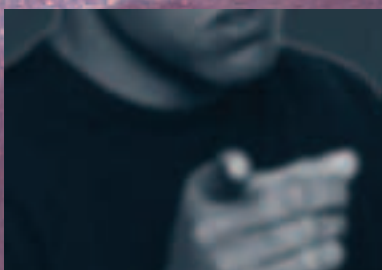
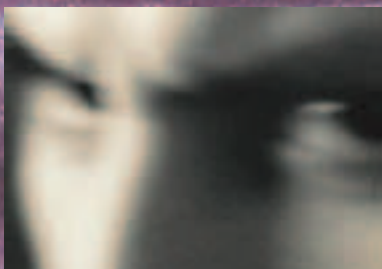


Domestic violence resource pack



Working together for a safer London



Barnet Domestic Violence Resource Pack

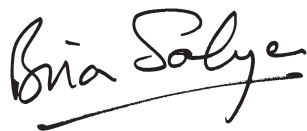
We hope you find this resource pack a useful tool in your work with people in the borough who are, or have been, experiencing domestic violence.



Leo Boland
Chief Executive, Barnet Council



Chief Supt Mark Ricketts
Borough Commander Metropolitan Police



Councillor Brian Salinger
Cabinet Member for Housing, Neighbourhoods and Community Safety

Lesley Williams
Chair of Barnet Domestic Violence Forum

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This pack has been compiled and revised by the Barnet Safer Communities Team on behalf of the Barnet Domestic Violence Forum. All information is correct at the time of print.

Disclaimer

The Council has included within this pack, the names and details of those organisations which offer services and advice in this difficult and complicated area. For legal reasons the Council is unable to recommend any particular provider and cannot accept responsibility for either the quality or costs of these services. Clients should satisfy themselves that the services on offer are appropriate and suitable to their needs.

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Introduction

Barnet recognises Domestic Violence as a very important issue. Domestic Violence accounts for over a quarter of all violent crime reported to the police and results in around 30 murders each year in London alone. One in four women will experience domestic violence in a lifetime.¹ As a Council and a multi-agency partnership we need to ensure that the services are there to meet the needs of those seeking help to live a life free of violence and intimidation. The aim of this pack is to provide information and support for those working directly or indirectly with victims of domestic violence and to encourage women to challenge and escape their abuse.

Any woman can experience domestic violence regardless of age, class, disability, ethnicity, faith, race, sexuality or lifestyle. Finding a route to safety can be a long and arduous process. For victims who are from Lesbian, Gay Bisexual and Transgender communities, for those who are disabled or from Black Minority Ethnic communities, the difficulties can be further exacerbated by prejudice and ignorance.

Although domestic violence remains a seriously under reported crime, in the recent years we have slowly witnessed an increase in reporting. This is the result of various government initiatives, local and national campaigns, research and awareness raising and the consolidation of local multi-agency networks.

The publication of the 1999 Home Office document "Living Without Fear" marked a significant change in the government's commitment to address crime against women. The document was aimed at service providers in both local government and the voluntary sector provided information on examples of good practice throughout the country and set a strategic framework for dealing with domestic violence. The recommendations within the document were

backed by government funds. This supported a number of both established and innovative domestic violence initiatives. This has been further consolidated with the publication of the government paper "Justice for All" (2002) and "Safety and Justice: The Government's Proposals on Domestic Violence" (2003). The latter contains a whole variety of recommendations to promote the safety of women and the accountability of perpetrators.

In London a particularly important development has been the publication in 2001 of the Mayor for London's strategy on Domestic Violence (see section on London Strategy) This document makes detailed recommendations regarding minimum standards for both statutory and voluntary agencies working with survivors of domestic violence. It promotes the responsibility of the state and the wider community to hold violent and abusive men accountable and to provide effective protection for abused women and children.

¹ London Domestic violence Strategy. Mayor of London. Greater London Authority. November 2001

Definitions of domestic violence

Listed below are definitions from key agencies, they differ slightly but ultimately all contain common features.

The London Domestic Violence Strategy 2001

Domestic violence is essentially a pattern of behaviour which is characterised by the exercise of control and the misuse of power by one person, usually a man, over another, usually a woman, within the context of an intimate relationship. It can be manifested in a variety of ways, including but not restricted to, physical, sexual, emotional and financial abuse, and the imposition of social isolation and is most commonly a combination of them all.

www.london.gov.uk/mayor/strategies/dom_violence/

Women's Aid

Domestic violence is physical, psychological, sexual or financial violence that takes place within an intimate or family-type relationship and forms a pattern of coercive and controlling behaviour.

www.womensaid.org.uk

Home Office

Any violence between current and former partners in an intimate relationship, wherever and whenever the violence occurs. The violence may include physical, sexual, emotional and financial abuse.

www.homeoffice.gov.uk/crime/domesticviolence

Police

Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or who have been intimate partners or family members, regardless of gender.

www.met.police.uk

Department of Health

Domestic violence is a term which refers to a wide range of physical, sexual, emotional and financial abuse of people who are or who have been, intimate partners-whether or not they are married or cohabiting. Although domestic violence can take place in any intimate relationship, including gay and lesbian partnerships, and abuse of men by female partners does occur, the great majority of domestic violence, and the most severe and chronic incidents, are perpetrated by men against women and their children.

www.dh.gov.uk

Multi-agency working

The multi agency approach is vital when working with domestic violence cases, as women often have a number of needs and conflicting priorities when seeking assistance. It is unlikely that one agency alone will be able to offer a complete solution to the problems faced by women and children fleeing domestic violence. The need for multi-agency working has been reinforced by the provision of government funds for inter-agency initiatives. Many boroughs have now developed Crime and Disorder Reduction Partnerships as part of the public duty to develop a Crime Reduction Strategy under the Crime and Disorder Act (1998) involving agencies from the statutory and voluntary sectors.

The Minimum Standards set out in the London Domestic Violence Strategy provide guidance for all participating agencies to establish a shared approach to issues such as evidence gathering, monitoring forms, information sharing etc.

The Crime and Disorder Act 1998

The Crime Reduction Strategy is developed in consultation with statutory and voluntary agencies and local residents. Barnet have prioritised Domestic Violence within these strategies. The goals that are outlined in Barnet's Community Safety Strategy are reflected within the main aims of the Domestic Violence Forum. These goals are to :

Reduce Domestic Violence

Reduce the number of repeat victims of Domestic Violence by 5%

Raise awareness of and increase third party reporting for domestic violence.

The Safer Communities Partnership is committed to improving the way all local agencies work together to deliver practical measures to make the community a safer place for all.

