Using Evidence to Support Victims of Crime in Ireland

Insights from Recent Research

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Edited by Dr. Ian D. Marder & Dr. Susan Leahy

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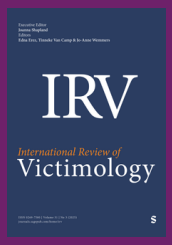
Older victims of crime: Vulnerability, resilience and access to procedural justice

BROWN, K. AND GORDON, F. (2019)
INTERNATIONAL REVIEW OF VICTIMOLOGY



CLICK THE COVER IMAGE TO READ THE FULL TEXT

What did the researchers want to learn?

The researchers wanted to learn: (1) what types of crime older adults are more likely to report to the police, (2) the likelihood of a successful detection following those reports, and (3) what factors might influence the rates of successful detections.

How did the researchers try to answer the question(s)?

The researchers analysed crime data from the PSNI and found lower successful crime outcome rates for people in older age groups. To understand why, they conducted interviews and focus groups with:

- **20** Older victims of crime
- **8** Members of the PSNI
- **8** Members of the Public Prosecution Service (PPS)
- **2** Victim support providers in Northern Ireland

What did the researchers learn?

Older adults have an increased risk of harm and decreased capacity for overcoming the trauma of experiencing a crime. They were also less willing to report the crime due to a fear of being a burden on the system, having to give evidence in court, or opening them up to confrontation or retribution from the person who committed the crime. Participants noted difficulties related to gathering sufficient evidence in cases with older adult victims, either because they were less able to provide admissible witness testimony or because offences like elder abuse and distraction burglaries present unique evidentia challenges. Compared to other groups, older victims of crime are not always recognised as members of a vulnerable or at-risk population who need additional support, meaning that they do not always receive the support they need to cope with their experiences or fully participate in the justice system.

How can we use what they learned?

Criminal justice policy and practitioner training should neither assume all older adults are vulnerable, nor ignore the higher likelihood that older adults experience barriers to accessing justice Instead, we must consider that older adults are more likely to be vulnerable but as individuals may require different levels of support. Improving the identification of vulnerable older adults and addressing their concerns related to participating in the justice system would improve detection rates for people in this age group, increasing equitable access to justice. Victim services can seek to understand how and why older adults' needs may be different and train staff to recognise when unique needs emerge and how to meet them.

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What are the limitations of this research?

The people interviewed may not be representative of the wider population. For example, only two victim support providers were interviewed, which prevents the research from gaining a broader understanding of the views of different types of victim support providers. It does not specify how different services should adapt their policies and practices to meet older adults' needs, meaning that this is something the Irish criminal justice and victim support sector can collaborate to explore.

Secondary traumatic stress effects of working with survivors of criminal victimization

SALSTON, M. AND FIGLEY, C. (2003)
JOURNAL OF TRAUMATIC STRESS

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What did the researchers want to learn?

The researchers were trying to summarise the current understanding of secondary traumatic stress among people who work with victims of crime, as well as the important issues pertaining to secondary traumatic stress, and the implications for research and practice.

How did the researchers try to answer the question(s)?

The researchers reviewed the academic evidence that has been published and identified themes which were common across different studies.

What did the researchers learn?

Personal experience with trauma may affect how practitioners cope with the difficult stories they hear in their work and how they treat clients who experienced trauma. Services can use validated tools to identify practitioners experiencing secondary traumatic stress, allowing them to provide help and prevent potential harm to clients. There are several evidence-based treatment options available depending on the needs and preferences of the practitioner experiencing stress. Regular supervision or consultation can help practitioners process difficult client stories and critical incidents, preventing secondary traumatic stress. Work-life balance and self-care practices such as physical activity, hobbies, or journaling can also help protect practitioners.

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How can we use what they learned?

Organisations working with victims can explore the assessment tools referenced in the article (e.g., Secondary Traumatic Stress Scale, STSS) to help them gauge whether their practitioners are experiencing secondary traumatic stress and explore evidence-based treatment options if necessary. Organisations can also implement policies around regular supervision and critical incident management that consider the potential for secondary traumatisation and allow for the healthy discussion of difficult emotions that may arise from practice. Organisations could work with their staff to review their support and management practices to ensure that they can prevent, identify and respond to secondary traumatic stress. Given the small size of most victim support organisations in Ireland, there may be scope for organisations to collaborate – either nationally, regionally, or across specialisms – to develop joint or shared approaches to stress and trauma prevention and response among their staff and volunteers.

