



**Response to**

**Stopping Domestic and Sexual Violence and Abuse in  
Northern Ireland 2013-2020**

**April 2014**

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## Introduction

**Children in Northern Ireland (CiNI)** are the regional umbrella body for the children's sector in Northern Ireland.

CiNI represents the interests of its 160 member organisations providing policy, information, training and participation support services to members in their direct work with and for children and young people. CiNI membership also includes colleagues in the children's statutory sector recognising that the best outcomes for children and young people are increasingly achieved working in partnership with all those who are committed to improving the lives of children and young people in NI.

The **Women's Resource and Development Agency (WRDA)** is a regional organisation operating across Northern Ireland, with a mission to 'advance women's equality and participation in society by working to transform political, economic, social and cultural conditions. The organisation was established in 1983 and continues its focus on working with women and community organisations located in disadvantaged areas. WRDA is a membership organisation with over 190 members comprised of women's groups, organizations and individual members.

**Women's Information Northern Ireland (WINI)** is a regional organisation operating across Northern Ireland, to provide quality information to women who live and work in socially disadvantaged areas by building self-confidence and empowering them to undertake their role within the community in a more positive and informed manner

*This response has been informed by feedback provided during a consultation event on 9<sup>th</sup> April, 2014 which was hosted by CiNI, WRDA, and WINI. Twenty-one women from various women's organisations and groups attended to inform this response.*

*The consultation event included a presentation from Gary Gregg from DHSSPS and Joanne McPadden from DOJ, followed by a question and answer session. Participants were also given the opportunity to work in small groups to discuss the consultation questionnaire, as well as additional questions that arose from a review of the strategy document. The responses from working groups were collated and form a large part of the content of this report.*

### Comments

CiNI, WRDA and WINI welcomes this opportunity to provide some feedback on the **Stopping Domestic and Sexual Violence and Abuse in Northern Ireland 2013-2020**. We trust that our comments will be positively used to inform the next step in the process.

### Resourcing

All those at the consultation event expressed concern about the lack of commitment of resources to deliver the strategy throughout this period, including resources to fund existing vital services such as those delivered by Women's Aid and local Women's Centres. There is a need for investment across all strands of the strategy and for the lifetime of the strategy.

There is evidence to suggest that the economic climate has exacerbated the impact of domestic and sexual violence on victims, with many unable or unwilling to leave abusive relationships due to economic hardship. It is also unknown how the Welfare Reform Bill may impact further upon these victims once it is introduced here in Northern Ireland. If Universal Credit is paid to one member of a household or a victim of domestic violence must disclose abuse to obtain split payments, this will remove the financial means for victims to flee abusive relationships, and potentially put them in danger if they are forced to disclose abuse while still living with a perpetrator. Furthermore, the Bedroom Tax will leave victims with fewer options due to a lack of 1 and 2 bedroom houses in Northern Ireland. When faced with the reality of leaving an abusive relationship but taking a step into poverty, or having to pay for a bedroom that they cannot afford, many victims will be discouraged from leaving and will remain with abusive partners.

It is therefore essential that this strategy recognises the economic realities of victims of domestic violence and abuse and makes a strong commitment to resource the action plans emanating from the strategy.

### Gender neutral policy making

While those attending the consultation agree it is important to acknowledge the experiences of males in relation to domestic and sexual violence, concerns were raised about how this was dealt with in the strategy. Participants clearly wanted to highlight that

violence perpetrated by males and females are not in equal proportion and in fact many cases go unreported due to women not having faith in the criminal justice system.

Research<sup>1</sup> clearly identifies that in the majority of cases of domestic and sexual abuse, the perpetrator is male and the victim is female. The reality of domestic and sexual violence is gendered. A gender lens should be applied to all responses to domestic violence in order to ensure the safety of all concerned, particularly women and their children. Responses to domestic violence should acknowledge that domestic violence is a power-based crime in which, generally, the male in an intimate relationship exercises power and control over the female. The abusive power and control dynamic results in high-risk situations for victims and their children because it is used to frighten, silence, and isolate victims and prevent them from leaving or seeking help. As the dynamics of domestic violence often result in the erosion of women's self-esteem and in their diminished ability to act, empowerment should be a central consideration in any response to domestic violence. Therefore a gendered approach within the strategy would include both women and men within the strategy and accurately reflect the gendered experiences of women and men.

We would like to see the excellent work of the women's sector acknowledged within this strategy. Women's Centres are feminist organisations committed to alleviating the effects of structural and gender inequality on the lives of women and children. They provide a safe, welcoming, comfortable, women only environment to support women to recognize and develop their talents and skills to become active citizens and reaching their full potential.