The purpose of a multi-agency forum

An effective multi-agency forum involves the representation from a wide variety of agencies. It is important that a multi-agency forum has representation from both front line workers and those with a responsibility for policy and strategy development. Barnet Domestic Violence Forum will endeavour to extend the membership to make sure that it is fully representative of the community. The forum must reflect the ethnic diversity of the community and the needs of marginalised groups within it. For example people in same sex relationships or women who have been subject to forced marriage will need advice and support from specialist agencies.

The involvement of the local refuge also plays a significant role. They hold an invaluable source of specialist information and are most likely to be the most conversant with the variety of issues facing women and children experiencing domestic violence. Barnet Domestic Violence Forum has Barnet Women's Aid and Jewish Women's Aid as members, these workers are the primary link with the opinions and needs of survivors.

The Mayor of London's Domestic Violence Strategy

2

In March 2001 the Greater London Authority Launched the London Strategy which is focused on achieving four key aims. The Strategy also sets out minimum standards to which all agencies should adhere when working with survivors of domestic violence. Both are reproduced below:

Strategy aims

- Increasing safe choices for women and children experiencing domestic violence so that they might plan safer futures without compromising their quality of life.
- Holding individual abusers accountable for their behaviour in such a way that not only acts as a future deterrent for them, but also as a deterrent to potential abusers.
- Actions which undermine social tolerance / approval of domestic violence or actions which challenge inaction by either individuals or organisations. This includes exposing the many stereotypes and myths so that assessments are accurate.
- Providing children and young people with the necessary knowledge and skills required to build relationships based on respect and mutual understanding, with shared power and a commitment to non-violence.

Recommended minimum standards for all agencies

- A baseline minimum standard for all agencies and systems should be an ability to demonstrate that services are appropriate and accessible to the range of communities that they aim to serve. Agencies should be aware of the needs of women from ethnic minorities, disabled women, older women, women with drug or alcohol dependency, women with mental health problems, bisexuals and lesbians. All agencies and systems should be able to demonstrate that they are actively working to develop such services. All groups

(women, children, abusers) should be able to refer themselves to suitable projects.

- All systems and agencies should have clear methods of identifying abused women and perpetrators including both reactive and proactive identification. In other words, agencies should be able to recognise the obvious signs of domestic violence when it presents, but also where appropriate, each agency should develop systems for 'screening' clients including introducing routine questioning where appropriate, in order to identify cases of domestic violence where there are no outward signs.
- All systems and agencies should give out clear and consistent messages, information and referral to women, children and abusers. Additionally, all agencies should display posters and provide information about local domestic violence services.
- The voluntary sector has specialist expertise and an ability to work at a grass roots level with many clients who might not access help via statutory services. This expertise should be acknowledged as a valuable resource and measures should to be developed to ensure their full participation in planning domestic violence provision. On its own, issuing invitations to participate is usually insufficient; account must also be taken of capacity to accept such invitations.
- All agencies should be fully aware of the level and nature of domestic violence, of the need for their policies and practices to address it, and of its possible presence in cases with which they have to deal. Importantly, this includes those cases which originally come to their attention for other purposes.
- Domestic violence training should be provided for staff at all levels. This includes reception staff who are frequently omitted, senior managers and, for voluntary sector

agencies, Management Committees or Boards of Trustees.

- When dealing with individual cases, the priority for agencies should be the safety and well-being of the woman and children. Staff themselves should undertake such emergency action as they can and not always rely on voluntary sector agencies to accept referrals.
- As employers, agencies should develop a domestic violence personnel policy which sets out an appropriate response to members of staff who may be experiencing or perpetrating domestic violence. This should also include employees utilising employer resources such as e-mail and telephones to either access information safely or as a tool to intimidate and harass.
- Agencies should ensure that information about both statutory and voluntary domestic violence services is available to staff and the public in accessible formats. Agencies with websites should post information of use to service users.
- Participation with local inter-agency Domestic Violence Fora is desirable, but should be seen as a means to an end, not an end in itself. To promote consistency and increase effectiveness, minimum standards will be developed for Domestic Violence Fora.
- Agencies should work to create a safe and supportive environment which encourages the reporting of domestic violence. For example, all agencies providing front line services should have a safety procedure in place for dealing with domestic violence calls such as explicitly stating on answer phone messages that they will be safe when returning calls.
- The success of any initiative to reduce or prevent domestic violence depends on a careful implementation strategy and needs to be confirmed by thorough evaluation and monitoring. Data collection and evaluation should be implemented in all agencies whilst so far as possible avoiding unnecessary bureaucracy.
- Agencies should consider the importance of information sharing (section 115 of the Crime and Disorder Act) as a valuable part

in the co-ordination of their client based services. However, mechanisms should be developed so that information is shared only for the purposes of increasing women's safety with due regard paid to women whose partners work for agencies dealing with domestic violence. In most cases, this will mean only sharing anonymous/aggregated information. Where information is being shared on individual cases, due regard will have to be paid to the Data Protection Act and the Human Rights Act.

- Where possible, all key agencies should seek to nominate a specific individual with overall responsibility for domestic violence work in that agency. This responsibility should be explicitly included within the job description.

The London Domestic Violence Forum

The London Domestic Violence Forum was established in order to fulfil the aims and objectives within the London Strategy. The overall aim is to provide a framework for the development of existing initiatives and leadership in the development of new ones.

The forum has established five sub groups in order to progress the work of the Strategy. All members sign up to a protocol, which emphasises the need for active participation. Barnet Domestic Violence Forum is represented on this forum.

The Barnet Domestic Violence forum is a multi-agency forum with representatives from both statutory and voluntary agencies which meets monthly at Hendon Town Hall.

The forum is driven by the Minimum Standards included in the London domestic Violence Strategy Produced by the Association of London Government and the Mayor's Office. It will endeavour to work in manner which reflects the principles outlined in the previous section on multi-agency working.

The forum seeks to promote the exchange of information and update members on domestic violence work London wide and within Barnet, in addition to the strategic work of the forum. There are various sub groups of the main forum which look at specific issues within domestic violence, such as:

The Domestic violence Protection Group which is used to discuss individual cases. Representatives on this group include the Police, Victim Support, DVSS, Housing, the Probation Service and Barnet Council.

The Sanctuary Project which aims to help victims of domestic violence remain in their own homes and feel safe. (Details regarding this project can be found in the section on Housing)

The opportunity to meet on a regular basis to share information on domestic violence initiatives is vital. There are many domestic violence initiatives, policies and procedures within a variety of organisations and the dissemination of this information is crucial in ensuring that survivors' needs are met. In particular the various participating organisations need to be clear about the services they provide to survivors.

The Forum and its members take an active role in the delivery of an action plan. This will encourage members to take on responsibilities related to training, production of publicity and information leaflets and

awareness raising events. The forum also hopes to develop a generic monitoring/referral form.

