
Responding to Intimidation Policy

Turas Training

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1. Policy Statement

- 1.1. TURAS is committed to supporting service users and family members experiencing intimidation as a result of drug related debt through the provision of support and information.

2. Purpose

- 2.1. To outline standard processes for staff to support service users or family members who are currently experiencing intimidation.

3. Scope

- 3.1. This policy applies to TURAS management, staff, volunteers and locum staff working within the organisation.
- 3.2. Where there are concerns for a child's welfare, this policy should be read in conjunction with other relevant policy documents such as the Child Protection Policy.

4. Glossary of Terms and Definitions

- 4.1. Intimidation: any act or acts undertaken with the aim of subduing or influencing someone through fear. Intimidation of service users or their families may often be the result of drug related debts. The most common forms of intimidation include threats, damage to home or property, physical violence and/or sexual violence or threats of sexual violence. Drug users or family members may try to repay debt through cash repayment and/or holding/hiding/transporting drugs or firearms and/or engagement in other illegal activities.
- 4.2. Nominated Garda: A nominated Member of An Garda Siochana of Inspector rank who deals specifically with issues of intimidation and is available to respond to issues of intimidation on request.

5. Principles

- 5.1. When a case of intimidation is raised staff will make a private space available and offer to outline the support options available to the individual or family experiencing intimidation.
- 5.2. Staff will not offer advice as to what the individual or family should do. The role of staff in this situation is to support the individual to understand the options available and to help clarify the issues and potential consequences of different courses of action.
- 5.3. The role of the nominated Garda Inspector will be explained to all cases presenting with intimidation as an issue. This will include providing clarity on the difference between a formal complaint and an initial meeting with the nominated Garda Inspector to seek advice.
- 5.4. Staff safety is a paramount consideration in all situations: staff may only support an individual/family in an intimidation case when they are not considered to be at risk themselves.
- 5.5. When contacting Gardaí the issue of intimidation will only ever be discussed with a member of An Garda Siochana of Inspector rank. The list of names of the nominated Gardaí that have already been appointed can be obtained from the National Family Support Network, the National Family Support Network website (www.fsn.ie) or information on how to access the nominated Gardaí can be found in the 'Drug Related Intimidating Reporting Programme', available from the National Family Support Network. If the area in which you work has not yet been appointed a nominated Garda and you are working with a family member or service user who would like to meet informally / formally with a nominated Garda please contact the National Family Support Network or the Garda National Drugs Unit. In this way the Garda National Drugs Unit will appoint a nominated Garda for the case. This person will be familiar with the intimidation policy and will have been informed by the Garda National Drugs Unit of the issue and the difficulties facing people who are being intimidated.

6. Roles and Responsibilities

- 6.1. Management is responsible for:
 - 6.1.1. Ensuring that staff have the skills and knowledge to facilitate discussion and provide information in relation to intimidation.
 - 6.1.2. Undertaking risk assessments as described in section 13.3.
 - 6.1.3. De-briefing staff, in line with the service's debriefing policy where relevant and required.
- 6.2. Staff members are responsible for:

- 6.2.1. Working in the way described in this policy.
- 6.2.2. Notifying the manager of any plans to support an individual in relation to an intimidation case off the premises.

