



Federation Northern Ireland

Department of Justice

A Response to: Consultation on Proposals to Extend the Use of Live Links in Court

21 September 2012

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*Open to **anyone** affected by domestic violence*

Core Work of Women's Aid: Background Information & Statistics

1.0 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.

2.0 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.

3.0 Women's Aid Statistics (2010 - 2011)

- 12 refuges with 300 bed spaces, playrooms and facilities.
- 1058 women and 754 children sought refuge.
- 15 resource centres for women seeking information and support; group work and training.
- 3,450 women and 3,739 children accessed the Floating Support service enabling women to access support whilst remaining in their own homes and communities.
- Move-on houses for women and children leaving refuges.
- In 2010/11 the 24 Hour Domestic Violence Helpline, open to anyone affected by domestic violence, managed 38,296 calls. This represented an increase of 18% on 2009/10.

4.0 Additional Women's Aid Statistical Data

- Since 1999, Women's Aid across Northern Ireland gave refuge to 14,714 women and 14,356 children and young people.
- During the last 16 years Women's Aid Federation Northern Ireland managed 282,860 calls to the 24 Hour Domestic Violence Helpline.

5.0 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”;
- The joint DoJ, 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 2010/11 were female.*
- Over 30% of all domestic violence starts during pregnancy. **

6.0 Domestic Violence: Crime Statistics

- Domestic Violence is a crime. PSNI statistics for 2010/11 indicate that there were more recorded crimes with a domestic motivation (9,546) than the combined total of all the following crimes (9,471). These include all recorded sexual offences (2,120), robbery (622), armed robbery (562), hijacking (122), theft or unauthorised taking of a motor vehicle (2719), arson (1884) dangerous driving (699), handling stolen goods (194) and offences under anti-terrorism legislation (19).
- PSNI Statistics for 10/11 indicate that they responded to a domestic incident every 23 minutes of every day of the year.
- The total of 9,546 crimes with a domestic motivation in 10/11 represents an average of approximately 1 domestic crime every 60 minutes in Northern Ireland.
- The number of all recorded offences of murder in Northern Ireland in 10/11 total 20. Those classed as having a domestic motivation total 7. Therefore, 35% of all murders in Northern Ireland in 10/11 had a domestic motivation.
- There were 550 rapes (including attempted Rapes) in Northern Ireland in the period 2010/11.

(Source: PSNI Statistics 2010/11)

- Official sources (NISOSMC) estimate that up to 80% of sex crimes are not reported.
- 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.

(*Findings from the PSNI Crime Statistics Report 2010/11 N.B. "Adult" defined as aged 18 and over)

(** Women's Aid Federation NI)

7.0. Comments

7.1 Women's Aid Federation Northern Ireland welcomes the publication of the consultation on proposals to extend the use of live links in court, and the opportunity to comment upon it on behalf of our ten local groups.

8.0 Committal proceedings (3.4)

8.1 Women's Aid supports the use of live links for defendants during committal proceedings. In our professional experience, some perpetrators of sexual crimes may use their physical presence in committal proceedings to intimidate victims and 'stress test' a victim's resolve to proceed with a case. This may place undue amounts of additional strain on the victim, or even affect a victim's ability or willingness to go forward with the case and give evidence in future proceedings.

8.2 The same issue similarly arises with domestic violence cases. Due to the intimate, personal or familial relationship between the victim and perpetrator, it can be exceptionally stressful and intimidating for a victim to be in the same court room as their abuser, and this can affect the victim's ability to give evidence and decision on whether to proceed with a case. Introducing live links in committal proceedings for defendants may mitigate the potential for intimidation and stress testing of victims of domestic violence.

8.3 It is our view therefore that the use of live links for domestic and sexual violence cases would be beneficial in ensuring that victims are not intimidated at committal proceedings, and that the presence of the perpetrator of violence against them does not affect their resolve to give evidence and go ahead with criminal proceedings.

9.0 Breach Proceedings (3.6)

9.1 Women's Aid welcomes the introduction of live links in breach proceedings, and believes that it will be beneficial in expediting the administration of justice in the courts. We seek clarification on whether this would extend to breaches of non-molestation orders by perpetrators of domestic violence, and strongly recommend that all breaches of such orders by perpetrators of domestic violence and abuse are included. In domestic violence cases, incidents are rarely one-off and most perpetrators go on to abuse their victim on a regular or repeated basis. Given the nature of the relationship between victim and perpetrator, and the possibility that both live at the same address

or in intimate proximity, it is crucial for the safety of the victim and their family that breach proceedings are expedited.

10.0 Other relevant issues

10.1 If live links are to be used as the default option in certain criminal proceedings for defendants, Women's Aid would query whether it is also possible to have comparable measures extended to victims. As mentioned in the document's introduction at paragraph 1.3, special measures exist for vulnerable victims giving evidence, including the option of giving evidence by live link. However, there are a number of obstacles to a victim being able to avail of these measures. If a victim of domestic or sexual violence wishes to give evidence via live link due to the violent and intimate nature of the crime perpetrated against them, they must make a separate application to court, and the defendant can object to the application. It has been our experience that many victims are not told of the option of applying for such special measures, or the application is rejected. On occasion, victims have only been informed that their application to give evidence by live link has been rejected on the day of the hearing, causing a great deal of distress to the victim.

For further information about this response contact:

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