



Response in relation to:

Safer Together: Community Safety Strategy

Northern Ireland Housing Executive

11 July 2014

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Freephone from all landlines and mobiles. Translation service available.

Open to *all women and men* affected by domestic & sexual violence

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Women's Aid statistical data

- Since 1999, Women's Aid across Northern Ireland gave refuge to 16,425 women and 15,488 children and young people.
- During the last 17 years Women's Aid Federation Northern Ireland managed 374,406 calls to the 24 Hour Domestic & Sexual Violence Helpline.

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”.
- 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, 72% of adult victims of domestic crimes recorded by the PSNI in 2012/13 were female.¹
- Over 30% of all domestic violence starts during pregnancy.²

Domestic violence: Crime statistics (Source: PSNI Statistics 2012/13)

- Domestic Violence is a crime. PSNI statistics for 2012/13 indicate that there were more recorded crimes with a domestic motivation (11,160) than the combined total of all the following crimes (9,976) – all recorded sexual offences (1,948), shoplifting (5,890) and theft of a motor vehicle (2,138).
- PSNI Statistics for 12/13 indicate that they responded to a domestic incident every 19 minutes of every day of the year.
- The total of 11,160 crimes with a domestic motivation in 12/13 represents an average of approximately 1 domestic crime every 47 minutes in Northern Ireland.
- The number of all recorded offences of murder in Northern Ireland in 12/13 total 17. Those classed as having a domestic motivation total 5. Therefore, 29% of all murders in Northern Ireland in 12/13 had a domestic motivation.
- There were 533 rapes (including attempted Rapes) in Northern Ireland in the period 2012/13.

¹Findings from the PSNI Trends in Domestic Abuse Incidents and Crimes Recorded by the Police in Northern Ireland 2004/05 to 2012/13 N.B. “Adult” defined as aged 18 and over

²Women's Aid Federation Northern Ireland

Overarching Issues

- Women's Aid Federation Northern Ireland welcomes the publication of the *Safer Together: Community Safety Strategy*, and the opportunity to comment on it on behalf of our local Women's Aid groups.
- We welcome the work of NIHE in tackling domestic and sexual violence and preventing homelessness in Northern Ireland, through its partnership work and commitment to funding the 24 Hour Domestic & Sexual Violence Helpline, Women's Aid refuges, and Floating Support services through Supporting People. We are surprised that this strategy document does not more explicitly outline the excellent work that NIHE is doing to keep the community safe by addressing domestic and sexual violence. We recommend that the strategy document is amended to reflect the ongoing work in this area and to acknowledge the success of such initiatives and partnership working more definitively.
- Women's Aid is extremely concerned that NIHE continues to categorise domestic violence and abuse as a form of anti-social behavior (ASB). We regard it as highly inappropriate that the persistent abuse of one human being by another is defined in the same category as vandalism and noise nuisance. In the Glossary at page 20, anti-social behavior is defined as "*when the tenant or a person residing in or visiting the dwelling house has been guilty of conduct causing, or likely to cause, a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality.*" This does not reflect the terror and fear that victims of domestic abuse live with on a daily basis, or the persistent and deliberate nature of domestic abuse. Labelling domestic violence as 'anti-social' downplays its seriousness, and plays into the old myths that 'it's just a domestic' as opposed to being a serious form of abuse. This is in stark contrast to the fact that nearly one third of the murders in Northern Ireland last year were domestically motivated. We urge that the strategy recognizes the differences between domestic & sexual abuse and anti-social behavior, while still giving domestic and sexual abuse their important place within the strategy in order to ensure the safety of victims.
- It is essential that this strategy recognizes that tackling domestic violence requires different approaches and solutions from other forms of offending behavior. While solutions like mediation and community restorative justice may be appropriate for dealing with many kinds of anti-social behavior, they are not appropriate for tackling domestic violence situations. Such approaches do not take into account the intimate or close familial relationship between perpetrator and victim, the extreme power imbalance between perpetrator and victim which is always present in an abusive

situation, and the very real risks to victims' safety and wellbeing. Unlike anti-social behavior like vandalism or noise pollution, domestic violence is a form of abuse. It is not merely reckless behaviour; it is a deliberate and sustained pattern of abusive behavior aimed at gaining complete control of a victim. Abuse can be psychological, emotional, physical, sexual, or financial – in most cases it is a combination of several or all of these. Ensuring the safety of the community and individual victim in such cases requires expertise and specialized, targeted approaches based on established best practice.