7. Responding to Disclosure of Intimidation

- 7.1. Staff members will acknowledge the issue when it has been raised and will offer to sit down in a private one-to-one session to listen to the individual's story and provide information on options and supports available, as outlined in section 8.
- 7.2. If the issue is raised in a group setting, the group should discuss or review ground rules or agreements that cover the following:
 - 7.2.1. Confidentiality: that it is a fundamental principle of the group, but can never be completely guaranteed.
 - 7.2.2. 1-2-1 support: all service users who disclose intimidation will be offered 1-2-1 support to discuss options and possible courses of action.
 - 7.2.3. Second hand stories: or 'horror stories' are not helpful or supportive, and the facilitator will respectfully remind participants of this if such discussions begin.
- 7.3. In a 1-2-1 session staff will:
 - 7.3.1. Discuss confidentiality (in line with the organisation's confidentiality policy) and what it means in this context. Take care to ensure that the person understands clearly the occasions when the organisation may be obliged to extend their confidentiality.
 - 7.3.2. Acknowledge that the person has taken a positive step in bringing the issue up with staff.
 - 7.3.3. Explain that the service has a policy outlining the different ways the organisation can support the individual or family. Staff may wish to mention if they have supported people through this before.
 - 7.3.4. Lead a discussion which covers the areas noted below. Note that the organisation does not need (or necessarily want) to know the name of the alleged intimidator, and the person reporting the intimidation should be made aware of this. A person reporting intimidation does not have to disclose any information, unless they wish to. The purpose of discussing the matter with the service user / family member is to be able to support them appropriately. The following may be of use in this regard:
 - 7.3.4.1. What happened and how
 - 7.3.4.2. What the intimidator wants from the service user / family?
 - 7.3.4.3. The service user / family's intentions regarding the demand.
 - 7.3.4.4. Whether they have responded to such demands or intimidation before and how.
 - 7.3.5. Where the session involves a family member who is concerned about their relative's drug use:
 - 7.3.5.1. Some family members may not have been aware that their relative is using drugs and / or may need time spent on drug awareness and a discussion of the issues. The staff member will offer to discuss addiction in a way that is appropriate to the individual case and the knowledge of the family members.
 - 7.3.5.2. Offer assistance in accessing information about support services for the family member and their relative in relation to addiction such as addiction support services, rehabilitation services, family support services (e.g. National Family Support Network), budgeting advice services (e.g. MABS)
 - 7.3.6. When demands for money and threats against a family are made indirectly through the drug user, not to other family members, the staff member will consider and explore with the family member the possibility that threat may not be genuine. While there have been a number of recorded cases of this, staff should consider all reports of intimidation to be genuine in the first instance.
 - 7.3.7. The staff member will explain the following. Please note that the 'Drug Related Intimidating Reporting Programme' leaflet may be of use in this regard.
 - 7.3.7.1. The difference between an informal meeting with the nominated Garda Inspector and a formal complaint; Gardaí will only proceed to investigate a case of intimidation if they receive a formal complaint.

- 7.3.7.2. Where individuals contact the Gardaí informally there will be no pressure to make a formal complaint, it will be the individual's decision.
- 7.3.7.3. The safety of the individual making the informal or formal complaint will be of paramount importance to the Gardaí in their decision making. The assessment of the safety of the individual in this regard is made by the Gardaí.
- 7.3.7.4. Previous negative experiences with Gardaí should not act as a deterrent. The engagement may be different on this occasion in light of the specific role of the nominated Garda.
- 7.3.7.5. If the individual wants to meet Gardaí informally, then staff will assist the individual to make the call or will make the call on their behalf if requested. If the family member/s would like for the worker to accompany them and this has been approved by relevant organisational management structures, then a request for approval for professional accompaniment will be made to the Inspector. It is the decision of each Inspector as to whether an individual can be accompanied by another professional.
- 7.3.8. Staff should never give their opinion on the best course of action, even if it is asked; only the individual can make the choice as it is their life being affected. It will be highlighted that the individual is best placed to make the decision and is an expert in matters relating to their life; any other party will only have some of the information.
- 7.3.9. Staff may assist the individual to weigh up decisions by listing pros and cons of specific actions.

8. Supports Available to Individuals Experiencing Intimidation

8.1. Option 1 – Informal Meeting with the nominated Garda Inspector

- 8.1.1. The nominated Garda Inspector will always be at management level in the force, and will liaise directly with the Superintendent in relation to the case.
- 8.1.2. If the family member wishes to meet the Gardaí informally, although is apprehensive to meet in the Garda Station, or to meet with an Inspector in uniform, it may be requested to the Inspector that a meeting be held in a neutral venue with the Inspector in plain clothes. In the phone call the reasons for the request should be briefly outlined. The decision will be that of the Inspector.
- 8.1.3. At an initial meeting, Gardaí will:
 - 8.1.3.1. Provide practical safety information.
 - 8.1.3.2. Provide advice in relation to particular threats or instances of intimidation.
 - 8.1.3.3. Outline how to make a formal complaint, what is involved, what happens after and possible outcomes.
 - 8.1.3.4. If it has not already been done by the referring service, the Gardaí will provide information on appropriate drug support services for the individual in the family who is accruing drug debts. If this is not managed the situation may re-occur.

8.2. Option 2 – Formal Complaint

- 8.2.1. If a formal complaint is made then Gardaí will investigate in all cases. Gardaí cannot act officially if a formal complaint is not made.
- 8.2.2. A risk assessment will be undertaken which will determine the urgency of the investigation.
- 8.2.3. If an individual makes a formal complaint they will be asked to make a statement which means telling a Garda about the event/s, having this read back to them and agreeing that what was written is the correct information.
- 8.2.4. The nominated Garda inspector will be the single point of Garda contact for the individual regarding the case.
- 8.2.5. Depending on the investigation and the nature of the evidence provided a decision from the Director of Public Prosecutions will determine if an accused may be charged. They may then be brought before the District or Circuit Court, depending on the severity of the offence in question. To find out more information on the legal system and how charges are processed through the courts, go to: http://www.citizensinformation.ie/en/justice/courts_system/

