



RAPE CRISIS  
NETWORK  
IRELAND

*Agenda for Justice III*

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# THE INVESTIGATION OF SEXUAL VIOLENCE PRIORITY RECOMMENDATIONS

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## Forward

Rape Crisis Network Ireland (RCNI) initiated an intensive partnership with an Garda Síochána in early 2005. This informed collaboration sought to develop optimum specialised training, best practice in investigations and the appropriate structures to deliver a satisfactory service to survivors of sexual violence. The RCNI and RCCs nationwide continued to make a significant commitment with our limited resources to this partnership. What is absent now is sustained dedicated resources at senior level from the Gardai. To date, neither the Gardai nor the government have put forward a strategy to address the appalling shortcomings in the pursuit of justice in rape cases.

In participating in this partnership process and the production of this RCNI document it is clear that what rape victims urgently require is political commitment from government and senior levels in the Gardaí to implement the changes within the structures and practices of the force, as recommended by the RCNI.

Fiona Neary

*RCNI Executive Director.*



## Acknowledgments

It is acknowledged in almost every informed forum that those charged with the investigation of offences are the ‘gatekeepers’ of a Country’s judicial process and as such bare an onerous responsibility to all who pass through on their watch. Through our member centres and through our contact with agencies nationally and internationally the RCNI are uniquely placed to assess the factors which contribute to an effective, just and above all humane investigative process to complainants who have suffered sexual violence. This document informed by so many contributions from within and beyond our organisation, represents our best thinking on how this most critical segment of the judicial process needs to adapt to face the significant challenges posed by the task of investigating sexual violence in Ireland in the 21st Century. It has be a great privilege to contribute to that task.

Special thanks to Clíona Saidléar, RCNI Policy and Communications Coordinator, whose contribution to producing this document went far beyond editing.

The RCNI also wish to thank our members, in particular Leonie O’Dowd, and the RCNI legal committee, Ingrid Wallace, Tina Horton and in particular Mary Hackett Brennan who participated in a fact finding visit to London. The development of our thinking on policing reform was much enhanced by the cooperation and generosity of an Garda Síochána particularly Inspector Eamon O’Grady, the London Metropolitan Police, the Havens, Cork Sexual Violence centre and the UK Crown Prosecution Services.

Kate Mulkerrins  
 RCNI Legal Coordinator

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# Introduction

Sexual violence in Ireland is extensive, pervasive and ongoing yet convictions are few. International research indicates that between 14-25% of adult women have been raped during their lifetime<sup>1</sup>. From national research we know that one in five (20.4%) Irish women experience 'contact' sexual violence as adults<sup>2</sup>, yet only approximately 1% of these incidents will end in conviction with 95% of cases reported to the Gardaí falling out of the system prior to any adjudication by the courts.<sup>3</sup> The result is that we in Ireland have the highest rate of attrition in rape cases compared to 20 of our European neighbours<sup>4</sup>.

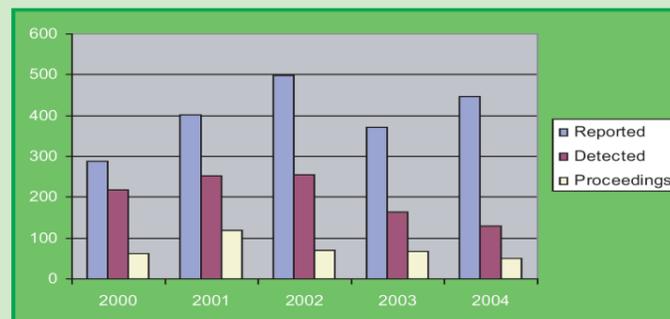
## THERE ARE THREE PRINCIPAL STEPS TO ATTRITION RATES:

1. In 2004 for every 100 rapes reported, the Gardaí detected approx. 1/3 i.e 33:

	Reported	Detected
2000	290	219
2001	401	253
2002	497	255
2003	370	163
2004	446	130

2. Of those 33, the DPP will prosecute in approx 1/3 of cases i.e. 11 of that original 100 reports:

## REPORTING, DETECTION AND PROSECUTION OF RAPE, 2000-2004



Source: Annual Reports of An Garda Síochána, 2000-2004.

