

BRIEFING PAPER

February 2020

Women's Aid in Northern Ireland welcomes the restoration of the Assembly in Northern Ireland. We now have an opportunity to move forward to have open discussions about legal provisions in relation to domestic violence and abuse. Women's Aid calls for the following key issues to be considered and addressed:

- **Introduction of Coercive Control and Stalking legislation**
- **Non fatal and fatal strangulation legislation**
- **Recognition of Violence against Women and Girls and gender based violence**
- **Grant of Secure tenancies in cases of domestic violence and abuse**
- **Review of the court systems in NI including criminal, civil and family courts**
- **Domestic Abuse Commissioner**
- **Secure funding for specialised services and a review of tendering and procurement in relation to domestic violence and abuse services**

The UK Government's proposed Domestic Abuse Bill has the potential to deliver a major change in the national response to domestic violence and abuse. Women's Aid together with partner organisations across the UK would welcome the introduction of the Bill. The Domestic Abuse Bill if successful can raise awareness of key issues and improve the experience of engaging with the criminal justice system for those living with domestic violence and abuse. It could encourage individuals to come forward and seek support, as the Bill in its current form will provide robust legal remedies for victims and survivors.

In Northern Ireland, PSNI Statistics show **31,682 domestic abuse incidents this year**, 5.9% increase on the previous 12 months and the highest financial year figure recorded since 2004/5. Northern Ireland had the highest rate of femicide in Europe together with Romania per 100,000 in the population. Domestic violence is not going away and many women lose their lives every year. In NI incidents of domestic violence are rising and protections for women are weaker than the rest of the UK and Ireland.

Our own provision of frontline services are under threat with cuts to Supporting People budgets. This year Women's Aid across the country provided refuge accommodation to **654 women** but in the same year 381 women could not access safe, secure refuge accommodation because it was full. More women are staying longer than necessary due to difficulties finding housing due to housing shortage. Women's Aid provide services across a wide range of needs.

Women's Aid provides: a network of refuges, providing safe, emergency accommodation to women and children suffering mental, physical and sexual abuse in the home; person centred programmes through community-based resource centres, including the Journey to Freedom and You and Me, Mum programmes; information and advice on legal, welfare and housing matters; outreach and floating support services to provide practical and emotional help to women and children in their own homes and a range of age appropriate tailored services for children in refuge and in outreach. Currently no children's services across Women's Aid are statutory funded.

Our domestic violence statistics in NI are among the highest in the UK yet our MARAC figures are among the lowest per capita.

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The cost of domestic and sexual violence in Northern Ireland is estimated at £991 million. Women's Aid service provision at current levels across NI is less than 1% of this total cost.

Women's Aid services in NI want recognition that within the Bill issues are fully considered to ensure equivalency of services throughout the UK and that this is taken into consideration so that no woman is left behind. The current Bill in relation to NI provisions did not have parity with the rest of the UK and the provisions available within NI did not include:

- **Introduction of a Domestic Abuse Commissioner (already in post for England and Wales)**
- **Powers to deal with domestic abuse:**
 - **Introduction of domestic abuse protection order**
 - **Introduction of domestic abuse protection notice**
- **Grant of secure tenancies in cases of domestic violence**
- **Safer family court and child contact system**

The Government has been clear that the intention of the bill is to enact legislation which would make the UK compliant with the Istanbul Convention, though the draft Bill in its last format before, is not compliant with the Convention as it leaves out Northern Ireland without recourse to the Bill's provision on the basis of grounds which are prescribed by the Convention. This is a restriction which affects the human rights of women and children in Northern Ireland reflecting an unequal and discriminatory Bill. Why should a person in NI not have the same legal remedies and protections as their counterparts in the rest of the UK? We welcome legislation going through our own Assembly but do not want a diluted version of the GB Bill.

We call on equal protection for all victims and survivors of domestic violence and abuse in NI. The government therefore needs to ensure that every woman in the UK is protected from violence and abuse, not just in GB. The omissions of protections for women in NI, violates Article 4(3) of the Istanbul Convention which states that Provisions of this Convention, but the Parties, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground such as national or social origin or migrant or refugee status.

The law in NI does not meet the obligations under the Istanbul Convention in relation to stalking and harassment. NI does not have a legal definition of stalking, which is in contravention of Article 34 of the Convention. There is a link between domestic violence, coercive control and stalking and the overwhelming victims of stalking are women.

We call for equality, justice and fairness for everyone who has a lived experience of domestic violence and abuse across the whole of the UK and Ireland and call on our local Assembly to implement all the proposed changes to NI as well.

If the contents of the Bill are extended to NI and implemented locally, it could adequately address concerns about the human rights of women in Northern Ireland through the right legislation. It could improve outcomes within the criminal justice system by giving victims and survivors a robust legal process and ensure all survivors' voices are heard.

We want parity, fairness and equality.