What are the limitations of this research?

There may be new evidence or innovations in stress assessment tools, contributory and protective factors, and practitioner support or treatment options, since this article was published. Not every treatment option might be available or easily accessible across Ireland. Employers of people who work with victims may need to explore what health and mental health services their practitioners could access, if needed, in their region.

Reconceptualizing the child victim in the police response to domestic violence

ELLIFFE, R. AND HOLT, S. (2019)
JOURNAL OF FAMILY VIOLENCE

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What did the researchers want to learn?

The researchers were trying to understand how Gardaí view children who are present in domestic violence calls and how children's coping strategies in violent homes affect how Gardaí see them.

How did the researchers try to answer the question(s)?

They interviewed:

14 Gardaí

9 Children who had experienced domestic violence in theier home (aged 7-10)

1 Woman who had experienced domestic violence (aged 21)

What did the researchers learn?

Although children are considered to be victims when there is domestic abuse in the household, even if not directed at them, Gardaí described overlooking children who were present at domestic violence calls. Because they perceived their role to be focused on the adult victim and perpetrator, Gardaí described children as being 'irrelevant' to the job they are required to do unless they had been physically harmed themselves. The researchers also found that Gardaí rely heavily on visual cues when responding to a domestic violence call, so they were more likely to describe attending to a child as a victim in need of support if they happened to see the child on the scene and if the child appeared visibly upset. However, children often use coping mechanisms that make them less visible as victims to Gardaí (e.g., hiding, pretending to be asleep, emotional disengagement or expressing feelings of resignation). The combination of these factors means that children who are present at domestic violence calls are not recognised as victims by Gardaí responding to those calls.

How can we use what they learned?

Criminal justice professionals, including Gardaí and victim support practitioners, working with families impacted by domestic violence should be aware of children's coping strategies and the ways in which these can hinder their ability to recognise children as victims. Programmes supporting families affected by domestic violence should consider the possibility that children are not always immediately recognised as victims, including for reasons relating to their own behaviour. For example, providing access to services based on Garda referrals or data may create access barriers for many children affected by domestic violence who were not recognised as in need of support at the time. Other services can consider the possibility that adults they are working with were previously overlooked when they grew up in violent households. Domestic violence services may consider engaging with other justice and non-justice services beyond the police to minimise the likelihood that children are overlooked by others in these contexts.

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What are the limitations of this research?

This research was conducted with a small number of people, meaning that the findings might not apply to everyone. The researchers only spoke with child participants for a short time due to scheduling constraints, and it is possible that more detailed or nuanced information could have been gathered if researchers and participants could have spent more time together. The research also took place prior to the implementation of Garda Divisional Protective Services Units, which may have changed Garda practices relating to children in violence households.

Sexual violence, masculinity, and the journey of recovery

FORDE, C. AND DUVVURY, N. (2017)
PSYCHOLOGY OF MEN & MASCULINITY

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What did the researchers want to learn?

They were trying to better understand how gender norms affect male sexual violence survivors' recovery and their experiences with counselling provided by Rape Crisis Centres in Ireland.

How did the researchers try to answer the question(s)?

The researchers interviewed five male survivors of sexual violence in Ireland who received counselling from one of six participating Rape Crisis Centres (RCCs).

What did the researchers learn?

Participants reported that they struggled to accept their experiences of sexual violence — which were at odds with their identity as men — and therefore buried their memories or feelings about their experiences. This led to problems with anxiety and depression, drugs and alcohol, violence, and suicidal thoughts. Participants talked about how the people they disclosed their experiences to (e.g., nurses, An Garda Síochána, solicitors) responded with disbelief and victim-blaming, which contributed to their increased shame as male survivors and was a barrier to their recovery. All participants described the counselling that they received at a Rape Crisis Centre as helpful to their recovery process. Many explained that before counselling they were struggling to connect to their emotions. Working with a trusted counsellor, engaging in breath-work, and participating in support groups with other men provided them with safe ways to process those feelings.

How can we use what they learned?

Because male survivors may bury their memories and feelings about their traumatic experiences, services can attempt to reach them by targeting information toward men with behaviours that may also be coping strategies, such as anxiety and depression, drugs and alcohol, violence, or suicidal thoughts. Practitioners hoping to reach male survivors with needed support may consider anti-stigma awareness campaigns and peer outreach to overcome the shame and stigma that prevented participants from seeking help. RCC disclosure training should include information specific to the experiences of male survivors so that those working in healthcare and the justice system who may receive a disclosure from a male survivor do not respond in ways that make the person less likely to seek help. Counsellors and others can support survivors' recovery process by working with them to unpack the ways in which masculine ideals can influence how they frame their experience.