Barnet does not have a dedicated Domestic Violence co-ordinator however we hope to obtain one in the future. The forum is currently serviced by the Safer Communities Team, if your agency is not represented on the Forum and you would like to join please contact the Safer Communities Team on 020 8733 4486.

Principles for Advice and Support Workers

4

The information contained in this section is for use by Advice Workers or front line staff in the Voluntary and Statutory Sector. The emphasis is on providing information. You must use this pack according to a client's individual needs and circumstances. The emphasis in this pack will be for dealing with a client who is in an emergency situation and how to work through the immediate emergency and present them with some options.

There are key principles to which you should adhere to ensure good practice

Believe what the client says – you can ask questions but be sensitive about how you do this. The client should not feel as though they are being cross-examined.

All conversations with the client should be completely confidential – ensure you know where and how the client can be safely contacted after the interview has concluded.

All decisions about how to act should be made by the client and with their full consent and knowledge.

Remember that each client's circumstances will be different. You cannot adopt a 'one size fits all' approach to dealing with clients who suffer from domestic violence.

When advising clients:

- A client who comes to you for advice in an emergency situation will need to leave the interview with some practical options as to how to proceed. These will involve making some serious decisions that may be difficult for the client to deal with. It is essential therefore that you find out:
- Does the client want immediate protection for themselves or their children – they may be without food, shelter or money.
- How far ahead are you looking to help the client – they may only want help for the next few hours and any insistence on your part that you deal with the whole problem

at once could be completely overwhelming for the client

- Never assume that the client wants to end the relationship – clients will often only ask for help when the relationship has reached a crisis point but once the crisis is over they may well return to the relationship and the violence.
- However, if the client has already left home, be prepared for the client to return. Clients who suffer from domestic violence will often leave home several times before they finally move to a safe location.
- Be aware of the cultural and racial differences in how domestic violence is treated – it is important that the client be given objective aids to help her in the immediate future. This may mean that another community-based organisation may be more appropriate to their needs.

Options available to the client:

- **Stay with the violent partner** – this is often the end result even after several sessions with the client. Do not press the client into a particular course of action; they need to decide for themselves how to proceed.
- **Leave home temporarily** – this could mean staying with friends or finding short-term hostel accommodation. If the relationship is in crisis this is often the initial move followed by a return to the shared home. However, it is possible that time away from the violent relationship could give the client time to consider their options for the future that you have provided
- **Leave home permanently** – this will involve long-term support for the client and it is likely that some of the support you will need to give will be beyond the remit of your organisation. It is essential that you know of local and national organisations that can help with issues around domestic violence

- **Involving the police** – this can be presented as one of the options available to the client. Be clear and realistic about the procedures and do not give the client your opinion of likely outcomes. That is for the police and solicitors to decide.
- **Taking legal action** – as with the option above it is imperative that you know specialist organisations so that appropriate help can be given at the right time.

What do you need to know?

- Does the client share the home with their violent partner – is it owned or rented, whose name is on the mortgage/tenancy?
- Is the client at immediate risk – is there short-term help that can alleviate the current situation and allow for a further interview once the crisis has passed?
- Is the client still in contact with the violent partner – if so the client can be made aware of what legal options are available
- Is the client responsible for any children – are they still with the client, are they safe, can they be reached?
- What income has the client got – are they able to support themselves, if not what can they claim?
- If the client has left the home what items have they got – what items do they need?

Confidentiality

- Case records will need to be kept to ensure that you can advise the client should they return to see you. Do not forget that it may take several visits before the clients feels they are in a position to act and leave the relationship, even temporarily.
- Be clear with the client about what records you are keeping and why. The client is likely to be extremely nervous about any written record and it is essential that you address their concerns.
- Make sure that you have a signed authorisation from the client to act on your behalf otherwise you will not be able to discuss her case with specialist organisations if you need to.
- Child protection issues can sometimes require confidentiality to be breached, as there may be a number of departments

that will need to be contacted. Make sure you are aware of your organisation's breach of confidentiality policy and when it should be used. **This should be the exception.**

Referrals

Referrals should be to recognised organisations that can offer the specialised help that the client needs. When making referrals to solicitors always ensure that the client is offered a choice of companies, as you cannot be seen to be promoting one particular firm.

Referrals should only be made with the client's knowledge and consent. Whenever you make a referral you should try to do it in the presence of the client so they can hear how the referral has been made and are aware of what information has been passed between the two parties. If this is not possible then you should make sure that the client is contacted with all the details of the organisation that they are being referred to including a named contact.

Ask the client to get back in contact with you after the initial interview with the referral agency. It may be that the client found the referral agency difficult to deal with and is reticent about returning to you as they may feel you have closed the case. Asking them to let you know how they got on gives them the opportunity to come back to you should they wish to. **Do not** however, get into giving second opinions about the advice they have received from the other agency unless you have good reason to believe that it is legally flawed.

Publicity

Always ensure that posters about domestic violence are displayed in waiting rooms and that contacts for the local Women's Aid Group are available. All information should be accurate and up to date and it is essential that someone from the organisations take responsibility for checking publicity information regularly.

Be aware of who your clients are and ensure that the information is available in community languages and that the material used depicts women from multi cultural backgrounds.

Leaflets and posters are available from the Community Safety Unit at the local council and their details are at the back of this pack.

Summary

Do

- ✓ Offer practical and immediate help
- ✓ Accept the client's description of what has happened but clarify in a sensitive manner if necessary
- ✓ Empower the client to make her own decisions
- ✓ Explain the confidentiality of the service and the procedure of the interview, including note taking
- ✓ Offer same sex/first language interviews wherever possible
- ✓ Ensure that you are clear about how the client can be contacted safely
- ✓ Give your name and contact details

Don't

- ✗ Offer your opinion on the state of the relationship
- ✗ Ask for proof of the violence
- ✗ Make decisions for the client
- ✗ Breach confidentiality under any circumstances within the organisation (see note on Child Protection)
- ✗ Expect the client to be able to make immediate decisions

Victim Support

Victim Support Definition of Domestic Violence

Any incident of threatening behaviour, violence or abuse (physical, verbal, sexual, financial, or emotional) between adults who are or have been intimate partners, or intimately related within a family or domestic setting, regardless of gender or sexuality. Domestic violence involves the abuse of power and control by one person over another and typically escalates in frequency and severity over time.

Victim Support Barnet aims to provide support to all victims of Domestic Violence who are residents in the London Borough of Barnet. It is a free and confidential service. Referrals are by agencies, primarily the Police, or victims can self refer. Referrals by agencies must be by consent of the victim.