Women seeking advice can be faced with a number of barriers. Personal barriers are probably the most common where feelings of embarrassment, humiliation, lack of confidence and low self-esteem can easily have a disabling effect. A lack of knowledge may

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<sup>1</sup> World Health Organisation: <http://www.who.int/mediacentre/factsheets/fs239/en/>; CEDAW General Recommendation 19 <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>; Beijing Platform for Action <http://www.un.org/womenwatch/daw/beijing/platform/>; UN Committee on the Status of Women 57 Agreed Conclusions [http://www.un.org/womenwatch/daw/csw/csw57/CSW57\\_agreed\\_conclusions\\_advance\\_unedited\\_version\\_18\\_March\\_2013.pdf](http://www.un.org/womenwatch/daw/csw/csw57/CSW57_agreed_conclusions_advance_unedited_version_18_March_2013.pdf); The Global Burden of Disease, Harvard University, 1996 states "Globally, men's violence against women causes more deaths and disability among females aged 15-44 than Cancer, Malaria, Traffic Accidents or War.";

also be a drawback where women may not be aware of the type of service available to them, which can prevent them from seeking help in the first place.

Accessibility to services and advice can also be an issue, particularly for women with children, women who have disabilities, women who are elderly, women who are carers, women who are in work or women from minority ethnic backgrounds. Women who access services within the community based women's centres do so because these barriers are removed. Women's centres are able to deal with gender specific issues; delivered in the heart of communities and developed by local women in response to local need.

Women's Centres also offer a holistic approach to dealing with domestic violence and sexual abuse. The idea behind holistic provision may be open to differing interruptions; however it is our view that a holistic service is one where wraparound provision is provided and based on the individual need and empowerment of the woman. Women's Centre offer a unique holistic service provision. This is firstly the understanding of the problem in a wider context. For instance, this might include looking at the health of the woman, or her caring and educational needs, rather than just trying to solve the problem that was first presented. By diagnosing and dealing with all issues, Women's Centres are going beyond the initial problem and utilising all the resources at the centre. By broadening the scope they can identify and tackle the root cause and not just the symptoms of the problems.

***'A woman may approach the advice unit for help with what is ostensibly a benefit-related problem, but which, as the story unfolds is a complicated case involving domestic violence or debt... It may be some time before a sufficient relationship of trust is built before she is ready to disclose a situation of abuse, for instance.'*<sup>2</sup>**

### Women only space

A women only space is a safe place where women can discuss their needs confidentially. Women can share their experiences and meet other women for support and

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<sup>2</sup> Women's Support Network, Advice Services, Taillon R (1992)

encouragement. It's a space to give women the opportunity to develop a positive self-image.

***"It is very important that women who enter our centre feel secure and safe. They have complex issues; they need a lot of support. That would not be possible in other areas."***

***Women's Centre Worker.***

***"While a woman may initially come in looking for advice on benefits, she may end up on one of our courses to gain new skills or want advice on domestic violence. We unwrap the various problems and deal with them in a holistic way."*** ***Women's Centre Worker.***

### **Empowerment**

Advice and support given by women's centres is related to empowerment through information. One participant expressed the importance of women being provided with information so they can make informed choices. The empowerment of a woman manifests itself in greater self-confidence and a greater ability to articulate their needs.

***"We never tell a woman what to do. We're here to give her options. It's up to her which one she decides."*** ***Support Worker.***

It is without doubt that women centres play a critical role to individual women, their families and the community. It is unacceptable that women need to justify a women-only service. Research consistently suggests that women and men experience violence and abuse differently – these differences are key to formulating a response to all domestic and sexual violence based on the needs of female and male victims. We would encourage the Departments to amend the Strategy, by not doing so will only prove to be detrimental in meeting the needs of women.

### Addressing barriers to Domestic Violence Victims' participation in the Criminal Justice System

Participants from the consultation event believed there were many gaps within the document in relation to engagement with both the police and the courts. A victim's reluctance or lack of readiness to participate in the justice process is most often a result of fear – of further violence; of the consequences for herself, her children or her husband; or of the police or the courts. Domestic violence victims' fears of reporting or of proceeding through the justice process are based on the realities of their lives, including their experience of trauma. Barriers to victims' participation in the justice process may be increased by social isolation and a lack of information about available options, particularly for women who are marginalized. Victims often find the system overwhelming and rational decision-making without consistent and comprehensive support can be very difficult. Misunderstanding women's fears of proceeding or lack of readiness to proceed as hostility to the justice process may result in serious negative consequences for women and their children. Therefore, victims who are fearful of proceeding require more rather than less service. It is particularly important that a coordinated approach be adopted to respond to victims' fears about the criminal justice system. As part of their struggle to exist within a violent relationship, women engage in many different survival strategies, such as recanting their reports of violence or asking for changes in bail conditions. These variances must be dealt with in a systematic, coordinated manner by the police and justice personnel who should have extensive training in the dynamics of domestic violence.

