

## **Submission to the Joint Committee on Justice in relation to the “Victim’s Testimony in cases of Rape and Sexual Assault” – February 2021.**

---

### **1. Introduction**

Men’s Aid welcomes the opportunity to make a submission to the Joint Committee on Justice in relation to the Victims Testimony in cases of rape and sexual assault.

We are Ireland’s only dedicated service for men and their families experiencing domestic violence and coercive control. Whilst our area of expertise is not sexual assault and rape, we are often the first point of contact with a victim as they start their journey of disclosure. We listen, we believe and we sign post the victims to the Dublin, Cork, Galway Rape Crisis services and Helpline depending on what part of the country the victim is calling.

We also help victims of historical rape such as the recent John McClean case and other victims who call us disclosing domestic violence which then during counselling appointments disclose further abuse experienced often from childhood or previous relationships.

We provide a range of specialised support services specific to supporting how men experience and respond to domestic violence. Our services include a national Helpline, Monday – Friday 9am – 5pm, legal clinic through our outreach, court accompaniment in Dolphin House and Dundalk courts and one to one counselling. Our services are designed to support the vulnerable man and his family through the trauma of domestic violence. Our counselling team are senior level professionals with extensive and specific experience in supporting vulnerable men with mental health, addiction, homelessness and suicidal issues.

We have been delivering our service for 24 years mainly focused on supporting vulnerable men located in the North East (Meath, Louth, Cavan and Monaghan). Over the years men have travelled from across the country to our base in Navan to avail of our specific support services.

Our CEO is active in representing the voice of vulnerable men experiencing domestic violence. Kathrina Bentley is part of the Monitoring committee for DSGBV, member of the Family Justice Consultation Group, member of the Domestic Violence Leave group, member of the Child Maintenance Review Group and a member of the 3<sup>rd</sup> National Government Strategy DSGBV group.

## 2. Academic Research

The Government led research 'COSC 2005' key findings alerted all key stakeholders involved in DSGBV that 1 in 3 victims of domestic violence is female and 1 in 7 victims are male. The alarming statistic we found from this research was the 95% of domestic violence experienced by men is not reported to Gardai. This key statistic helps explain the points I will raise further in this submission.

Whilst budget matters are not usually addressed in legislative issues, it is important to highlight here that our service, as the only national domestic violence service for men and their families, receives 1% of the national DSGBV budget of €26m. This funding represents how under resourced the whole area of violence against men is and perhaps why reporting of a sexual crime is so low. Our colleagues in the Dublin Rape Crisis Centre recently reported 1 in 10 calls to their Helpline is a man disclosing he has experienced rape. To date Irish culture and Government funding has not given men the confidence to come forward to disclose or report either domestic violence or sexual violence.



### 3. Disclosures of rape / sexual assault by service users

In our experience we have received reports from men who state they have been forced to have sexual intercourse without consent. The men report their wives/female partners have forced the male to engage in sexual intercourse. Therefore the men refer to this act as rape.

Our LGBT clients also disclose to us they experience rape from their male partners. To date, we refer our clients who disclose rape and/or sexual assault to the Dublin Rape Crisis Centre and provide the Helpline number.

We are gravely concerned about the increase in disclosures from men experiencing rape during 2020. Our clients make contact with us initially for assistance regarding domestic violence and journey through to our specialised counselling service of six block appointments. It is often in these private counselling appointments that the disclosure of rape is mentioned by the victim. A trust builds between the victim and our counsellors where by the man feels confident to disclose rape. This is a huge step for any gender to take. Our experience to date is whilst we signpost the victim to Dublin Rape Crisis Centre, they do not take that step and make contact with another organisation on their own.

**This is a gap in the victim's journey we are constantly seeing. At present, our resources does not extend to offer the wrap around services offered to women disclosing rape.**

Another concern for our organisation now in February 2021 is the increase in suicide ideation and suicidal men calls to our Helpline. Within a recent time period of 10 days, we handled five extremely serious situations and needed to involve our colleagues in An Garda Siochana and Hospital services. We would urge that the findings following the submissions on this issue move as quickly as possible given the mental health issues our communities are currently struggling with.

#### 4. Current Legislation

The Criminal Law (Rape) Act, 1981 and The Criminal Law (Rape) (Amendment) Act 1990 appear to be silent on the issue of men being raped by a female perpetrator.

We would ask that this issue be addressed in order for legislation to support male victims.

The barriers for men coming forward to report rape and sexual assault in our experience are:

- Fear of not being believed
- Fear of losing access to their children
- Shame
- Stigma
- Gender bias
- Lack of supports to report the crime
- Lack of legislation to support them through the Criminal Justice System

We would suggest a female perpetrator programme be available. Both Men's Development Network and MOVE Ireland offer excellent programmes for male perpetrators, we see a need for female perpetrators also.



## 5. Refuge

The “*Supporting a Victim’s Journey – A plan to help victims and vulnerable witnesses in sexual violence*” cases report references refuge. Currently, there are no refuge options for a man fleeing domestic or sexual abuse in Ireland. As significant increases in demand for our support continues we urge this issue to be addressed as a matter of urgency. Male victims deserve the same access to the complex range of needs required to support them.

## 6. Recommendations

Firstly, we would suggest an amendment to The Criminal Law (Rape) (Amendment) Act to be inclusive, acknowledge and recognise female on male rape.

Secondly we would suggest research similar to the standard of the COSC report 2005 or similar in order to make policy and funding decisions based on recent qualified academic work.

Thirdly, a national media campaign encouraging men to come forward so they know they will be supported and are not alone.

Any legislation going forward to be gender neutral and/or represent male and female perpetrators / victims. It is imperative we build confidence for all gender to feel comfortable, confident and supported to come forward and report the crime of sexual assault or rape.

It is time for change and reform, we must become proactive not reactive. It is time to stop using divisive, discriminatory language and to come together to build a system that recognises and protects all victims and their children, regardless of gender, ethnicity, sexuality, religion, disability or social and workplace position. We must work towards supporting all perpetrators again regardless of their gender.

Our organisation is a small team, very passionate about supporting victims through a collaborative inclusive approach. Everyone deserves to be happy and safe.

Thank you for your time reading our submission.

**ENDS.**