cases of violence in cohabiting couples thus representing changing trends in family/household composition. Also, the introduction of new 'powers' of arrest to Gardai is indicative of a commitment to deal with the 'crime' of domestic violence. Perhaps, most progressive is the new status afforded to the Health Boards in such cases. As of January 1st, 1997 Health Boards will be in a position to apply for Barring, Safety or Protection Orders on behalf of their clients. Yet it still remains questionable as to whether clients will back up these applications. Alternatively, clients may encourage the assistance of the Health Board if it avoids delays in obtaining Legal Aid.

Likewise, the response of this sector, the Department of Health, is also evidence of aiming to implement a strategic Health policy covering the consequences of violence on women. Material consequences of violence against women also appear to be catered for via the Lone Parents allowance and supplementary welfare allowance schemes.

Nevertheless, it is obvious that the Irish Statutory Sector does not possess a precisely defined policy on dealing with domestic violence. Instead it appears that its response to this issue is reliant on a co-ordination of all 'departments' involved. Similarly, this lack of policy was evident at a European Union level with no evident E.U. Statements on this issue. Domestic Violence seems to translate into a direct policy blackspot.

Yet, when the lack of clear policy initiatives is placed against the Canadian concerted response weaknesses begin to emerge. A number of issues like:

- Zero tolerance policy on violence against women.
- Public Education Programmes on violence against women.
- Support of Voluntary and Community based groups dealing with this issue.
- Strengthening of Canada's ability to help victims and stop offenders.

These examples are clearly indicative of Canada's federal government's recognition of the severity of violence against women and family violence in general. The Irish Statutory Sector thus needs to update its response to the issue in a more direct manner.

Clearly, this author is prompted to make a number of recommendations having examined the current responses of both sectors to this serious issue in the Irish Republic.

- The Statutory Sector must set about developing a more strategic policy on Domestic Violence. The implementation of such a policy must in turn incorporate interaction between all agencies involved in dealing with this issue and those it affects. This interaction will thus involve both Voluntary and Statutory agencies.
- The Statutory Sector must also monitor the effectiveness of its response to this issue. Similarly, a central body should be established to monitor statistics on the occurrence of domestic violence. Such statistics would in turn prompt a greater awareness and deeper understanding of this issue in society.

- Public awareness programmes should be made regular occurrences. These should involve both voluntary and statutory agencies who deal with domestic violence on a day to day basis. These national programmes will prompt a dissemination of information to members of the public on this important issue. Education programmes should also be instigated at a primary and secondary school level. Such programmes should aim to eliminate values or behaviours which are supportive of patriarchal ideologies which may prompt male violence. Funding for both these programmes should ideally come from the Statutory sector.
- Personnel involved, be it at a Voluntary or Statutory level of dealing with domestic violence and its victims, should constantly reassess their work practices. Training should become ongoing in this area.

To conclude, this writer alone cannot chart the course of action which should be taken. It is clearly an issue for those involved with the issue on a day to day basis, be they members of the Voluntary or Statutory Sectors of society. The co-ordinated action of those who know the issue more astutely can only lead to finding a long term solution. This, in turn, would inevitably lead to a climate of change in which the deep roots of domestic violence would finally cease to spread throughout society.

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