Following referral (with victim consent), Victim Support Barnet will try, where appropriate, to contact the victim by telephone, or will send a contact letter to offer one to one support by a trained worker. This could be either a specialist Domestic Violence trained volunteer, or a trained member of staff. Emotional and practical support is provided. The period of time provided can vary, and is dependent upon the victims needs. Emotional support involves counselling skills, support is offered for ID parades, and throughout Court procedures. Practical support includes contact work on behalf of the victims to other agencies, and Criminal Injuries Compensation applications.

Victim Support Barnet is also responsible for the running of the Witness Service at Hendon and Barnet Magistrates Court. The Witness Service can offer a trained personnel dedicated to supporting the witness before, during and after the trial. They will help put the witness at ease, explain court procedure, and ensure the process goes smoothly. They also assist in video link trials for vulnerable witnesses including children and are available to offer pre trial visits to the Court, for witnesses who require them. Should a witness need assistance following the time at court, Victim Support then take over to provide a

trained volunteer who can assist with, usually a home visit.

Contact can be made by telephone through the Hendon Magistrates Court or by telephoning 07986129355.

Images of domestic violence may be influenced by a false set of assumptions. Domestic violence is not a minor problem, nor is it a private affair, best left to the couple themselves to resolve. Such violence is usually repeated, often increasing in brutality, and threatens the physical and mental health of women and their children. Sometimes it threatens the very lives of women.

Many people still hold on to myths and stereotypes about domestic violence – what it is, who commits it, to whom it happens and why it happens. These myths may stop women talking about what happens to them, and often mean that responses are unhelpful when women break the silence. Sometimes women come to believe these myths and stereotypes themselves.

Facts

- One woman is killed every three days by a current or former partner – *Criminal Statistics England and Wales London: Home Office 2000*
- Repeat Victimisation is common. More than half of all domestic violence victims are involved in more than 1 incident. No other type of crime has a rate of repeat victimisation as high – *British Crime Survey England and Wales London: Home Office 2000*
- It is estimated that police receive a call from a victim of domestic violence every minute – *Betsy Stanko, 2000*
- Domestic violence incidents make up nearly a quarter of all violent crime – *Crime in England and Wales, Home Office, 2002*
- One in five young men and one in ten young women think that abuse or violence against women is acceptable – *Zero Tolerance Charitable Trust 1998*

- On average women will be assaulted by her or ex partner 35 times before reporting it to the police – *Yearnshire, S 'Analysis of Cohort' in Bewley, S et al (Eds) Violence Against Women. London RCOG 1997*
- In any one day nearly 7,000 women and children are sheltering from violence in refuges in the United Kingdom – *Women's Aid Federation of England*
- In the US 60-70% of women in alcohol or drug treatment had experienced violence or abuse from a partner within a given six-month period. Lifetime rates take this figure as high as 98% of women in treatment – *Downs et al 1999*

Myths

"They just fight each other"

As the facts above show, women seeking help have often been beaten or threatened with violence on many occasions. Repeated violence is accompanied usually by harassment and humiliation. If women physically resist, it should not be taken to mean that they are fighting each other.

"She asks for it"

This suggests that by the woman's behaviour she has provoked a violent response from her partner. This is obviously an excuse for violence, and is an effort to shift the blame from the abuser to the abused. Violence is never an acceptable method of solving conflict in relationships, nor do partners have a legal right to assault each other. Nobody asks for, or deserves to be abused. By suggesting that she deserves such a response, justifies his behaviour and exonerates him of responsibility for his actions. Research suggests that it's a decision to be violent and has more to do with the man's behaviour than the woman's. Most victims of domestic violence do everything they can to pacify their partners to avoid further violence.

“She must like it or she’d leave”

There are many practical, social and emotional factors that make leaving very difficult. When violence first begins many women are shocked and cannot take in what is happening. When the violence continues they may try various tactics to change the situation – they want the relationship but without the violence. It is often only when women can’t cope or when their children also become victims of the man’s violence, that they seek help.

Economic dependence: If a woman is working, she may lose her job due to needing time of work, moving too far away or staying off work so she can’t be found there. For other women, becoming a single parent may mean working is no longer possible. Others may face months of legal wrangling over property and other financial matters.

Lack of knowledge and access to help: Despite increased awareness about domestic violence, many women don’t know how to take advantage of their legal and housing rights. Even if they are aware of these services, some women may experience problems due to language difficulties, inappropriate responses from service providers, living in isolated areas or lack of funds.

Fear of further violence: Leaving may end the relationship but it doesn’t always end the violence and abuse. Many women are tracked down and further abused when they leave, often for weeks and months afterwards. Researches suggests that about half of all women murdered by their partners have left or were in the process of leaving when they were killed.

Social isolation: most women experiencing domestic violence are extremely isolated either because their partners have deliberately tried to isolate them from sources of support including family and friends or because women are too ashamed or afraid to tell anyone. If they have told someone the responses may have been unhelpful and judgmental.

Emotional dependence: Conflicting feelings of fear, shame, bewilderment, care for the

abuser, hope that things will improve, a commitment to the relationship but not the violence, often contribute to a woman staying in an abusive situation.

Lack of confidence: After living with an abusive partner, the self-esteem of most women has been eroded to the point where they no longer have confidence in themselves, including their ability to survive alone, and may believe that there are no other options.

Fleeing violence will mean a total upheaval: The options are very limited and her safety cannot be guaranteed. Very few women are quickly rehoused when they report violence. Instead they often have to spend long periods of time in overcrowded, poorly resourced refuges or bed and breakfast accommodation.

“It’s a matter between husband and wife”

Domestic violence is not a private matter although it’s often been treated this way. A crime committed in private, behind closed doors, is still a crime. Assaults are not always husbands. Domestic violence can be perpetrated by ex-husbands and co-habitees, and male relatives. Believing it is a private affair is due to historical attitudes which suggest that a woman is the property of the man, for him to do with as he pleases. It was, until late last century, lawful for a man to beat his wife with a stick which was no thicker than his thumb. Not getting involved won’t make domestic violence disappear; it will only ensure that more women and children suffer alone.

If a woman comes to you, she is asking for support, and she has overcome great obstacles, put aside her own feeling of betrayed loyalty, embarrassment, humiliation and failure in order to do so. She deserves all the support that can be offered to her.

“It doesn’t happen here”

Domestic violence happens in all races, classes, nationalities, religions and cultures and to women of all ages and abilities. It is not more common within African, Caribbean, Asian or working class homes or amongst council house tenants. A woman experiencing

domestic violence may be anyone you come into contact with: your sister, your daughter, a friend, your mother, a colleague or a neighbour.

women, the risks of domestic violence do not differ significantly according to ethnic or religious origin.