3. The conviction rate in those 11 cases is very good (69%), accordingly 7 cases will result in either pleas of guilt or findings of guilt, the acquittal rate is however rising.

<sup>1</sup>Goodman, Koss and Russo, 1993.

<sup>2</sup>Sexual Abuse and Violence in Ireland (SAVI) Report: A National Study of Irish Experiences, Beliefs and Attitudes Concerning Sexual Violence, Hannah Mc Gee, Rebecca Garavan, Mairéad de Barra, Joanne Byrne, Ronán Conroy Royal College of Surgeons in Association with Dublin Rape Crisis Centre, Liffey Press, 2002.

<sup>3</sup>Currently fewer than 1 in 10 victims in cases concerning sexual violence engage with the criminal justice process at all (SAVI calculates 7.8% of women and 1% of men report their experiences of sexual violence to the Gardaí). This phenomenon of under-reporting cuts across many jurisdictions (Torrey (1991)- no more than 10% of sexual assaults occurring in the UK,US and Canada are reported to the police) and is in no way unique to our jurisdiction but the combined forces contributing to attrition appear to have coalesced in our jurisdiction in a particular way.

<sup>4</sup>Rape: Still a Forgotten Issue, Liz Kelly and Linda Regan. CWASU, 2003

This 'justice Gap'<sup>5</sup> means that in common with many other jurisdictions we are failing the vast majority of our citizens who have experienced sexual violence as their cases are not progressing beyond the investigative stage in alarmingly increasing numbers.

**'The high attrition rate in rape cases in Ireland is a cause of concern for all of us as citizens. As citizens, we are all committed to the 'rule of law' – to the ideal that is possible to seek justice through law. When the legal system seemingly does not, or cannot, produce the results we know it should then it behoves us to investigate why – and to do so with an open mind and to make the consequential changes needed to enhance its operation'** Professor Gerard Quinn, Dean of the Law Faculty, NUI Galway, speaking at the launch of the Attrition Research Project which is due to report in Winter 2007

There is a crisis in our justice system in relation to sexual violence which is in danger of leading to a collapse of public confidence. There is no comprehensive action plan to combat this crisis. It is clear to the Rape Crisis Network Ireland (RCNI) that there is urgent need for comprehensive systemic reform at the investigative stage.

Of particular concern to the RCNI is that despite a quite dramatic rise in reports to the Gardaí, these increases in reports are not translating into more cases being heard within the system. A contributing factor is low and falling Garda detection rates. Between 2000 and 2004, the Garda detection rate appears to have suffered a veritable collapse. In 2000, the Gardaí claimed a detection rate of some 76% of rape cases reported to them; by 2004, the detection rate had fallen to 29%<sup>6</sup>.

One of the agencies most crucial to the process of pursuing justice is an Garda Síochána. This paper deals with the role of the Gardaí from initial contact with a complainant, through the investigative process and on, in the minority of cases, to the prosecution stage and the care of the complainant throughout. RCNI investigation of this role over many years, through the front line experience of survivors, through our involvement in Garda training and at times in partnership with the Gardaí and the Department of Justice, Equality and Law Reform, has led us to identify the need for three key reforms.

## THE RCNI RECOMMEND THAT:

1. Gardaí should receive appropriate, ongoing, evaluated and monitored specialised training in sexual violence and its investigation.
2. All regions should have specialisation of investigation of sexual violence.
3. Each victim of sexual violence should be assigned a dedicated sexual violence officer, specially trained for sexual assault investigation and liaison, for the duration within which they interact with the criminal justice system.