***“The police and courts need to realise I'm a human being. You can see the doubt in their eyes even before you finish telling them what happened.” Participant.***

### Human Rights Context

We recommend that the international and legal context for domestic and sexual violence is incorporated into this document to show that domestic and sexual violence are a violation of the rights and freedoms of victims. The UK government has specific legal and human rights obligations as a consequence of its membership of the UN and EU, as well as its ratification of the International Covenant on Civil & Political Rights (ICCPR), International



Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of Discrimination Against Women (CEDAW), Convention on the Elimination of Racial Discrimination (CERD), the Convention Against Torture, Convention on the Rights of the Child (UNCRC) and the European Convention on Human Rights (ECHR). We would ask that all these international obligations be outlined clearly within this strategy.

### Definitions

We welcome the definition of **domestic violence and abuse** as outlined within the Strategy. We particularly welcome the addition of 'threatening, controlling, coercive behaviour'. However we would also like to add in that domestic violence and abuse can also be virtual/digital and as such should also be included within this context.

We are disappointed at the omission of disability within the strategy. The UN Convention on the Rights of Persons with Disabilities (UNCRPD) took effect on 3<sup>rd</sup> May 2008, and ratified by some 25 countries including the United Kingdom. The UNCRPD expressly recognises the equality of persons with disabilities for the first time in international law. The Departments must recognise that people with disabilities are vulnerable to the violation of their rights and require adequate protection.

Young people with disabilities are particularly vulnerable to violence, abuse, bullying and exploitation. Indeed there are a number of other characteristics that render someone more vulnerable to domestic & sexual violence and harder to reach. Research has shown that women with a disability are twice as likely to suffer domestic abuse than women who do not have a disability.

Contributory factors include physical vulnerability, communication difficulties, denial and lack of respect for their human rights. We ask that co-ordinated actions are developed within this strategy to identify and manage cases of violence or abuse according to the specific and individual needs of those with disabilities. In particular young people with disabilities as well as disability-specific measures to address any communication barriers that young people with disabilities may have that would hinder communication with a person who may have been a victim of violence, abuse or exploitation.

It was felt that further examples needed to be included within the bullet point relating to “sexual violence”, these are:

- Rape
- Unwanted touching
- Coerced sexual activities, including those that may involve violence or pain
- Forcing someone to watch or participate in pornography
- Posting sexual images of someone online without informed consent
- Stalking
- Grooming
- Using substances such as drugs or alcohol to render someone vulnerable in order to have sex with them

Under the bullet point financial abuse, participants suggested putting in examples such as:

- Withholding household money or benefits
- Appropriating or stealing money
- Coercing someone to give up work; or preventing them from making a living or keeping a job due to the impact of abuse
- Deliberately spending money recklessly as a means to keep a victim impoverished, indebted and isolated
- Constantly demanding justification for everything a victim spends money on
- Using a victim’s spending patterns as a justification for violence and abuse

We welcome the definition of **sexual violence** within the document. Participants however felt that the issue of informed consent and understanding needs to be included, some participants talked about a woman’s capacity to consent should they be under the influence of alcohol or drugs.

### Children and Young People

A child's safety and well-being are integrally linked with the safety of the mother. Children can be exposed to abuse of their mothers in many ways, including when they see their mother assaulted and demeaned, hear loud conflict and violence or see the aftermath (e.g., injuries). Children might also be used by an abusive partner to perpetuate the abuse, for example, threatening violence against the children, talking inappropriately to children about their mother's behaviour. Interventions and coordinated responses to domestic violence require an understanding of the complex dynamics of power and control where children are involved. As in all domestic violence cases, an effective response requires that all systems work together in a coordinated manner. Dynamics of power and control need to be considered as an integral factor within each principle in order to maximize women's safety.

