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Policing the problem?
Irish Domestic violence policy and the role of the police, 1994-2018

Thesis presented by
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for the degree of
Master of Research, Government and Public Policy

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Declaration

This is to certify that the work I am submitting is my own and has not been submitted for another degree, either at University College Cork or elsewhere. All external references and sources have been clearly acknowledged and identified within the contents. I have read and understood the regulations of University College Cork concerning plagiarism and intellectual property.

Gerard Fitzgibbon, February 4th 2022

Abstract

The purpose of this thesis will be to examine the development of domestic violence policy in Ireland from 1994 to 2018, with a specific focus on the role of the national police service, An Garda Síochána. This examination will track the emergence of domestic violence as a societal issue in Ireland from the mid-1990s, and will consider who, how and why a policy framework developed in response, using theory and an analytical lens. The role of non-governmental organisations in framing the issue will be analysed, with focus on their views on the nature and penetration of preferred criminal justice responses, specifically policing. The gradual centralisation of domestic violence policy co-ordination will also be considered, with a focus on how this too sought to influence policing responses. Having considered the growth of an overarching policy framework, this thesis will then examine if and how An Garda Síochána adapted its policies and internal culture towards domestic violence policing. This question will centre on how Irish police policy on domestic violence compared to international and academic best practice, how successful An Garda Síochána was in implementing it, and what lessons can be gleaned regarding police culture.

Introduction

In 1997, just before the collapse of the 27th Dáil, the Labour Party's Minister of State Eithne FitzGerald unveiled a policy paper that would send a 'loud and clear' message on the problem of domestic and gender-based violence. The report in question, produced by the cross-sectoral Task Force on Violence Against Women, was presented as a landmark piece of joined-up thinking between governmental and non-governmental actors in an emotive policy area. Ms FitzGerald said that until that point, services for women impacted by domestic and gender-based violence 'have developed in a piecemeal and relatively haphazard way, rather than as a co-ordinated strategy. There are gaps in services which must be filled. The separate services offered to women who want to escape a violent relationship by different public and voluntary bodies need to be welded into a coherent set of supports'. (Irish Times, 22nd January 2022).

The picture presented of policy on domestic and gender-based violence at the time was one of disorder, and lack of focus. The question as prescient then as it is today remains: what can anyone do about it? Even if the most reductive definition of policy is applied – the doing of things, via the use of resources – effective actions on domestic violence are elusive, and contested. To study Irish policy development on domestic and gender-based violence since the 1990s is to look at the same picture through multiple lenses, arriving at multiple views. The provision of 'separate services' alluded to in the launch of the 1997 Task Force report is illustrative. If multiple people are trying to do the same thing at the same time, then duplication, failure and goal conflict are inevitable. How is this untangled? Can different actors working in the same area for different reasons coalesce in a meaningful way? And when overlapping action is stripped back, what is the service of last resort that victims need?

This thesis will examine the development of domestic violence policy in Ireland, from its emergent period in the mid-1990s until 2017. Specific focus will be placed on the role of the Irish police service, An Garda Siochána, in the developing and application of internal procedures to respond to domestic violence from 1994 to 2017. The context for this research question is to examine if, and to what extent,

agency on the part of external actors can force shifts in policy and behaviour in traditional pillar services, such as the police. When a criminal issue with high social harm emerges in an incremental pattern over generations, such as drug abuse, public conscious has time to form its opinions and frame its values. Public policy, as an extension of public desire, has the space to align itself accordingly. However when criminal issues with high social impact reach out and grab public attention all of a sudden, policy can be less reactive. The example of domestic violence, in the Irish context, fits this idea. As the literature review of this paper will show, domestic violence was not an unknown concept in Ireland in the 1990s. However the extent to which it was quickly able to find space and attention as conservative morality loosened its grip on public discourse made it vital. Framed from the outset as a public safety issue that reached into people's homes, it presented almost immediate demands for intervention by the police into areas where it had seldom acted before. From a policy design perspective, what did these demands look like? How was making them, and why? What deliverables did they seek to extract from An Garda Siochána? Did An Garda Siochána respond, and if so, how?

The research aim of this paper will be to unroll the policy blueprint developed in and around the policing of domestic violence in Ireland, and consider the architecture. This research will be dispassionate and technical, seeking to identify and examine theory as and when it applies to an overarching system. Relevant literature will be used to consider domestic violence as a problem to be solved, and the extent to which police forces have tried to solve it. However this will not be utilised to examine the efficacy of police action, such as through crime trends or other empirical data. Instead, this paper will be focused on the strategic interplay between external advocacy and internal action. Can institutions as big and historically rooted as An Garda Siochána demonstrate agility when large chunks of society suddenly start asking for something new? Relevant literature on the nature of domestic violence as a societal and criminal issue will be assessed, as will literature considering the depth, design and effectiveness of policing interventions. This will focus thematically on how domestic violence as a crime type exhibits different characteristics to other crimes, and the challenges that this presents to police and government actors in developing strategic responses. Literature concerning the

relationship between policing institutions and external agents will be considered, as well as previous research on how policing institutions process and convert policy ideas into action. The literature will also outline potential hazards to policing domestic violence, such as officer bias and cultural concerns, which will frame the findings of the Irish case study.

Literature review

Academic studies of domestic violence have tended to stay away from asking all-of-society questions about policies, interventions and the social space they inhabit. This is understandable. Domestic violence is broadly a term to describe harm inflicted upon a spouse or partner, typically physical in nature, and typically by a man against a woman. However the conditions in which it takes place, the manner in which it is inflicted, the motivations of perpetrators, the consequences for victims, and the legal and policy responses of a given society vary. Two cases examined side by side are rarely comparable. Stanko (2008) provides a definition of domestic violence that is both gravelly and succinct: it is a wide variety of behaviours, some of which is defined as criminal – physical violence, rape, sexual abuse, stalking, emotional belittling, bullying, and financial hardship. As Stanko alludes, the fact that some or most of these offences may not be illegal in some societies presents its own challenges. If the same problem happens under different legal conditions, within different value systems, it follows that comparative assessments of policy responses and output indicators is not easy. The very definition of what constitutes successful action against domestic violence in a given society raises broader questions about values, women's rights and social morals.

With this in mind many studies of domestic violence policy and, specifically, the role of the police and the criminal justice system, are victim-centric. This has allowed a normative view of the immorality of harm against women to act as a research balance board, superseding the legal and policy nuances of different environments. The literature pirouettes from there. For the purpose of framing this paper, this section will consider literature within four broad segments aligned with a core approach to policy formulation: initiation, formulation, implementation and evaluation (Heywood, 2019). This will be framed through the following sequence of categories: research and findings on the victim experience, and what this tells us about policy design; the role of the police in domestic violence intervention, with a focus on measurable outputs and the limitations of police action; and finally societal views towards domestic violence, as the core ingredient in policy design. As the empirical basis of this thesis will be an assessment of domestic violence policy in the

Republic of Ireland, the literature will focus on policy frameworks in democratic societies with broad social alignment on the issue. This is a relevant point in itself – since the global recession of 2008, policy has adapted to reflect new interpretations of what domestic violence can look like, through economic cause and social effect. One example is the impact on the family home, as post-2008 economic difficulties hindered the ability of many to afford their own property. This, in turn, has wrought a greater understanding of domestic violence in non-spousal forms, such as that between co-habiting adult siblings, or inflicted by adult children against their elderly parents. However, for observed purposes this paper and the grounding literature will focus on a gendered interpretation of domestic violence, inflicted by a male against his female partner or ex-partner.

Victim-based studies

The lived-experience of domestic violence victims has been the focus of a significant body of academic and NGO research. This has ranged from macro-level attempts to measure the impact of victimisation on economic and social development, to small-sample qualitative studies that focus on the individual stories of victims as end users of a public service, such as the intervention and protection of the State. In this regard, measurements of domestic violence are generally separated from broader metrics examining crimes against the person, specifically assault, harassment and threats. This is grounded in the fact that domestic violence does not adhere to traditional concepts of victimisation theory. From a crime prevention perspective, environmental factors that largely influence violent crime cannot be applied to domestic violence, most notably 'capable guardianship' (Meier & Mitche, 1993). This principle considers the extent to which safeguarding actions can deter victimisation, such as locking your door at night, avoiding dangerous streets while out walking, or installing an alarm in your home. Capable guardianship relies on two sets of conditions: the intersection of public and private spaces, and the impersonal considerations of criminals, such as a burglar or car thief selecting their targets based on potential gain, ease of entry and escape, and other factors.

Domestic violence, by contrast, exists in intimate spaces and occurs without what could be considered orthodox criminal motive, underpinned by material desire. As a criminal concept, studies have found domestic violence to be more closely aligned with sexual assault and rape. The Council of Europe (COE) Istanbul Convention of 2011 describes violence against women as a product of historically unequal power relations between men and women. As a social impact study, the COE's prior assessment of the monetary costs of violence against women in 2006 remains one of the most ambitious pieces of research of its kind. Its imprint is visible in subsequent domestic violence policy designed by European States.

Based on an aggregated assessment of a number of national-level studies, the 2006 COE report seeks to bridge the gap between the personal experiences of women who suffer intimate offence, and the accumulated impact this has on public health, public services and the exchequer. The scale of the problem is clear: the report found that between 20 per cent and 25 per cent of all women have experienced physical violence at least once during their adult lives, and more than ten per cent have suffered sexual violence. When additional forms of violence are included, such as threats and stalking, the victimisation rate increases to 45 per cent. The 2006 report also found that twelve to fifteen per cent of all women have been in an abusive relationship since the age of 16, and the majority of women who suffer violence do so at the hands of partners or ex-partners in their immediate social environment, primarily their home. Incidence rates of physical and sexual violence also tend to be higher after a couple have separated. The self-perpetuating nature of the offence is also evident: the COE research indicated that witnessing domestic violence and growing up in an environment where domestic violence has taken place has a harmful effect on the emotional, behavioural and mental health of children. This increases the risk of traumatic stress symptoms, ADHD, and low educational achievement. Furthermore, boys who witness violence against their mother are more likely to become violent against their partners in later life, while girls who grow up in this environment are more than twice as likely as others to become victims.

In attempting to calculate a financial cost per capita of domestic violence to a society, the 2006 COE report utilises a methodology that weighs the cost of direct care for victims, ancillary family support, the provision of sheltered housing, the costs

of pursuing criminal justice outcomes, financial support for victims, and other service-level variables. Their findings identified an average cost of between €20 and €60 per person per year, with a maximum outlying value of €555 per person. However, in applying an assumption that domestic violence remains largely under-reported, the COE report finds that the €555 outlying value is closer to the true cost. From a policy context, the 2006 COE report achieves two things: first, it establishes that protecting women from gender-based violence must be a strategic priority for governments seeking to prevent generational recidivism. As the report states, when a society fails to protect women from violence, children do not thrive and are less able to break the pattern. Second, the report demonstrates that impact indicators of domestic violence are not easily designed or applied in measuring policy outcomes. The COE's estimation of costs does not exist in isolation. Safe Ireland, one of the main NGOs advocating for women and children who suffer abuse, estimated in their 2015-2020 strategic plan that domestic violence costs the Irish economy €2.2 billion per year (Safe Ireland, 2015). Based on total population of the Republic of Ireland as per the 2016 Census, this equates to €47 per person (Central Statistics Office, 2016).

In its 2013 paper on gender-based domestic violence, the World Health Organisation (WHO) aligns with, and builds upon, the egis of the 2006 Council of Europe report in framing domestic violence as a public policy issue. Given its remit, it is understandable that the WHO considers domestic and gender-based violence a health policy issue, and frames its impact in health outcomes: women exposed to partner violence are twice as likely to experience depression, almost twice as likely to have alcohol use disorders, sixteen per cent more likely to have a low birth-weight baby, and one-and-a-half times more likely to acquire HIV, syphilis, chlamydia or gonorrhoea. In terms of scale, it mirrors the COE view that domestic violence is largely underreported to State authorities, with the rates of women being harmed exceeding the number of reported crimes. The WHO research found that 42% of women who have experienced physical or sexual violence at the hands of a partner have been injured, while 38% of all murders of women globally were reported as being committed by their intimate partner. In terms of responses, the WHO sets out a range of health-led policy measures. This is grounded in a seven-point plan for State interventions, including referral systems for providing victims access to supports;

standard operating procedures for the medical care of domestic violence victims; and the training of health care workers to identify and gather forensic evidence when treating victims. Broader sectoral approaches proposed by the WHO include woman-centred care based on principles of non-judgement, privacy, confidentiality and empathy; and integrating treatment for domestic violence victims into general healthcare streams, with appropriate specialised resources, rather than through separate care structures, which may stigmatise or discourage victims from seeking help. Crucially, the WHO explicitly states that mandatory reporting to the police when a woman presents for medical treatment as a result of injury from domestic violence should not occur.

From a policy perspective, this point is significant. The WHO – and by extension its parent organisation, the United Nations – is of the view that connected service responses to the causes and effects of domestic violence, such as mandated notification to the police when a woman seeks treatment for injuries suspected as arising from a domestic assault, should not only to be discouraged, but may ultimately be dangerous for victims. This view is understandable, given that perceptions of privacy and women's rights vary across different societies. However when considered as public policy, the WHO position is that State-led interventions should be sectoral and separate. Therefore the protection of State, and by extension the police, is framed as something that the victim must request, and not be provided by default, without consent. As will be examined in later chapters, in Ireland this delineation between what the State should, can and does do in terms of policy responses – particularly policing – can fail to meet the expectations of both advocacy groups and individual victims.

