

CONSULTATION

TACKLING VIOLENCE AT HOME

THE GOVERNMENT'S PROPOSALS ON DOMESTIC VIOLENCE IN NORTHERN IRELAND

Children in Northern Ireland (CiNI) is keen to respond to the consultation paper “Tackling Violence at Home” and has consulted with its members to seek their advice and information on this important issue. Following CiNI’s own consultation meeting, the wide member-representation looked at the issues within workshop settings and came up with the recommendations listed here. The broad range of questions did not allow for each one of them to be dealt with in isolation, nevertheless here are strong comments which CiNI hopes will be put to good use in the development and implementation of the future strategy to tackle domestic violence.

QUESTIONS TO PART 1: INTRODUCTION

Question 1. Should we use the definition agreed and used by the Regional Forum or should we devise a new, common definition to be adopted by all agencies in Northern Ireland?

The definition needs to acknowledge children specifically as victims since the current wording excludes children. One suggestion is to add the phrase “children and young people” at the end of the first sentence, that is;

“Domestic violence is the use of physical or emotional force or threat within close adult relationships in a way that causes harm or distress to victims, including children and young people.....”.

Inevitably, there will be equality implications, since the consultation states that there will be a positive differential for women. Our members accept this, realising that there also needs to be effective, accessible support for male victims.

CiNI highlights the need for appropriate responses from the Northern Ireland Court Service as well as the Health Trusts and Health Boards.

Question 2. What performance indicators are most appropriate for use to assess the effectiveness of a new domestic violence strategy in Northern Ireland?

There were several suggestions given in terms of performance indicators:-

- the PSNI should record age, gender and the number of children affected by domestic violence;
- the Children's Service Planning process needs to keep records of children experiencing domestic violence;
- the domestic violence strategy needs to provide overall family support and needs to link with other relevant strategies;
- the Children in Need Strategy needs to recognise the needs of children who experience domestic violence;
- Children's and Young People's Committees should have sub-groups to deal with domestic violence and its prevention.

Question 3. How should the Government best take forward the implementation of the strategy and build effective coordination engaging with all the agencies involved?

There was a strong desire to see the strategy having leadership at ministerial level and to have an inter-departmental working group playing its role in the process. It was also felt that the strategy needs to be named in the Departmental Priorities for Action document to give support to its implementation.

It was noted that work needs to be done to deal with attitudes which reinforce stereotypical views and which have diminished the visibility of the issue. This has created a stigma for people who suffer domestic violence. Often domestic violence is seen as a woman's issue and this is proving to be a challenge to men..

Implementation of the strategy requires resources to be made available:-

- with a cost-benefit analysis highlighting savings made by prevention measures;
- to resource a regional domestic violence co-ordinator to engage agencies so that there is commitment and support from a team and from relevant agencies;
- to strengthen and resource the Regional Forum (similar to the model used in the Drugs and Alcohol Strategy and the Community Safety Partnerships).

QUESTIONS TO PART 2: PREVENTION

Question 4. What are the most effective ways of teaching young people about domestic violence, its hidden nature and above all, its social unacceptability?

This question led to comments about Point 45 which referred to a recent study on teenage attitudes to domestic violence. The alarming results gave great concern and led to the following suggestions of:-

- public awareness campaigns to reinforce that violence is not acceptable;
- awareness-raising as a part of the school curriculum;
- further awareness-raising for professionals, including teachers, to recognise the signs and symptoms of the impact of domestic violence on children;
- relevant agencies working alongside schools to give information and support;
- funding for training of professional staff must include staff replacement costs; ;
- looking at the wider issues, e.g. the link with the impact of physical punishment at home.

Question 5. What are the most effective ways of raising awareness about domestic violence among the general public and key professionals?

Question 6. Is there a need for a media/public information campaign about domestic violence?

Both these questions were discussed together, with the following recommendations made to:-

- use innovative ways to raise awareness of domestic violence;
- create a dedicated strategy which is ongoing and evaluated for effectiveness;
- involve cross-border co-operation to strengthen awareness of the issue;
- encourage male figures to speak publicly about the issue;
- involve representatives of trade unions to speak about the issue of domestic violence in the workplace, recognising that domestic violence impacts on absenteeism and the loss of earnings and efficiency at work;
- include all effects of domestic violence in media/public information campaigns. This should cover the physical, emotional and financial implications of domestic violence.