- 8.2.6. If someone is charged with intimidation or a related offence, they may be released on bail pending trial. A member of An Garda Síochána can advise as to the circumstances in which a Court may refuse an application for bail.
 - 8.2.7. In the case of a formal complaint, systems are in place whereby Gardai can liaise with local authorities regarding changes of accommodation. The decision will always be that of the local authority.
 - 8.2.8. Individuals should be informed that if they make a formal complaint to An Garda Síochána, the matter will be fully investigated and each step of the process will be outlined and explained to them.
 - 8.2.9. It is ultimately the decision of the Director of Public Prosecutions as to whether a case is brought against an accused person and what charges are to be preferred against an accused person.
- 8.3. **Option 3: No meeting with Gardaí and not responding to the intimidator's demands**
- 8.3.1. In this instance the individual should be offered other supports as outlined previously (e.g. referral to appropriate addiction / family support services).
 - 8.3.2. If the individual continues to attend 1-2-1 sessions to discuss the issue, the staff member should focus discussions on the individual's well-being and coping skills. Remaining focused on one perspective can be unproductive in relation to this issue without a focus on progression or skill development.
 - 8.3.3. The option of an informal meeting with Gardaí will be offered periodically.
- 8.4. **Option 4: No meeting with Gardaí and complying with the intimidator's demands**
- 8.4.1. It should be sensitively raised that if demands are complied with then the intimidator may return looking for more money or demanding the victim engage in further or more serious illegal activity.
 - 8.4.2. The staff member should never accompany an individual to facilitate the payment.
 - 8.4.3. If the person returns reporting further intimidation, the staff member should undertake all steps as described in this policy. If a person has refused to meet with Gardaí in the past it should not be assumed that they will always refuse. Staff should revisit the issue in private with the individual, no later than a month after the initial discussion around intimidation and ask if further supports are required or if the intimidation is still an issue. The support options should again be highlighted if it is still an issue for the individual.

9. Confidentiality in Relation to Intimidation

- 9.1. The confidentiality policy should be explained to any service user/family member at the beginning of the working relationship. Good practice requires that service users/family members be reminded of the policy and what it means for them prior to a potential disclosure.
- 9.2. In particular, if someone states to a staff member that their life, or someone else's life, is at risk, the staff member should highlight that under the confidentiality policy the organisation may be obliged to report this fact externally

10. Child Protection Issues in Relation to Intimidation (Child Protection Policy should be consulted)

- 10.1. Where a threat is made to a family with children or to an under 18, the following will be undertaken:
 - 10.1.1. The staff member will bring the issue to the attention of the Child Protection Officer (CPO) or to their line manager, if the CPO is not available.
 - 10.1.2. The CPO will assess the risk to the child and the situation will be managed in line with the Child Protection Policy. This may include the following options:
 - 10.1.2.1. If the issue is considered an urgent threat then a duty social worker or the Gardaí will be contacted.
 - 10.1.2.2. A local contact within social work services can be contacted to informally discuss the case, and to seek advice on whether the service can continue supporting the case or whether a formal report is appropriate.

- 10.1.2.3. The case may simply be recorded, where it is decided that a Child Protection report is not required at the current time.

11. Under 18 Service Users and Intimidation

- 11.1. This section should be read in conjunction with the Service Provision to Under 18's Policy and the Child Protection Policy.
- 11.2. Where a service user who is under 18 is being intimidated staff will bring the issue to the CPO and/or manager for discussion as soon as possible. A number of factors should be considered in regard to reporting responsibility:
 - 11.2.1. Wishes of the young person: where possible and the young person consents, parents/guardians should be informed and involved in responses. However, the young person may not wish their parent / guardian to be informed. Due weight should be given to the young person's opinion, based on factors such as their age, maturity and an assessment of risk
 - 11.2.2. Age of the child: confidentiality entitlements do not change on any particular birthday, but do increase incrementally as the child moves towards his/her 18th birthday. For example, the threshold for extending confidentiality may be higher for a 15 year old than for a 14 year old. Similarly, a 16 / 17 year old might expect a higher threshold than a 15 year old.
 - 11.2.3. Seriousness of risk to health and life:
 - 11.2.3.1. Where the intimidation is not considered to be of a serious nature then the Child Protection Officer, manager and young person should discuss whether to inform the parents / guardians or not, and whether to contact the HSE or not. At this point informal advice from a social worker may be sought.
 - 11.2.3.2. If the intimidation could be in any way considered serious then the under 18 should be advised that the service must inform their parent/ guardian of the intimidation.
 - 11.2.3.3. Interventions as outlined above in point 10.1.2 should be undertaken where appropriate.
- 11.3. Where it is decided that it is in the best interests of the child to contact the parent / guardian, parents / guardians should be:
 - 11.3.1. Advised to meet with staff and the young person to outline options as described above, and discuss the possibility of informing the HSE or Gardaí.
 - 11.3.2. Where there is a child protection concern, in line with the Child Protection Policy parents / guardians will be encouraged to report the concern themselves. However, where this is not done immediately, the organisation should report the concern in line with the Child Protection Policy.
- 11.4. If parents / guardians are not contactable or the risk attached to the intimidation is moderate or high, the question as to whether the HSE or An Garda Síochána should be contacted will be managed in line with the organisation's Child Protection Policy.
- 11.5. The decision for whether the HSE should be contacted under Children First guidelines will be taken in line with the organisation's Child Protection Policy.