We therefore welcome the reference to *Our Children, Our Pledge* at section 2.21 (p 17). We recommend however that the correlation between violence in the home and the strands relating to safety and stability and being healthy is explained in more detail. The effects of witnessing such abuse on the health and wellbeing of a child are well known and numerous. They include: trauma, guilt, shame, inability to trust, isolation, anger, loss of confidence, fear and stress.<sup>3</sup>

We note the reference to educational programmes for children & young people about healthy relationships based on mutual respect and "a similar programme... developed for post-primary schools". It must not be underestimated the impact domestic violence has on children. There is a growing body of evidence which shows that children who have been exposed to domestic violence are more likely than their peers to experience a wide range of difficulties. We would like to see further information and services being comprehensively detailed and funding sought to include all types of services and interventions which are needed for children living with violence.

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<sup>3</sup> *Our Place – Safe Space: A Strategy for Children & Young People 2012 – 2017*, Women's Aid Federation Northern Ireland, <http://www.womensaidni.org/themainevent/wp-content/uploads/2012/06/our-place-safe-space-strategy-for-children-young-people-2012-2017.pdf>

### Gender Equality

We welcome reference to the Gender Equality Strategy in 2.39 (p 21). However we would argue that violence against women is a cause and consequence of women's inequality. It was the views of all participants that is right to focus on women because they are disproportionately affected by all forms of violence, including domestic and sexual violence and abuse. It happens because women have an unequal position in society and further reinforces that unequal position.

The prevalence, impact and consequence of violence against men is very different to violence against women. A gender-sensitive approach to legislation on violence against women is important in acknowledging that women's and men's experiences of violence differ. Therefore we strongly recommend that this strategy fully acknowledges that the majority of victims are women.

While we recognise that violence against women is a serious form of gender based discrimination, it is important not to alienate those who are concerned about the impact on male victims. We recognise that the proposals will address the needs of men who experience it also. A proportionate response to male victims should be evidence-based and tailored to men's specific needs. Male victims of domestic violence do not have the same experiences and needs as women.

### Cost of Domestic and Sexual Violence and Abuse in Northern Ireland

We are somewhat concerned at the lack of financial analysis in relation to the estimate of the cost of domestic violence in Northern Ireland. On the one hand it needs to be recognised that this is a necessary devotion of resources to such an endemic problem. However, we also wish to point out that vital support services, such as those of Women's Aid and at Women's Centres comprise a very small amount of the overall cost, with large proportions going on high legal costs. We are therefore suggesting that a larger percentage should be invested in prevention and expert support services for women and children such as those services run by Women's Centres. We believe this would represent value for

money in terms of the vital, life-saving and life-changing services provided, but it would also ultimately lead to a reduction of the overall investment as effective early preventative work.

We also have concerns that neither child rape and sexual assault nor sexual assault within a domestic setting have been included in the costing for sexual violence and abuse at 2.74 (p 31). The most recent figures from SARC show that 41% of those treated at SARC since it opened have been children and young people. Additionally, PSNI statistics for 2012 – 13 show that of the 533 rapes offences, 236 offences of Rape were reported as having been committed on children and young people under the age of 18, and 102 of those were under 13 years of age. It is well-evidenced that the levels of sexual violence within a domestic context are high. Therefore this cannot be said to be an accurate cost estimate of the cost of sexual violence in Northern Ireland, we would therefore ask that more accurate estimates are pulled together along with a detailed analysis and added to the strategy document.

### Prevention and Early Intervention

We commend the clear strategic focus on preventative education programmes and early intervention within the strategy document. Preventative education work with all children and young people in schools and community settings is essential to ensure that attitudes within society are changed to the point where domestic and sexual violence are unacceptable.

Participants felt that it was unhelpful to make vague statements about the interrelation between alcohol, substance misuse, high risk sexual behaviours, poor mental health, and domestic and sexual violence and abuse. While alcohol misuse may be present in some cases of domestic violence, it is by no means present in all of them, and it is certainly not the cause. It may exacerbate a situation and result in more extreme violence or be used as an excuse by the perpetrator to carry out such abuse, but domestic violence always occurs in a context of power imbalance between the perpetrator and victim.

Some participants felt that the issue of 'paramilitary control' also needed to be addressed and stated at some point within the strategy. There is evidence to suggest that often

entrenched in our poorest communities, women are vulnerable and trapped which leads to poor mental health and a pervasive sense of hopelessness.

### Working in Partnership

So much more could be achieved if there were greater levels of awareness and joined up working in the implementation of this strategy between Government Departments, Statutory Agencies, PSNI and the Community/Voluntary Sector. We would like to see further engagement with the women's sectors. A conceptual shift is necessary if we are to ensure domestic and sexual violence ends.