- Our previous comments notwithstanding, it is worrying that so few incidents of ASB are being identified as having a domestic violence component according to the figures from NIHE in this draft document (diagram p 15). Women's Aid can say without reservation that there are households where domestic violence is present in every housing development managed by NIHE. We recommend that all cases where domestic violence is present should be recorded as including a domestic violence element, even when the primary anti-social behavior of concern is not the abuse itself. We urge that NIHE reviews its identification process and commits to identify more cases of domestic abuse within its properties and make appropriate referrals.
- In cases where domestic violence is not identified as the primary cause or type of anti-social behavior but is a factor, we urge that the presence of domestic abuse is taken into consideration when solutions are being considered. In such cases, NIHE should ensure that their response does not punish a victim further, for instance by evicting a victim from her house due to property damage caused by a violent incident.
- We would also urge caution in cases where abusive incidents take place and alcohol or substance abuse is involved. It is important not to conflate alcohol / substance misuse with domestic violence. If an abusive incident occurs and alcohol / illicit drugs have been consumed, it is important that staff understand that although alcohol or drug use may exacerbate an abusive situation or result in a violent incident, they are not the cause of domestic violence. Such incidents form part of a pattern or cycle of abusive behavior which continues whether or not substances have been consumed – domestic abuse is more than just one violent incident.

Comments on Strategy Section 2: Our Vision for Housing in Northern Ireland

- We suggest rewording the bullet point on page 3 which commits to support to victims “*where appropriate*” – it is always appropriate for some kind of support to be put in place where someone has been victimised, even if this is just signposting to another expert organization.
- We note that a risk assessment process is mentioned on page 3, however there is no action to put this in place in the 3 year plan in section 7. We also recommend that any risk assessment process should be capable of taking all relevant factors to any given community safety situation into account. Given the extremely low numbers of domestic violence cases recorded in this document, it is clear that domestic abuse is not being identified as a primary type of ASB. However if abuse is present in a household, this must be factored into any risk assessment that takes place, even if that abuse is not the primary issue being dealt with.

Comments on Strategy Section 3: Strategic Context

- In the list of relevant strategies informing this document on page 4, we recommend adding the *Stopping Domestic & Sexual Violence & Abuse strategy 2013 – 2020*, especially given that the remit of the Northern Ireland Housing Executive is to prevent homelessness. As domestic abuse, and in particular leaving an abusive relationship, can result in homelessness for victims and their children, it is crucial that this strategy is fully linked in with the *Stopping Domestic & Sexual Violence and Abuse strategy 2013 – 2020*.

Comments on Strategy Section 4: What We Are Doing Now

Statutory interventions

- We note that the main aim of statutory interventions is to “*work with the perpetrator through a range of interventions in an attempt to keep the individual in their home*”. While this is an appropriate aim for most forms of ASB under the strategy, it is not appropriate in cases where that identified behavior is domestic violence. Keeping a domestic violence perpetrator in the home with a victim should

not be a desired outcome; the main desired outcome in such cases should always be ensuring the safety and wellbeing of the victim. If this necessitates removing the perpetrator from the property, it should be stated in this strategy that such action should be taken.

Mediation

- While mediation can be a useful tool in a wide range of situations relating to anti-social behavior and disputes between neighbours, it is never appropriate in cases where domestic violence is a factor. This would include situations where, for example, NIHE property is damaged in the course of a domestic incident, where injury of a victim occurs in an NIHE property, or where noise complaints result from a domestic incident.
- In cases where the complainant is the victim themselves, it is unreasonable and dangerous to force them into a mediation situation. Domestic violence is defined by the imbalance of power in a relationship, with the abuser or perpetrator possessing all the power, and coercing, manipulating and cajoling the victim into submission. In a mediation situation, that power imbalance is brought into the room and the victim is placed in a situation where they are open to more coercion, manipulation and abuse - this constitutes re-victimisation of an already vulnerable person. A victim may also be unable to express themselves openly due to their fear of their perpetrator, and thus any 'solution' is likely to be entirely in the perpetrator's favour.
- What happens around a mediation table can also have a dangerous and direct impact on what happens when that session ends and perpetrator and victim go home. A victim who may have been encouraged to speak her mind around that table may find that what she says will then be used as an excuse for physical violence against her. Mediation puts victims of domestic violence at risk of injury or death, and it is the recommendation of Women's Aid that it is never used in circumstances where domestic violence is a factor, in the interests of all victims' wellbeing and safety.
- Perpetrators of domestic abuse are motivated and sometimes devious, and they will use any opportunity to abuse their victim and maintain the status quo (whether that is the victim remaining in the relationship, the perpetrator remaining in the house, or the perpetrator controlling the victim's daily life or finances). Interventions such as mediation merely give perpetrators access to their victim and another opportunity to abuse. The fact that they are able to do this in plain sight of statutory

agencies attempting to resolve the situation only strengthens a perpetrator's position, and confirms to victims that their perpetrator is inescapable and that their situation is hopeless.

