

DOMESTIC VIOLENCE

An MPs Guide



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(Home Secretary)

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Recognising Domestic Violence and Abuse

If your constituent is being abused, threatened, or physically or sexually assaulted by a partner, a former partner, or a family member, this is domestic violence.

As well as actual physical violence, domestic violence can include a wide range of abusive and controlling behaviours, including:

- threats
- harassment
- financial control
- emotional abuse.

Domestic violence is often a way to gain power and control over another person and may include destructive criticism, disrespect, isolation and harassment. Crimes committed in the name of honour, forced marriage and female genital mutilation are also considered acts of domestic violence.

Who is affected

Domestic violence is rarely a one-off event. Anyone can experience domestic violence – it can happen in all types of relationships regardless of age, race, sex, sexuality, disability, wealth, geographical location and lifestyle.

However, statistics show that women are more likely to be at risk of greater injury and suffer more repeated attacks.

Pregnant women can also be at greater risk, and it is also as women leave a relationship that they are most liable to be killed.

What to do if a victim seeks your help

Domestic violence has the highest rate of repeat victimisation. It is important to be mindful of the fact that victims may have suffered repeated incidents of violence before approaching you. Victims may contact you for advice on protection or support. There are some steps you can take to help the victim at this stage:

- Establishing the victim's safety is the number one priority. **If your constituent ever feels they are in immediate danger, they should dial 999.**
- Your constituent may also wish to consider seeking protection. Police have a duty to investigate any incident of domestic violence reported to them.
- Your constituent may wish to use civil law to seek protection, such as occupation or non-molestation orders. In all cases advice should be sought

from a solicitor or lawyer. Information and advice on legal representation can be obtained from Community Legal Services Direct (0845 345 4345). If you have them available, you may wish to provide your constituent with local contact details.

- Further information on civil remedies can be found in the HMCS Domestic Violence – A Guide to Civil Remedies and Criminal Sanctions: <http://www.dca.gov.uk/family/dvguide04.pdf>.
- If your constituent has insecure immigration status, they should seek advice from the Immigration and Nationality Department (0870 606 7766) to establish their legal status and rights to remain in the country.
- If your constituent would like advice or assistance on housing options, you should refer them to their local housing authority.
- If your constituent needs financial and other practical support, you should advise them to seek information from their local Jobcentre Plus office, where they will be given advice on what benefits they are eligible to claim.
- Some victims from Black and Minority Ethnic (BME) communities may take longer to leave abusive situations as they may be faced with additional barriers - e.g. religious or cultural pressures. Further information or advice can be sought from specialist BME organisations (see contact details for BME victims' services at the end of this guide).
- If you are approached by a family member or friend of a victim, advise them to be supportive. They should ensure that the victim is safe and try to reassure them that no one deserves to suffer from domestic violence, despite what the abuser may have said. You could also provide them with information on the help available.
- Finally, try not to make assumptions about relationships/families or the level of abuse being experienced.

What to do if you are approached by a domestic violence perpetrator

- Let them know help and support is available.
- Encourage them to speak to the police.
- Give them the number of the RESPECT helpline – a support service for perpetrators of domestic violence (0845 122 8609).
- In any event, do not disclose the whereabouts of a victim (adult or child) or offer to pass on information to the perpetrator.

Some Key Facts

- 15% of violent incidents are incidents of domestic violence.
- 1 in 4 women and 1 in 6 men have been a victim of domestic violence (partner/ex-partner) since the age of 16.
- 89% of those suffering four or more attacks of domestic violence are women.
- On average two to three women a week are killed by a partner or former partner.
- 75% of children on the child protection register are living with domestic violence.

What the Government is doing

Domestic Violence has been steadily ascending the political agenda and has been recognised as a cross Government priority.

Legislation

The Domestic Violence, Crime and Victims Act received Royal Assent in 2004. The Act introduced new powers and amendments to strengthen the protection, support and rights of victims and witnesses. Full details of the Act can be seen at <http://www.opsi.gov.uk/ACTS/acts2004/20040028.htm>

National objectives and support for victims

In March 2005 the Home Office published its first National Report on Domestic Violence, containing the framework of the National Delivery Plan which identified five key objectives for action in 2005/06.

In June 2006 the Home Office published its second National Report, giving an update on our work so far and outlining further key work objectives for 2006/07. We will be publishing a report on progress for 2006/07 at the end of March 2007.

This included further development of the **Specialist Domestic Violence Courts programme (SDVCs); the establishment and rollout of Independent Domestic Violence Advisors (IDVAs); Independent Sexual Violence Advisors (ISVAs); Sexual Assault Referral Centres (SARCs) and the development of Multi-Agency Risk Assessment Conferences (MARACs)**. All these measures will ultimately enable us to support more victims.

Perpetrators and offender management

All probation areas across England and Wales now run accredited domestic abuse treatment programmes for perpetrators. The programmes are designed for delivery in the community and contribute to the wider community safety agenda.