12. Practice when the Person Being Intimidated is a Drug User in the Service

- 12.1. Service users who are themselves using drugs will be offered the same service as a family member, as described in this policy.
- 12.2. If the person accused of intimidation is also a user of the service, staff members should not confront the accused intimidator. To do so may increase the risk to the safety of the person reporting intimidation, as well as staff safety.
- 12.3. Staff must continue to work with the accused intimidator in a non judgmental and supportive way in relation to their own needs and progression.
- 12.4. If the service works with both parties and the person who reports intimidation is concerned for their physical safety in the presence of the accused intimidator:
 - 12.4.1. Staff should employ additional vigilance about the safety of the person reporting intimidation. If possible, a safe escape route or a plan of action should be developed with them of which all staff are aware.

- 12.4.2. Appointment times for the person reporting intimidation should, as far as possible, be scheduled according to what they perceive to be the best time for them. This will require coordination on the part of the staff team.
- 12.4.3. Where there is conflict of interest regarding duty of care to both service users, staff should consult with a manager and make a decision in line with the principles of this policy.
- 12.4.4. Where appropriate and desired, the service should endeavour to facilitate outreach based support for the person reporting intimidation
- 12.5. Issues relating to intimidation should be shared in team meetings; it should be noted that an individual will never be refused a quality service due to an accusation of intimidation.

13. Staff Safety in Relation to Working with Intimidation Cases

- 13.1. Staff will never:
 - 13.1.1. Engage in any actions relating to complying with the demand e.g. attending where money is handed over.
 - 13.1.2. Engage in third party negotiations, i.e. with a local person who states they can help sort the situation out.
 - 13.1.3. Advise on what course of action should be taken by the individual.
- 13.2. Staff will:
 - 13.2.1. Always discuss the case and all decisions relating to it with the manager, particularly if any work is to be conducted off-site (e.g. attending a meeting with the Gardaí)
 - 13.2.2. Always bring any concerns in relation to health and safety to their line manager, either through supervision or if urgent then at the earliest possible time.
 - 13.2.3. Complete an incident report in respect of any reportable incidents as described in the service's Incident Reporting Policy.
- 13.3. Managers will:
 - 13.3.1. Undertake an informal risk assessment in relation to staff engagement in all intimidation
This will involve looking at all relevant issues, including:
 - 13.3.1.1. gender appropriateness
 - 13.3.1.2. location of any meeting
 - 13.3.1.3. whether lone working is suitable or not
 - 13.3.1.4. risks related to the case
 - 13.3.1.5. closeness of the staff member to the case (e.g. in some cases people who live locally may not be best placed to respond to intimidation cases)
 - 13.3.2. Ensure a debrief session is offered after any incidents arising.
 - 13.3.3. Ensure that work relating to cases of intimidation is shared across the team. There is a danger that one staff member could become responsible for or known for this type of work.
- 13.4. If any employees of the organisation receive threats in relation to intimidation work, they should inform their manager at the earliest opportunity. The manager will support the staff member appropriately, including letting the staff member know that the organisation will support them to:
 - 13.4.1. report the incident, or contact the Gardaí for advice
 - 13.4.2. contact the National Family Support Network for advice, or to make a report. The National Family Support Network maintain data on intimidation to inform future initiatives
 - 13.4.3. access external debriefing, if appropriate
- 13.5. If the staff member does not wish to avail of the support offered by the organisation, they should be asked to sign a note acknowledging the supports that they have been offered and that they have chosen not to avail of same. This note should be placed on the staff member's personnel file.

14. Organisation Relationship with Gardaí

- 14.1. Our organisation will seek to develop positive working relationships with the local Gardaí by:
 - 14.1.1. Ensuring that a senior member of staff contacts a senior member of the local Garda office on a yearly basis to provide information on our services.

- 14.1.2. Ensuring that our organisation information is updated on www.drugs.ie, which Gardaí may use to locate appropriate addiction services in each area.