Warning letters

- If domestic violence is the cause of the complaint, warning letters may be ineffective at best, or inflammatory and spark another abusive incident and put a victim in danger at worst. The first action from NIHE should instead be to contact the 24 Hour Domestic & Sexual Violence Helpline or a local Women's Aid group, so that the victim can be supported, risk assessed, and a safety plan put in place.

Community based Restorative Justice practices

- We note that community-based restorative justice groups have been used to deal with a wide range of ASB, including "family issues" (Page 8). While such groups can be invaluable in many different types of dispute resolution and community problem solving, they do not possess the requisite expertise or understanding of domestic and sexual violence and abuse, or the necessary risk assessment and planning required to keep a victim (and their children) safe. In such cases, NIHE should engage with expert organisations such as Women's Aid, NEXUS or NSPCC to facilitate resolution of the situation in a manner that is victim-centred and which follows best practice.

ABC contracts

- Women's Aid does not recommend the use of ABC contracts where domestic violence is an issue. Our main concern is that a perpetrator's alleged compliance with these contracts may be used as a means to manipulate or psychologically abuse a victim further. For instance, if an ABC is in place, yet only covers acts of physical violence, an abuser may continue to psychologically abuse a victim while claiming that he is not being abusive as he has not breached the terms of the ABC. A perpetrator may go further to use compliance with the ABC as 'proof' that the victim is "imagining things" or being "crazy". This is a common form of psychological abuse.
- There is also a danger that such contracts may provide a dangerous false sense of security for a victim – who may ignore warning signs of danger or falsely believe that

this non-binding contract is capable of protecting her from harm, which is not the case.

PCSPs

- Regarding NIHE's role in PCSPs, we would urge that staff involved in PCSPs ensure that all community safety issues are being addressed by PCSPs, including hidden crimes like domestic and sexual violence. As an agency with substantial awareness of domestic and sexual violence and their impact, it is the duty of agencies like NIHE to ensure that such issues are kept on the agenda and prioritized appropriately in the interest of both the community's collective safety and that of individual victims.

Supporting victims of domestic and sexual abuse

- We are disappointed that there is no mention of the *Stopping Domestic & Sexual Violence and Abuse* strategy. That strategy, and its predecessors *Tackling Violence At Home* and *Tackling Sexual Violence and Abuse*, are the cornerstone of the Northern Ireland government response to domestic and sexual violence. As such, all other strategies and agencies that work in this area should ensure that all work is in keeping with the objectives of the strategy and furthers the commitments in the accompanying action plan.
- We would point out that the Sanctuary Scheme, although a welcome tool to protect victims of domestic violence, is only open to higher risk cases. The scheme does not do anything to protect or support those victims who have been identified as medium or low risk but are nonetheless suffering abuse.
- We are also concerned that the Sanctuary Scheme may not be exempt under Bedroom Tax proposals as part of Welfare Reform, therefore women who have sanctuary rooms in their NIHE properties may stand to be financially penalized for this lifesaving facility. We would question how NIHE plans to continue to protect those high risk women who have availed of the scheme or need to do so in future in light of these potential reforms.
- We welcome the protocol between NIHE and Women's Aid Federation Northern Ireland. We are delighted that this essential piece of work is being taken forward. At present this protocol is still in development and is not yet in operation. We recommend that finalising and implementing this protocol should be included in the 3 year plan as an action in Section 7 and that the document is updated to reflect the current status of the protocol.

- We welcome the support of NIHE for the 24 Hour Domestic & Sexual Violence Helpline and Women’s Aid refuges and Floating Support services through Supporting People funding. We recommend that this work is outlined in detail within this section of the strategy, to give NIHE due credit for the excellent work that is being done to support victims of domestic and sexual violence in Northern Ireland. We would also urge that the Helpline is given its full title – the 24 Hour Domestic & Sexual Violence Helpline – throughout the document. This is to avoid confusion among those reading the strategy, and to comply with the Helpline’s funding requirements.

Comments on Strategy Section 5: Analysis of Reported ASB

- We note the very low number of cases that record domestic violence as the type of ASB. Notwithstanding our comments on the inappropriateness of labelling domestic violence as a type of ASB, it is worrying that the number of incidents that are recorded with a domestic violence element is so low. In our professional experience, the prevalence of domestic violence in NIHE properties is much higher, and we are concerned that if incidents are not being picked up by the Housing Executive this may be indicative of a failure to support domestic violence victims or present NIHE as a safe space for victims to report and confide.