The RCNI believe these measures would lead to a considerable improvement in complainant satisfaction regardless of the ultimate outcome of the particular case and have a significant positive impact on the current justice gap.

<sup>5</sup>A Gap or a Chasm? Prof. Liz Kelly, Home Office Research Study 293. London Metropolitan University, 2005

<sup>6</sup>As Conor Hanly, Lecturer of Law at NUI Galway and Research Director for the Attrition Research Project recently told a conference at UCC 2006.

## The reality of the justice gap in sexual violence crimes in Ireland

- There are high rates of prevalence of sexual violence, with one estimate finding that in excess of 50,000 women in Ireland are victims of some form of sexual offence every year.<sup>7</sup>
- There are high rates of under reporting of incidents with only 1 in 10 being reported
- Victims often encounter the criminal justice system, and Gardaí as their primary point of contact, as difficult and negative
- There is a lack of Sexual Assault Treatment Units (SATU)
- Garda success rates are falling through decreasing Garda detection rates
- The proportion of rape cases reaching adjudication before the courts is falling
- There are unacceptably long delays at almost all stages of a case<sup>8</sup> but particularly in the stage after arrest but awaiting return to trial where recent research shows an average delay of 8 months.

### RCNI RECOMMENDATIONS ARISE FROM OUR RECOGNITION OF THE FACT

#### THAT:

- Sexual violence is an inherently different type of crime<sup>9</sup> that requires a specialised and tailored response.
- A sexual violence case, by its nature, is an offence frequently committed in circumstances which make the establishment of criminal liability extremely difficult. Therefore, conviction rates should not be the only or indeed necessarily the best measure of the effectiveness of an investigative process.
- We must significantly improve both our detection rates, through specialisation, and our complainant satisfaction ratings, if we are to engage and retain complainants in the judicial system.
- We must ensure that all victims, wherever they live in the State, are served by an investigative system that offers uniformity in excellence of service delivery across the country. This can be achieved through the combination of training and regionalised specialisation.
- We need to radically reduce time delays within the judicial process as a whole and within the investigative process in particular, in part through Garda reform but coupled with additional resourcing and reform of the other actors and institutions within the process.
- Where delay persists the Garda role is vital in ameliorating its worst effects both on the case and on the victim.

<sup>7</sup>The Burden of Crime in the EU, A Comparative Analysis of the European Survey of Crime and Safety (EU ICS) 2005. Robert Manchin, Gallup Europe, coordinated the Consortium and the project was co-financed by the European Commission under FP6.

<sup>8</sup>An Examination of Time Intervals in the Investigation and Prosecution of Murder and Rape Cases in Ireland from 2002 to 2004. National Crime Council, June 2006

<sup>9</sup>A great deal of academic research has identified the particular and 'unique' features of sexual crime which distinguishes it from other serious violence in particular ways, including victims experiencing potent and debilitating self-blame, the perpetrator in the majority of cases will be someone the victim knows and the process of reporting the crime and any legal case are often experienced as a form of re-victimisation (Prof Liz Kelly).

## The role of An Garda Síochána in ameliorating re-victimisation of the complainant

An Garda Síochána are essentially the gatekeepers of the criminal justice system, the first and arguably the most important point of contact<sup>10</sup> for sexual violence survivors reporting. In addition they are responsible for gathering sufficient and high quality evidence, preparing a file for the DPP, keeping the victim informed and engaged in the process as appropriate and giving evidence in court. Yet research shows<sup>11</sup>, of the minority of complainants who do report to the Gardaí many recount experiencing profound dissatisfaction with;

- a climate of scepticism greeting their report. In her survey of over 300 Gardaí Dr O'Keefe found many who believed that false allegations were common.
- Encountering Gardaí who saw their role as establishing 'truth over proof' i.e. determining whether the complainant was telling the truth rather than seeking evidence that either supported or detracted from the complainants account.
- The ongoing lack of information regarding 'their' case.
- profound frustration at the length of time it currently takes for a rape trial to be heard and
- Resentment at their lack of preparedness for the trial process.