A series of qualitative studies have sought to explore victims' experiences and perceptions of different public policy approaches. Based on the findings of interviews with ten domestic abuse victims and seventeen sectoral NGO service providers in the United States, Haselschwardt & Hardesty (2017) found that women who saw themselves as active agents in their own experience – and by so doing, tacitly supported the victim-led approach advocated by the WHO – tended to engage with State structured supports in a more linear and constructive way than those who did not. However, Hovell, Said & Lilles (2006) highlight the difficulties that victim-as-user

policy design can present. They found that while police and social services interventions may be designed so as to empower the victim, this may also unintentionally support conditions that may precipitate further domestic violence. For example, when the intervention of the State is initiated by the victim without the offender's knowledge, it is likely that the offender will feel a loss of control, raising the potential for escalation if – as is often the case – State supports are implemented on a sliding scale of severity. The involvement of outside agencies in the domestic space may also place critical stress on the relationship between victim and perpetrator. These conditions may provoke the offender to inflict another, possibly more severe physical assault in an effort to regain compliance, or to inflict revenge on a victim who is now seen as non-compliant. While Hovell et al focus on physical forms of domestic abuse, and overlook other iterations such as emotional abuse and coercive control, their findings nonetheless demonstrate that for many victims, the decision on whether to seek State intervention often means weighing whether they will, as a consequence, be increasing their own risk of further victimisation. The result, in many cases, is clear. Stanko (2008) found that as few as 13% of domestic violence victims ever report it to the police.

Felson, Ackerman and Gallagher (2005) consider the non-reporting of domestic violence and general disincentives for victims further. They believe that the entire field of domestic violence research is itself constrained by the fact that the cases of most significant theoretical and policy interest – unreported ones – cannot be analysed. The limited data that does exist on non-reporting focuses on motivation and personal agency. Felson et al found that the most common reason cited by domestic violence victims for calling the police is a desire for protection. The most common reason given not calling the police is the victim's belief that it is a private matter. This frames victim-led interventionist policy designs in another way, pointing to versions of a rational actor model in which a victim considers their options, possible outcomes and potential consequences before deciding whether to seek help or not. The decisions of vulnerable victims enduring physical and emotional trauma should not, of course, be likened to consumer choice. However Felson et al find that even if it were, the options available in user-led policy frameworks are rarely appealing. Questioning the general effectiveness of policies with a criminal justice-

centric approach, they find that active interventions – specifically the arrest of an abusive individual – do not deter re-offending, based on analysis of domestic violence recidivism across various socio-economic groupings.

Harney (2011) directly probes the question of how tactile and useful victim-led domestic violence support frameworks are via a qualitative survey of Irish women who have received supports, up to and including being housed in sheltered accommodation. This includes an examination of the accessibility and resourcing of the supports themselves, as well as the user experience. The findings note that supports were typically provided on a community/non-statutory basis, largely funded through the charitable sector. This touches on concepts of structural coupling and power imbalances between agencies, which will be examined later in this section. Harney also notes that all of the Irish victims surveyed referred to coercive control as being a central theme of their abuse, ranging from emotional to financial in nature. This emphasises the limitations of traditional policy approaches that link severity and escalation in domestic abuse to physical violence. Finally, and of most relevance to questions raised in this paper regarding victim-as-user policy designs, a number of women expressed frustration that it is the responsibility of the abused female to come forward and seek protection, rather than have it provided to her. Two participants noted that while the woman is not committing the crime, she is the one who has to leave her house, protect her children, and unilaterally begin the process of engaging with the police.

Police action – what can be done?

Assessing the space in which domestic violence victims and policy outputs engage with each other leads us to another question: what is the role of the police in this process? In systems of victim-initiated intervention, in which the State cannot and does not intercede until the victim requests it, how can police action be effectively designed and measured? Can it interrupt the generational cycles of victimisation framed in the Council of Europe's 2006 report? Can police intervention only ever be the failsafe of domestic violence policy – a last resort that by its nature highlights the weaknesses of other health and community-led approaches? For the purpose of this

paper, focus on police interventions will be grounded in policy design – how and what, rather than why. This is based on the fact that the inclusion of police services as stakeholders in domestic violence policy has been broadly recognised internationally since the 1980s, driven by the political agency of NGOs advocating for women's rights (Stanko, 2008). Articles 49-58 of the Istanbul Convention of 2011 map a framework for the investigation and prosecution of violence against women, and related procedural, legal and protective measures that should be adopted. The correlated practices of police services as statutory agencies have evolved in this context. As a result, controlled studies of impact indicators allow for a broad – if qualified – assessment of how effective police policies are in this area, from how domestic violence is counted and recorded, to the efficacy of specific actions, such as pro-arrest policies. This helps to ground domestic violence research in normative principles: accepting that it is both morally and legally wrong, and that the police should have an overt role in addressing it.

Hovell et al (2006) group possible policing responses to domestic violence into two categories: police interventions, and combined police & social service interventions. The former focuses on offender accountability, while the latter centres on supporting the victim in situations where intervention-only actions are considered insufficient. The value of one approach over the other is contested in academic research. One the one hand, Johnson (2005) finds that certain studies show a high effectiveness of arrest as a deterrent to re-offending, particularly in cases where the abuser is in employment. However, Felson et al (2005) claim the opposite: their research finds that being arrested has a limited influence on an abuser's prospects of re-offending, and may actually increase the risk of harm to the victim.

Trujillo & Ross (2008) find that the probability of arrest is significantly lower when the abuser is the intimate partner of the reporting victim. This immediately raises questions of police culture and officer bias, which will be considered later in this paper. For police services, inconsistent understandings of, and responses to, domestic violence poses a tactical challenge. For almost all crime types, police enforcement principles are predicated on Procedural Justice Theory. Stott et al (2020) explain this as a concept that assumes individuals and institutions will obey the law for one of two reasons: that they are afraid of being punished for breaking

the law, known as instrumental compliance; or because they believe that obeying the law is the moral thing to do, known as normative compliance. As with capable guardianship, the limits of procedural justice theory can be seen when applied to domestic violence, with its complex causes and varied outcomes. Recognising that domestic violence is atypical, and requires more than just a respond-and-arrest approach from police, has fed the emergence of community policing as a dominant component of policing strategy in the US and internationally since the early 1990s (Mastrofski et al, 2007). Although community policing does not have a single commonly accepted definition, it is broadly seen as encouraging a more collaborative, constant and productive partnership between police and the communities they serve. By proxy, it is therefore considered necessary for police to build stronger ties with social service agencies active in the same communities, as they are typically dealing with the same issues through a differing perspective (Hovell et al, 2006).

Police responses to domestic violence may be expanded through the provision of victim supports, either unilaterally or in conjunction with community service. But police agency, at its core, is based on the prevention of crime and the prosecution of criminals. Arresting someone is not the default outcome of every police interaction in a domestic violence scenario. It is one of a number of stratified approaches available, and is typically only utilised in cases where there is considered a risk of imminent or serious harm to the victim. However in reality, by the time this level of intervention is considered necessary, it is likely that significant emotional and/or physical abuse has already been inflicted by the abuser (Ariza et al, 2008). Police interventions that are late-stage, escalatory and punitive therefore cannot be considered effective in achieving policy objectives that seek an early break in the cycle of domestic violence. For this reason, many police services utilise risk assessment tools when interacting with domestic violence cases. Indeed, among the array of procedural reforms to the policing of domestic violence internationally, the greatest emphasis has been placed on formal risk assessment, to prevent recurrence of severe or lethal violence. This reflects the increased emphasis on risk assessment and risk management across criminal justice (Trujilo & Ross, 2008). However, there is no clear consensus on the optimum design, deployment and effectiveness of

domestic violence risk assessment (Ariza et al, 2008). The basic rationale is helping police to make better decisions now based on the probability of escalation and future harm to victims. From here, however, digressions and complications emerge. Actionably accurate predictions of human behaviour are difficult to design. In the first instance, the definition of what constitutes future harm in a domestic violence setting is contested – is 'harm' the risk of any future domestic incident, or only incidents where the severity is likely to increase? Should the risk assessment be confined to the domestic abuse alone, or should it consider the abuser's potential to commit other crimes? How should police approach a case where the offender has acted on the lower scale of severity, but the victim has increased vulnerability based on her history of abuse in previous relationships? Ariza et al suggest that at best, domestic violence risk assessments give weak to modest predictions of future harm. They point out that a non-trivial proportion of reported cases where victims have suffered serious harm have no prior history of recorded abuse, either with police or any other public service agency. The effectiveness of police risk assessments, therefore, can be undermined by the biases of officers, or reliant on supporting information that may be inaccurate, incomplete or non-existent.

The situational dynamics of domestic incidents in which police are asked to intervene is considered by Trujillo & Ross (2008). Their research underlines the pervasiveness of bias in these often volatile situations, and how this affects the consistency and adequacy of police response. Their collation of prior research indicates that police responses to domestic violence are strongly influenced by three groups of factors: officers' assumptions about domestic violence, within personal and contextual characteristics; previous experiences with domestic violence cases; and situational factors. Of the three, they consider the latter to be the most influential: a sample analysis of 501 police risk assessments conducted in Australia found that a victim's perceived level of fear when police arrive at the scene frames the officers' judgement on the level of risk, and their subsequent course of action. This is not to imply that situational dynamics tends to favour victims – Trujilo & Ross also found that in some instances, the likelihood of arrest decreases the more police are called to domestic violence incidents at the same address. This indicates that policy action – personified in this case by a police officer standing at a door and

deciding what to do next – can be dependent on personal assumptions about the spuriousness of the complaint, or doubts about the willingness of victims to follow through with a complaint, seek formal protections, and break the cycle.

Issues of bias, stereotyping, and victim-blaming by police can be mitigated through improved training, specifically in relation to non-violent indicators of coercive control. Understanding the reasons why victims may not wish to follow through with a criminal complaint or court order against their abuser, such as substance abuse, mental health issues or fear of reprisal, may provide officers with a broader knowledge base when making decisions (Ariza et al, 2008). On a layer above officers' personal influences, however, is the question of how broader police culture frames domestic violence. If non-violent domestic disturbances which do not result in a formal complaint or request for intervention by the victim remain seen as 'misdemeanour' offences at organisational level, women will continue to lose their lives to abusive men (Baldry & Sebre, 2016). Men who kill their spouses are not always known to police, nor do they always commit domestic abuse in a linear, escalatory manner that aligns with police training. Risk assessment tools that have limited scope, or rely too heavily on instinctive impressions of inexperienced or untrained officers, can produce 'false negatives', resulting in high-risk cases not being prioritised. From a policy design perspective, consensus exists on the need for domestic violence risk assessment tools for police officers. However, international research on their efficacy poses questions. If these tools – and by consequence, the tactical police responses that they inform – are grounded in narrow understandings of domestic violence, or are vulnerable to the biases of officers, their value will be restricted.

It is worth noting that the influence of bias on domestic violence policy action is not confined to the police, but can be found throughout criminal justice systems. In their 2014 paper Bond & Jeffries analyse inherent biases in the UK Courts system, and the implications of this across the wider judiciary. Based on a series of mock rulings presided over by magistrates in 2002, their research found that the views on the severity of an assault were often minimised when it was committed against a partner, as opposed to a stranger. Sentencing patterns implied that non-domestic assaults were considered more severe than domestic ones, as their occurrence in

public was seen as a threat to the wider community. Bond & Jeffries supplement this theory with the findings of research carried out in Australia in 2012, which found that when sentenced under statistically similar conditions, domestic violence offenders in New South Wales were less likely to be sent to prison than those convicted of non-domestic assaults. The influence of assumptions about provocation, victim-blaming, and emotional context in a domestic violence case can, therefore, often be taken as mitigation when deciding on punishment. From a policy design perspective, this suggests conditions in which domestic violence victims have a higher bar to clear when seeking vindication and support, complicating the potential for positive outcomes in victim-initiated criminal justice systems, such as the one that emerged in Ireland from the 1990s.

Societal influences – how is the problem perceived?

The difficulties evident in designing, implementing and measuring police domestic violence responses leads, inevitably, to a broader question – should police be involved at all? From a theoretical perspective, has the inclusion of the police in a framework of responses to domestic violence ever been subject to critique? Or has a values-based assumption that domestic violence is a crime, and therefore the police must have a role, become a default position that cannot be challenged? To what extent does the failure or inability to empower other agencies, in both legislative and resource terms, lock in the position of the police in domestic violence policy? Baldry & Sebre (2013) frame this question within a universal landscape – responding to domestic violence is increasingly testing police resources and professionalism all over the world, and a central issue remains the fact that the need for criminal justice interventions and support services for victims far exceeds available resources. They acknowledge that domestic abuse is subject to detailed policy discussion at governmental level, however a clear gap remains between policy intention and consistent, effective change. The evidence of this, simply, is the fact that women continue to be abused and killed by their partners. The Council of Europe's grounding 2006 report acknowledges as much, stating that government policy can only do so much, and no State can replace the functions of the family unit

– functions that are dissolved as a consequence of domestic violence. Murray et al (2009) consider an interpretative method of policy analysis when assessing domestic violence responses, including in the criminal justice sector. Policy in democratic systems, after all, is typically a representation of societal values and beliefs about issues such as domestic violence. Policy is both practical and symbolic – the government are going to do something about this issue, because a majority of society wants it. However, rather than simply reflect on normative 'truths' in policy design, competing sets of understandings and discourses are always evident and fighting to influence policy design. Murray et al find traction in Carol Bacchi's 'What's the Problem Represented to be?' approach in this regard. When considering domestic violence policy design, it is worthwhile to ask how is the problem described by the authors; what explicit or implicit assumptions are being made; and what variables are not fully considered – or referenced at all – in the policy. With these questions in mind, the disparity between policy statements and actual implementation – a space Murray et al label 'policy slippage' – can be analysed. In the absence of reliable empirical data, which has been shown to be a substantial issue due to under-reporting of domestic violence, policy slippage allows us to ask questions of the environment in which this issue is sustained. In the context of this paper, this can be utilised to assess the form, function and scale of police interventions.

