

Supports for Victims of Crime

Commission
for the Support of
Victims of Crime
WEBSITE

www.csvc.ie see Victims Services

Crime Victims helpline
1850 211 407



www.crimevictimshelpline.ie

listening, supporting and informing victims of crime

Victims Charter and guide to the criminal justice system and other booklets providing useful information to victims can be found at www.victimsofcrimeoffice.ie



Department of Justice and Law Reform

Commission for the Support of Victims of Crime
Department of Justice and Law Reform
51 St Stephen's Green
Dublin 2

Tel: (01) 602 8681
Web: www.csvc.ie

The Needs and Concerns of Victims of Crime in Ireland

Report prepared for the
Commission for the Support of Victims of Crime
by

Shane Kilcommins, Máire Leane, Fiona Donson, Caroline Fennell, Anna Kingston

Commission
for the Support of
Victims of Crime



The needs and concerns of victims of crime in Ireland

Introduction

The primary objective of this research project was

- to identify the self-defined needs of victims of crime and their families,
- to ascertain how victims inform themselves of the support services available, and
- to determine the extent to which victims believe that their needs are met by the criminal justice agencies and the organisations which provide support.

The secondary aim of this study was to gauge public and professional awareness of the availability of support services for victims of crime.

The study focuses primarily on victims who accessed the services of 44 relevant support organisations which are funded by the Commission for the Support of Victims of Crime, and does not attempt to accommodate the views of criminal justice stakeholders. The research is based on four different methodologies: questionnaire, interviews, street survey, and telephone survey.

Issues arising from the methodologies employed

Three issues arose out of the data generated by the research questionnaire responses.

Firstly, the geographic spread of offences in this survey does not reflect the geographical spread of offences generally. This suggests that service organisations are not distributed proportionately having regard to the geographical distribution of crime. Dublin, in particular, appears to be underrepresented in relation to the prevalence of crime. (pp. 19-20) When asked whether participants were satisfied with the proximity of the organisations to their home, a total of 80% reported that they were satisfied or very satisfied. It should be noted, however, that the respondents were all victims who had accessed services. Other victims who possibly did not have a local service and, therefore, accessed no service were excluded because of the survey design (pp. 101-102). Efforts to increase the spread of services to victims of crime should continue (p. 183).

Secondly, the majority of respondents to the questionnaire survey were women (76%). If the crimes of domestic violence and sexual offences are excluded from the analysis, the preponderance of female respondents remains very high (at 72%), indicating that men are not availing of the services offered by support organisations to the same extent as women (p. 17). Efforts should be made to encourage male victims of crime to access the services of support organisations (p. 183).

Finally, in terms of crimes experienced, the respondents in our survey are over representative of particular types of crime (domestic violence, homicide and sexual offences), reflecting the type of crimes which victims are likely to seek help for, and/or the type of crimes for which organised help is available, rather than the pattern of crime more generally (pp. 22-23).

Victims and An Garda Síochána

Under reporting of crime to the Gardaí continues to be an issue (pp. 30-33). **Though many of the reasons for non-reporting are beyond the direct control of the Gardaí, it is important that they ensure as far as possible that an environment is created where victims are encouraged to report crimes.**

Roughly seven out of every ten respondents indicated that they were either satisfied or very satisfied with Garda sensitivity during the statement-taking process (pp. 46-48). Of the small number of respondents who reported that they had a Family Liaison Officer assigned to their case¹, 66% were satisfied or very satisfied, while 22% were dissatisfied or very dissatisfied, and 11% did not know whether they were satisfied or not (pp. 54-56).

There is clearly an issue regarding the provision of information from the Gardaí to victims at the initial stages of an investigation. Roughly one in every two respondents indicated that they did not receive the Pulse incident number; one in every two also indicated that they did not receive a contact for a group supporting victims, and only four in every ten respondents indicated that they received a number for the Crime Victims Helpline (pp. 35-44). In addition, more than four in every ten respondents expressed themselves as dissatisfied or very dissatisfied with the information provided to them by the Gardaí at the investigation stage (pp. 49-54). **To ensure that victim needs regarding information are met, the Gardaí should follow existing commitments set out in the Victims Charter (pp. 176-177).**