The Gardaí are central in delivering improvements in all these areas of concern.

We have long been aware that the time taken to process a complaint of rape or serious sexual assault within our jurisdiction is significantly longer than in comparable systems. Inordinate delay in cases going forward

- adds to the attrition rate,
- may harm the 'viability' of the case and
- further traumatises victims.

Findings of the National Crime Council's 2006 report looking at time intervals in the investigation and prosecution of murder and rape cases in Ireland from 2002 to 2004, found a processing time of 50 weeks from arrest to return for trial and then a further 68 weeks until the start of the actual trial; Giving a total official figure of 118 weeks delay in the average rape trial. This is 118 weeks in addition to any investigation time that started following a complaint and prior to the arrest of the suspect. For the complainant the process started at the point when they reported and thus in many instances will be considerably longer than the delay officially recorded from time of first arrest. Garda training, specialisation and resources are crucial in reducing the adverse effects of these long delays. International research<sup>12</sup> shows that being informed and being kept informed are critical determinates of complainant satisfaction thus dedicated specialised Gardaí would work to 'hold' complainants within what is often a long and very difficult process. This would enhance the likelihood the complainant will stay with the process despite the unacceptable delay.

<sup>10</sup>The Legal Process and Victims of Rape, Ivana Bacik et al, concluded that the single most important factor in a victim's perception of the police was the attitude of the chief investigator.

<sup>11</sup>Dr Stephanie O'Keefe's research into Garda Attitudes based on a study of 300 members of the force in 2003.

<sup>12</sup>Jordan, New Zealand, 2001, Lievore, Australia, 2005.

The 2006 Crime Council Report recommended that the typical time interval from arrest to trial needs to be effectively halved from the current 50 weeks, to 28 weeks. A commitment Minister McDowell backed up when he launched the report and in subsequent statements on record. This is a commitment which is not however, achievable without significant resource allocation and coordination.

The multitude of an Garda Síochána functions and tasks requires considerable training and skill, objectivity, sensitivity and working practice and systems to enable the Gardaí to maintain proper and appropriate actions on a case which may take many years. Garda practice countrywide needs to adhere to national standards, ending the ‘rape lottery’<sup>13</sup>, where the response received is determined by ‘where you live and who you get’.

#### RCNI RECOMMENDATIONS:

### (I) SPECIALISED TRAINING: APPROPRIATE, ONGOING, EVALUATED, AND MONITORED

#### The RCNI are recommending improvements in Garda training.

This involves all levels of the process including:

- ✓ initial training
- ✓ continuing in-service training
- ✓ the development of specialist sexual offence investigation technique officer training (see RCNI recommendation 3).

#### INITIAL TRAINING

It is clearly the case that all Gardaí would need a basic level of training in this specialised area as they will encounter complainants, whether at the front desk of a station, at the scene of a crime and in the process of investigating other related/unrelated matters. Initial training is a crucial point of influence with new recruits. The current allocation of resources within an Garda Síochána seeks, at Phase III, to equip all new recruits to have an understanding of the particular dynamics of sexual violence. Alarming, however, it has been the case that new recruits have in fact been the first point of contact with a complainant prior to any training whatsoever.

The RCNI are cognisant of the improvements in training instigated following the Walsh Committee’s review of probationer training, indeed the work of the Dublin Rape Crisis Centre (DRCC) Training Department, has been at the forefront of this sharing of expertise in the Garda college at Templemore as recommended by said committee for over ten years. DRCC trainers meet probationer Gardaí in groups of 20 for a half day introductory training on Working Sensitively with Victims of Sexual Violence. We are of the view, however, that such training and the other training on this issue provided by college staff, while valuable at this initial stage in the Garda’s career, is not by itself sufficient to equip Gardaí in line with best international practice.