Recognising that there are rarely enough resources available to achieve preferred outcomes is part of the reality of public policy design. As outlined earlier in this section, attempts have been made to quantify in monetary terms just how much domestic violence costs society. However the allocation of financial resources in western democracies, particularly those of a parliamentary nature, tends to reflect current public priority. Empirical data is crucial in justifying these decisions to the public – an employment crisis can be framed by a specific number of people out of work and relying on welfare supports; a housing crisis can be measured by the number of homeless families receiving emergency support, or the number, type and duration of applications for social housing. Issues such as domestic violence that are incremental by nature, difficult to measure and generally hidden from public view can receive proportionally less support, and therefore exhibit a greater reliance on the structures of the voluntary sector. Rodger (2013) finds that in these policy spaces

– where the role of the State is unclear, fluid or contested – the State can leverage the assets of civil society, specifically voluntary & charitable sectors, to meet public policy objectives with minimal commitment of public resources. This *de facto* outsourcing of social policy is not uncommon with regards to domestic violence, a field so complex that it renders single intervention approaches redundant (Johnson, 2005).

Rodger (2013) probes the relationship between the police and voluntary sectors on domestic violence through the theory of 'structural coupling' between State and non-State actors. Structural coupling typically takes place in two forms: 'net-widening' and 'mesh-narrowing'. Net-widening refers to the process of bringing into the jurisdiction of the criminal justice system, through legislation and policy action, those who previously lived and acted outside of it. Mesh-narrowing, meanwhile, is concerned with the blurring of boundaries between formal and informal mechanisms of State support and control. In his paper, Rodger considers how issues are thus translated or transferred between policy actors, and applies an assessment of Niklas Luhmann's concept of 'systems theory' to help. This is based on a model where a social system maintains its own world view, and deals with information by converting it into a form that is compatible with its own structure, integrity and identity. This is applied as a binary code: the legal system comprehends things as legal or illegal; the political system distinguishes power between those who have it (government), and those who do not (opposition). The voluntary sector is categorised as either meeting a social need, or not. With these definitions, Rodger considers 'structural coupling' between institutions that exist in the same social or policy space, such as policing and victim support.

As policy problems will always be more complex than the capacity of a system to deal with them – and will generate demands not easily met by one system, such as with economic or social policies – there becomes a need to reduce or manage this complexity. When systems that are unlike one another, for example, police and social care services – act on issues in the same space, they engage in 'recursive interaction' (Rodger, 2013). This sees systems theory applied via structural changes in one, if not both, institutions, without either losing their unique identities. From a domestic violence policing perspective, for example, this could involve a police force creating

a dedicated victim support service, which would involve formal engagement with women's aid groups. However, the process by which police would become aware of, interact with and support domestic violence victims would remain one in which an individual must request their service, via calling the police and presenting themselves as the victim of a crime. The power relationship between the political system and voluntary sector, Rodger finds, is clearly asymmetrical and exploited for the benefit of the former. The voluntary sector struggles to maintain its identity when its medium of operation is structurally coupled to the political and economic systems that build the legal and policy landscape, and provide much of its funding. What does this mean in the context of this paper? As we shall see in the next section, the Irish experience in domestic violence policy saw a strategic coalescence of State and non-State actors, in which the resources of the former and the knowledge of the latter became interdependent, but not equitable.

In her 2008 paper, Betsy Stanko reflects on an academic career in which she earned an OBE for her research on domestic violence policy. Years of probing and criticising State action in the field had left her unsure of much, and sure of a little less. Recognising that there can never be a single recipe book of policies that will eradicate a problem with its roots in thousands of years of gender relations, Stanko instead proposes that police services focus on improving what they do, and how it is measured. Positive outcomes for victims and accountability of offenders will, it is asserted, improve organically if they do. Stanko asserts that any policing response to domestic violence should be structural, and not task-orientated: build an overarching framework of performance management that focuses on monitoring & improving responses, diminishing harm, and aim for the core deliverable of fewer domestic violence homicides. Rather than a traditional reliance on arrests & reporting rates – which aligns her with the behaviour-over-numbers perspective advanced by Curtis (2015) – Stanko proposed a three-piece strategic approach that would operate parallel to the broader public policy of the day, and not be reliant on it. These three pieces are: homicide reviews, risk assessments, and monitoring of demand.

Stanko's homicide review system refers to a mechanism whereby police services constantly extract lessons learned from domestic-related homicides, and view them alongside their management of ongoing domestic violence cases. In

situations where a woman was killed by her partner, were there early warning signs, or a recognisable pattern of escalation? Can that be seen in any cases currently active within the policing jurisdiction? In encouraging the implementation of police risk assessments, Stanko aligns herself with Ariza et al, Trujillo et al and others who have examined this sphere. As with other academics, Stanko insists that the existence of a risk assessment framework for domestic violence victims is not enough – the quality of those assessments, their susceptibility to bias, and their influence on tactical and strategic decision-making are the real tests.

Finally, Stanko states that police forces need to have the internal ability to analyse demand trends and adjust resource deployments in response. This would not just be limited to predictive demand based on emerging crime patterns, but also learning where and how to deploy 'soft' resources, such as family liaison officers and victim support officers. Her reference to the 'who' element is equally important, as a linear support channel that starts and ends with the domestic violence victim is likely to be too narrow to prevent escalation. Family, friends and the broader community network should all be leveraged by police, when and where it both possible and reasonable to do so, in order to prevent harm. This tiered and situationally-aware approach is also advocated by Johnson (2005), who argues that interventions should be tailored and not generic: a case-series evaluation design with granular tasking would allow police and other support services to obtain feedback from, and measure the success of, family-specific measures at short intervals, and inform clinical judgement about what is working, what is not, and what needs to change. As a closing argument, Stanko concludes her 2008 paper by distilling her overarching recommendations into advice & guidance for policy writers and police leaders. When it comes to domestic violence, she insists, keep it simple: master the basics of responding to calls and following-up with victims; understand the characteristics of those victims – their vulnerabilities and needs – and use what you learn to better align service provision. Understand, at a base level, why people feel the need to seek police support in domestic violence situations, and address the gaps when identifying people who should, but do not; and leverage third parties within the public and voluntary sectors to provide more seamless help to victims and communities.

A review of literature focused on the role of the police within public policy responses to domestic violence allows us to examine the Irish position with more clarity. The mechanical design of the Irish policy framework will be of particular relevance in the context of Murray et al's view on what design tells us about the values, emphasis and intentions of policy writers and actors. What are the key official documents pertaining to domestic violence responses in Ireland? Within these, how is the 'problem' framed, and what implicit or explicit assumptions are made? What are the implications of these at symbolic or practical levels? Can these be determined at all? Furthermore, with focus on the police, what is their role in policy structure? What enabling functions exist within An Garda Síochána to address domestic violence and provide support to victims, and do these functions align with international best practice? Finally, how do we know if policy responses to domestic violence in Ireland are working?

Methodology

The methodology of this paper will be a thematic assessment of the development of domestic violence policy in Ireland from the mid-1990s to 2017 – beginning with the broad coalescence of domestic violence as a policy issue in the 1990s, and ending with the introduction of the 2017 Garda Síochána Domestic Abuse Intervention Policy. This process will be examined in two layers: the emergence of a cross-sectoral policy network, with a focus on key inputs from NGOs and governmental actors; and the parallel development of police policy on domestic violence, and the extent to which the principles of the former did or did not imprint on the latter. As domestic violence is an area of research encompassing health, social policy, criminal justice and gender relations, the scope of this paper is limited to the technical construction of policies influencing the criminal justice sector, rather than a thematic assessment of their quality.

For the first section, a timeline of policy milestones will be presented and the connective relationships between each successive one explored. The purpose of this will be to consider, from an empirical perspective, the nature of the policy network that developed in Ireland on the broader issue of domestic violence, with consideration of the relationships between actors and their motives. The policy milestones will be considered chronologically, with important changes to the central framework explored where applicable, such as new legislation or the creation of new statutory agencies. The content of reports published by individual actors will be presented and examined, and from an analysis of sub-actions and tasks a broader view of how the policy network evolved will be framed. The perceived role of policing, as part of a multi-agency response, will be the core focus issue of the first section. To what extent did non-policing actors, such as advocacy groups and cross-sectoral government bodies, consider An Garda Síochána to be responsible for preventing and addressing domestic violence? What actions did other actors think were necessary for the police to take? Did these actions and the views of other actors align? The findings of the literature review section will be considered to examine if the overarching Irish policy response aligned with international practice, both in

terms of specific policing concepts and the broader dynamic between actors in the policy sub-system.

The second section will examine the extent to which the high-level, cross sectoral policy on domestic violence from the mid-1990s was adopted and implemented into policy by An Garda Síochána. This will be based on an analysis of three policy and reporting milestones, presented in sequence: the 1994 Garda Síochána Domestic Violence Policy; the 2014 report on crime investigation by the Garda Inspectorate; and the 2017 Garda Síochána Domestic Abuse Intervention Policy, which will act as the end-point for the scope of this thesis. As with the first section, the content of each document will be considered for evidence of connection and progression – or lack thereof – in police policy relevant to wider ambitions of NGOs and the policy network. The findings of the literature review will be similarly used here to frame relevant theoretical considerations, such as path-dependence and typologies of institutional change. It will also be used to consider the efficacy of tactical steps set out by An Garda Síochána. Did the Irish police policy align with best practice? How did it interpret domestic violence as an issue? Did it seek to respond through substantive policy and procedural change, or did it take another approach?

Framing a response: the evolution of cross-sector Irish domestic violence policy

Opening positions: the Non-Governmental sector, 1995-96

The origins of public policy developed around domestic violence in Ireland began, as with other social issues, in the UK. During the Victorian period, a criminal and civil legal framework emerged incrementally in England that began to define, limit and deter through punishment the ability of a husband to harm his wife. The Criminal Procedure Act of 1853 constrained the extent to which a husband could 'chastise' his wife, while the Matrimonial Causes Acts of 1857 and 1878 respectively gave women the right to seek a divorce on the basis of cruelty, and also gave magistrates the power to order a husband to pay weekly sums for the maintenance of their wife and children. Through these and related pieces of legislation in the late nineteenth and early twentieth centuries, English Common Law began to substantiate changing public attitudes towards domestic abuse. Social studies of the period also found this to be reflected in changing police culture, as an embodiment of respectable middle class values: good men built a career, looked after their property, provided for their families and did not abuse their wives (Godfrey et al 2020).

With the emerging re-alignment of the role of women in English society in the early and mid-twentieth century, by the 1970s the intervention and support model for domestic violence that has become largely embedded in policy design today began to emerge. This took place in parallel with, and as a response to, the growth of voluntary sector actors and women's advocacy groups, such as Rape Crisis and Victim Support. From the 1990s onward, domestic and gender-based violence occupied a visible platform within UK Government policy (Godfrey et al 2020). The extent to which policing culture and the role of the police in the UK has evolved in tandem remains an area of interest. In a 2014 thematic report, Her Majesty's Inspectorate of Constabulary found that targeting domestic abuse remains a priority on paper for UK police services, but this was not translating into operational reality. Compared to acquisitive crime and serious organised crime, domestic and gender-based violence was seen as a 'poor relation' by officers (HMIC, 2014).

In the Republic of Ireland, the interconnectivity between values and policy in the area women's issues have been slower to evolve. The illegality of divorce, for example, was written into the Constitution from 1937 until its removal following a 1995 referendum. While the Irish legal framework on social issues was slow to evolve, the non-Governmental sector took a lead role on women's rights and domestic violence. Reflecting and adopting the narrative in the UK from the 1970s regarding the true prevalence of domestic abuse in society, and the greater role required of the State, the activity of organisations such as Women's Aid began to leave an imprint on law and public policy from 1990s. This was not just confined to the traditional mechanisms of outreach and advocacy, but also sought to influence sub-policy enablers in the criminal justice sector. In 1995, for example, Women's Aid began providing seminars to Garda trainees on domestic violence, and how to respond to it. As we will examine later in this paper, it would be another twelve years before An Garda Síochána would develop and publish a standalone domestic violence policy.

The Domestic Violence Act of 1996, which represented the most sizable re-forming of legal provisions in this area since the 1970s, was heavily influenced by a number of public and voluntary sector reports, including the Second Commission on the Status of Women; the Kilkenny Incest report and submissions from the Law Reform Commission; and the campaigning efforts of Women's Aid (Kearns et al, 2008). When passed into law, the Act expanded on the previously-limited suite of criminal justice and policing interventions available for domestic violence victims, primarily through the creation of four-tiers of Court intervention orders: Barring Orders, which prohibited the perpetrator from entering the family home for a defined period of time, and in certain cases, desist in the use of or threatened use of violence against the victim; Interim Barring Orders, which could be applied on an *ex parte* basis until a decision on a full order was made by the Court; Protection Orders, which do not remove the perpetrator from the home, but instruct them not to use violence or threats against their partner or other dependents until such a time as a decision on a parallel order is made; and Safety Orders, which are similar to protection orders in legal force but are available to a wider range of applicants, such

as cohabitants, parents or siblings (Horgan, 1998). Breach of an order would leave the offender open to Court sanctions, including imprisonment.

The passage of the Domestic Violence Act in 1996 took place at a moment of broader re-consideration of how Irish Government policy should be shaped and applied to domestic violence across multiple sectors, including the police. By the mid-1990s, the reality of the domestic vulnerability of women, particularly in urban areas, had increasingly become part of the national discussion. In 1995 a report commissioned by Women's Aid, which purported to be the first piece of academic research published on domestic violence in Ireland, found that out of a sample of 677 women, 18 per cent stated that they had been subjected to violence by their male partner, while a total of 51 per cent claimed that they knew someone who had been abused by a partner. The report also found that the 18 per cent incidence rate as much as doubled within certain demographic groupings, such as women residing on the north inner city of Dublin, or women who were medical card holders. In seeking to influence public policy responses, the 1995 Women's Aid report advanced an expanded definition of domestic abuse, ranging from physical violence and mental cruelty to coercive control, as well as inter-marital sexual assault and rape. At governmental level, the report advocated the creation of tiered national, regional and local-level response capabilities among State agencies. At the time, the Department of Justice was the only department with a formal public policy on violence against women in the home. An Garda Síochána did have a Domestic Violence and Sexual Assault Unit operational in 1995, but this unit was limited in scope, operating solely within the Dublin area, and the force as a whole was without a public-facing position on domestic violence. Its 1994 policy document on Domestic Violence intervention was, at the time, an internal document and not in the public domain. The limitations of the 1994 Garda policy, in the context of both external demand and internal policing practice, will be examined later in this thesis.