Question 7. How do we encourage more people who are victims to report the violence and seek help and support?

This question led to several suggestions to encourage people to seek help and support through:-

- an effective awareness-campaign which could encourage victims to report;
- highlighting the positive outcomes for people who have already sought help and support;
- the need for a positive, safe response from agencies whom children disclose to, including health visitors and GPs. This requires a consistent approach so that professionals know the correct questions to ask and have the knowledge to refer victims on;
- the need for child victims to have a safe, secure environment for disclosure, to know that they will be treated confidentially and that they will have access to further services;
- thorough and speedy procedures need to be carried out, following disclosure;
- dealing with the worrying development where concrete evidence is required by some professionals;
- the need for women to have more information on their rights, particularly in relation to court proceedings;
- encouraging the courts to develop a consistent attitude to support services;
- ensuring that the interests of children are consistently protected, which is not always the case, in particular, if partners take contact proceedings in private law proceedings. The views and interests of children and young people must be taken into account;
- improving the support service for children through the reduction of waiting lists for counselling services and through a more extensive support provision for younger children;
- building on the role of contact centres, especially with regard to their provision of supervised and unsupervised access;

Question 8. How do we best reach particular groups, including: ethnic minority communities, the lesbian, gay, bisexual and transgender communities; children; people with disabilities; the elderly; and those lacking mental capacity?

The following points and recommendations were made to deal with:-

- the concern that some of the most vulnerable are to be found in marginalized communities, where they are more invisible and have more barriers to deal with before seeking help, if at all;
- the need for research in these communities to become aware of the level and numbers experiencing domestic violence;
- the requirement for specialised dedicated resources to work alongside specific communities so that they feel engaged and supported. Examples of resources which are needed are the production of relevant information in appropriate languages, information produced in Braille, the provision of interpreters, and

- training and facilities to deal with literacy problems and with the challenges for people with disabilities;
- the need to put in place special measures for women with insecure immigration status;
 - recognising the barrier for some communities to report domestic violence or any problems to the police;
 - the role which the churches have to play, referring to the publication “Easing the pain, healing the hurt”;
 - the need to use existing services and resources more effectively as well as trying to access more.

Question 9. What are the main issues facing practitioners in the fields of alcohol and drug treatment and domestic violence?

Question 10. How can agencies involved in drug and alcohol treatment and domestic violence work together more effectively?

These two questions were dealt with together as follows:-

- practitioners need to be aware of all the risk factors in each domestic violence situation;
- while it is recognised that alcohol and drugs are factors leading to domestic violence, it is also noted that domestic violence takes place where no alcohol or drug problems exist. It can be a misleading stereotype always to make the connection between alcohol/drug abuse and domestic violence. What is needed is research to look at how alcohol/drug abuse may be used by victims to cope.

Question 11. What do health and social services practitioners and managers need to help them to develop and sustain effective responses to victims of domestic violence?

It was felt strongly that health practitioners and managers need:-

- local responses and local strategies and in particular a local strategy for domestic violence in each Health Board area;
- more awareness of the effects and impact of domestic violence on children and their families;
- guidance in asking the most appropriate questions to find out information and thereby to find out the most effective support to give victims;
- support to give positive responses to victims;
- compulsory multi-disciplinary training to deal with domestic violence, similar to the training provision for child protection.

Question 12. What is the best way of providing information quickly, safely and easily to victims of domestic violence?

Question 13. What main areas should information to victims cover?

These questions were discussed together and the following recommendations were made for:-

- effective training to ensure the most powerful handing over of information;
- using public information campaigns to reinforce the availability of information;
- making sure that this information is easily found in public areas such as post offices and health centres;
- providing this information in different formats to reach a wider range of people;
- highlighting named people in agencies who are responsible for disseminating information on domestic violence. Empowering key workers within employment to be informed of and trained about information on domestic violence.

QUESTIONS TO PART 3: PROTECTION AND JUSTICE

This section of the consultation included 35 questions which the group could not cover in the time allocated. They chose to deal with 14 questions in particular but in no way want the remaining questions to lose their value.