“Men are only violent after a drink”

Violence can often occur after the man has had a drink. However many men who drink are not violent to their partners and many men who are violent to their partners do not drink. It is important that alcohol is not seen as the cause of domestic violence but rather a factor. Men often use the fact of being drunk as an excuse to say later that they did not mean it, or couldn't help it. This can lead women to believe them and hope for future change. When violent alcoholics seek help for their drinking, the outcome is a sober perpetrator. If a drinking man is violent he has two problems – an alcohol problem and a violence problem. The two problems can co-exist rather than one causing the other.

“All abusers were abused themselves”

Some abusers did grow up in violent homes, but research shows that many did not. The 'cycle of abuse' theory is another way of excusing violent behaviour. By blaming their violence on their childhood they are avoiding responsibility for their behaviour and denying the fact that they are actively choosing to use violence and abuse. This is not to say that children who grow up with an abusive parent are not affected by the experience, but how they are affected isn't as simple as always repeating the behaviour. Many men who were abused in childhood do not abuse their partners and children, instead they often grow up committed to not treating their family that way. A violent man is responsible for his own actions and how he behaves.

“Domestic violence is an acceptable part of Asian culture and Asian women are passive and accepting of it”

There is no such thing as one Asian culture but a variety of different cultures. Sexist and oppressive views exist within all cultures and need to be challenged. The 1999 Home Office Research Study indicated that amongst

Alternative housing is an important factor for people experiencing domestic violence. Many victims stay with violent partners simply because they have no knowledge of the help and assistance available once they leave home. At the time of writing this pack, domestic violence was the second most frequent cited reason for applications to the Homeless Persons Unit.

Developments in the area of housing and domestic violence include extension of 'priority need' in the 2002 Housing Act, to include people who are vulnerable for 'special reasons'. The government's Supporting People Programme has required local authorities to develop a strategy to fund housing related support services. As part of this programme there is a guide to ensure an appropriate range of support and accommodation is available to households experiencing domestic violence.

Options available to victims once they leave home.

- Stay in a women's refuge for an emergency place of safety
- Stay with family and friends
- Seek legal advice to get a court order to return to the home or to get the perpetrator to leave
- Approach a Council for housing assistance under the homeless legislation

In an emergency

If a victim leaves the home in an emergency either in the day or night and does not have anyone s/he can stay with s/he can call:-

- Refuge 24 hour help line – for urgent refuge accommodation 08705 995 443 (Women only)
- Women's Aid 24 hour help line 0845 702 3468
- Police Community Safety Unit on 020 8733 4465 Or dial 999 for police assistance

- Barnet Council's out of office hours emergency housing services 020 8359 2000
- Telephone Barnet Homeseekers Service on 020 8359 4797 (Office Hours)
- Call in person to Barnet Homeseekers Service at Barnet House, 1255 High Road, Whetstone, London N20 0EJ between: 9:00am – 4:00pm weekdays except Wednesdays for emergency housing assistance or for a transfer via the Barnet Homes Area Team, if the victim is a Barnet Homes Tenant. On Wednesdays the office is open for same day emergencies only between 1pm and 4pm.
- Housing Management Call Centre: Freephone 020 8389 5225

All Housing Offices are closed on Wednesday morning until 1.30pm for staff training.

Refuges

Refuges were established specifically to assist women escaping violence. They provide support and a place of safety. These refuges are run by women, for women. The locations of refuges are kept confidential in order to offer maximum security and safety. (See Section on Refuge Accommodation).

Staying with family and friends

A number of applicants may initially seek refuge with extended family members or friends. It may be that they find it easier to seek help from them, or because they are not aware of the alternative sources of help. However, it is good practice for the organisation to make the victim aware that this is not necessarily the safest option. It is often the first place a violent partner will go looking for the victim and children. This could result in greater risk of injury to the victim and other members of the household. In return the host may put pressure on the victim to return home.

Staying with family and friends is not an option for all applicants, as they may not have any living locally. Abusers often isolate their partners from family and friends therefore making it that much harder for them to approach anyone for help.

If a victim does stay with family or friends as a temporary measure and does not intend to return home you should advise her/him to contact professional agencies which specialise in domestic violence for advice and assistance on options available to them in relation to housing (see Directory of Services at the back of this pack). Where an applicant is homeless through violence to her/him and the household, the Council has a legal duty to offer advice and assistance to such persons.

This assistance might be to help secure accommodation in the private sector or to offer interim accommodation while the victim seeks alternative accommodation. The first response from the Homeless Persons Unit would be a refuge placement where possible. The Homeless Persons Unit will advise and assist a victim about implementing 'safer options', should s/he wish to return home, by working in partnership with the Council's Crime Reduction unit and the Police. Barnet Homeseeker's Service offer assistance via the Sanctuary Project (see later).

Court Orders

If a victim wishes to return to the home but is being denied access, or if s/he wishes to have the perpetrator removed from the home the Court can protect his/her rights. (See "Getting Help from the Courts" Section).

The Council has an obligation to offer housing advice and assistance under S177 of the Housing Act 1996, as amended by the 2002 Act, whilst the woman takes the steps to put these legal remedies in place e.g. Non-molestation Orders and Occupation Orders. (See "Getting Help from the Courts" Section).

Renting privately

Private rented accommodation is an option available to applicants although for many, affordability may be a barrier. If an applicant were on a low income (see Welfare Benefits Section) s/he would be entitled to Housing

Benefit. It is also possible that Housing Benefit will pay rent on two properties in cases of domestic violence. A victim may be able to seek advice and assistance from the Council's Private Sector Team, in securing accommodation in the private sector. Barnet Homeseekers can offer advice and assistance about the Rent Deposit Scheme.

Approaching the Council

Legal Duty: Local Authorities have a duty under S177(1) of the Housing Act 1996, as extended by the 2002 Act to offer advice and assistance to those persons who are homeless because it is 'unreasonable for them to continue to occupy' their current accommodation due to violence or threats of violence by their partner or an associated person. This does not mean the Council will rehouse all such cases in permanent Council stock, but will look at other options, for example the 'safer options' referred to earlier, or securing accommodation in the private sector or a refuge, or securing temporary accommodation while the victim seeks legal assistance to return home if possible.

Homeless: A person is homeless if s/he is unable to continue to live in the current accommodation, due to actual violence or the threat of violence.

Priority Need: Defined by the Housing Act 1996 and further extended by the amendments in the 2002 Act as: a woman, who is pregnant, has dependant children or is vulnerable. 'Vulnerable' can be through old age, physical or mental disability or other special reasons. All Councils have the discretion to decide that people who are homeless because of domestic violence have a priority need for housing assistance. The amendments in the 2002 Act extend the category of priority need to such persons who are in fear of violence but have no dependent children. However, every Council will use its discretion when offering advice and assistance in such cases.