Rather than just frame a thematic issue, the 1995 Women's Aid report proposed the implementation of eleven structural policy actions across the health and criminal justice sectors in Ireland, including further resourcing of victim support services. Of particular note was its proposal to pilot an initiative that would see the police assigned primary responsibility for domestic violence intervention, rather than

act in a post-incident investigation & support role. This pilot, the report suggested, would be spatially-limited to a specific geographical area, such as a particular Garda sub-District. In this area, the police would not only respond to 999 calls from domestic violence victims, but would also be accountable for providing follow-up calls by trained victim supporters; designate local liaisons to support identified victims, including provision to visit victims in their homes if needed; and facilitate the interviewing of victims outside of an investigative context, in order to document their concerns, fears, and expectations of the police in future (Women's Aid, 1995). At the time, these proposals represented a marked attempt to broaden the terms of referencing of domestic violence policing in Ireland, and to sketch a policing-led response framework, rather than one in which health & social services are act the lead. As future policy developments would show, the idea of holistic, multi-lateral provision of services and supports to domestic violence victims before, during and after a criminal justice process would align with best practice. However, of interest was the clear identification by Women's Aid in 1995 of the police as the central State actor in a preferred service delivery model. It should be noted that at this stage, major studies that would seek to re-align domestic violence as a health and social policy problem, such as the WHO's 2013 report and the 2011 Istanbul Convention, were still years away. But the early modelling by Women's Aid of a police-led solution supported two principles that would remain in the subsequent soup of policy development: that women are at risk of harm, and require the overt protection of law enforcement; and that An Garda Síochána would be required to evolve and act in spaces where it previously did not.

In 1996 the National Women's Council (NWC) published their own thematic report on domestic violence in Ireland. This report focused on structural and institutional frameworks within the legal and judicial system. Echoing the findings of the 1995 Women's Aid report, the NWC called for a co-ordinated, cross-sector strategic approach to domestic violence. The causes, effects and consequences of this problem were too diverse to be effectively managed by one department or agency, the report states. Referencing the role of the police, the NWC report states that An Garda Síochána's pro-arrest policy for domestic violence incidents, in place since 1994 had seen little application in reality. Internal bias, lack of training and

broader police culture, they believe, continued to limit the effectiveness Garda responses to domestic violence. Based on the findings of anonymised qualitative research among Garda members, the NWC stated that within the force there remained a predominant view that domestic violence was a private matter; that individual officers were unclear about their powers of arrest; and that many thought that pursuing investigations into domestic violence was futile given the lack of convictions handed down by the judiciary. Only in the most serious cases of physical violence did Gardaí tend to initiate and pursue criminal charges against perpetrators, the report claimed. The NWC research echoed the 1995 Women's Aid report by advocating specific policing policy actions that should be implemented. Referencing best practice within Canadian and US police forces, the NWC proposed that An Garda Síochána' move from a pro-arrest to a presumptive arrest policy, in which an officer would make a decision on whether to arrest a domestic violence suspect based on the balance of probability that an offence had taken place, rather than defer to an explicit complaint or request by the victim. Where the suspected victim is unwilling to make a complaint, or specifically requests no intervention, officers should still be authorised to issue a formal warning to the alleged abuser. Giving police the power to detain domestic abuse suspects for longer periods of time, in order to facilitate the provision of Court orders and/or allow the victim and her children to safely leave the family home, was also advocated. In addition to improvements to data gathering and evidential procedures in domestic violence investigations, the NWC advocated a new system that would mandate that supportive action be provided to victims by the Gardaí in every instance. (National Women's Council, 1996).

Emergence of an Advocacy Coalition Framework

If considered as the opening position papers of the advocacy sector to an as-yet undecided governmental response to domestic violence, the 1995 Women's Aid and 1996 National Women's Council reports were unequivocal. Applying Murray et al (2009) on how policy problems are represented, the starting view of NGO actors in the domestic violence sphere was that the police needed to do more, think differently, and be given the legislative authority to intervene early. Already, the

deficit between the *de jure* capabilities of the criminal justice sector and the desires of victim advocates was becoming clear. The first attempt at building a coherent governmental strategy on domestic violence came in 1997, with the publication of the report of the Task Force on Violence Against Women, which had been established under the Office of the Tánaiste. Comprised of stakeholders from across the public and voluntary sectors, including a delegate from An Garda Síochána, the task force's terms of reference were to examine existing service structures and legislation, consider potential root causes, and make recommendations for a comprehensive prevention strategy. Significantly, the task force report presented a definition of domestic violence which exceeded legal descriptions to date, describing it as 'the use of physical violence or emotional force or threat of physical force, including sexual violence, in close adult relationships'. These relationships would not be limited to spouses, but would also include children, partners, or close blood relations (Report of the National Task Force, 1997).

Leveraging the research carried out for the 1995 Women's Aid report on the rate of domestic violence in Ireland, the task force added an additional empirical layer that examined consequential service demand. According to the task force report, Women's Aid were receiving 8,000 calls per year to a free phone helpline it had set up in 1992; while in 1995 the Dublin Rape Crisis centre received 6,100 calls from women alleging that they had been the victims of sexual violence. In terms of sectoral indicators, the task force report found that from August 1994 to July 1995 a total of 2,000 barring orders were granted by Irish Courts, out of a total of 4,500 applications. This equated to orders being granted for 45% of all applications. With specific reference to the police, the Garda Domestic Violence and Sexual Assault Unit received 6,000 calls in 1996, while in the same year 860 arrests were made for domestic violence offences, with 506 related convictions. High levels of service use were not presented as evidence of faith in the system, however. The task force found that women faced a number of psychological and physical barriers in trying to deal with violence in their relationships, with many of the view that existing services are incapable of meeting their needs. The legal and Courts systems, in particular, were viewed as minimising the seriousness of crimes against women, failing to dispense adequate justice, and making women feel at fault for what has happened.

In relation to police policy, the task force noted that An Garda Síochána's 1994 Domestic Violence policy – which was published as an appendix to the task force report – was not implemented in a consistent manner across the force. As well as calling for a senior officer at the rank of Assistant Commissioner (the third-highest rank in the force) to be given organisational responsibility for training and implementation of domestic violence policy, the task force recommended three further policy actions: the expansion of Domestic Violence and Sexual Assault Investigation Units into other urban centres, specifically Cork, Limerick, Galway and Waterford; the provision of information packs on domestic violence services in the public areas of all Garda stations, to include contact numbers for voluntary and statutory services; and a broad commitment to developing closer inter-agency links with other services. On the latter point, the task force is non-prescriptive in what the form and function of these links should be, other than they should focus on local services first. The task force also called for An Garda Síochána to develop a public-facing policy on sexual crime victims, with a broader step-by-step engagement guide on best practice interaction with victims as their cases move through the Courts system. In terms of offender engagement, the task force accepted the principle of intervention, but warned that outcomes can be ill-defined, and an overt focus on arrest may give a false sense of security about how safe vulnerable women are in their home. For this reason, the report states, intervention programmes should be linked to judicial sanctions and implemented under the general egis of the Department of Justice, such as through the probation service (Report of the National Task Force, 1997). While sensitive to the NGO sector's stated desire for active police intervention and support measures, the task force report mapped a governmental preference for post-conflict support, to be initiated after a complaint or call for service is received.

The recognition in the 1997 task force report of the need for joined-up governmental response was indicative, but limited. Converting intentions into policy practice, and making evidence-based decisions that would reduce immediate harm, would prove difficult. In a 1999 follow-up report on domestic violence in Ireland, Women's Aid found continued deficiencies in the statistics available to inform policy makers. There was a reliance on Court records of orders applied for, granted and

breached, which by their nature apply only to the accepted small proportion of women who report abuse, and pursue their case through the Courts. While acknowledging the introduction of a standard form to be completed by Garda members after attendance at a domestic violence call, the report felt this offered limited value in its current form, and did not give sufficient scope to consider environmental factors, victim vulnerability, and the risk of escalation. The 1999 Women's Aid report also references for the first time the concept of preliminary risk assessment by Gardaí, to act as a decision point in determining what to do next. Other recommendations included mandatory information-gathering at each scene by Gardaí, irrespective of whether a formal complaint is made. This would allow the police to capture variables including drug and alcohol use, the specific nature of the alleged threat or violence used, the reasons why an arrest was not made, and any referrals made to or considered by sectoral support agencies. This information could then be aggregated on an annual basis and published to bridge the gap between non-statutory data, such as calls to helplines, and recorded Court outcomes (Women's Aid, 1999). The desire for a pilot intervention initiative in which the Gardaí would be given overarching responsibility for all-of-life service delivery for domestic violence victims within specific areas, which was first mooted in Women's Aid's 1995 report, was also reiterated. The suite of recommended pilot actions was expanded by 1999, however, to include the potential for a mandatory 'no drop' policy for prosecutions once all other safety measures and civil sanctions had been deemed unsuccessful.

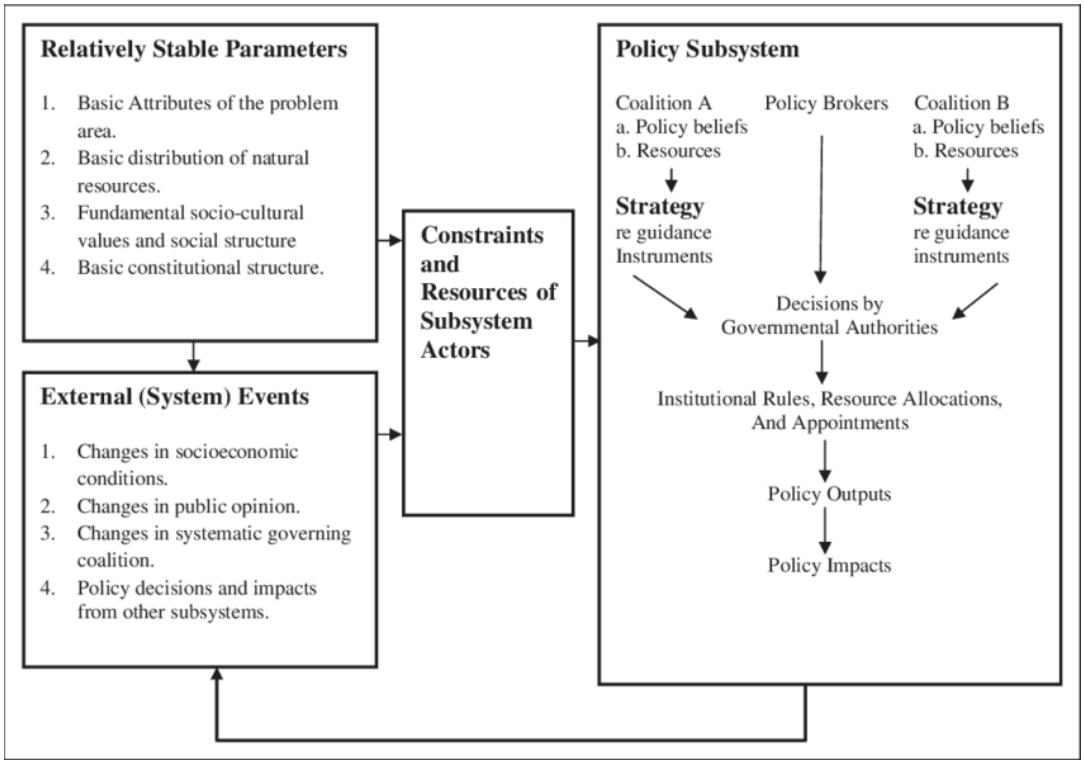
The mid-to-late-1990s in Ireland saw baby steps towards an alignment of the legal, statutory and voluntary framework surrounding domestic violence. The Domestic Violence Act of 1996 codified a legal scaffold for protecting victims and restricting offenders. From 1994, An Garda Síochána began to implement written policy on how to respond to domestic violence, the substance of which will be examined later in this paper. Non-statutory bodies, such as the National Women's Council and Women's Aid, and statutory agents such as the National Task Force on Violence Against Women, were now interacting with and validating one another, a position evidenced by the fact that representatives of the former were invited to participate in the latter. From a theoretical perspective, the domestic violence policy infrastructure that began to emerge from the mid-1990s can be broadly interpreted

through the theory of Advocacy Coalition Frameworks. This theory maps the interaction between agents who form coalitions where core ideas exist about causation and value in a specific public policy area (Sabatier, 1988). Within this network, the main policy sub-system is defined as a space where advocacy coalitions comprised of a wide range of actors, both public and private, shape a belief system in which policy outputs are designed and implemented. Advocacy coalitions are built on relatively stable social parameters, and therefore they enable the pursuit of stable strategic objectives over an extended period of time. While dynamic shocks do occur in advocacy coalition framework models, such as changes of government or economic recessions, the existence of cultural norms and enablers – such as consistent living standards, literacy levels, and the basic attributes of the problem area – act as a buffer against radical policy changes (Sabatier, 1988).