<sup>13</sup>Jan Jordan, 2001 survey of the 48 victims of a serial rapist in New Zealand. Jan Jordan, The word of a woman:

Police, rape and belief, based on survey of 48 victims of a serial rapist, Palgrave Macmillan, 2004

<sup>14</sup>headed by Leonie O’Dowd for more than a decade.

There is clearly a need to establish resources and best practice criteria in relation to this initial training to ensure quality and timeliness.

#### ONGOING TRAINING AND SPECIALISATION

This initial and in service training must be maximised by providing comprehensive and uniform ‘add on’ components at Phase IV and beyond into in service training to allow for specialisation to develop through continuing professional development.<sup>15</sup> This is crucial in maintaining the value and status of the Garda role in this area where applying the normal performance indicators is in many instances inappropriate. And secondly to continually ensure investigations are fact based in the face of pervasive and persistent widely held societal myths about rape and sexual violence.

International best practice demonstrates the need for sexual offence investigation to be, and to be seen to be: important within the Gardaí, important to senior Gardaí, important as an area that commands respect and important insofar as offering good career advancement prospects to the Gardaí working on such cases. Given the gendered nature of the crime there is a tendency for those Gardaí involved in rape cases to be predominantly female Gardaí. This feminising of the role of rape support officers can and has resulted in the denigration of the role as ‘women’s work’. The London Metropolitan Police found this trend to have been catastrophically harmful in terms of the ‘value’ then placed on such work. The new model adopted by 32 boroughs within the London Metropolitan area, following damning findings on rape convictions (comparable to Ireland’s)<sup>16</sup> and the dissatisfaction experienced by rape complainants, resulted in the establishment of Project Sapphire. Such has been the success of Project Sapphire, the Metropolitan Police (London, UK) are now lending senior officers to the other 42 police authorities in England and Wales not in order to roll out a one size fits all model, but rather to take what has been learned and adapt it to the different demographics of the diverse communities served by these forces. A consistent and uniform feature however has been the emphasis on training.

There is a danger in not having specifically trained officers who deal with sufficient volumes of sexual crime so as to build and maintain their expertise. Research in New Zealand (a country of striking similarities with our own- population size and spread, one national police service) found:

**‘the relative infrequency with which most individual officers deal with rape complainants means these [rape narratives] are constructed only partly from actual policing experience and are more commonly informed by the attitudes and beliefs dominant within the police occupational culture: within society generally and**

**their own personal experiences’.** Jan Jordan, The word of a woman, 2004.

In the absence of training and specialisation this is the reality of what informs rape investigation; Myth rather than fact and subjective beliefs rather than empirically supportable ‘truths’.

Sustaining a level of expertise and commitment within the Gardaí is effected by vicarious trauma. ‘Rape investigators can and often do become vicarious victims - stressed, altered and in some cases destroyed by the crimes they investigate’<sup>16a</sup>. The traditional culture of policing inhibits the recognition of such non-physical dangers and deters most individual officers from

<sup>15</sup>The RCNI recognise that many committed individuals within An Garda Síochána have accessed excellent training, often on an ad hoc personal basis, many doing so in their own time. In addition, many officers at local level have meaningful engagements with their local Rape Crisis Centres with a view to tapping into their long experience with the victims of sexual crimes and entering into mutually beneficial partnership approaches.

<sup>16</sup>The London Metropolitan Police’s decision to invest so heavily in a specialised investigative response to sexual violence was generated by HM Inspectorate report that showed a conviction rate in Rape cases startlingly similar to our own at below 10%.

<sup>16a</sup>Reese, 1999, p241

seeking professional advice. Any structured system of specialisation would include an adequate response to the care of individual Gardaí.

This is why the RCNI believe that a model of ongoing specialist training needs to be at the core of a plan to improve the Garda response to complainants of sexual violence. That response needs to be tailored to our particular culture and demographics and needs to be coherent, planned, rolled out nationally and evaluated regularly.