Intentionally Homeless: the Council has a duty to investigate whether the victim has become intentionally homeless in any way by 'an act or omission caused by themselves, which resulted in them becoming homeless'

under S191 of the Housing Act 1996. The Code of Guidance says that victims who leave their home because of violence should never be declared intentionally homeless.

Local Connection: The Council also looks into whether the person has a local connection with the area in which they are applying, under 199(1) of the Housing Act 1996. This can be due to past residence, employment, close family living in the area or other special circumstances. In cases of domestic violence the law says at the duty to rehouse the victim should not be put back on to the authority in which s/he is at risk of violence. Victims are entitled to apply to any Council of their choice for housing regardless of whether they have a local connection with the Council of their choice.

Barnet Homeseekers

A person who is fleeing domestic violence and in need of assistance with housing, whether or not s/he is a Barnet Homes Tenant should approach Barnet Homeseekers if s/he requires an urgent place of safety and has not been successful with a place in a refuge. The applicant should provide as much information as possible to Barnet Homeseekers, such as injunction papers, police reports, social worker's report, and solicitor letters. Once investigations have been completed the Council have a legal duty to inform the applicant of the decision in writing. This is called a Section 184 and will normally be given within 33 days.

What will happen at the interview?

If it is not possible to attend a booked appointment the applicant fleeing violence will be interviewed by an Emergency Officer. The victim will be asked whether s/he wishes to be interviewed by an officer of the same sex. This can also be requested before the interview by speaking to the Customer Services Officer at the Reception desk. If there is a language barrier you should contact Barnet Homeseekers and ask them to arrange an interpreter.

The Duty Officer will ask questions which the applicant may find personal and distressing but will do so in a sensitive way. However, where documentary evidence is provided

questions may be limited. You should make every effort to accompany the applicant to the interview as you can act as an advocate/support on her behalf.

If the applicant has difficulty in remembering dates and details of the violence it may be advisable to prepare a statement of events before the interview as s/he may be required to write a statement. The applicant may be encouraged to stay with relatives or friends. If this is not possible, the Duty Officer may provide emergency accommodation whilst investigations are carried out. Emergency accommodation could be Bed and Breakfast or a space in a women's refuge or interim accommodation outside London depending on availability. The temporary accommodation offered depends on family size and the needs of the family. Allocation of accommodation will take the needs of the applicant into consideration i.e. not being placed near the violent partner. In most cases the victim would be offered interim accommodation outside the borough unless there are special reasons to remain within the borough.

Ensuring good practice the Duty Officer will give the applicant his/her name and contact number and an interview in a private room. The applicant will be given a list of documents needed by the caseworker. All further contact with the caseworker will be by phone or appointment thereafter.

Appealing against the Council's decision

If an applicant is dissatisfied with the Council's decision or feels s/he has not received what s/he thinks is a right decision s/he can request a review of the decision made by the Council, under S202 of the Housing Act 1996.

Permanent Rehousing

All permanent council and housing association accommodation is let via the Council's Choice Based Lettings Scheme. All applicants (unless subject to immigration control) are placed on the Council's Housing Register when they approach the Council for assistance. They are awarded points

depending on their circumstances, although these may change once their case has been determined and if they have any changes in their circumstances (such as change of address). Applicants will be given an ID and PIN number to enable them to 'bid' on any permanent accommodation advertised on the Barnet Website www.barnet.gov.uk/housing/ or in the local newspaper 'The Press'. The applicant with the highest points who wants the home after viewing it will be offered the property.

The applicant should notify their housing officer of any material change of circumstances, which may alter their property. The applicant should also notify their housing officer of any other changes of circumstances such as financial or immigration status.

Barnet Homes

Applicants who are existing Council tenants.

If an applicant is a Council tenant and wishes to remain within the London Borough of Barnet, the Area Housing Officer should be contacted. If emergency accommodation is required the Housing Officer will carry out a full fact finding interview. If at this point the applicant requests Temporary Accommodation the Housing Officer will contact Barnet Homeseekers and fax over a copy of the interview notes to arrange this. Ideally the applicant would go straight into temporary accommodation and attend an interview the following day. Other options such as injunctions, The Sanctuary Project, Refuge accommodation etc will all be discussed with the applicant.

Emergency accommodation if offered would be either Bed and Breakfast accommodation or a refuge space. Barnet Homes does not advise tenants to give up their homes. All options are discussed with them and as much support as possible is given to them. If they chose the transfer route and meet at least 2 of the criteria used by the DV Panel then the case will be put forward for a Management Transfer. The case will still be sent to the DV Panel as they can still award some points but an applicant can only have 1 lot of high priority points.

Joint and sole tenants

If the applicant wishes to move from the current home to another property in the borough, they may be considered for a Management Transfer at the recommendation of the Domestic Violence Panel. The tenancy will have to be terminated before another property is agreed. If the tenancy was in joint names action may then be taken to evict the perpetrator.

Mutual Exchanges

Barnet Homes Tenants can apply to exchange their property by completing a Home Swap Form. This will then be registered on the Home Swap register. If a suitable exchange is found the process needs to be authorised by the Estate Managers of both properties. A drawback for applicants fleeing domestic violence is that the person with whom an exchange is made will know the forwarding address and there is no guarantee that this will not be passed on if the violent partner comes looking for the victim.

Private Sector Tenants

If the applicant is a private sector tenant i.e. renting from a private landlord the right to stay in the home will depend on several factors:

- status of the tenancy
- whether married or cohabiting
- whose name the tenancy is in

Depending on the tenancy status, this may also affect housing

1988 Housing Act – two new tenancies

The 1988 Housing Act created two new kinds of tenancies. All tenancies created after 15/1/89 are either Assured or Assured Shorthold Tenancies. The main difference between these tenancies and those created before 15/1/89 is that new tenancies are less 'protected' as landlords have been granted further grounds for possession.

If an applicant's tenancy commenced before 15/1/89 then in all likelihood s/he is a 'protected' tenant and has either a contractual or statutory tenancy. According to the tenancy this will have different implications for tenancy rights once a relationship breaks down.

Contractual – a tenancy for the period of which there is a contract.

Statutory – when the notice to quit or fixed term expires and a tenant continues to live there protected by statute i.e. under the Rent Act.

Married tenants

If an applicant is married, it is possible to transfer a tenancy from one partner to the other or from a joint tenancy in conjunction with proceedings for divorce, judicial separation or nullity (Matrimonial Causes Act 1973 Matrimonial Homes Act 1981). However if s/he is a statutory tenant, s/he will have to stay in personal occupation in order for the tenancy to continue to exist. If s/he leaves s/he will have to show signs of continued occupation e.g. a member of the family staying there and the intention to return. However on divorce i.e. decree absolute, the rights to occupation will cease ending the right to transfer the tenancy.