An advocacy coalition framework also allows the constraints and resources of sub-system actors to be offset and leveraged within the collective. For example, the trust of and access to victims that was harnessed by Women's Aid when building a baseline on domestic violence rates in Ireland in 1995 could subsequently be used as proof-of-concept by the statutory 1997 task force, which comprised governmental policy actors and designed a broad – if limited – strategic roadmap. Advocacy coalitions also tend to apply in scenarios where coalitions are wide and disparate, including statutory organisations, politicians, interest groups, academic researchers, and community representatives (Cerna, 2013). An advocacy coalition framework brings together top-down and bottom-up approaches in order to understand policy change over a longer period of time. The model does not work on the basis that all actors are competing to maximise their own self-interest, but does assume that actors have limited capacity to process information, and exhibit high goal conflict, such as over how to define a successful output (Cerna, 2013). In the example of early domestic violence policy, it was identified early that there was a need to disperse the complexity of the strategic response across departmental systems such as health, housing, education and policing. As the initial framework laid by the 1997 Task Force evolved, which will be examined later, the programme-level design of the core strategy stayed largely intact. In policy practice, advocacy coalition frameworks are utilised in areas where there may be high goal conflict, high uncertainty about the

causes of the problem, and a large number of actors across multiple levels. Internationally, it tends to be applied in energy, higher education and social policy (Hoppe and Peterse, 1993).

Figure 1.0: Diagram of an Advocacy Coalition Framework (Cerna, 2013)



The emergence of an advocacy coalition on domestic violence in Ireland can be examined through Rodger's 2013 paper on Systems Theory, and its applicability to the relationship between the voluntary and criminal justice sectors. Rodger's interpretation finds an asymmetrical power balance between the political system and the voluntary sector, which is exploited by the former. In this dynamic the voluntary sector, Rodger asserts, struggles to maintain its identity when its medium of operation is structurally coupled to the political system that shapes the operational environment. Can this be seen here? The nature of the relationship – if any – between the police and voluntary sectors will be examined later in the paper. However in the context of a 'big society' approach, beginning with the 1997 task force paper, the delineation between official and voluntary actors is clear early on. Given the comparatively late policy response to the issue in Ireland compared to the

UK, and the steps taken by NGOs to provide services such as phone helplines and victim shelters, by the time a public policy debate on the issue began in the 1990s voluntary groups had already assumed a primary advocacy role. While this upholds another piece of Rodger's argument – that in complex situations it is useful for the State to allow the voluntary sector to meet a core service demand in its stead – in the case of domestic violence in Ireland, this did not result in diminished trust in NGOs by victims. This suggests an underlying strength of the advocacy coalition for its component parts: even while NGOs advocate for more intrusive State action – led by an expanded and more attuned police force – and also offer *de facto* public services to victims on the State's behalf, they are able to remain operably separate from the State agencies they coalesce with – agencies that victims may have diminished views of, such as the police.

An alternative consideration worth examining, in the context of strategic approaches to domestic violence, is Resource Dependency Theory. Similar to advocacy coalition frameworks, resource dependency is concerned with networks of actors that emerge or are established in order to achieve an agreed goal. However unlike advocacy coalitions, which are grounded in belief systems, resource dependency suggests that actors are primarily power-driven, each aiming to possess strategic resources and increase their ability to control and influence both the behaviour and belief of other actors, and by association the decision-making within the policy sub-system (Matti and Sandstrom, 2011). While resource dependency theory is generally more relevant to the private sector, it can also been seen in certain parts of the public and not-for-profit sectors, such as higher education, where market forces such as resource competition and procurement have greater influence. It is also relevant in the context of the global recession of 2008, and the broad reduction in the availability of public sector resources that followed. Resource dependency theory is often evidenced in sectors where organisations' survival is reliant on their ability to acquire resources in an uncontrolled environment (Powell & Rey, 2015).

Looking at the early development of an Irish domestic violence policy space, the role of sectoral NGOs in seeking to influence decisions in a relatively new policy area could be interpreted as rational actors seeking to establish credibility and

influence, and with it greater access to limited State funding. However an advocacy coalition remains most applicable in Irish domestic violence policy development, given the shared normative beliefs that domestic violence is a societal wrong, and that it transcends socio-economic variables that might otherwise act as points of difference in policy development, such as in housing and education. Conscious coalition formation, based on shared beliefs, is the most feasible explanation in sub-systems where the positions of each stakeholder are well-known based on regular interaction over time (Matti and Sandstrom, 2011). What can be seen in the Irish context of domestic violence policy was less an attempt by specific actors to align and take ownership of the problem, but rather of a collective coalition based on shared understanding that the problem is too broad for any one service approach to fix.

Encoding a statutory response: COSC & National Strategies

Having established a footprint of multi-sectoral input for drafting domestic violence policy, the Irish Government expanded on the model in the early 2000s. A National Steering Committee was established in 1997 to co-ordinate local policy architecture, advise on resource allocations, and develop public information campaigns. Programme boards and Regional planning sub-committees were later established under the umbrella of this steering group, before a separate National Domestic Violence Intervention Agency was established in 2003, operating under the control of the Department of Justice, Equality and Law Reform. This agency was influenced by the proposed high-concentration service pilots advocated by Women's Aid in 1995 & 1999, and began operating on in the Dun Laoghaire and Bray areas. Its function was to coordinate, at local service level, the activities of Gardaí, health & social care, support groups and criminal justice agencies with the aim of improving victim safety and overseeing offender rehabilitation. The agency ceased operations in 2007, citing a lack of funding (Kearns et al, 2008).

In practical terms, 2007 saw a shift away from water-testing local initiatives towards a more substantive strategic framework. In April, the Government published the first National Women's Strategy, a medium-term blueprint to address broader

gender violence and equality issues. Prepared by the Department of Justice, Equality and Law Reform, the strategy proposed 180 specific policy objectives under three strategic 'themes': equalising socio-economic opportunity for women; ensuring the wellbeing of women; and engaging women as equal and active citizens. The strategy was designed as a response to the contemporary international obligations, including EU member states' obligations under the Commission's Roadmap for Equality between Women and Men 2006-2010, and the joint programme of work developed by the Commission and the Justice and Home Affairs Council on violence against women, trafficking and migration policy. Of principal concern, however, was the Irish Government's desire to act on the recommendations of the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), which had conducted a review in 2005 of Ireland's progress on implementing its 1985 accords. In its assessment of Ireland, the CEDAW report acknowledged a significant body of legislative change, as well as a broader increase in the percentage of women in the workplace. However it raised a number of concerns regarding latent inequality in Irish society, and specifically called for the Government to take all measures to combat violence against women (UN CEDAW Report, 2005).

In the National Women's Strategy of 2007, the Government marked out how it intended to build upon the CEDAW report, and further leverage the NGOs and State actors that had been in coalescence on domestic violence policy. One of its core commitments under the second 'theme' of the strategy was the establishment of a permanent executive office within the Department of Justice, Equality and Law Reform to co-ordinate a whole-of-government approach to domestic violence (National Women's Strategy, 2007). This new National Office for the Prevention of Domestic, Sexual and Gender-based Violence, known as COSC, was established in 2007. Its overarching responsibility was to ensure continued co-ordination and strategic planning across all State functions identified as having a role in domestic violence policy, including criminal justice, health, housing, social care, family support and community development. COSC was also afforded responsibility to act as principal point of contact for non-governmental organisations, such as Rape Crisis Network Ireland, Women's Aid, and the National Network of Women's Refuges and Support Services, which had re-branded as Safe Ireland by 2008. As an enabling

function, COSC represented a governmental commitment to domestic violence as a policy platform, via a permanent piece of civil service architecture.

In 2008 COSC published a report on attitudes towards domestic violence in Irish society. It was the agency's first substantive research paper, and involved telephone interviews with a representative sample of 2,008 Irish adult residents. Recognising that empirical data utilised to inform policy to date had been spotty, inconsistent and largely provided by the NGO sector, COSC sought to establish its own baseline from which to measure the effectiveness of education, prevention and intervention strategies in the future (COSC, 2008). The findings of COSC's research did not see any dramatic tapering from existing knowledge: over 70% of respondents thought that domestic violence against women was common or very common; 44% said that they personally knew somebody that been the victim of domestic abuse; 97% of all respondents were of the view that domestic violence was a punishable crime; while 86% of women and 81% of men disagreed with the suggestion that it was a family matter to be dealt with privately. On the question of reporting, 87% of respondents said that if a friend was the victim of domestic abuse, they would encourage them to report it to Gardaí, but only 43% would be willing to report it themselves. When asked what the reasons would be for not reporting someone else's suspected domestic abuse, 88% believed that they should not become involved in other people's business; 73% feared that reporting the matter would result in children being removed from the family's home; while 70% did not think reporting the matter would cause any improvement in the victim's safety. Over half (52%) said that if they reported domestic abuse to An Gard Síochána, they did not believe it would be taken seriously (COSC, 2008).

Having refreshed and centralised the grounding data in 2008, COSC's next major policy contribution was significant. In 2010 it published The First National Strategy on Domestic, Sexual and Gender-based Violence (2010-2014). The scope and ambition of the strategy exceeded the watermark of any other output within the issue area to date. Unlike the 1997 Task Force report, which was focussed on defining and framing an emerging concept, COSC's First National Strategy was concerned with the remedial and preventative application of resources in a co-ordinated, measurable manner – how, not why. It offered a blueprint for granular policy action,

under a strategic umbrella that recognised the conflicting priorities within the advocacy sub-system – which had grown by then to include, at the Government's own count, six departments and as many as 100 NGOs. Acknowledging the inevitable goal conflict within all advocacy coalitions, the 2010 strategy proscribed three high-level goals transferable to the policy actions of each actor:

1. The promotion of a culture of prevention and recognition, through increased understanding of domestic, sexual and gender-based violence
2. Ensuring greater effectiveness of policy and service planning
3. Ensuring efficient and effective implementation of the strategy.

In COSC's 2010 strategy, the four high-level goals are broken down into 23 individual actions, each one comprised of specific deliverables assigned to particular stakeholders. COSC takes the lead role for any action that requires tactical or procedural input from more than one stakeholder. In areas of notable severity or complexity, COSC acts as implementation liaison with the Dáil Justice Committee. Across all sub-categories, there is a commitment to improving data-gathering on sexual and domestic violence incidence rates. In advance of preparing it's the 2010 strategy, COSC's own internal research unit facilitated small-sample qualitative analysis of domestic and sexual violence victims, however the results were primarily used as framing devices for proof-of-concept, rather than as an empirical bedrock (COSC, 2010).

The First National Strategy distinguished between primary and secondary interventions, and placed a greater emphasis on co-ordinated impact assessments and evidence-gathering. In this regard, COSC's imprint as an executive body accountable to the Minister for Justice, Equality and Law Reform is clear. While the 1997 Task Force report and other applicable State and NGO-level thematic reports prior to 2010 were focused on the achievement of a values-based normative position, the 2010 strategy wants to measure who is doing what, and how well, in the delivery of an overarching public service. Tiered primary (prevention & response) and secondary (support and care) responses also places the role of the State and its agencies at the centre of the policy response. In this regard, the 2010 Strategy

solidifies the shift to a top-down policy implementation approach, adopting resource dependency theory's principle of control and influence emanating from the centre. This method emphasised the primacy of policy-makers in the service delivery process, with success relaint on the ability to manipulate factors for which they have central control (Matland, 1995). While the relationships within the advocacy sub-system remain viable, particularly in the context of actors offsetting each other's reach limitations, the actions of government and the public service are the fulcrum on which the policy turns.

With regards to policing, COSC's 2010 strategy does not assign a dedicated primary-level intervention to An Garda Síochána. Indeed, the police force's only responsibility within the core suite of primary interventions is to identify, participate in and facilitate cross-sectoral training programmes to build understanding of domestic and sexual violence within government agencies (COSC, 2010). As with the quiet validation of a victim-led criminal justice response set out in the 1997 Task Force report, the 2010 strategy reiterated a failure, reluctance or unwillingness in government policy to mandate firm, proactive intervention by police in domestic abuse. With regards to secondary-level interventions, An Garda Síochána is simply grouped with all other relevant agencies as needing to provide information to victims. COSC's own Victims of Crime Office is assigned as national lead for designing and implementing best practice models of support for victims of domestic and sexual violence, while the majority of the remaining sub-activities on victim care are assigned to the Health Service Executive (HSE). The 2010 strategy commits to strengthening the domestic violence perpetrator programme and related victim supports by the second quarter of 2011. However, it affords less priority to building front-end risk assessment tools, which have already been identified by NGOs as a core element of a police force's domestic violence toolkit, based on international best practice. COSC does reference the need to develop a domestic violence risk assessment tool within the 2010 strategy, however An Garda Síochána – who would be the lead agency in its use – are not referenced as stakeholders in the design stage. Furthermore, while the strategy does state that a domestic violence perpetrator risk management model is to be developed and in place by the fourth quarter of 2013, the project is afforded the lowest sequencing priority of four risk assessment tools

to be developed within the criminal justice sector: pre-sentencing risk assessment for convicted sexual violence offenders (deliverable by Q4 2010); the expansion of existing risk management arrangements for convicted sexual offenders (deliverable by Q4 2011); and exploring the feasibility of multi-agency risk management arrangements for non-convicted sexual violence perpetrators (deliverable by Q2 2013). This is not surprising, given the difference in severity of sexual and domestic violence, based on legislative provisions. But it is also indicative of the limitations of a top-down implementation approach, in which key central functions – in this case, the co-ordinating capacity of COSC – are not isolated from issues impacting on broader government policy, such as prevailing socio-economic conditions, a key factor in Ireland in 2010 (Cerna, 2013). The realpolitik of not demanding a dramatic change in the depth of police interventions during a time of austerity is apparent, circling back to Rodger (2013), and the inferences that can be taken from how a policy problem is presented at a given time.