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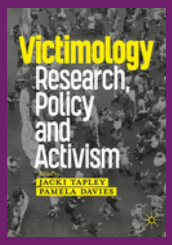
What are the limitations of this research?

This research was conducted with a small number of people, meaning that the findings might not represent everyone. It only included male survivors who have already engaged in counselling at a Rape Crisis Centre, so there could be experiences more common to people who are not willing or able to engage in counselling, and who are not represented by this study.

From Cinderella to consumer: How crime victims can go to the ball

EREZ, E., JIANG, J. AND LASTER, K. (2020)
VICTIMOLOGY: RESEARCH, POLICY AND ACTIVISM



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What did the researchers want to learn?

The authors state that justice systems based on adversarial approaches usually fail victims. They argue that a new system which better prioritises the needs of victims should be created with the input of victims at each stage of its design, using a 'user-centred' approach.

How did the researchers try to answer the question(s)?

They outline myths about victims which are commonly used as evidence against their ability to participate in reform to criminal justice practice and policy: victims are punitive, victims are blameworthy, and victims are overly emotional. The authors propose that victims of crime should be considered 'active consumers' of the justice system and given agency in co-designing what the solutions to a justice system that does not meet their needs should look like.

What did the researchers learn?

They outline five criteria by which new ideas for reforms, systems or services should be judged:

1. Practicality: Approaches must be feasible to implement.
2. Comprehensibility/marketability: Approaches must be easy to understand quickly and clearly impactful to increase buy-in and overcome myths about victims.
3. Affordability: Approaches must efficiently use available resources.
4. Testability: Approaches must include a way to collect data to evaluate their effectiveness and to allow for the approach to be adjusted for improvement.
5. Accountability: New and existing reforms and systems must be accountable to victims, with respect and empathy at the core of practice to meet victims' needs.

The authors propose using tools like customer satisfaction surveys or focus groups to evaluate and include victims' feedback and perspectives when reforming or developing new services.

How can we use what they learned?

Involving victims in policy and service design can help us meet the needs of victims. Victim support services and justice agencies should consider how to involve victims and gauge their views when developing new policies and services, reviewing existing practices, and determining their advocacy agenda. Service providers may also use feedback mechanisms such as customer satisfaction surveys and focus groups to evaluate their ability to meet the needs of their clientele. In Ireland, this approach would align with Department of Public Expenditure and Reform policies relating to the use of design principles.

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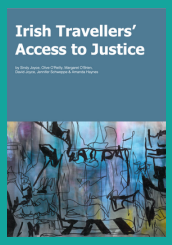
What are the limitations of this research?

This article describes a broad change in the way we think about victims and their role in justice and policy design. While the changes proposed can be implemented locally, systemic change will be slow. However, there are many possible avenues for co-design in the Irish criminal justice system, and the process can be tested to redesign a service or strategy in one area before being used in others.

Irish Travellers' Access to Justice

JOYCE, S., O'REILLY, O., O'BRIEN, M., JOYCE, D., SCHWEPPE, J., AND HAYNES, A. (2022)
UNIVERSITY OF LIMERICK



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What did the researchers want to learn?

How Irish Travellers experience the criminal justice system, including as victims of crime. They wanted to learn more about Travellers' access to justice, which they defined as 'the ability to use the tools of the legal system to protect one's rights.'

How did the researchers try to answer the question(s)?

They interviewed 29 employees of organisations working with Travellers, surveyed 86 Travellers across Ireland, and led two focus groups: one with older Travellers and one with younger Travellers.

What did the researchers learn?

Overall, Travellers have poor access to justice in Ireland. They experience inadequate protections as victims of crimes by Gardaí and the judiciary, as well as racial profiling by Gardaí during stop and search procedures, uninvited entry and search of homes by Gardaí who do not present a warrant, and unfair treatment in court (including racist language). Less than half of Traveller victims and defendants in court understood everything that was said by the judge, the prosecutor, and the defence solicitor or barrister. A majority reported that they were not taken seriously or treated respectfully when they reported a crime to the Gardaí. When Travellers described positive experiences with criminal justice professionals, they were characterised by compassion, respect, and responsiveness to their needs, as well as vocally defending their rights and dignity.