In these circumstances it is advisable for the applicant to apply for a transfer of the tenancy at the time of the divorce. If the transfer is not granted before the decree absolute an application must be made to extend the rights of occupation beyond the decree absolute.

Other factors the Court will consider

Other factors the Court will consider in deciding whether to transfer the tenancy include the needs of any children, the income of each party, age of the partners, physical and mental disability and so on.

Transfer of tenancy

If the two partners can agree on a transfer of tenancy (known as ASSIGNMENT) the landlord's permission must be gained. If the woman is a protected tenant the landlord will need to show good reasons to refuse. If she is an assured tenant however there is no right of transfer of tenancy unless the landlord agrees.

Cohabiting tenants

If the applicant is not married but cohabiting, the rights are much less as the housing status may be weaker.

Where the perpetrator is the sole tenant

If the tenancy is in the perpetrator's sole name, the victim will be considered a licensee with no property rights. The tenant (partner) can ask the victim to leave by giving notice. However, if there are children from the relationship victim should be advised to apply to the Court for the tenancy to be transferred to him/her for the benefit of the children. Failing this, the only other option is to apply to the Local Authority as homeless.

Where the victim is the sole tenant

If the tenancy is in the victim's sole name, s/he can give the partner notice to leave and if there has been violence s/he can exclude the perpetrator from entering the property with an injunction. Barnet Homeseekers may also be able to offer assistance to help the client feel safer in her o

Where the tenancy is in joint names

If the tenancy is in joint names, then both tenants have equal rights to stay. If there has been violence the victim can take steps to exclude the perpetrator but unfortunately this is usually only temporary. Otherwise s/he can apply to the Local Authority as homeless and in 'priority need'.

If there are children from the relationship, s/he should be advised to apply for the tenancy to be transferred to her/his name. If there are no children and neither party wants to move out, then the tenancy cannot be transferred. A final solution could be an assignment of the tenancy to one partner with the landlady/lord's consent.

Owner Occupiers

Married – Joint Owners

If the victim is married and a joint owner of a property, both parties have a legal interest in the home and a right to occupy. The property cannot be sold without the consent of both owners.

Where the property is owned by one partner.

If the property is owned by one partner, under the Matrimonial Homes Act 1983, the non-owning spouse has the right to occupy.

However, in many cases where victims are fearful of their partner selling the property without their consent they should be encouraged to register a 'restriction' in the Land Registry which prevents the property from either being sold or using the property as security to raise a loan.

The Land Registry is based at Swansea District Land Registry, Ty Bryn Glas, High Street, Swansea, SA1 1PW
Tel: (01792) 458877

However, these rights only apply as long as the marriage is in existence. Any entry under the Matrimonial Homes Act ends on decree absolute unless an application is made to the Court beforehand. This should be done if no long-term property settlement has been reached.

Court Orders – Property

During divorce proceedings there are a number of property orders the Court can make:

- **Sale outright** – order the sale of the property dividing the proceeds.
- **Sale postponed** – the Court can postpone the sale of the property until the children are no longer dependant, i.e. 18 or 19 and in fulltime education. The disadvantage for women with this order arises when the child reaches 18 as she may have a weaker borrowing and earning capacity. Furthermore, any legal costs may be recovered from the sale of the property leaving reduced capital to purchase further property.
- **Lump sum to outgoing party** – one party buys the other out.
- **Property settlement or life settlement** – the whole interest/property is transferred to one party. This usually happens where there is little equity (little money in the property) and one partner has the greater need.

Cohabiting – Joint Owners

Where the property is in joint names

If the victim is not married but cohabiting and the property is in joint names, both parties have equal rights of occupation. Neither

partner can sell or raise additional loans on the property without the other's consent. If one partner leaves, the other becomes fully responsible for all outgoings, e.g. mortgage. If the victim is in receipt of Income Support and the partner who has left refuses to pay, interest can be claimed (see Welfare Benefits section). S/he may get help with payment of the interest due on the mortgage. The interest will not be covered for the first 8 weeks. 50% of the interest will be paid for the following 18 weeks and 100% thereafter. If the property was bought after 2/10/95, interest on the mortgage will not be paid for the first 39 weeks. There is no assistance for property worth over £100,000. Some Building Societies also allow for the Capital to be deferred and just the interest paid – enquiries should be made.

Where there are children from the relationship, an application can be made to transfer the property to one person under the Children's Act.

Where the property is in one name.

If the property is only owned by one partner, the non-owning co-habitee has very few rights to the home especially if there are no children. The only means of establishing a right to the property is by showing an interest in the property. If it can be shown that the non-owning co-habitee has contributed substantially to the home they may be awarded a share in its value. However, it is not sufficient to show the contributions to have been made by paying bills or purchasing food. The contribution have to be substantial i.e. contributing towards a deposit, making mortgage payments, paying for structural work.

The Sanctuary Project

Making it possible for you to remain in your home and feel safe.

Barnet's Homelessness Prevention Strategy includes the Sanctuary Project, which aims to prevent victims of domestic violence having to leave their homes.

It is a victim-centred initiative, which provides additional security measures to the homes of domestic violence survivors. Fitting strong solid core doors, extra locks, security grills,

hinge bolts and frame strengtheners are all part of the package. The scheme aims to make it possible for victims to remain in their homes and feel safe, thereby preventing homelessness.

The Safer Communities Partnership at Colindale Police Station identified that whereas home security and personal safety advice has always been available via the Police Crime Prevention Officer, there were no provisions in place for providing survivors with the additional security measures they needed. In spite of all of the good work being done to help survivors of domestic violence, they may still feel isolated and gripped by the fear of repeat incidents. This frequently results in victims having to move home on numerous occasions, with all the associated problems of moving away from family, friends, support networks and finding new schools for their children.

The 'Sanctuary Project' is not limited to Council or Housing Association tenants and includes any person who is threatened with homelessness due to domestic violence.

Referrals to the 'Sanctuary Project' are initially made via The Domestic Violence Support Service (DVSS), a charitable organisation based in Colindale police station Tel: 020 8733 4573

A refuge is one of the few places that can offer a complete service based on experience of dealing with Police, Courts, Local Authorities and services providing welfare benefits.

A refuge is a safe house providing temporary accommodation to women and their children fleeing domestic violence. The existence of refuges and their services are often not common knowledge among many women. Especially women from minority ethnic communities where translated information is often not made available. Going to a refuge is often a last resort when all other possibilities have already been exhausted.

The most important function of a refuge is to give a woman a safe place to stay, where she can make decisions about her future without fear of further intimidation or violence.

There are workers in refuges who offer advice and support to women during office hours. As a principle, refuges do not provide a reconciliation service. The emphasis is on providing a safe and supportive environment for a woman to make her own decisions in her own time, even if she decides to return home.