Question 19. How can statutory and voluntary agencies provide more effective support to victims, the police and the courts in domestic violence causes?

Effective support to victims can be provided through:-

- providing training for the judiciary, particularly with regard to sensitive issues, including the impact of domestic violence on children and young people;
- Training for all professionals involved in domestic violence cases on the impact of domestic violence on children and young people;
- producing child-friendly information on court procedures;
- including children and young people in the concept of victims;
- supporting victims by providing a type of 'Family Officer' – someone who will provide support and counselling, who has access to the full range of information on the case and someone whom the victim will trust and build a relationship with. It is recognised that such a support will need appropriate resources;
- providing 'separate representation' for children and young people. This is provided for in Article 35 and 36 of the **Family Homes and Domestic Violence Order** although it was noted that these articles have not been commenced and are unlikely to be so in the near future. Research is being carried out in England and Wales and it will be useful to learn of the research findings;
- avoiding conflict between bail conditions and court orders. This was referred to when there is confusion between the conditions of bail and court orders which can lead to problems, for example, with child contact arrangements. It was suggested

that child contact centre staff should be allowed to view court orders so that the conditions are clearly known. It was also suggested that there is a need for guidelines to indicate the precedence of civil orders, and a need for better communication between the civil and criminal system.

Question 20. What measures should be put in place to manage and reduce delays in domestic violence cases at both investigation and court hearing stages?

In terms of investigation there needs to be a standard investigation procedure which, it is recognised, is being looked at in terms of the role of Domestic Violence Officers. In terms of delays in investigations and court hearings the impact of such delays on victims must be taken into account. It was suggested that there should be a prioritisation of domestic violence cases and a revisiting of case management targets.

Question 21. –Would enabling victims to apply for reporting restrictions encourage more victims of domestic violence to come forward? Are further measures needed, for example granting reporting restrictions automatically on application?

It was recognised that reporting restrictions would apply to both parties – victims and perpetrators – and would raise the issue of the naming and shaming of the perpetrator. It was felt that this issue is likely to come down to individual choice and circumstances. An example of good practice was provided where in sexual abuse cases in the Republic of Ireland victims can choose to waive their right to anonymity in order to shame the perpetrator. What was stressed was the importance of victims having information on the implications of restrictions, including the likely impact on children and young people.

Reference was made to the difficulties in ethnic minority communities with regard to disclosure. It was noted that while there is a high incidence of domestic violence amongst the Traveller community, there are examples of good practice; for example, the Belfast Travellers Education and Development Group Traveller Women’s Health Project where traveller women are now working directly in their communities and would benefit from specific training on domestic violence issues. A further example is of the Pavee Point Project in Dublin where training and support are provided to Traveller women who then work as link workers with local health service providers. Pavee Point also works with Traveller men on domestic violence issues.

Question 25. Should wider family relationships, such as cousins, be included in a definition of “associated persons” for molestation orders?

It was agreed that wider family relationships should be included in the definition of “associated persons” with recognition being given to different family circumstances, the geographical proximity of family members, cultural factors .

Question 27. Is this sufficient recognition of same sex relationships, or should the legislation be amended?

It was suggested that cohabittees should include same sex partners, recognising that currently they cannot obtain occupation orders.

Question 28. Should “molestation” be defined in legislation, or should the concept be allowed to remain fluid, to ensure that account can be taken of the evolution of views of what constitutes domestic violence?

There were no problems expressed with the current position with regard to “molestation”.

Question 29. Should the legislation be clarified on this point and should any checks be put in place in relation to exclusion zones to protect the respondent?

It was noted that exclusion zones can be attached to non-molestation orders which have the potential to protect children who are vulnerable and can operate around a child’s school.

Question 30. What is the most appropriate way of delivering non-molestation and occupation orders?

Question 31. Should the PSNI continue to serve them or should they be posted or delivered in some other way?

These questions were discussed together with the following suggestions made:-

- the method of delivering non-molestation and occupation orders must be quick, effective and safe;
- an ex-parte order is best served by the police but the further order could be served by another method. It was recommended that only **one** order should be served, to include the date of the court hearing;
- agencies involved in domestic violence situations must have an understanding of each other’s working procedures. There is an inconsistency of approach across Northern Ireland. An example was given of an inappropriate use made of a child contact centre by the police when serving an order on a parent. This affected the neutrality of the child contact centre and made things difficult for the families and workers concerned.