Comments on Strategy Section 6: Emerging Issues for Action

- In order to increase community confidence, we recommend that measures within this section should include closer cooperation with non-statutory expert organisations, such as Women’s Aid, on issues requiring specialist knowledge and expertise.
- We note with concern proposals to introduce short secure tenancies in Northern Ireland. It is vital that NIHE protects the needs and rights of all victims of domestic violence, particularly their rights to secure tenancies. We seek strong reassurance that where there is currently or where there has been a history of domestic violence in the household, the rights to secure tenancies for victims will be fully protected and victims will not be disadvantaged in any way.
- Women’s Aid does not believe short secure tenancies will be appropriate in every case of what is considered to be ‘anti-social’ behaviour. There will be a whole

spectrum of behaviours which could fall under this term, and there needs to be full consideration of the nature and impact of such behaviour along with full consideration of surrounding circumstances including looking beyond the behaviour at reasons for offending behaviour. We are concerned that these proposals may provide social housing landlords with extensive powers to demote and possibly evict a tenant with minimal litigation. The proposals could also be used to penalise behaviours which are not serious enough to warrant the threat of eviction. The issue of clear guidance and training to landlords will be crucial to making this work and we believe that any such proposals needs to include detailed guidance, following a comprehensive consultation and published prior to the implementation of such proposals to ensure a clear and robust foundation for taking them forward.

Comments on Strategy Section 7: What We Are Planning to Do in the Next 3 Years

- As stated earlier in our submission, we recommend adding a commitment to finalise and roll out the referral protocol with Women’s Aid. Women’s Aid also urges that this is accompanied by a strong commitment to improve support provided to victims of domestic and sexual abuse, including a commitment to refer all suspected victims of domestic & sexual violence and abuse to the 24 Hour Domestic & Sexual Violence Helpline or Women’s Aid services.
- This section should include a statement about fulfilling commitments under all relevant government strategies and action plans relating to community safety. This includes the *Stopping Domestic & Sexual Violence and Abuse* strategy and action plans, which are inextricably linked to community safety given that 1 in 4 women will experience domestic violence in their lifetime and 27,628 domestic incidents were reported to the PSNI in 2013-14.
- The aim to “*continue to support victims of domestic and sexual violence through MARAC and PPANI projects*” should be strengthened. Women’s Aid would like to see NIHE committing to improve its response to clients who are victims of domestic and sexual violence. While we welcome NIHE’s commitment to PPANI, these arrangements are only effective in preventing future victims – they are not designed to protect current victims. For this reason, it is crucial that NIHE adds the aim of ‘supporting and promoting the 24 Hour Domestic & Sexual Violence Helpline and Women’s Aid services’ and ‘strengthening partnership working / improving referrals

to the 24 Hour Domestic & Sexual Violence Helpline and Women's Aid services' to this action plan.

- We recommend that the 3 year plan includes rolling out a partnership working approach between statutory and voluntary sector organisations. Addressing anti-social behaviour requires the combined skills and expertise of a wide range of agencies and professionals, including the voluntary and community sector, and such partnership working will be key to the strategy's success.
- While we welcome NIHE's commitment to MARAC and the Sanctuary Scheme, we would again point out that both only apply to high-risk victims. We would urge that this strategy goes further and commits to protecting those victims of domestic violence who are not considered high-risk. As well as supporting a wider number of victims in need, this step may prevent the escalation of those low or medium risk cases of abuse to the point where a victim is at high risk of serious injury or death.
- Women's Aid believes there is a clear need for early intervention and endorses a system based upon supporting families at the earliest stages to reduce the need for more extreme interventions. What can be interpreted as 'anti-social' behaviour most often occurs where there are problematic childhoods, stressful life events and/or community disadvantage. Addressing these support needs at an early stage can provide a proactive and preventive approach to addressing criminal behaviour among young people, reducing the number of incidents of ASB that occur.
- While we support the aim of building community confidence, we recommend that there should also be an overall aim of supporting individual victims. In cases of domestic and sexual violence, it is often the case that the community is not even aware of such abuse in their locality, unless it disrupts their lives in the form of noise nuisance etc. However such abuse has a significant negative impact on the lives of victims who are NIHE tenants. We urge that this strategy recognizes victims as individuals as well as members of the community, and puts in place a process to support them under this strategy. Such a process should expand on the partnership work already being done between NIHE and expert organisations like Women's Aid.

Contact Details

For further information about this response please contact:

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