The 2010 strategy was reviewed by COSC in 2012, before work began on an updated version in 2014. The COSC Second National Strategy on Domestic, Sexual and Gender-based Violence (2016-2021) was published two years later. This second iteration is a more streamlined document than the first, with three high-level goals instead of four: prevention (including awareness, education and training); provision of services to victims; holding perpetrators to account; and implementation (including monitoring, data gathering and research). Within the overarching goals, however, the total number of prescribed actions rose to over 50, with a thematic shift away from building sectoral awareness – which dominated the first strategy – to structural change, such as the development of internal policies within each State agency, and the creation of internal specialist units within departments to address domestic abuse issues. The second COSC strategy also outlined planned changes to domestic violence legislation, which were enacted with the passage of the Domestic Violence Act in 2018. While not creating a specific category of domestic assault, the 2018 Act did criminalise coercive control within a domestic setting.

Policing responses can be seen moving incrementally towards the centre of policy action in the 2016 COSC strategy, compared to its 2010 predecessor. Aggregated within a grouped action, An Garda Síochána was tasked with improving

consistency, standardisation and professionalism in how it responds to domestic and sexual abuse. Among a number of service, supervision and training milestones, the key deliverable for An Garda Síochána was the creation of a new, fit-for-purpose internal domestic abuse policy. The 2016 strategy also prescribes a more intensive role for the police in active monitoring of domestic violence cases. In response to every reported domestic violence incident, for example, a member of the force would be required to personally contact the identified victim to check on their welfare; invite them to make a statement of complaint; facilitate a more in-depth risk assessment if necessary; and provide details of services, Court orders and other resources available if needed. Details of this mandatory follow-up contact with victims were to be recorded on the force's information management system PULSE (COSC, 2016). The development of a dedicated risk assessment tool for domestic violence is carried forward as a preferred state into the second strategy. In the updated iteration, COSC assigns responsibility for this action directly to An Garda Síochána, unlike in the 2010 version, and sets a new delivery date of the fourth quarter of 2016.

While the themes of intervention, support and prevention that shaped the first national domestic violence strategy were transferred intact to the second, a shift in detail orientation – specifically in relation to policing – is evident. If the 2010 strategy represented an attempt by a recently-established executive body to act as a nexus for co-ordination of policy across multiple sectors, the 2016 strategy is more mature in its design. While the 2016 strategy does not represent a full inversion from a top-down to a bottom-up theory of policy implementation, it does demonstrate an increased 'street level' understanding of what will and will not work. This is a typical characteristic of bottom-up approaches, where central control is traded down in favour of local expertise (Heywood, 2019). In the 2016 strategy the emphasis on a higher number of measurable outputs tasked to individual actors, rather than fewer commitments to broad coalition-based responses, creates a granularity of problem-solving which appears a better fit for a police service. The commitment to developing a third national strategy when the second expires was contained within the Programme for Government published in 2020 (Office of the Taoiseach, 2020).

As we have seen, the origins of cross-sectoral domestic violence policy in Ireland from the mid-1990s mirrored the international experience. At the beginning, NGOs advocating for women's rights and seeking to bring the grim reality of domestic violence into the public sphere helped to build a critical mass of political intent. In the Irish context, gaining public traction was not difficult. Within two years of the publication of Women's Aid's landmark 1995 report on domestic abuse, an inter-agency government task force was promoting a comprehensive cross-departmental policy response. Mapping the evolution of service action as it builds in and around sub-systems of an advocacy coalition framework is informative. But in the context of this paper, the extent to which police policy changed, and was sought to change, is of interest. A consensus theme across early NGO contributions to domestic violence policy was the belief that An Garda Síochána needed to play a pivotal role. As both the principle response agency and the only actor within the policy network with powers of arrest and detention, the police are the *de facto* fulcrum of any strategy in which the State seeks the protection of people. From a paper perspective, An Garda Síochána has maintained a standalone domestic violence policy, in some form, since 1994.

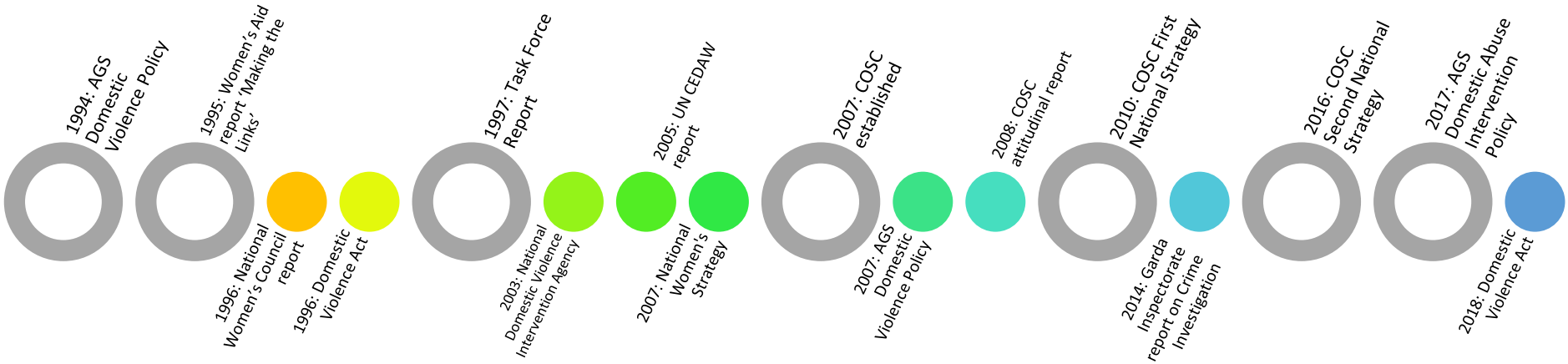


Figure 1.1: Timeline of key domestic violence legislative and policy actions 1994-2018. Note: Large grey circles denote major inter-agency report, or police policy milestone

However, as with the wider policy sub-system that the police service occupies, the role and responsibilities of the police have evolved, or have been sought to evolve. To what extent did this actually happen? As outlined in the literature review section, new or innovative tactical approaches to domestic violence within police forces can be undermined by biases, either institutional or individual. The efficacy of police intervention has itself been questioned, with studies inconclusive or conflicting on whether overt measures like arresting an abusive spouse will reduce future harm, or possibly even increase it. In an Irish context, a cross-section of academic, NGO and centralised victim research has established a view that reporting domestic violence to An Garda Síochána can be seen as ineffective at best and unhelpful at worst, with scepticism about how much the force can do, or whether it even cares. The next section of this paper will examine the development of internal Garda policies on domestic violence, in response to, and in tandem with, broader cross-sectoral strategies. The form and function of internal police policy, the presence of impact indicators, and the influence of wider variables will be assessed when considering if and how policing institutions can adapt to such a complex social problem.

Response and intervention: Tracing police policy on domestic violence in Ireland, 1994-2017

By the mid-2000s internal Garda policy on domestic violence had evolved through a number of iterations. In 1993 the force established a Domestic Violence and Sexual Assault Unit in Dublin, which was subsequently absorbed into the National Bureau of Criminal Investigation (Kearns et al, 2008). The first standalone Garda policy on domestic violence was published in 1994 and updated in 1997. At just over four pages in length it is limited in scope, and in reality it functioned more as an information pack than a suite of operable procedures. Acknowledging that there was no legal description of domestic violence as an offence under Irish law, the 1994 policy defines it as 'the physical, sexual, emotional or mental abuse of one partner by another partner in a domestic relationship which may be one of cohabitation and includes abuse by any family member against whom a safety order or a barring order may be obtained by another family member'. The limitations on how much police officers should make themselves active participants in this process are clearly set by the policy: 'The primary Garda role is one of protection through law enforcement – reconciliation, if appropriate, is better left to those skilled in that area'. The policy assigns little or no proactive agency to police officers responding to domestic violence incidents. The limit of members' engagement at the scene is to inform the victim of what orders or services are available to them from the Courts or other agencies. (An Garda Síochána, 1997).

As we have seen, the limitations of Garda policy towards domestic violence in the late 1990s should not be unexpected. The first version of the force's policy was published three years before the inter-agency taskforce report of 1997, and thirteen years before the publication of the National Women's Strategy, which set high-level governmental priorities for the equality and safety of women. On broader social issues, specifically women's rights, progress in Ireland generally lagged behind the UK and other jurisdictions in the 1990s and 2000s. It is reasonable, therefore, to expect the institutional framework of the public sector to be reflective of this at the outset. However as the political and social landscape in which policy was designed began to evolve from the mid-1990s, to what extent did police policy, procedures

and priorities evolve with it? The broader sequencing of the cross-sector, governmental policy framework on domestic violence from 1995 to 2016 was detailed in the previous section. As we have seen, every input from either a State or NGO actor within the advocacy coalition framework that emerged highlighted the central role An Garda Síochána would need to play in delivering community-focused and collaborative police & social service interventions, which have been found to be the most effective internationally (Hovell et al 2006; Johnson, 2005). This was transposed into government policy on a number of occasions, most recently in the first and second COSC national strategies. But did it extend into police policy and operations, and if not, what does that tell us about An Garda Síochána's ability to adapt in the specific context of domestic violence policing? Having considered the initial form and framing conditions of Garda policy in the mid-to-late 1990s, two further junctures will now be considered: the Garda Inspectorate report into criminal investigation in 2014, and the Garda Domestic Abuse Intervention Policy of 2017.

How to do more? External perspectives & theory

In April 2002, a Tribunal of Enquiry was established to examine allegations of serious Garda misconduct in Donegal. Chaired by Mr Justice Frederick Morris, the Morris Tribunal would expose serious structural flaws within the Irish police service, which up until that time had been self-regulating in matters of discipline, and had operated without independent accountability. The Government's response was the 2005 Garda Síochána Act, which radically changed the relationship between police force and government, making the Garda Commissioner directly accountable to the Minister for Justice (ICCL, 2006). The 2005 Act codified into law the established ranks, reporting lines, and functions of the force as it was, but also inserted a number of new mechanisms, most notable the creation of two new independent oversight agencies: the Garda Síochána Ombudsman Commission and the Garda Inspectorate. While the former was established as an independent agency to investigate complaints of Garda malpractice, the latter was tasked with examining the performance and practices of the force, benchmarked against international best

practice. For the first time, the efficacy of the Irish police was scrutinised in public by an independent statutory body.

In 2014 the Garda Inspectorate published a thematic report on Garda criminal investigation procedures, with domestic violence selected as one of five priority areas for examination. Its findings were not glowing. Based on fieldwork, including interviews with serving police officers and supervisors, the Inspectorate found that the quality of service deliverables, recorded data, and general understanding of domestic violence was inconsistent. A 2007 revision of the force's original 1994 domestic violence policy was in effect by that time, however the Inspectorate determined that it had not sufficiently standardised service levels, and left the quality of the policing response contingent on the competence of individual officers. The Inspectorate also noted that while other policing jurisdictions conducted formal risk assessments of all domestic violence incidents to identify victims at the highest risk of abuse, and to allow for early-stage engagement with partner organisations to design interventions, no such process existed in Ireland. As a consequence, the Inspectorate found that Gardaí 'are repeatedly dealing with the same victims', and unless a victim was willing to make a formal statement of complaint in writing, 'there is no effective police intervention to improve the victim's safety or to provide an alternative way forward'. The result of this failing, the Inspectorate noted, would be clear: the cycle of abuse would continue (Garda Inspectorate, 2014).

The Inspectorate also noted the disparity between the high number of emergency calls received for domestic violence incidents, and the low volume of recorded arrests. This is despite a prescriptive pro-arrest stance being in place within An Garda Síochána since the first domestic violence policy was produced in 1994. Differences were also found between the level of service provided to victims where a court order was in place, compared to those where was not. In many cases, domestic violence incidents were recorded on the Garda PULSE database as misdemeanours where no crime took place, despite the Inspectorate's assessment of the facts indicating otherwise. Differing Garda attitudes towards domestic violence were also evident: some officers demonstrated an understanding of the complexity of domestic violence and its causes, while others referred to domestic violence calls as problematic, time-consuming and a waste of resources. There also

appeared to be a lack of understanding among officers as to why some victims refused to make complaints, withdrew complaints, were unwilling to seek Court orders, or remained within the family home even after being abused. The practice of appointing a Garda of Inspector rank to hold a Divisional domestic violence portfolio, which was in effect under the 2007 policy, was found to have limited value, as the high volume of calls received precluded proper incident-by-incident quality assurance of responses and victim support. As a result, many victims did not receive a call back from a Garda within one month to check on their welfare, another function that had been mandated by internal policy. In response to these identified shortcomings, the Inspectorate recommended that An Garda Síochána, in conjunction with COSC and other strategic partners, implement a new victim-centred policy and investigative procedures. This was recommended to contain, but not be limited to, actions including:

- Implement a risk assessment process that is completed in all domestic violence incidents
- Engage with victims and support agencies to improve Garda awareness of the particular needs of domestic violence victims, which should link in to a new training programme for Gardaí
- Conduct an analysis of domestic-related murders to inform Garda policy on harm reduction
- Ensure that positive action is taken where there are clear opportunities to arrest
- Ensure that the requirement for follow-up visits is recorded and supervised
- Ensure that all domestic violence crimes and incidents of domestic dispute are accurately recorded on PULSE, irrespective of the willingness of a victim to make a statement of complaint.

Based on both the Inspectorate's 2014 findings and its previous involvement with external thematic policy studies, such as the 1997 Task Force report, there can be no suggestion that An Garda Síochána was not exposed to or aware of international best practice in the policing of domestic violence. In particular, the Inspectorate's

recommended actions of 2014 directly included three measures presented in literature by Stanko (2008) as central to the architecture of domestic violence responses: homicide reviews, risk assessments, and monitoring of demand. This can be layered over the existing suite of recommended adjustments and capabilities advocated in the wider Irish policy sub-system, of which An Garda Siochána had been a component part since the 1990s. Indeed, by the time the 2014 Inspectorate report was published COSC's first national strategy was already four years old, and stakeholder engagement on creating a second version was underway. What explanations may exist, therefore, as to why so little appears to have changed in the two decades since the first Garda domestic violence policy was published, a period characterised by active agency on across the public sector on this issue?

