

## **Irish Tourist Assistance Service, ITAS**

### **Submission to the Commission on the Future Policing**

#### **About ITAS:**

The Irish Tourist Assistance Service (ITAS) was set up in 1994 as a dedicated specialist service to assist visitors to the country who become victims of crime. We are aware of the many challenges and issues that face crime victims in cross border situations. Since its inception, the service has assisted 16,000 tourist crime victims from over 50 countries around the world.

It is estimated that over 2 million people fall victim to crime while travelling in Europe each year. They face issues such as language barriers, isolation, culture shock and the lack of support structures. Many are not familiar with the laws of the country they are visiting or the criminal justice system. In addition, they may be left stranded without cash or passports and without the means to support themselves in a foreign country. These factors can add enormously to their trauma. Cross border victims have specific needs and challenges that require immediate support and assistance. ITAS strives to meet these needs, working with many agencies and organisations to ensure tourists receive comprehensive support in the aftermath of crime.

ITAS offers immediate support and assistance, 7 days a week, to visitors throughout Ireland who become victims of crime. The service is free and confidential. On average 9 out of 10 visitors who receive support from the service continue with their holiday plans.

We acknowledge the very positive relationship that exists between the Garda Síochána and ITAS and the positive experiences enjoyed by many tourist crime victims engaging with members of the Gardaí. We welcome the opportunity to make a submission to the Commission on the Future of Policing and would ask that the following be considered:

- **Victims' Rights at the forefront of An Garda Síochána**

On the 16<sup>th</sup> November 2015 the Victims' Rights Directive came into force across Europe establishing minimum standards on the rights, support and protection of victims of crime. The recent Criminal Justice (Victims of Crime) Act 2017, which gives effect to the Victims' Directive in Ireland, places significant obligations on the criminal justice agencies but in particular, An Garda Síochána, who will in the main be the first point of contact for victims of crime.

The Gardaí, for the first time, must be in a position to deliver victims' rights as enshrined in Irish legislation. Their role in informing victims of their rights is critical. ITAS is not confident

that all Gardaí are fully aware of their obligations to victims under the Directive or the Act, which is leading to an inconsistent level of service to victims of crime.

Specifically, under the Directive the Gardaí must take appropriate measures to minimise the difficulties faced where the victim is a resident of a Member State other than that where the criminal offence was committed. ITAS therefore believe the following should form part of the standard operating procedure for Gardaí when dealing with visitors to the country who fall victim to crime.

- **Statements from the victim should be taken immediately** after a complaint is made, as their departure from the country could be imminent.
- **Translation/interpretation** should be provided where a victim cannot be understood. This is essential in order for them to make the initial complaint, subsequent statements and to take part in any criminal justice proceedings.
- Tourist crime victims should be informed of ITAS at **first contact** with Gardaí. Tourist crime victims require immediate support and cannot wait for the Garda Victim Services Office (GVSO) to make contact with them to inform them of support available. The GVSO should be an extra resource; it should not remove the obligations of an investigating Garda to provide this information. Where a tourist consents to support, the investigating Garda should **facilitate an immediate referral** to ITAS in order to allow tourists to access vital support.
- all victims now have the right to **written acknowledgement of their complaint at first contact** with the Gardaí when they are reporting the crime. Tourist crime victims should be given their written acknowledgement immediately after a complaint is made. If a tourist is not provided with such a document, it can have a considerable negative impact as embassies may not issue Emergency Travel Documents without a police report and many of the supports provided by ITAS cannot be accessed without a Garda Report.
- **Improved victim satisfaction** ensuring victims of crime are treated with compassion, respect and empathy. While the majority of victims are treated well and there are some exceptional Gardai, a consistent approach to victims is required. Some victims report that they feel their issue is not taken seriously. Also the current system where a victim waits in the public office until a Garda comes out to assist them needs to be addressed. Victims have reported waiting up to 30-40 minutes for a Garda while others have left Garda stations as no one came out to deal with their complaint. Many victims have to discuss their situation in front of others waiting in the public office, offering no privacy whatsoever. ITAS recommends that additional measures are explored to ensure that the reporting of a crime by visitors to the country is made as straightforward as possible. In situations where English is not the victim's first language, an interpreter should be provided.