Question 34. How long should ex parte orders be made for?

At present an order is made until the parties go back to court and the issue is what is the appropriate length of time for this. It was suggested that the period should be from 4 to 6 weeks to give time for case preparation and for the individuals concerned to prepare emotionally.

Question 35. Should the Government create a more formal register of civil orders, and if so should the register include both current and expired orders?

There was discussion about the availability of such a register, recognising that currently the information is held by the police. There was concern about how widely this information should be made available, for example, would it be used for child protection purposes by the PECs register? If so, this would have human rights implications for men, particularly where there is no conviction.

Question 39. Should a formal register of domestic violence offenders be established?

There were concerns about the establishing of a formal register, particularly in regard to the sharing of the information. There was uncertainty about the quality of information that would be held. Domestic violence is not regarded as a stranger danger issue as it occurs in close adult relationships where victim and perpetrator are known to each other, and domestic violence is unlikely to occur outside of such relationships, whereas in relation to sex offences these can commonly be committed by a stranger and therefore there is more threat to the public at large in relation to sex offences.

Question 45. Is current provision covering child contact arrangements sufficient, and does it offer adequate protection to vulnerable children?

Question 46. Are any steps necessary to further protect children through changes in child contact arrangements?

These two questions were discussed together, with the following points made:-

- **the Family Homes and Domestic Violence Order** inserted a provision in the **Children Order** on domestic violence and contact and experience has shown this to be useful in highlighting children as victims of domestic violence;
- there is a real concern about the lack of supervised contact in child contact arrangements, particularly when domestic violence is a concern. One main reason for this is the lack of resources for social services in this role;
- the lack of resources is also a problem with regard to the low number of existing child contact centres when the need is for many more;
- essential training is needed for all professionals on the impact of domestic violence on children and young people;
- training in risk assessment is also needed to help decide whether or not the use of contact centres is appropriate in certain cases;
- some fathers fail to meet their contact arrangements and they need to have highlighted the impact this has on their children;
- highlight the pilot training programme available for men, called “Men Overcoming Domestic Violence”.

QUESTIONS TO PART 4: SUPPORT

Question 50. How effectively is the current homelessness legislation assisting those made homeless through domestic violence?

The amount of administration is causing problems to organisations and individuals. This is because of the quantity of form-filling which is taking up too much time and taking workers away from the support-giving that is needed in dealing with domestic violence cases. While there is a recognition that the current legislation is achieving positive results, there is an urgent requirement to streamline the paperwork

Question 53. Can you identify any unmet need for support services and accommodation, including that for victims from ethnic minority communities; the lesbian, gay, bisexual and transgender communities; and male victims of domestic violence?

Question 54. How should unmet need be addressed?

These two questions were discussed together, and the following suggestions made:-

- an unmet need is in communication, where the provision of language/interpreting needs to be increased;
- children need help to communicate within their ability about the effects of domestic violence. This can be achieved with the use of appropriate toys which show an awareness of their culture;
- develop a network directory to help people access help for their specific needs;
- develop the availability of support for male victims – at present victims are directed to Relate and Men to Men and while both are supportive, they cannot be expected to deal with this level of need alone. It was also noted that both services require a fee to be paid, albeit small, and it was thought that such services should be free;
- develop support for lesbian and gay couples who are suffering from domestic violence – again Relate is the organisation recommended for help;
- develop a monitoring system to try to discover and deal with domestic violence at an earlier stage, thereby preventing children from having to reach the child protection register.

Question 56. How can we make effective the new provision enabling the Housing Executive and registered social landlords to repossess properties from tenants whose cohabitants have been driven out by domestic violence?

This is such a new provision that it was felt too early to be expected to respond to this question.

Question 57. How can we ensure the most effective use of “Supporting People” resources to maximise the provision of support services to victims of domestic violence?

Question 58. Are existing support services adequate to meet the needs of children and young people affected by domestic violence?