## (II) REGIONAL SPECIALISATION OF INVESTIGATION

In addition to training and specialisation, officers need to operate within a nuclei of regionalised units to allow them an exposure to a sufficient volume of such offences so as to maintain and indeed hone their skill in this most difficult of crime specialisations.

The national trend in policing is towards mainstream multi-tasking, rather than specialisation. We know that the perceived wisdom is that every district is able to handle its own crimes. The reality is, however, that sexually violent crimes have some unique features not shared with other types of serious crimes<sup>17</sup> and those unique features require a tailored response.

The recent Ferns Report, arising out of the investigation into the abuse perpetrated within the Ferns Diocese, recognised the unique features of sexual offending and the specialised responses needed to provide an effective bulwark of protection. The need to access the specialist knowledge within the Domestic Violence and Sexual Assault Investigation Unit (DVSAIU) is a specific recommendation of the Ferns Inquiry as,

**‘the impact of such crimes can have far reaching consequences not only for the victim but also for their relatives and friends and that this damage can continue over a periods of many years and into subsequent generations’.** Ferns Report, 2005, pg 260

International experience<sup>18</sup> similarly confirms the need for highly tailored responses to a crime that has the lowest conviction rate and highest attrition rate.

In addition, to improving processing time, international research indicates that allocation of resources to the immediate aftermath of a crime exponentially improves detection outcomes. The golden hours immediately following a crime is when the earliest and arguably best evidence is available. The effect of tailoring an investigative service, through Garda specialisation, to be best placed to access that best evidence does more than speed-up the process it gives it a fighting chance and in so doing re-calibrates the scales of justice towards a position of balance. Regionalised specialisation could be expected to result in a higher Garda detection rate.

We already have a degree of specialisation of investigation in Ireland. The DVSAIU based in Harcourt Street represents a concentration of specialisation with regard to crimes of a sexual nature. Therefore we have a nucleus of best practice and experience to draw upon. Unfortunately this model is not uniformly replicated around the country. As a result there is a wide variation in skill, interest, and priority given to the investigation of crimes of sexual violence throughout the

<sup>17</sup>Under-reporting and such high rates of attrition are not features of other crimes of comparable seriousness.

<sup>18</sup>Project Sapphire was but one example of a specialised response to the investigation of Rape and Sexual offences, examination of similar international responses would be highly desirable in our search for the ‘best fit’ for our demographics/prevalence.

country<sup>19</sup>. While the Dublin region has a specialised unit the rest of the country does not. Access to a national standard of service, no matter where one lives, is the right of every rape victim. The RCNI recommend rolling out the DVSAIU model to each region in the country.

Regionalisation of specialisation would include and be supported by:

- **A dedicated interview room facility, such as those currently available in Ballymun and Cork City**
  - To be replicated throughout the country on a Regional Basis
  - that the dedicated facilities be situated in close proximity to SATUs
  - that a nominated senior Garda be responsible for maintenance of that facility.
- **A nominated senior Garda (Detective Inspector (D. I.) or above) in each region be given specific responsibility for sexually violent crime in each region.**
- **The development of the role of** dedicated sexual violence officers, of serious sexual offences. Such officers to be of a sufficient level of experience and training as to be adjudged by the nominated senior Garda (D.I. or above) in each region to be suitable for the post.

## (III) A DEDICATED SEXUAL VIOLENCE OFFICER FOR EACH VICTIM OF SEXUAL VIOLENCE THROUGHOUT THE CRIMINAL JUSTICE PROCESS<sup>20</sup>.

In a crime category that is often time-intensive for the Gardaí but low on successful prosecutions, it is essential to structure the team around that case in such a way as to acknowledge this particular reality, to overcome weaknesses and failures in the investigation process but also importantly to help meet the State’s duty to serve justice to its citizens. In the majority of cases, in the absence of ‘justice’ through a conviction for the perpetrator, a rape victim’s experience of ‘justice’ is limited to the quality of expertise, professionalism, commitment and care they experience within the justice system.