In relation to the referral of victim details by the Gardaí to support organisations, 25% of respondents answered that a Garda did ask for their consent to pass their details to a group supporting victims. **In order to protect the interests of victims, it is necessary that standard practices are adopted in relation to the referral of victim information to support organisations, including getting and recording the informed consent of the victim (p. 45).**

In relation to victims' satisfaction with their overall dealings with the Gardaí, 56% expressed that they were satisfied or very satisfied, 40% of respondents indicated that they were dissatisfied or very dissatisfied, and 3.5% did not know whether they were satisfied or not. Apart from dissatisfaction with the provision of information by the Gardaí in relation to the progress of a case and the lack of information on different services available, the main reasons for dissatisfaction among the interviewees in this survey related to not being taken seriously, being made to feel like the wrongdoer, experiencing a lack of empathy or understanding, and a lack of protection and security (pp. 57-64).

To ensure a high level of sensitivity and a high standard of communication in dealings with victims, new Garda recruits should receive initial training and existing members of the Gardaí should receive in-service training, which sensitizes them to the needs of victims. It is also recommended that a quota of Gardaí in all divisions should receive specialist training in dealing with vulnerable victims such as those who have experienced sexual assault or domestic violence. The number of Gay Liaison Officers should also be increased (p. 177).

The Crime Victims Helpline

The Crime Victims Helpline provides a very useful and effective service which acts as an entry point allowing victims to access not only information but also ongoing emotional support and contact details for other support organisations (pp. 76-77).

Overall there was a very high satisfaction rating with the Crime Victims Helpline (88.5% of respondents who answered the question stated that they were either very satisfied or satisfied with the Helpline). Aspects of the Helpline service which respondents appreciated included promptness in answering the phone and the helpfulness and understanding displayed by staff (pp. 77-79).

It is also clear, however, that victims of crime are not systematically receiving information on the Crime Victims Helpline. The majority of relevant respondents (61%) in the questionnaire survey had, for example, accessed the services of support organisations other than through the Helpline (pp. 68-73). There was also a low level of awareness among key professional/community actors about the Helpline. (pp. 69-70). This lack of awareness also extends to members of the public. Even when prompted, one in three street survey respondents were unaware of the Helpline (p. 81). **It is vital that awareness of the Crime Victims Helpline is increased among members of the public, crime victims, key professionals and staff of relevant community organisations (p. 174).**

Support Organisations

Over 90% of respondents to the victim survey gave a rating of satisfied or very satisfied in relation to the overall ability of support organisations to meet their needs (p. 102). The most common services availed of by respondents who used victim support service organisations were information, counselling and emotional support. Many of those surveyed used multiple services of a support organisation (pp. 94-95). Participants were generally very happy with the speed of response provided by support organisations with over 93% reporting a rating of satisfied or very satisfied (pp. 98-99). Over three quarters of respondents reported good levels of satisfaction with the helplines provided by organisations suggesting that these generally run satisfactorily (p. 101).

The findings from this research illustrate that there are significant problems in relation to awareness of victim support organisations. Key referral points for victims such as the Gardaí, relevant professionals and community organisation workers and the Crime Victims Helpline do not appear to be fully effective sources of information for victims (p. 85-92). The professional/community awareness telephone survey reinforces this point with significant numbers of respondents being unaware of many of the main victims' organisations and the majority identifying the need to improve awareness regarding support services (p. 91). The data from the street survey also shows that, even when prompted, many organisations had a low recognition rate indicating a poor level of awareness amongst the general public. (pp. 88-89).

Cooperation between the Crime Victims Helpline and the organisations it refers victims to should be strengthened through the development of a more formal cooperation and referral system, which should include specific agreements and protocols between organisations on issues such as the sharing of information, and how referrals are made and followed up (p. 182). It is also important to improve the awareness levels among the general public and relevant community stakeholders of the activities of victim support organisations in local areas and the services which they can provide to victims of crime. The Gardaí are well placed to give information to victims on available support organisations and it would be most important that they deliver fully on their Victims Charter commitments in this regard. (pp. 176-177).

Concern was expressed at the multiplicity of organisations providing assistance to victims of crime, which had the potential to cause confusion among professionals, community organisations, victims and members of the public. Some professionals/community workers questioned whether less serious crimes are well-served by the current system (pp. 105-106).