How can we use what they learned?

Practitioners working with Travellers should be aware of the Irish legal system's failures to protect their rights as victims. They should be mindful of the specific challenges and prejudices often faced by Travellers and ensure their staff are always equipped to respond to Traveller clients' needs with compassion and respect. The researchers recommend advocating for dedicated support services for Irish Travellers such as legal accompaniment, services for both victims and suspects of crime to provide information on their rights, community Gardaí for Travellers, the establishment of an independent Traveller Legal Aid Centre, and the creation of a register of legal practitioners who have received cultural competency training to work with Travellers.

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What are the limitations of this research?

While this research provides excellent insight into Travellers' experiences of the justice system, victim support services still must think closely about what support they provide to Travellers, the cultural competency of their practitioners and volunteers, whether they can advocate for bespoke services, and whether their own practices are sensitive to the discrimination Travellers face from professionals and systems.

Beyond advocacy: Mapping the contours of victim work

GLOBOKAR, J., EREZ, E. AND GREGORY, C. (2019)
JOURNAL OF INTERPERSONAL VIOLENCE

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What did the researchers want to learn?

The researchers were trying to learn more about the roles and responsibilities of people who work with victims of crime in different organisations and roles.

How did the researchers try to answer the question(s)?

They conducted interviews with 30 people working in NGOs, prosecutors' offices, and probation departments with roles centred on contact with victims in the midwestern United States.

What did the researchers learn?

Although people working with victims across the justice system have very different roles and responsibilities, they share several commonalities. First, they talked about the importance of flexibility within their roles when it came to being available to clients or taking on varying responsibilities within their organisations depending on what was needed. Second, emotions played a central role in participants' descriptions of their responsibilities, whether they were managing the emotions of their clients or justice workers or processing their own emotions in response to clients' stories. Participants also noted that the emotional aspect of their work was rewarding. Third, they all ended up mediating between victims and traditional justice workers (e.g. police officers) and had to navigate tensions with these groups.

How can we use what they learned?

Some practitioners described their strategies for navigating tensions with traditional justice workers and the emotional element of their roles, which other practitioners could implement if facing similar challenges. One strategy was to reflect back the culture of the agency they were working with through humour or exchanging 'jabs' to bridge the divide between their own role and that of police officers or other justice workers. Another strategy participants employed was to demonstrate the benefits of working together or 'establish their worth' so that justice workers they were collaborating with could appreciate the advantages of their presence. To manage the intensity of victims' emotions, many participants noted that it was important simply to be present and listen. Participants also discussed coaching victims on managing their own emotions before interacting with other criminal justice professionals (e.g., police, prosecutors). When their own emotions were discussed, participants noted the risk of burnout and vicarious traumatisation, which indicates that victim services must also consider how they bolster their workforce through a meaningful work-life balance, accessible mental health services, and a supportive work culture.

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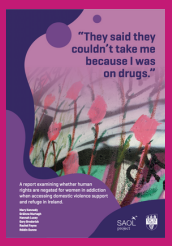
What are the limitations of this research?

It did not examine how gender may influence the roles and experiences of people who work with victims. Additionally, this research focused on people working in two states in the United States, so the findings might be different if the research were conducted in Ireland.

They said they couldn't take me because I was on drugs': A report examining whether human rights are negated for women in addiction when accessing domestic violence support and refuge in Ireland

KENNEDY, M., MURTAGH, G., LUCEY, H., BRODERICK, G., FAYNE, R. AND DUNNE, R. (2024)
SAOL PROJECT & UNIVERSITY COLLEGE DUBLIN



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What did the researchers want to learn?

How women with addictions experienced the process of trying to access domestic violence support in Ireland, in order to understand whether their human rights are facilitated or violated.

How did the researchers try to answer the question(s)?

Researchers conducted four focus groups: two with women in addiction seeking domestic violence support from the SAOL Project in Dublin (24) and two with SAOL Project staff members (20).

What did the researchers learn?

Women who are in active addiction were often denied support and refuge for domestic violence due to their addiction, which is a violation of their human rights. Participants noted that services denied access to women in addiction because they did not have the knowledge or resources to provide appropriate support to women who engaged in substance use. Women had experienced stigma and discrimination related to their substance use so often that they had grown accustomed to being excluded or denied services, meaning they did not even see this as a violation of their rights or understand that they are entitled to the same support and refuge as any other woman experiencing domestic violence.