Disclosure of information in family proceedings

You will need to be aware of the following, if your constituent approaches you about domestic violence cases involving children. Section 62 of the Children's Act 2004 states that it is:

- no longer a criminal offence for a party to family proceedings involving children to disclose orders to other individuals or bodies, so long as disclosure is not made to the general public or any section of the general public or the media; and
- no longer a contempt of court to disclose information where these rules authorise circumstances in which specified information relating to proceedings involving children and held in private could be communicated.

In October 2005, rules of court changed so that it would be easier for people to seek advice and support. The rules set out three circumstances in which it will not be a contempt of court to communicate information:

- When the court gives permission.
- When communication is made to people specified and listed in the body of the rules for example;
 - a professional legal advise
 - a professional citing in furtherance of the protection of children.
- In the circumstances specified in a table set out in the rules and via onward disclosure by a recipient for the purposes for which the information was received; and/or onward disclosure of anonymised information for the purpose of professional development or training;
- This means that people are allowed to send their MPs judgments or a summary of a judgment for the purpose of you giving advice, investigating any complaint or raising any question of policy or procedure;
- It is important to note that the court can continue to modify or restrict any disclosure permitted by the rule. If constituents wish to disclose information not covered by this rule, they can apply to the court for permission to do so.

Further information and guidance on this can be found at:

www.hmcourts-service.gov.uk/courtfinder/forms/ex710_1105.pdf

Tackling domestic violence in your constituency

By raising awareness of the issues around domestic violence within your constituency, you are helping to address and prevent it in the community.

Crime & Disorder Reduction Partnerships (CDRPs)

Domestic violence will have been considered as part of the local crime reduction strategy which is the responsibility of the CDRPs. To find out what is going on in your area please contact your local CDRP. For further advice on CDRPs please go to <http://www.crimereduction.gov.uk>

The Corporate Alliance Against Domestic Violence

CAADV is a group of progressive companies and organisations working both individually and collectively to address the impact of domestic violence in the workplace. By proactively addressing the issue, organisations can reduce the costs to their business, and, most importantly, help prevent domestic violence in society at large.

Further details about the Corporate Alliance can be found at www.corporateallianceuk.com

MP Constituents Office – local information

Your constituent may ask you for information regarding local support services.

There are a range of organisations that can help those suffering from abuse. A list of national helplines for domestic violence victims and contact details for a range of national services is provided in this leaflet.

You may find it useful to keep information regarding services for domestic violence victims in your local area to hand in order to effectively sign-post your constituents (or you may wish to use the space below to add local contact information).

National Helplines

Freephone 24-Hour Domestic Violence Helpline:

0808 2000 247. Run in partnership between Women's Aid and Refuge.

Welsh 24-Hour Helpline 0808 80 10 800.

Forced Marriage Unit Information on cases of forced marriage involving British nationals, both domestic and international.

Contact 020 7008 0151 (out of hours: 020 7008 1500).

Refuge offers a range of services which increases women's choices and gives them access to professional support whatever their situation.

<http://www.refuge.org.uk/>

Women's Aid is the national domestic violence charity who co-ordinate and support over 500 domestic and sexual violence services across the country.

<http://www.womensaid.org.uk/>

BME Contacts

Black Association of Women Step Out (B.A.W.S.O) 0292 064 4633

Imkaan 020 7434 9945

Southall Black Sisters 020 8571 9595

Gay/Lesbian/Bisexual/Transgender

Broken Rainbow (lesbian, gay, bisexual and transgender domestic violence forum)

020 8539 9507

Legal Advice

Community Legal Services Direct 0845 345 4345 www.clsdirect.org.uk

Male Victims

Male Advice Line and Enquiry (MALE)

0845 064 6800

Other Contacts

Asylum Aid General Advice Line 020 7247 8741

Corporate Alliance www.corporateallianceuk.com

Immigration and Nationality Directorate 0870 606 7766

Joint Council for the Welfare of Immigrants

(JCWI) 020 7251 8706

Rape Crisis Centre www.rapecrisis.org.uk

Refugee Action

<http://www.refugee-action.org.uk/default.aspx>

Samaritans 08457 909 090 (24 hours)

Victim Support www.victimsupport.org.uk

Perpetrators

RESPECT (domestic violence perpetrator programmes and associated support)
0845 122 8609

What the victim can do to help themselves

Your constituent should take measures to protect themselves and their children at all times, even if they are not ready or do not intend to leave home.

If your constituent ever feels they are in immediate danger, they should dial 999.

Victims are at greatest risk of being killed at the point of separation or after leaving a violent partner.

If the victim wishes to leave, they should have an emergency safety plan to make a safe escape. They should also be encouraged to:

- Report the assault to the police.
- Go to hospital with someone they trust if they have suffered physical harm.
- Keep a mobile or have quick and safe access to a phone.
- Keep emergency numbers with them (if it is safe to do so) or memorise them.
- Hide away money for emergency use.
- Leave when safe to do so and take all children with them, if possible. Have a small bag ready, packed with essential medication for them and their children. Include extra keys for the house or car. They may prefer to leave this with a trusted friend.
- Take important documents if they decide to leave, such as a marriage certificate and birth certificate any court orders, passports and health records.

This leaflet and a supplementary booklet is available on the Crime Reduction web site at <http://www.crimereduction.gov.uk/>