The RCNI have reached the conclusion that a dedicated sexual violence officer, system would vastly improve both the quality of the investigation and the quality of the experience of the complainant with the Gardaí and the justice system. The dedicated Garda would provide an immediate response to and be a single point of contact for a complainant following a report of rape.

The most vital role that the dedicated sexual violence officer would undertake is the truly ‘professional’ conduct of the complaint such that the detectives charged with the investigation, specialist lead investigators, are freed to concentrate their efforts on that process. In addition to taking the detailed statement of complaint<sup>21</sup> the dedicated sexual violence officer would be responsible for all liaison with the victim making fully logged<sup>22</sup> welfare calls, as well as undertaking Court preparation and an exit strategy following the conclusion of a case.

<sup>19</sup>Although a number of ‘localised’ commitments to specialisation are evident the RCNI, members of DVSAIU and members of An Gardaí Síochána’s policy unit visited just such an initiative in Cork under Mick Kelleher (D.I.) where Kelleher designed and delivered an intensive 4 day course. Course materials are drawn from a variety of sources, predominantly the US. Participants were selected based on their suitability as adjudged by their Superintendents or Detective sergeants. Kelleher has assembled 4 women Gardaí whom he describes as ‘outstanding’ they now act as mentors for the newly trained recruits. It is the practice to pair the newer recruits with one of these women when undertaking an investigation of a sexually violent case.

The course has been running for 9 years with approx 12-16 Gardaí participating (4 per District), the idea being that every District would have a trained uniformed Gardaí available on every shift (a rotation of four shifts).

<sup>20</sup>As observed in the Sapphire Project in our visit to the London Metropolitan Police in October 2005.

Recruiting and retaining the right personnel in that role is vital. Without the right people in that role it will fail in its primary objective to halt and reverse the rate of attrition within the investigative process and produce quality Investigation files.

It is not merely a matter of the dedicated sexual violence officer receiving the enhanced formal training, but a combination of same coupled with a fit and aptitude for this type of work. These selection criteria combining training and fit needs to be developed to ensure the right personal (who actually want to undertake this type of work<sup>23</sup>) are deployed. Again an accountability mechanism for ensuring same could require that those undertaking the Investigation in cases of sexual violence were deemed competent and experienced in such Investigation by an Officer not below the rank of Superintendent.

The role of dedicated sexual violence Officer requires a great deal of flexibility in deployment as normal shift patterns are simply inappropriate if a quality service is to be provided to a complainant<sup>24</sup>. Excellent training, as well as the recognition that this role is important in terms of status and career development, is critical in making this an attractive role to talented Gardaí. Quality supervision of both the work and welfare of the Garda dedicated sexual violence officer is a vital element of the process.

### CONCLUSION

Through the excellent work which has been undertaken between the Gardaí and the Rape Crisis sector, locally and nationally<sup>25</sup>, informally and formally, at the Garda college<sup>26</sup> and in Rape Crisis Centres/Garda Stations throughout the country, the RCNI are convinced of the need for:

1. **Specialised Training: appropriate, ongoing, evaluated, and monitored**
2. **Regional Specialisation of Investigation**
3. **Dedicated Sexual Violence Officer for each victim of sexual violence throughout the criminal justice process.**

Achieving these reforms will need to be underpinned by:

- a) Political leadership in driving this programme of reform.
- b) An evaluation of the effectiveness of current training. This evaluation should have reference to complainant satisfaction<sup>27</sup> as well as simply using detection/prosecution rates as a determinate of effectiveness.
- c) A renewed Partnership approach, led by senior Gardaí, following their failure to continue to engage in a nationally planned, coordinated approach with the RCNI, having committed to a programme towards delivery of same in 2005.