How can we use what they learned?

The researchers suggest that domestic violence service providers receive training specific on human rights, on substance use and addiction, and on the experiences and the needs of women who experience both addiction and domestic violence (rather than just one or the other). They also recommend dedicated support and refuge services for women who experience both addiction and domestic violence, and DSGBV education for women who access addiction and related services to help this group of women recognise and respond to domestic violence. Refuge services that can meet the needs of mothers who experience both addiction and domestic violence and their children are also necessary, as many women fear engaging with services because their inability to secure stable accommodation for their children might affect their custody arrangements.

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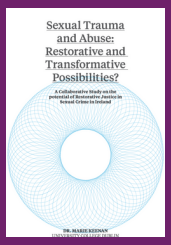
What are the limitations of this research?

The research does not detail who would provide suitable training or what exactly the training might entail. This means domestic violence support services might work together, with other gender-based violence support services, and with addiction and health services, to consider how these organisations can support each other to meet clients' intersecting needs.

Sexual trauma and abuse: restorative and transformative possibilities?

KEENAN, M. (2014)
UNIVERSITY COLLEGE DUBLIN



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What did the researchers want to learn?

They were trying to learn about victims' unmet needs following interactions with criminal justice in Ireland, whether there was demand for restorative justice after sexual violence, and the most important considerations in establishing a restorative justice service for sexual violence in Ireland.

How did the researchers try to answer the question(s)?

The researchers conducted interviews with 149 people in Ireland, including: victims (30) and perpetrators of sexual violence (23 people sentenced for sexual offences); therapists (31); and victim support professionals, politicians (6), and criminal justice professionals including people from the Gardaí (8), the Irish Prison Service (12), Probation Service (4), the judiciary (7), and lawyers.

What did the researchers learn?

Participants in this study identified unmet needs for victims of sexual crime in Ireland, including lengthy delays and a lack of information related to case processing, and saw a need for restorative justice for cases of sexual crime. The adversarial justice system and severe social consequences for those convicted of sexual violence are barriers to perpetrators' willingness to take accountability for the harm they caused and instead incentivise going to trial. Victims identified several positive aspects of restorative justice processes, including being able to face their offender with statements or questions and being able to gain closure because of the process. Some victims noted that they were afraid of re-traumatisation through the process, either because they would not be believed or because too much time had passed since the sexual violence took place.

To learn about the current status of restorative justice in Ireland, visit www.restorativejustice.ie. To learn about how delays affect victims during sexual violence trials, see this briefing on work by Keenan and Healy in 2024.

How can we use what they learned?

The researchers recommended that practitioners inform victims of sexual crimes about the possibility of participating restorative justice, and that families of victims and perpetrators and other secondary victims be offered the possibility of participating, if the victim so wishes. They also advocated for structural change in response to their findings, such as the establishment of a dedicated pilot of restorative justice for sexual violence, and the establishment of State-funded nationwide support and advocacy services to reduce regional disparities in access to services. Victim support practitioners should be aware of what restorative justice services exist in their area, how victims can access it, and what information they routinely receive so that they can inform and support victims who may want to access it.

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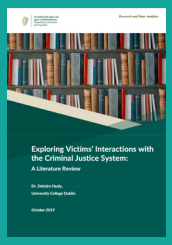
What are the limitations of this research?

The research does not explore the types of training which restorative justice facilitators need to ensure their practices are sensitive to the dynamics of sexual violence, although the author wrote about this elsewhere (here). Restorative justice provision has developed in recent years. Sexual violence services can contact the Probation Service's Restorative Justice and Victim Services Unit to learn more about how restorative justice operates pre- and post-sentence in Ireland.

Exploring victims' interactions with the criminal justice system

HEALY, D. (2019)
DEPARTMENT OF JUSTICE.



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What did the researchers want to learn?

THealy aimed to collect and assess all the recent research evidence globally in order to identify best practice and make recommendations for victims' interactions with criminal justice in Ireland.

How did the researchers try to answer the question(s)?

They identified all relevant articles from 2009-2019, before looking for studies that examined victims' experiences with criminal justice and highlighted the best ways to meet victims' needs. After excluding studies that were less relevant or low quality, they analysed 136 articles to identify common themes.

What did the researchers learn?