### Education

We welcome the strong emphasis on education as an important tool in creating an environment where children and young people can identify their concerns and seek appropriate support and help when necessary. We believe that preventative education work with all children and young people in schools and community settings is essential to ensure that attitudes within society are changed to the point where domestic and sexual violence is unacceptable and no child or young person is left without information or support. Attitudes in relation to domestic and sexual violence must change. A poll for Amnesty<sup>4</sup> found that;

- a third of people believe women who flirt are partially responsible for being raped
- a quarter of those asked said that they thought a women was partially or totally responsible for being raped if she was wearing sexy or revealing clothing
- more than one in five (22%) held the same view if a woman has many sexual partners
- around one in 12 people (8%) believed that a woman was totally responsible for being raped if she has many sexual partners

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<sup>4</sup> Amnesty International UK 'Problem? What problem?' 2005

- more than a quarter of people (30%) said that a woman was partially or totally responsible for being raped if she was drunk
- more than a third (37%) held the same view if the woman had failed to clearly say "no" to the man.

Adolescence is an important phase in regards to the dynamics of domestic violence, as it is then that young people begin to build and have romantic relationships. During adolescence young people go through the process of learning about relationships and creating the knowledge bases upon which their future relationships will be built. It is therefore an important and influential stage in life that understandably will have impacts on the behaviour of adults. Therefore knowledge about adolescent relationships is essential when initiating domestic violence prevention/intervention work.

The lack of awareness about domestic violence in adolescent relationships can partly be explained by the way that domestic violence is often conceptualised as something that only occurs between adult partners or within a family setting. Instead it should be made clear that it also includes people aged under 18 and incidents that occur between non-cohabited partners.

We believe there is a lack of knowledge about acceptable and unacceptable behaviour within relationships, as a general characteristic among young people. Young people do not have enough information and advice around these issues, and some of them therefore think that abusive behaviour is normal and acceptable, or even believe it is a sign of love. This indicates that these young people are in a very vulnerable position, wherefore they are often willing to stay in a relationship, even though it is abusive. This emotional dependency and the lack of support from home makes it very difficult for them to get out of such relationships.

Peer pressure is another factor that can have impact on whether or not young people experience and accept adolescent domestic violence. The peer pressure can make the adolescents feel that they have to be dating someone in order to be accepted among their peers, and they are therefore willing to stay in a relationship even though they do not feel safe.

We would therefore encourage the Departments to ensure appropriate links are made with the Department of Education to ensure that age appropriate curriculum programmes and programmes for youth clubs etc. are developed and delivered throughout and to ensure that teachers have the necessary training to recognise the signs of violence and abuse and to respond appropriately.

### Engagement and Participation of Children and Young People and Child Friendly Version of the Consultation Strategy

Obligations have been placed upon Government Departments to engage directly with children and young people, as a group who will be impacted by Government policy. Furthermore, we would highlight the obligations placed upon Departments by Section 75 of the NI Act 1998, UNCRC article 12 and UNCRPD article 7. Obligations associated with article 12 also mean that it is important to consider whether services promote the voice of the child; is the voice of the child integral to service design, planning, delivery, evaluation. In relation to article 12 the Committee on the Rights of the Child is clear –

*“As holders of rights, even the youngest children are entitled to express their views, which should be given due weight in accordance with the age and maturity of the child ... they make choices and communicate their feelings, ideas and wishes in numerous ways, long before they are able to communicate through the conventions of spoken or written language ... the right to express views and feelings should be anchored in the child’s daily life at home and in his or her community; within the full range of early childhood health, care and education facilities, as well as in legal proceedings; and in the development of policies and services, including through research and consultations.”*

Children in Europe<sup>5</sup> has highlighted the participation of children as an essential value, stating that services should embody participation as an expression of democracy and as a means to combat social exclusion and should mean the active inclusion of the entire community. We would also emphasize that engagement with children and young people must include young children as well as young adults, noting the research evidence which

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<sup>5</sup> Children in Europe (2007) Ten principles for a European approach to services



demonstrates that from an early age children do exhibit small but significant cultural and political awareness.<sup>6</sup>

***We would ask how the Departments have consulted with children and young people and why a child-friendly version of the Strategy has not been made available.***

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<sup>6</sup> Connolly, P., Smith, A. & Kelly, B. (2002) *Too Young to Notice? The Cultural and Political Awareness of 3-6 Year Olds in Northern Ireland*. Belfast: Northern Ireland Community Relations Council.