<sup>21</sup>The joint RCNI, Garda and Dept of Justice, Equality and Law Reform visit to the 'Crime Academy' (formerly the Met Police training College at Hendon) it became evident that the specialist 3 week training provided to all SOIT officers concentrated heavily on the importance of getting the statement of complaint 'right' with a great deal of emphasis on gaining the trust of the complainant, conducting the interview in surroundings conducive to disclosure and with a level of sensitivity all combining to produce a complete picture of events (including 'unpalatable' elements - such as those that might 'erode' the credibility of the complainant and may need a full 'explanation' if the investigation is to have an appropriate focus. This process takes more time, more training, and more resources than we currently afford to same.

<sup>22</sup>See SOIT Officers Log Book 202 & 201. Dedicated, individual Logs of all 'contacts' with the complainant ensuring both accountability and ease of 'disclosure'.

<sup>23</sup>We were told by the trainers in Project Sapphire that this often meant an officer with a subtly different approach (less focussed on only 'catching' criminals) often had the requisite 'skills set' for the post.

<sup>24</sup>The London Metropolitan police currently guarantee a SOIT officer with 1 hour of a recent complaint and within 1 day following a complaint of historical abuse.

<sup>25</sup>Joint RCNI & Garda National Conference bringing together all 25 inspectors countrywide with statutory responsibility under the Sex Offenders Act 2001, Superintendents, Chief Superintendents, Ass. Commissioner and the 16 Rape Crisis Centres under the umbrella of the RCNI, December 2004.

<sup>26</sup>On an ongoing basis through the involvement of DRCC in initial Garda training and at the joint RCNI/Garda conference December 2004.

<sup>27</sup>The Attrition Research project being undertaken by NUI Galway (commissioned by the RCNI and part funded by the Department of Justice, Equality & Law Reform) will give us access to complainants experience of the investigative process and its impact on them/their decision to 'stay with' the process.

## RCNI COMMITMENT TOWARDS IMPROVING THE INVESTIGATIVE PROCESS TO DATE:

- **Policing Plan 2004.** RCNI submission to the policing plan was adopted in full leading to,
- **Joint RCNI/Policing Conference 6th December 2004, Garda College.** Delegates included representatives from the RCNI and rape crisis sector as a whole alongside senior Gardaí from across the county and relevant units. Matters arising from the conference were brought forward to:
- **Round Table Policy Group meeting, RCNI/Garda 7th December 2004, Garda College.**
- **Joint RCNI/Garda Round Table 10th March 2005, Harcourt Square - 3 working groups established:**
  - **Specialist Investigation working group.** Travelled to Cork to see the dedicated interview facilities and to London to visit CPS and Sapphire in October 2005. Recommendations developed
  - **Training working group.** Travelled to London to visit the Crime Academy October 2005. Recommendations developed
  - **Liaison working group.** Travelled to London to visit SOIT officers, Oct 2005. Recommendations developed
- **Garda education materials** produced by the RCNI, summer 2005.
- **March/April/May 2006 RCNI efforts to re-convene full group 'round table' unsuccessful.**
- **RCNI elements of the three specialists groups convened, Galway, 6th December 2006.**

### THE RAPE CRISIS NETWORK IRELAND (RCNI)

The RCNI is the national umbrella organisation for 16 Rape Crisis Centres'; we have been in existence since 1985. As the national forum of Rape Crisis Centres we provide a strong voice for survivors and seek to act as a catalyst for social change to end rape and all other forms of sexual violence. The Rape Crisis Network Ireland's position paper has been informed by the tens of thousands of survivors of sexual violence who have contacted a Rape Crisis Centre and taken the first, and arguably the most difficult step, towards healing.

### AMONGST THE RCNI'S KEY OBJECTIVES ARE:

- To undertake research and promote awareness as to the causes, nature and extent of sexual violence.
- To raise public awareness about the realities of sexual violence and the needs of survivors of sexual violence.
- To campaign for the societal, legislative and practice changes that will work towards the elimination of sexual violence and sexual abuse.
- To ensure the highest standards of support and counselling for survivors of sexual violence.



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