These two questions were discussed together and the following points were made:-

- there needs to be support made available to older children who may choose to stay in the family home with the perpetrator while the victim has left with younger children. These young people in some cases have made unhealthy decisions to stay and may remain in a risky situation, seeing negative role-modelling at first hand. They need to be supported in this position but quite often are missed out on the support offered to other family members and can feel isolated;
- support needs to be available for children when **they** need it. In some cases the child will not need support during the separation of their parents, but at a later stage in the process. This can happen after the victim has received support, has started to gain benefits from having separated and has moved on in the recovery process, yet the child may not show signs of distress and anxiety until later;
- reference was made to the NSPCC-North Down and Ards Trust pilot education support scheme and a recommendation to see if this can be co-ordinated more widely;
- there is a need to reinforce the inclusion of domestic violence in child protection policies in schools as it is uncertain how widely it is currently included;
- help is needed for schools to deal with domestic violence, for example, with up-to-date protocol on managing disclosure. Designated teachers who deal with pastoral care are given annual training in child protection, which it is hoped includes domestic violence. It was felt that annual training is not enough to ensure that teachers work with the most up-to-date information;
- educate the judiciary in order to make victims’ contact with the courts easier than present;
- develop awareness-raising and referral methods between health services and women’s organisations. Currently there are gaps which are not serving women who are suffering from domestic violence;
- more research is needed on the impact of depression on children as a result of domestic violence in their families;
- while child contact centres are providing a supportive environment and safe handovers of children, the lack of resources means that they cannot offer assessment or supervision. There is a concern that the opportunities to pick up clues about the state of the child’s well-being during supervision are being lost, and so there is a need to give more resources to these centres;
- service providers need to give a parallel service to the mother and the child whether they are in a refuge or within their community. It is also important to involve the mother in the service provision for the child to reinforce their relationship;
- children and young people have the right to see their father whom they may still love, despite being aware of his violence against their mother. If there are no legal

proceedings following domestic violence, there is no provision for the children to see their father. This is a right which children are having denied and there should be a provision for the children to have a choice to see their father;

- with regard to the increase of in-patient beds, referred to in point 288, there was concern that this may still not be enough and that advice would be needed from child psychiatrists;
- develop inter-agency work with teachers, PSNI, Social Services, NI Women's Aid Federation;
- there is a concern that some children are considered to have special needs when in fact their behaviour is a result of a difficult home environment. Children need to be prevented from gaining a stigma about their educational abilities and need to be given sensitive support;
- youth services make good use of outside support on issues such as domestic violence. This takes the form of representatives from relevant organisations speaking to and working with their members. What is needed within the youth service is training to help leaders and volunteers deal with this issue. The wording in point 298 led to a query, with the inclusion of the phrase "one to one counselling". The suggestion was made to change the phrase to "one to one support" which would be more accurate of the services provided within the youth services;
- more resources are needed to reduce the 18-month waiting list for children to benefit from work by educational psychologists

PART 5: EQUALITY IMPLICATIONS

CiNI members recognise that the definition will need to reflect the fact that 89% of victims of domestic violence are women and within that there must be inclusion of the inevitable impact this has on children. While supporting the need to give a gender bias to the work of the strategy, we want to ensure that appropriate services are available for children and young people for them to gain information and support. We want to see such services being made available to all children and young people who experience the impact of domestic violence.

CONCLUSION

A summary of the recommendations made by CiNI members, following the consultation meeting, includes the need for:-

- children and young people to have a specific inclusion within the definition;
- public awareness-raising campaigns to try to prevent domestic violence;
- training for all professionals involved in domestic cases, including the judiciary, on the impact of domestic violence on children and young people.
- responsibility for tackling domestic violence to be held at ministerial level;
- inter-agency work and further training are needed for professionals to manage disclosure by children and young people;
- training for all professionals in the court process in order to give children more support;
- specific support for children from ethnic minority communities and children with a disability;
- support at times of crisis **and** during the recovery period for children;
- resources to promote existing and future service provision for children and young people;
- resources to establish and support a regional co-ordinator's role to work with relevant bodies to support all children, young people and their families who experience domestic violence.

The consultation is very much welcomed. CiNI looks forward to receiving the recommendations and encourages the Government to establish and implement a strategy to tackle domestic violence which will be co-ordinated and adequately funded.