Victims value high-quality communication about their rights, the criminal justice process, the progress in their case, and the available support services. Victims prefer for this information to be shared with them personally rather than through websites, leaflets, or other materials. Coordinated, interagency approaches to providing services can improve case outcomes and victim reporting, promote information sharing between organisations, and reduce duplication. Crucially, fair, supportive, and respectful treatment from criminal justice professionals was more influential on victim satisfaction than case outcomes, highlighting the need for procedural justice.

Opportunities for victims to have their voices heard (e.g., victim impact statements) are important, but clarity around the purpose and potential effects of those mechanisms are needed to set realistic expectations. It is best to use specialised approaches to engage with and support people with specific needs, such as members of ethnic minority groups or victims of intimate partner violence. While these strategies may not always improve case outcomes, they can still improve victims' experiences. Some groups of people are not consistently recognised as victims (e.g., prisoners, trafficked children) and are therefore not provided equal access to supports and services. Training for criminal justice professionals to increase their ability to recognise these groups as victims would improve access to care (similar findings were noted in Irish Travellers' Access to Justice). Creating a new profession of independent victim advocates may be needed to protect victims' rights, ensure rights are upheld consistently, and keep victims informed and supported throughout the criminal justice process.

How can we use what they learned?

These best practices can be used by practitioners working with victims to inform their advocacy work, engage in conversations about policy and practice reform, and evaluate their advocacy work, engage in conversations about policy and practice reform, and evaluate their organisation's ability to support clients. People who support victims can learn about the concept of procedural justice, given that victim satisfaction with criminal justice depends more on how fairly they feel they were treated than on the outcome of the process.

What are the limitations of this research?

This research includes studies from all over the world, and some of the recommendations might not fit in the Irish context. However, this is perhaps the most comprehensive review of research on this topic in recent years, so reviewing its conclusions can be valuable for anyone who works with victims.

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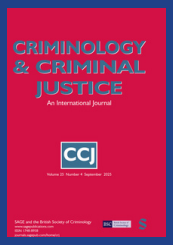
‘I felt…caged’: Victims of hate crime and their negotiation of space

GARRATT, L., HAYNES, A. AND SCHWEPPE, J. (2024)
CRIMINOLOGY & CRIMINAL JUSTICE



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What did the researchers want to learn?

The researchers wanted to learn more about how experiencing hate crime affects how people interact with public space and other people in the future.

How did the researchers try to answer the question(s)?

They interviewed 10 people who had experienced one or more hate crimes in Ireland and 2 family members of people with intellectual/developmental disabilities who had similar experiences. These 12 participants described 18 different hate crime incidents, 15 of which were reported to the police. None resulted in prosecution.

What did the researchers learn?

After experiencing hate crime, people changed their movement within public space. Becoming isolated and housebound was a common theme among interviewees, who said that they tried not to leave the house unless necessary. People reported that they experienced fear and anxiety when they went out in public. They avoided going out after dark, being in public alone, walking down certain streets, or using public transport. This means that people lose flexibility when traveling, even in their own neighbourhoods, and must plan their journeys ahead of time and often pay more for private forms of transportation to feel safe. Interviewees also described attempting to hide their marginalised identities in public to avoid further victimisation. For example, one person told researchers that she changed the way she walked, keeping her head down and remaining guarded to try to avoid being noticed while out in public. This made people feel psychologically confined even when they were able to physically leave home and move through public spaces.

How can we use what they learned?

This research demonstrates how victims of hate crime become further isolated from society by their experiences. To combat this, the researchers suggest that policymakers prioritise the creation and protection of safe public spaces (e.g., parks and community spaces) where people can feel safe spending time. They also highlight potential challenges that services may face in accessing victims of hate crimes to provide needed support. Understanding hate crime victims’ safety concerns allows practitioners to develop services that meet victims’ needs while taking these fears into account, perhaps prioritising community outreach, safe transportation options to and from services, and telecommunication that would allow victims to access services from the safety of their homes. Services may also consider that most victims of hate crime never see a prosecution, even if they report the offence.

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What are the limitations of this research?

This research was conducted with a small number of people, meaning that the findings might not apply to the wider population. The people who were interviewed had a diverse set of identities, including ethnicity, gender identity or expression, sexual orientation, religion, and disability. Interviewing people across communities allows researchers to learn broadly about the experiences of victims of hate crimes and the commonalities between groups but stops them drawing specific conclusions about particular communities or identifying experiences that are unique to certain groups.

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