

National Federation of Voluntary Bodies



An Garda Síochána –
Protection of
Vulnerable Persons

Jennifer Molony
Detective Sergeant

10th March 2015



National Support Services

GNIB

GBFI

GNDU
OCU

CPHEB
(DVSAIU)

CAB

OSU

Domestic
Violence

Child
Protection

Online Child
Exploitation

Sexual Crime
Management

Human
Trafficking

Prostitution

Sex
Offenders



Garda Síochána Act 2005, Section 7 Function (Powers & Duties)

Include:

- Preserving peace and public order
- Protecting life and property
- Vindicating the human rights of each individual
- Protecting the security of the State
- Preventing, Detecting and Investigating Crime

To achieve that Function:

- co-operate, as appropriate, with
 - other Departments of State, agencies and bodies with legal responsibility for any matter relating to that objective.



Investigation of Criminal Offences

- Burden of Proof
- Complaint – Statement, Medical / Forensic Exam
- Corroborative Evidence – Witnesses, Historical
- Evidence – Physical, Documentary, Electronic, etc.
- Suspect
- Garda Investigation File to Director of Public Prosecutions
- Prosecution of Offences

Specialist Interviewing

- Section 16(1)(b) Criminal Evidence Act 1992
- “video recording of any evidence given ...shall be admissible at the trial of any fact stated therein of which direct oral evidence would be admissible”
 - Under 14 years at time of interview
 - Person with an intellectual disability
 - Victim of Violent/Sexual Offence or threat of Violence

Specialist Interviewing

- Children First National Guidance 1999/2011
- Good Practice Guidelines 2003
- Specialist Interviewing S.I. 2008
- 7 Specialised Interview Suites
- Training
- Interview Process
- Court

Reporting

- Criminal Justice (withholding of information on offences against children and vulnerable persons) Act 2012
 - Obligation to disclose
 - Defences
- Children First
 - Concerns re Future Harm



Child Protection & Welfare Crime Prevention

- **Welfare of the Child is First & Paramount Consideration**
- **Notifications & Referrals to Tusla**
- **Sharing 'Sensitive Personal Data' with Tusla**
- **Section 12 Child Care Act 1991**
- **Protections for Persons Reporting Child Abuse Act, 1998**
 - Immunity from Civil Liability
 - Protection for Employees
 - False Reports



Protection of Vulnerable Persons Crime Prevention

- **Sex Offender Management**
 - Tracking Offenders subject to the Sex Offenders Act 2001
 - Risk Assessment & Management
 - An Garda Síochána, Probation Service, Tusla
 - Other Agencies – Prisons, Housing Authorities
 - Liaison with Foreign Police Forces
- **Advice & Support**
 - Public, Other Agencies, Other Gardaí



Domestic Violence & Sexual Assault Investigation Unit

**An Garda Síochána
Domestic Violence & Sexual Assault
Investigation Unit,
Harcourt Square,
Dublin 2.**

Phone: 01 6663430, 6663435

Fax: 01 6663439

Email: dvsaiu@garda.ie