The Courts and Compensation

In terms of progressing complaints and incidents through the criminal process, 55% of relevant respondents declared themselves very dissatisfied or dissatisfied with their overall court experience. These ratings of dissatisfaction related to delay; communication (which includes downgrading of charges or refusal to prosecute); architecture and seating in court; the sensitivity of legal professionals; a lack of information about and understanding of the legal system; and the handling of victim impact statements (pp.114-115).

From the victim's point of view it is important that delays and adjournments in court cases are minimised as far as possible. The proportions of victims who were satisfied or very satisfied with information on court procedures was broadly similar for court officials (59%), Gardaí (61%) and solicitors (64%). The satisfaction with information from support groups was much higher at 93% (pp. 115-122).

A significant minority of respondents in this study expressed dissatisfaction with the office of the DPP. At 38% this was broadly similar to the levels of dissatisfaction with information from court officials (38%), Gardaí (36%) and solicitors (32%). Reasons for dissatisfaction with the office of the DPP included downgrading charges, no presence at the sentencing hearing, not giving reasons for a decision not to prosecute, and poor standards of communication with victims (pp. 122-126).

Many participants in the research identified problems caused by the physical environment of court rooms and the organisation of court hearings. Victims referred to difficulties such as overcrowded courtrooms, an inability to hear the proceedings, a lack of seating, the lack of access to separate waiting areas, intimidation and long periods of time waiting around the courtroom for cases to be heard (pp. 127-143). Only 27% of relevant respondents reported access to a separate waiting room before the trial, with 73% reporting no such access (p. 127). More than half of the respondents (53%) who answered the question indicated that they were not satisfied with the reserved seating or space provided for victims and their family/friends in the court room (p. 128).

Respondents were also asked to rate their satisfaction with the experience of being called as a witness in court. Of the relevant responses, 46.5 % indicated that they were dissatisfied or very dissatisfied, 46.5% indicated that they were satisfied or very satisfied, and 7% did not know whether they were satisfied or not (p. 138). Reasons for this dissatisfaction included, the seeming chaos of the court process, insensitive remarks by judges, the intrusiveness of the media, the perception of bias, and the fear of having to give testimony (pp. 128-143).

Participants in the research also identified a lack of understanding of the law, the legal system or indeed the legal basis or significance of a decision within the trial, as a concern (pp. 145-150). **To ensure that they have access to knowledge of the legal and criminal justice system in an accessible form it is recommended that the variety of handbooks and materials that have been produced by government bodies, criminal justice agencies and voluntary organisations should be assembled on a single website, like a virtual library. Details of the website should be disseminated in a manner designed to reach as many victims of crime as possible (p. 189).**

Of the respondents who made a victim impact statement and rated their satisfaction with the process, 75% were satisfied or very satisfied, 22.5% were dissatisfied or very dissatisfied, and 2.5% did not know whether they were satisfied or not (pp. 154-155). A key theme brought out in interviews in relation to the victim impact statement was the sense of closure that the process could provide victims. Many respondents were dissatisfied with their inability to make a victim impact statement in their cases. The discretionary nature of the victim impact statement for homicide offences (which has changed with the commencement of the Criminal Procedure Act, 2010) troubled a number of participants in the research. **Attention also needs to be given to the question of what may be contained within the victim impact statement. Victims require clear and standardised guidance on what can be contained within the statement, and this should be made available to them before they commence the writing-up process (pp. 150-160).**

This study also shows that only 2% of respondents indicated that they were advised on any procedure for claiming witness expenses if they were summoned as a witness in a case (pp. 164-166). **Information on the systems available for the reimbursement of court expenses should be provided by the Gardaí on a systematic basis to victims of crime, as provided in the Victims Charter. The reimbursement for the cost of attendance at court should be extended to cover relatives who are not witnesses, at least in homicide cases.** Overall the findings also show that the vast majority of respondents to the survey had little experience in receiving compensation either through the Criminal Injuries Compensation Tribunal or under a Section 6 compensation order (pp. 160-163).

Information relating to parole, prison release dates, and any compassionate releases is provided by the Irish Prison Service where the victim indicates a wish to receive this information. **However, victims of serious crimes need to be informed of the possibility of requesting such information from the Prison Service Victim Liaison Officer. (pp166-167, 187).**

¹Garda Family Liaison Officers are appointed to provide support to victims effected by traumatic crimes such as homicide and false imprisonment, and other serious crimes where it is deemed appropriate by the local superintendent