



Federation Northern Ireland

RESPONSE TO

**The Northern Ireland Court
Service**

Consultation

**A Proposal to Revise the Means
Test for Criminal Legal Aid**

May 2010

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24 Hour Domestic Violence Helpline - 0800 917 1414

Core work of Women's Aid: Background information & statistics

1. Introduction

Women's Aid is the lead voluntary organisation in Northern Ireland addressing domestic violence and providing services for women and children. We recognise domestic violence as one form of violence against women. Women's Aid seeks to challenge attitudes and beliefs that perpetuate domestic violence and, through our work, promote healthy and non-abusive relationships.

2. Core Work of Women's Aid

The core work of Women's Aid in Northern Ireland, including Women's Aid Federation Northern Ireland and the 10 local Women's Aid groups is:

- To provide refuge accommodation to women and their children suffering mental, physical or sexual abuse within the home.
- To run the 24 Hour Domestic Violence Helpline.
- To provide a range of support services to enable women who are leaving a violent situation to rebuild their lives and the lives of their children.
- To provide a range of support services to children and young people who have experienced domestic violence.
- To run preventative education programmes in schools and other settings.
- To educate and inform the public, media, police, courts, social services and other agencies of the impact and effects of domestic violence.
- To advise and support all relevant agencies in the development of domestic violence policies, protocols and service delivery.
- To work in partnership with all relevant agencies to ensure a joined up response to domestic violence.

3. Women's Aid Statistics (2008 - 2009)

- 12 refuges with 300 bed spaces, playrooms and facilities.
- 1058 women and 890 children sought refuge.
- 15 resource centres for women seeking information and support; group work and training.
- 2,814 women and 2,753 children accessed the Floating Support service enabling women to access support whilst remaining in their own homes and communities.
- 2,753 children and young people accessed protection and support services.

- Move-on houses for women and children leaving refuges.
- In 2008/09 the 24 Hour Domestic Violence Helpline open to anyone affected by domestic violence, managed 27,663 calls. This represented an increase of 14% on 2007/08
- Volunteers are a core part of the Helpline team: throughout the year they contributed a total of 3,268 hours to the service, an average of 9 hours per day, 365 days of the year

4. Additional Women's Aid Statistical Data

- During the last 10 years Women's Aid across Northern Ireland gave refuge to 12,579 women and 12,748 children and young people
- During the last 14 years Women's Aid Federation Northern Ireland managed 212,215 calls to the 24 Hour Domestic Violence Helpline

5. Statistics: Domestic Violence & Violence Against Women

- Domestic violence is a violation of Article 5 of the UN Universal Declaration of Human Rights – that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”;
- Domestic Violence is a crime. PSNI statistics for 2008/09 indicate that there were more recorded crimes with a domestic motivation (9,211) than the combined total of all the following crimes (9,155). These include all recorded sexual offences (1,943), robbery (650), armed robbery (508), hijacking (125), theft or unauthorised taking of a motor vehicle (2954), arson (2002) dangerous driving (746), handling stolen goods (220) and offences under anti-terrorism legislation (7).
- PSNI Statistics for 08/09 indicate that they responded to a domestic incident every 22 minutes of every day of the year.
- The number of all recorded offences of murder in Northern Ireland in 08/09 total 24. Those classed as having a domestic motivation total 7. Therefore, 29.2% of all murders in Northern Ireland in 08/09 had a domestic motivation.
- There were 381 rapes in Northern Ireland in the period 2008/09, 23 attempted rapes and 1,134 crimes classified as sexual assault/sexual activity.

(Source: PSNI Statistics 2008/09)

- Official sources (NISOSMC) estimate that up to 80% of sex crimes are not reported.
- The joint NIO, DHSSPS Strategy “Tackling Violence at Home” estimates that the cost of domestic violence in Northern Ireland, including the potential loss of economic output, could amount to £180 million each year.
- UNICEF research released in 2006, showing per capita incidence, indicates that there are up to 32,000 children and young people living with domestic violence in Northern Ireland.
- Where the gender of the victim was known, 76% of adult victims of domestic crimes recorded by the PSNI in 2007/08 were female.*
- Over 30% of all domestic violence starts during pregnancy.**
- Violence Against Women is not limited to domestic violence, it includes amongst other crimes murder, rape, sexual assault, sexual exploitation, trafficking, sexual stalking and sexual harassment.

(*NIO Statistics & Research Branch Bulletin 16/2008 “Experience of Domestic Violence: Findings from the 2007/08 Northern Ireland Crime Survey, 2008, pg.2. N.B. “Adult” defined as aged 17 and over)

(** Women’s Aid Federation NI)

Women’s Aid Federation NI welcomes the publication of this consultation on A Proposal to Revise the Means Test for Criminal Legal Aid in Northern Ireland and the opportunity to comment upon it on behalf of our members. The following comments reflect their collective views.

6. Comments:

- In the context of the policy proposals contained in the consultation document, Women’s Aid, in principle, is open to the reform of the means test, as we are of the view that this could potentially prove an effective method of targeting social need in this context.
- We are however of the opinion that in cases involving domestic violence, all victims have the right to be supported financially by the state given the nature and impact of the offences involved.

- We therefore believe that means testing or any other screening criteria should not apply in cases involving domestic violence.
- Similarly, it is our view that the interests of justice criteria must be supported in all domestic violence cases.
- Women's Aid would contend that we will be better placed to offer our views on the totality of the policy proposals when we are presented with further detail, both in respect of the criteria for the means test and the recommendations resulting from the review of the interests of justice test.
- Women's Aid remains deeply concerned that the introduction of means testing for Criminal Legal Aid in cases involving domestic violence could, in practice, result in additional barriers to justice for women in Northern Ireland.
- This is particularly the case as many women leaving abusive relationships often find themselves in reduced financial circumstances through no fault of their own and as a direct result of the violence and abuse to which they have been subjected.
- This means that whilst an individual may appear on the basis of their salary or household income, to be financially secure, when the costs incurred as a direct result of the abuse they have sustained and their resulting change in circumstances, for example the necessity to relocate, is taken into account, their disposable income is frequently severely limited.
- It is the view of Women's Aid that any instance, in which a woman in Northern Ireland is unable to seek legal redress as a result of prohibitive legal fees, or the necessity for women to incur serious debt in order to do so, constitutes a serious miscarriage of justice which requires to be urgently addressed and remedied.

For further information about this response please contact:

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