One concept worth considering is path dependence, a theoretical term generally used to describe States or institutions that do not change easily, and the reasons why. It may reflect the general conservatism of specific institutions, making them less inclined to change direction due to a bias against innovation and in favour of inertia (Heywood, 2019). Public policies and formal institutions are also often designed to make change deliberately difficult, in order to ensure continuity and insulate against fluctuating political and public opinion (Cerna, 2013). For many, path dependence is a blurry and controversial construct, as it hinges on the existence of four variables that can be difficult to identify in practice: very weak initial conditions; 'contingent' or chance events; self-reinforcing mechanisms, which become evident in response to contingency; and lock-in, defined as a state of persistence which holds in the absence of external shocks or traumas to the system (Vergne & Durand, 2010; Garud et al, 2010). In a public sector context, where actors can be exposed to shifting political and social demands, path dependence can usually only be crdited when it can be shown that policy change was rejected for reasons that cannot be explained without reference to the costs and incentives created by the original policy choice (Hansen, 2002). Applied to the evolution – or lack thereof – in relation to Garda domestic violence policy from 1994-2014, elements of path dependence are visible, but it is difficult to see deliberate resistance to policy change. The very weak initial conditions, internally and externally, are evident. However, the 'contingent' phase, largely typified as a moment of luck, chance or unpredictability that provokes a self-

reinforcing action (Verge and Duran, 2010) is difficult to apply to An Garda Siochána. The emergence of an advocacy coalition and the grouping of policy sub-systems in Ireland on domestic violence was not linked to a specific, high-threshold incident or series of incidents in the way that, for example, a single oil tanker spillage could provoke a sudden shift in environmental policy. Instead, the emergence of a policy network built on a shared belief system was gradual and linear – from NGO framing in the mid-1990s, to cross-sector consensus in the 1997 Task Force report, arriving at executive commitment to resource application via the creation of COSC and its First National Strategy. From a policing perspective the development, review and revision of domestic violence policies from 1994 to 2007 demonstrates that the force was attempting to evolve, to some degree. However the sluggish translation of that intention into policing practice – the policy slippage (Murray et al, 2009) highlighted in the 2014 Inspectorate report – suggests a different problem, namely an institution that is unable to change, rather than unwilling.

Institutional change and policy change are not the same thing, but there are instances where the two overlap (Cerna, 2013). In the situations where linkages can be considered, for example – a change in policy which seeks to amend core service delivery, as with policing of domestic violence – the course of this progress can be theorised. Streeck and Thelen (2005) present a typology of processes and results of change, which can be applied to the example of An Garda Siochána's approach to domestic violence. From its initial iteration in 1994 to its wider – if inconsistent – application by 2014, internal Garda domestic violence policy exhibited some vertical and horizontal growth, such as with the creation of Divisional domestic violence portfolios held by supervisors of Inspector rank, and the formal adoption of domestic violence as a national strategic priority from 2008 (Garda Inspectorate, 2014). Using Streeck and Thelen's model, the Garda approach can broadly be seen to fall within the incremental grouping, on the basis that the advocacy coalition model, in which wider policy positons emerged, is not one that is punctuated by abrupt events. Determining whether this incremental change is characterised by continuity or discontinuity, however, is open to debate.

		Result of change	
		Continuity	Discontinuity
Process of change	Incremental	Reproduction by adaptation	Gradual transformation
	Abrupt	Survival and return	Breakdown and replacement

Figure 2.0: Typology of results and processes of institutional change (Streeck & Thelen, 2005)

If Streeck and Thelen's model is applied to the broader policy network on domestic violence that evolved from 1995 to 2016, the process fits neatly within the incremental-continuity axis. This can be seen in the sequential progression of thematic reports, the creation of new executive delivery structures, and the viability of a review-revise-adapt approach to strategic planning, seen in the progression from COSC 's first national strategy to its second. When applied within the sub-system to internal Garda policy, however, the process shifts in incremental-discontinuous. This label is assigned when there is evidence of slow or 'creeping' institutional change (Streeck and Thelen, 2005).

How is this the case? Is it fair to categorise the rate of change within An Garda Síochána on domestic violence from 1994 to 2014 as discontinuous? The best evidence can be seen in the relative failure of the force to structurally respond to and treat domestic violence as a unique problem, needing unique responses, in accordance with both the consensus of the policy network and international best practice. From the task force report of 1997 to the first COSC national strategy, recommendations can frequently be seen to be made for the police increase its specialisation in domestic and gender-based violence; improve the training and awareness levels of its personnel; develop better systems for accurate recording of domestic violence data; and expand its tactical toolkit to include dedicated domestic violence risk assessment tools. By 2014, little progress is found by the Inspectorate in any of these fields, though some improvements linked to individual agency are identified. Ultimately, throughout this process the organisation can be seen to revert to the 'binary codes' of systems theory, in which complex information is converted into a form compatible with its own structure (Rodger, 2013). In the absence of grounding legislation that specifically criminalises all physical and mental variants of

domestic abuse, and distinguishes between common assault and assault within a domestic setting, the 'problem' is often presented to Gardaí – a force which works off a binary code of legal vs illegal – as abstract, complex and time-consuming. This will inevitably influence outcomes for victims in a system where the abused individual must step forward and overtly seek the intervention of the police and the Courts. If their perception, as users of a public service, is that the police may be unsympathetic to their situation, or that the process of going to Court to seek an order is not guaranteed to end in a desired outcome (Bond and Jeffries, 2014; Report of the National Task Force, 1997), then the policing element of any joint police and social care strategy will be undermined. Domestic violence police policy was not alone in this regard. Police forces are recognised internationally as institutions that are broadly resistant to change, and An Garda Síochána has been found to be no different (CFPI, 2018; Garda Inspectorate, 2015). However, mitigation for An Garda Siochána in this situation does exist. The binary codes of systems theory which can be seen to confine the scope of Garda response ultimately originate from deficiencies in legislation, for which the government – not the police – are accountable. Likewise, while the position of the advocacy coalition framework in domestic violence policy sought to advance new ideas and approaches, neither the government nor its executive sub-structures (COSC) ever sought to re-arrange the victim-led criminal justice mechanism. For all the advances in collective understanding and broader service provision, it remained the grounding legal and policy position that unless a victim sought help, none or very little could be offered.

Developments since 2014 indicate that the gradual transformation process within An Garda Síochána is continuing. In 2017 the force published a new Domestic Abuse Intervention Policy, which is significantly broader in scope than previous iterations. It is cognisant of its place in an evolved domestic and international framework, and specifically references Ireland's obligations to women under the Istanbul Convention of 2011, to victims of crime generally under the EU Victims Directive of 2012, and its own internal commitments to Ethics and Human Rights. Recognising that normative and legal interpretations of domestic violence are fluid, as was seen through the development of the Irish policy network since the mid-1990s, the updated Garda policy is presented as a 'live' document that will be

amended on an ongoing basis as laws and practices change (An Garda Síochána, 2017). The tactical procedures set out in the 2017 policy are broader and more detailed – officers are instructed on best practice in dealing with domestic violence calls where language barriers may exist, ethnic and cultural considerations apply, if a victim is elderly or disabled, or if medical triage is required when attending a call. The 2017 policy also provides officers with information on the criminal theory of domestic violence, in order to provide them with greater situational understanding of causality and consequence. For example, the policy explains how domestic violence is a cyclical construct, comprised of three phases: tension-building, violence, and reconciliation. The policy advises officers that once a pattern of abuse has begun, it tends to increase in both frequency and severity, and the three-phase cycle grows shorter and ultimately deteriorates (An Garda Síochána, 2017). The supporting role of dedicated Divisional Victim Services Offices, which were established in every operational Division by 2015, is prescribed under the policy. Other evolving elements included in the 2017 policy include:

- Preliminary risk assessments of domestic violence situations by call operators working in Command & Control centres
- Garda assistance to be provided to victims in developing a personalised 'safety plan', to include supports such as pre-programming of emergency contact numbers in victims' phones
- A requirement for each domestic violence victim to receive a welfare call-back from a Garda member within seven days a reported incident (previously one month), with compliance to be monitored by the development of new key performance indicators
- The nomination of a police officer in every local District or station to act as liaison with NGOs providing support for domestic violence victims, and a requirement to meet at least once per quarter to discuss high-risk victims and other issues
- Dedicated protocols regarding child welfare in domestic violence situations, including referral provisions to TUSLA, the HSE's dedicated Child and Family Agency.

The policy is framed as a recognition of, and a response to, legacy issues regarding public perception of how An Garda Síochána approaches domestic violence. The policy specifically outlines the core support functions and steps that research has shown will increase the likelihood that a victim will remain committed to an investigation: the support of a victims' group; a credible and substantive investigative effort by police, including the taking of a statement shortly after the incident has occurred; a belief by the victim that they have been dealt with in a compassionate manner by police; and the provision of regular reassurance and updates by the investigating officer (An Garda Síochána, 2017).

The publication of the 2017 policy was supplemented in 2018 by the new Domestic Violence Act, which amalgamated all previous legislation and contained a number of new provisions, such as the creation of new criminal offences of coercive control and forced marriage. While domestic assault is still not categorised as a standalone offence, the 2018 Act allows for the existence of an intimate relationship between culprit and victim to be considered as an aggravating factor in sentencing for violent and sexual crimes. Furthermore, while the onus remains on the victim to seek State protection through the application for Court orders, the syntax of this procedure was amended to provide greater victim support. This included provision for victims to provide evidence to Court via video link, rather than require them to attend Court in person; protection against in-person cross-examination of victims when applying for an order; restrictions on media alleged breaches of orders; and a requirement for Courts to provide reasons for their decisions on domestic violence orders (Domestic Violence Act, 2018).

Changes to the terrain since 2014 in which An Garda Síochána engages with domestic violence – both intended and unplanned – appear to have precipitated improved outcomes. During the Covid-19 pandemic, the force made a strategic decision to intensify the level of support provided to domestic violence victims, as conditions for new and escalating cases were created in lockdown. The roll-out and implementation of Operation Faoiseamh, which focused on increased victim contact and support, saw 8,229 calls made to domestic violence victims between January and July of 2020, during a period in which domestic violence calls were reported as

increasing by 25% (Policing Authority, 2020). In its 2020 mid-year assessment report the Policing Authority, an independent statutory body established in 2016 to oversee policing performance in Ireland, praised the 'resourcing, focus and tone' of the policing response to domestic violence during the pandemic. The Authority outlined NGO stakeholder feedback it had received, which referenced 'significant interventions undertaken that they believe may have averted domestic homicides'. The Authority noted that the policing response to domestic violence had been 'broadly consistent throughout the country', and NGOs had expressed their hope that 'relationships, tone of engagement and proactivity' on the part of police would continue beyond the pandemic (Policing Authority, 2020). Crucially, the Authority recognised that the scale of domestic violence policing during the pandemic was not isolated, but rather had built on 'the significant progress made over the past number of years on the resourcing and policy infrastructure within this area of policing', particularly the creation of specialist Protective Services Units to investigate serious domestic and sexual crime in every Division. It noted its concerns, however, that development and rollout of a dedicated domestic violence risk assessment tool had been paused due to the pandemic (Policing Authority, 2020). According to the force's 2021 Policing Plan, the implementation of this tool remains a strategic priority, though no timeframe is provided.

Using the Garda Siochána 2017 Domestic Abuse Intervention policy as a chronological end point allows us to revisit applicable literature, and consider the evolution of policy to that point. From a design perspective, the period from 1994 to 2017 does show the force moving towards acceptance of its enlarging role in the combined police & social service intervention model (Hovell et al, 2006) that had been strategic basis of government action, framed by an advocacy coalition framework. This is embodied by mechanisms such as local inter-agency liaison structures in the 2017 policy, but more implicitly in the move towards increasing levels of victim engagement. By moving outside of the binary interactions of prosecuting offences, and working with victims on a more holistic basis, An Garda Siochána exhibited – in a limited sense – an expansion of traditional police duties that can otherwise act as a blocker of reform (Skogan, 2008). However, throughout the period examined in this paper, An Garda Siochána is never seen to be a leading

agent of change. At every juncture, the deficit between what the police are doing and what the broader policy coalition wants them to do is clear. There is a structural component here: the recommended policing actions advanced by NGOs were, in the main, based on police practices in other jurisdictions, such as presumptive arrest policies, domestic homicide reviews and bespoke risk assessments. But there are legislative and resource dependencies in the Irish context that cannot be discounted. Unlike under the Norwegian penal code, for example, Irish common law does not identify domestic assault as a separate offence to common assault, despite the clear criminological differentiation between the two (Meier & Mitche, 1993; COE, 2006). This legislative restriction, which is of the control of the police, forces a narrowing of perception and ownership for an organisation aligned with the binary principles of systems theory (Rodger, 2013). All that remains is to assess, amend and update that which exists within obligations of the organisation to deliver – in this case, more attuned support for domestic abuse victims, and enabling broader understanding of domestic abuse by officers through training (Ariza et al, 2008). While valuable in themselves, incremental-discontinuous policy actions such as these will never deliver quick, dramatic improvements in a field as complex and multi-disciplinary as domestic violence. While the period from 1994 to 2017 highlights policy slippage between what was intended and what was achieved (Murray et al, 2009), context is required. As with other public services globally post-2008, the reduction in resources available to the police could not be expected to support an environment where new, expansive ways of working could credibly be delivered.