- **Preventing/confronting crime – working in partnerships:** The number of overseas visitors entering the country far outweighs the number of residents in Ireland, however there is no policing strategy for visitor safety. Incidents of public order, begging and drug use particularly in Dublin city centre impacts tourists' safety and their perception of safety. Gardaí should work in partnership with tourism and related industries to develop joint crime prevention initiatives and address crime-related concerns. ITAS recommends the development of a crime prevention strategy in collaboration with tourism and related industry bodies, local authorities and ITAS to ensure the safety of visitors to the country.

Areas known to have high levels of crime should be targeted for crime prevention; signage in tourist attraction car parks to remind tourists not to leave valuables exposed. Public announcements in bus stations/railway stations reminding people to keep sight of their belongings. Improvements in lighting in city centre areas to increase the feeling of safety for tourists and the public at night. Increase usage of CCTV to deter crime and aid Garda investigations. Dissemination of crime prevention material specifically aimed at tourists at entry points (airports, ferry ports) into the country and in high volume tourist areas.

- **Increased visible policing particularly in areas of high tourist footfall,** utilising Gardaí who speak foreign languages. This enhances a tourist's sense of safety and the perception of a safe and secure country. It also offers easily accessible help and support for visitors, while assisting crime prevention.
- **Improved data quality** ensuring incidents are correctly categorised and to identify areas where tourists are most susceptible to crime. This would ensure effective deployment of resources. A significant number of incidents referred to ITAS are incidents of 'Lost Property'. Many tourists have informed us that they believe their incident was a theft but as there was no CCTV or witnesses the incident was categorised as 'lost property'. The implications of categorising incidents as 'lost property' when a crime may have been committed is significant and we would ask that careful consideration is given to how a classification of an event might impact on the victim - the person has no rights as they are not seen as a victim. There are substantial implications for insurance and many of the organisations that assist ITAS in supporting tourists offer this goodwill for crime victims but not for tourists who have lost their belongings.
- **Training and Specialist development programmes** for Garda personnel should be a priority particularly in light of the EU Victims' Rights Directive and Criminal Justice (Victims of Crime) Act. The EU Directive places a legal obligation on the Gardaí to train their members on victims' rights. This includes all members not just newly recruited Gardaí. A dedicated office like the Garda National Victims Liaison Office should have responsibility for training on the Directive/Act.

- **Improvements in technology** to aid communication with victims and increased provision of information through a more user-friendly Garda website to include information on the criminal justice system, police investigation procedures and victim support services. The current website is not user friendly and is extremely difficult to navigate. A system where victims can login to access information on their case (Victim's Portal) like 'Track My Crime' in the UK or 'Victims Assistance Portal' Rhode Island District would be extremely beneficial. There are many types of portal which could be considered.
- **Increased use of Mobile technology** as seen in the Gardaí's Active Mobility Project. This will significantly improve services to victims of crime and transform the way Gardaí carry out their work.

To ensure that victims' rights and issues are at the forefront of the Gardai, ITAS believe that a policy and cultural shift is required within the organisation which can only be obtained with positive leadership, resources and a victim focus throughout. Garda motivation and morale should be a priority for management which must provide leadership which is engaging, inclusive and respects the views of all Gardaí. This may be achieved by considering the following:

- **New approach to Recruitment** – not all Garda management needs to have a policing background. Candidates with a business and/or leadership background could be considered.
- **Role of the Garda** – This should be clearly defined. Civilian personnel could be substituted in certain functions currently carried out by Gardaí to allow Gardai to focus on policing and specialist policing areas.
- **Increase the current retirement age of 60 for new Garda recruits and for those currently employed who wish to remain within the organisation** – many experienced and specialist Gardaí are forced to retire with years of expertise and local knowledge being lost to the organisation.
- **Improved structures within An Garda Síochána to effect faster decision making** – this needs to be improved significantly as it can take many months for a decision to be made particularly if it has to go through the legal department. Effective management should ensure good communication and faster response rates.
- **Increased resources** – change to any organisation requires significant investment in personnel, technology and training.

ITAS would like to thank you for considering our submission and should you require further information, please don't hesitate to contact Lisa Kennedy, [lisakennedy@itas.ie](mailto:lisakennedy@itas.ie)