Conclusion and findings

When domestic violence in Ireland emerged as a social issue that required a policy response in the mid-1990s, existing State functions appeared under-equipped to act. Too little appeared to be known about the problem to begin with – as part of the legacy of Ireland's non-secular social construct, issues that could disrupt the fabric of the family were considered off the table. Through the advocacy of non-governmental and charitable groups that filled a gap in service provision in affected communities, such as Women's Aid and National Network of Women's Refuges and Support Services, the issue began to gather public and political traction. A collaborative, strategic policy approach subsequently emerged in the 1997 Task Force report, which involved a cross-section of governmental and NGO stakeholders. At this early stage, consensus existed that the police needed to do more to protect victims, hold offenders to account, and deter recurrences. On paper, An Garda Síochána was ahead of the curve in this regard, having published a standalone domestic violence policy in 1994. However the design of this policy presented a conservative, restrictive role for the police in relation to domestic violence. In the wider advocacy coalition framework that had developed in the issue area, granular and progressive policing actions were being proposed, such as the implementation of risk assessment tools, increased proliferation of specialised resources, and more empathetic Garda support for victims. Despite being part of a policy sub-system in which normative values on domestic violence were shared, An Garda Síochána remained largely inflexible and slow to change in response.

In the 2000s, government policy on domestic violence had taken on a structural imprint. Following the publication of a dedicated women's strategy in 2007, a new executive office answerable to the Minister for Justice – COSC – was established. Its role was to co-ordinate a long-term, stable policy response to domestic, sexual and gender-based violence, as evidenced in its first and second national strategies in 2010 and 2016 respectively. However, the core attitudes and actions of the policing sector towards domestic violence in the twenty years since it became a policy priority showed little change. The 2014 Garda Inspectorate report was critical of the force's culture towards domestic violence, citing ineffective

procedures, inconsistent oversight, lack of strategic planning, poor data, and a latent perception by many police officers that domestic violence was not their problem.

As literature has shown, while there is no single policy action that can inoculate a society from domestic violence – and the form and function of policing responses vary and are contested – it is recognised that risk assessment, close co-ordination with partner agencies at local level, and intensive victim support and liaison can produce better outcomes. All of these actions are contingent on a police force being an active agent in the process. As recently as the mid-2010s this did not appear to be the case in Ireland. Institutional change and the forces that play upon it have been the subject of intensive academic study. The reasons why An Garda Síochána demonstrated gradual but inconsistent progress for years in an area recognised to be of such acute risk for women, children, communities and broader society are out of scope for this paper. But from a policy perspective, the gap between intention and action – the policy slippage – was clear (Murray et al, 2009). It can therefore be inferenced that the policy outputs of an advocacy coalition framework, in which actors leverage one another's resources and capabilities to realise common purpose rather than self-interest, will not always effect change in a consistent manner. This will most likely be the case when the culture at the core of a sub-system actor is not aligned with the priorities of its leadership. In the context of domestic violence and the police in Ireland, external strategy, internal policy and peer agencies all saying that something should happen does not mean that it will. To be brutally succinct, policy and ideas help, but they are not enough.

Lack of policy penetration and poor outcomes are not locked-in, however. As we have seen, the force's updated 2017 policy demonstrated a clear leap from traditional limitations to a wider, more empathetic and theoretical understanding of domestic violence. Updated legislation in 2018 provided additional enablers for an institution which operates, by design, within the binary code of legal or illegal (Rodger, 2013). While it is too soon to consider at this juncture, future research on policing responses to domestic violence in Ireland could examine whether the strategic shift implemented during the Covid-19 pandemic, Operation Faoiseamh, represented a permanent pivot away from the incremental-discontinuous trend of change (Streeck and Thelen, 2005) that could be seen over the preceding three

decades. The extent to which external priorities are adopted by the force, for example change-based tasks allocated under future COSC national strategies, could also be considered. If An Garda Síochána has, as an institution, started moving towards wider and deeper service provision, such as a greater duty of care to domestic violence victims, new social care functions may become apparent. Future research on this or other matters will rely on the availability of credible crime and victim data, which the force does not currently publish on a consistent basis. In the event that actionable data does become available in future, either through the police directly or validated by the Central Statistics Office, future research could focus on quantitative impact indicators to ask if what the Gardaí are doing is actually making Irish society safer, and helping to break the damaging cycle of domestic and gender-based violence.

Bibliography

Books and articles

Albert, M. (2016) 'Luhmann and Systems Theory', *Oxford Research Encyclopaedia of Politics.* Available via link

Ariza, J., Robinson, A. and Myhill, A. (2016) 'Cheaper, Faster, Better: Expectations and Achievements in Police Risk Assessment of Domestic Abuse', *Policing: A Journal of Policy and Practice* Vol 10(4), pp341-350

Bendor, J. (2015) 'Incrementalism: Dead yet flourishing', *Public Administration Review,* Vol 75(2), pp194-205

Bond, Christine EW. and Jeffries, S. (2014) S'imilar punishment? Comparing sentencing outcomes in domestic and non-domestic violence cases', *The British Journal of Criminology,* Vol 54(5), pp849-872

Constanza-Baldry, A. and Sebre, J. (2016) 'Policing and Domestic Abuse: Challenges and ways to go', *Policing: A Journal of Policy and Practice* Vol 10(4), pp323-327

Cerna, L. (2013) 'The Nature of Policy Change and Implementation: A Review of Different Theoretical Approaches', Organisation for Economic Cooperation and Development, available via link

Felson, R., Ackerman, J. and Gallagher, C. (2005) 'Police intervention and the repeat of domestic assault', *Criminology* Vol 43(3), pp563-588

Garud, R., Kumaraswamy, A. & Karnoe, P. (2010) 'Path Dependence or Path Creation?' *Journal of Management Studies* Vol 47(4), pp760-774

Godfrey, B., Richardson, J. and Walklate, S. (2020) 'Domestic Abuse in England and Wales 1770-2020' *Working Paper 2 - Domestic Abuse: Responding to the Shadow Pandemic*. University of Liverpool, available via link

Halperin, S. & Heath, O. (2012) *Political Research: Methods and Practical Skills,* Oxford: Oxford University Press

Hansen, R. (2002) 'Globalization, embedded realism and path dependence: the other immigrants to Europe', *Comparative Political Studies,* vol 35(3), pp259-283

Harney, Claire (2011) 'The impact of the recession on domestic violence against women and support services in Ireland: An exploratory study', *Critical Social Thinking: Policy & Practice*, vol. 3

Haselschwardt, M & Hardesty, J (2017) 'Managing secrecy and disclosure of domestic violence in affluent communities', *Journal of Marriage and Family*, vol. 79 (2) pp556-570

Heywood, Andrew (2019) *Politics: Fifth Edition,* London: Red Globe Press

Horgan, R. (1998) 'Domestic Violence: A Case for Reform?' *Irish Journal of Family Law,* vol. 2, pp9-14

Hoppe, R. and Peterse, A. (1993), *Handling Frozen Fire*, Boulder, Colorado: Westview Press

Hovell, MF., Seid, AG. and Liles, S. (2006) 'Evaluation of a Police and Social Services Domestic Violence Program', *Violence Against Women,* vol. 12(2), pp137-159

Kearns, N., Coen, L. and Canavan, J. (2008) 'Domestic Violence in Ireland: An overview of national strategic policy and relevant international literature on prevention and intervention initiatives in service provision', Child & Family Research Centre, NUI Galway, available via link

Mahoney, J. and Thelen, K. (2009) *Explaining Institutional Change: Ambiguity, Agency and Power*, Cambridge: Cambridge University Press

Mastrofski, S., Willis, J. & Rinehart-Kochel, T. (2007) 'The Challenges of Implementing Community Policing in the United States', *Policing: A Journal of Policy and Practice,* vol. 1(2) pp223-234

Matland, R. (1995) 'Synthesizing the Implementation Literature: The Ambiguity-Conflict Model of Policy Implementation', *Journal of Public Administration Research and Theory,* Vol. 5(2), pp145-174

Matti, S. and Sandstrom, A. (2011) 'The Rationale Determining Advocacy Coalitions: Examining Coordination Networks and Corresponding Beliefs', *Policy Studies Journal*, Vol. 39(3), pp385-410

Rodger, J. (2013) 'Regulating the poor: observations on the structural coupling of welfare, criminal justice and the voluntary sector in a Big Society' in Kemshall, H. et al (eds) *Crime and Social Policy*, London: Blackwell

Meier, R. & Mitche, T. (1993) 'Understanding Theories of Criminal Victimization', *Crime and Justice,* vol. 17, pp459-499

Murray, Suellen & Powell (2009) 'What's the problem? Australian public policy constructions of domestic & family violence', *Violence Against Woman,* vol. 15(5), pp532-552

Petropoulos, N. et al (2016) 'Domestic Violence Offenders in Greece', *Policing: A Journal of Policy and Practice,* vol. 10(4) pp416-431

Powell, KK. and Rey, MP. (2015) 'Exploring a resource dependency perspective as an organisational strategy for building resource capacity', *Management in Education,* Vol. 29(3) pp94-99

Sabatier, P. (1988) 'An advocacy coalition framework of policy change and the role of policy learning therin', *Policy Sciences*, vol. 21, pp128-168

Sabatier, P. and Jenkins-Smith, H. (1993), *Policy change and learning: an advocacy coalition approach*, Boulder, Colorado: Westview

Skogan, W. (2008) 'Why reforms fail', *Policing & Society,* vol. 18(1), pp23-34

Stanko, B. (2008) 'Managing Performance in the Policing of Domestic Violence', *Policing: A Journal of Policy and Practice,* vol. 2(3), pp294-302

Stanko, B. (1989) 'Missing the Mark? Policing Battering' in Hamner, Radford and Stanko (eds) *Women, Policing & Male Violence*, London, Routledge, pp58-84

Stott, C., West, O. and Harrison, M. (2020) 'A Turning Point: Securitization and Policing in the Context of Covid-19', *Policing: A Journal of Policy and Practice,* vol. 14(3), pp574-578

Streeck, W. and Thelen, K. (2005) *Beyond Continuity: Institutional Change in Advanced Political Economies*, Oxford: Oxford University Press

Trujillo, MP. and Ross, S. (2008) 'Police Responses to domestic violence – making decisions about risk and risk management', *Journal of Interpersonal Violence,* vol. 23(4), pp 454-473

Vergne, JP. and Durand, R. (2010) 'The Missing Link Between the Theory and Empirics of Path Dependence: Conceptual Clarification, Testability Issue, and Methodological Implications', *Journal of Management Studies,* Vol. 47(4), pp736-759

Yanow, D. (2000) *Conducting interpretive policy analysis,* California: Sage

Governmental, NGO and other reports

'Global and Regional estimates of violence against women' World Health Organisation report, 2013. Available via link

'Combating violence against women – stocktaking study on the measures and actions taken in Council of Europe Member States' – Council of Europe report, 2006. Available via link

‘Changing Culture & Transforming the Response to Domestic Violence in Ireland 2015-2020’ – Safe Ireland, 2015. Available via link

‘Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) – Council of Europe, 2011. Available via link

‘The use of targets in policing’ – Chief Superintendent Irene Curtis, Report to HMIC, 2015. Available via link

‘Everyone’s Business: Improving the Police Response to Domestic Abuse’ – HMIC, 2014. Available via link

Report of the National Task Force on Violence Against Women (1997), Office of the Tánaiste, Dublin. Available via link

‘Making the Links – Towards an integrated strategy for the elimination of Violence against Women in intimate relationships with men’, Women’s Aid, Dublin, 1995. Available via link

‘Report of the working party on the legal and judicial process for victims of sexual and other crimes of violence against women’, National Women’s Council of Ireland, 1996. Available via link

‘Safety and Sanctions: Domestic Violence and the Enforcement of Law in Ireland’, Women’s Aid, Dublin, 1999. Available via link

‘National Women’s Strategy 2007-2016’ – Report of an Inter-Departmental Committee, published by the Department of Justice, Equality & Law Reform, April 2007. Available via link

‘National Strategy on Domestic, Sexual and Gender-based Violence 2010-2014’, COSC: The National Office for the Prevention of Domestic, Sexual and Gender-based Violence, 2010. Available via link

‘Second National Strategy on Domestic, Sexual and Gender-based Violence 2016-2021’, COSC: The National Office for the Prevention of Domestic, Sexual and Gender-based Violence, 2016. Available via link

‘Attitudes to Domestic Abuse in Ireland: Report of a survey on perceptions and beliefs of domestic abuse among the general population of Ireland’, COSC: The National Office for the Prevention of Domestic, Sexual and Gender-based Violence, 2008. Available via link

Ireland’s Combined Fourth and Fifth Report under the UN Convention on the Elimination of Discrimination Against women (CEDAW), 2005. Available via link

'Programme for Government: Our Shared Future', Office of the Taoiseach, 2020. Available via link

'Implementing Morris - An Agenda for Change: Placing Human Rights at the Core of Policing in Ireland', Irish Council for Civil Liberties, 2006. Available via link

Garda Síochána Policy on Domestic Violence Intervention – An Garda Síochána, 1994 (updated 1997), published as an appendix to the Report of the National Task Force on Violence Against Women (1997), Office of the Tánaiste, Dublin.

Garda Síochána Domestic Abuse Intervention Policy – An Garda Síochána, 2017. Available via link

'Submission to the Commission on the Future of Policing in Ireland' – Women's Aid, January 2018. Available via link

'Crime Investigation' – Report of the Garda Síochána Inspectorate, 2014. Available via link

'Changing Policing in Ireland: Delivering a visible, accessible and responsive service' – Report of the Garda Inspectorate, 2015. Available via link

'The Future of Policing in Ireland' – Report of the Commission on the Future of Policing in Ireland, 2018. Available via link

'Violence against women: what will the national prevention strategy consist of?' – Irish Times, 22nd January 2022. Available via link

Policing Plan 2021 – An Garda Síochána. Available via link

Policing Authority Assessment of Policing Performance, July 2020 – Policing Authority, Dublin. Available via link

Republic of Ireland Census 2016, Central Statistics Office. Available via link

Domestic Violence Act, 2018 – Houses of the Oireachtas. Available via link