Most refuges are affiliated to Women's Aid Federation of England (W.A.F.E.), however there are some that are not. In Barnet there are currently three refuges, two run by Elevate and the other by Jewish Women's Aid.

Elevate

Elevate currently run the two hostels in the borough that were previously run by Barnet Women's Aid. The refuge offer the same service as before but with the added service of short term outreach for women leaving the refuge and Elevate Floating Support for Long term re-settlement. The service is available to women from all communities and generally 70 – 80% of their service users annually are from varying minority groups including asylum seekers and refugees. Interpreters are

accessed for non English speaking service users and the refuge has recently gained the services of a Turkish Women's Support worker. The Refuge has disabled access and facilities. There are 16 bed spaces over two sites, eight contained units and eight with shared facilities.

Women can access the service via the main help lines of Women's Aid, Refuge and local authority services. If there is space available at the refuge, she will only be offered that space after a risk assessment and if she lives beyond the boundaries as defined by the referral and admission criteria of Elevate. Women from other London boroughs and anywhere outside London can access the service (except where they have relatives living or working near the Refuge property).

The service provides safe, emergency, temporary accommodation, advocacy, emotional support, advice, information and practical assistance. Elevate aims to deliver a comprehensive, non judgmental service responsive to individual service user needs.

The Refuge has a qualified Child Support Worker and a well equipped play room. She provides emotional support to child residents of all age groups, one to one sessions, play sessions and activities. Her role is also vital in enabling mothers to access support services without their children present.

For contact details please look under Elevate in the Directory of Local services.

Principles of refuges

The location of a refuge is confidential in order to prevent violent men from finding women and their children. All women referred to a refuge, as well as the referral agencies, are expected to ensure confidentiality at all times: the telephone number or the address should NOT be given out to anyone else other than the woman herself. Women and their children's safety depend on this.

Providing a 24 hour 'open door' policy through the W.A.F.E switchboard, if affiliated or through the Refuge 24hr help line (see Directory of Services at the back of this pack). W.A.F.E and Refuge operate a 24 hour service and calling these help lines will enable victims to access help at any time of the day or night. Referrals are often through other agencies including the Police. However self referral via the help lines is also accepted.

No woman is ever turned away without assistance. If a local refuge is unable to offer emergency space, alternative overnight stay is always found. However, given the fact that most refuges are under resourced and overcrowded, a request to go to a specific refuge may not always be possible. There are a number of refuges specifically for black and minority ethnic women in London and every effort should be made by the referral agency to find a suitable place. Refuges set up by and for Asian women, for example, cater to the specific cultural and language needs, which ensure that a woman arrives in an atmosphere of understanding and sensitivity. The only refuge that is BME specific in Barnet is Jewish Women's Aid. Apart from Jewish Women's Aid, the nearest specialist refuges for BME communities are in Haringey and Brent.

Refuges provide a much more comprehensive service than other temporary accommodation. Often providing a variety of Legal advice (covering all aspects of matrimonial law, custody, immigration etc) welfare benefits entitlement, assisting in finding safe permanent housing, counselling, and all other aspects of emotional and practical support. The workers can explain procedures and support a woman in the everyday practicalities of sorting out her life. They also encourage a woman to do things for herself and practical support is backed up by the emotional support that comes from understanding how violence affects women.

Most refuges are based on a communal lifestyle, as a stay is only intended to be temporary. (However, temporary can mean anything from an overnight stay to 6 months or more). If a woman decides not to return to her violent partner, alternative permanent

housing is then sought. In a refuge, although a woman may have her own room, she will be sharing other facilities such as the kitchen, bathroom, sitting room etc. This has obvious advantages for women in that it allows them to meet and get support from each other and thus break down isolation and loneliness.

Refuges also have the resources and experience in assisting and accompanying children who in most cases have also suffered violence, or at the very least, witnessed the violence against their mothers. Some refuges have childcare workers, a playroom or garden. Many children experience relief at no longer having to cope with living in a violent home. However there are often considerable numbers of children in refuges and the upheaval of leaving home can result in a variety of unsettled behaviour. Refuges may have fixed age limits for the admission of male children but the upper age limit for most is between 12 and 16 depending on the policy of the individual refuge. The Refuge age limit is 14.

However temporary the stay, residents in refuges are encouraged to participate in the management, and running of the refuge. Regular house meetings and discussions take place regarding cleaning rotas, childcare, and other practicalities.

Whilst staying in the refuge, all residents are expected to adhere to house rules and policies concerning confidentiality and security. It is a condition of the woman's stay that she does not bring male visitors to the refuge. This is to ensure the safety of everyone living and working in refuges.

How does a woman find a refuge?

There are two organisations which co-ordinate refuge accommodation: Women's Aid and Refuge. It is important to distinguish here between the national organisation 'Refuge' and the word 'refuge' meaning a safe house for women and children fleeing domestic violence. Both Women's Aid and Refuge provide refuge accommodation and accept any woman, with or without children, who has been threatened with physical, sexual, mental, emotional or verbal abuse from men with whom they have or have had a relationship

with. This also includes women as survivors of 'family violence' who have had to leave home due to abuse from fathers or brothers.

Women's Aid operates a 24 hour emergency help line on 0845 702 3468. Head office knows the availability of places in all the affiliated refuges in the country everyday. They are also in touch with some refuges run independently. Messages can be left on the answering machine between 9am and 9pm or the website can be accessed at www.womensaid.org.uk. Refuge also operates its own 24 hour National Domestic Violence help line on 0808 2000 247

One of the reasons why women stay with abusive men is lack of money and being forced to believe there are no other financial options available. Having some income is essential for women to successfully make the break from violent men.

Money can be withheld from women as a form of abuse. For some women, one of the costs of ending abuse may be a lower standard of living. Women need advice and accurate information about their entitlement, and help should be sought from advice agencies. Benefits are available that meet both some of the woman's own needs, her children's needs and some of her housing costs. She must be encouraged to claim as it is her entitlement.

Any woman, who by leaving her husband may put her immigration status at risk, should seek advice before claiming benefit, especially if there are conditions attached to her right to stay. (See sections on Black Minority Ethnic Women). If there are any restrictions on the woman's stay in the UK she will normally have no access to public funds. Most of the main benefits are classed as public funds. She may therefore need immigration or specialist advice.

What benefits?

The benefits women may be able to claim include Income Support, Housing and Council Tax Benefit, Child and Working Tax Credit, Child Benefit, and the Social Fund. Apart from Child Benefit, all these benefits are means-tested, i.e. based on income.

Income Support – What is it?

Income Support is a means-tested benefit paid if savings are below £8,000. If the woman has savings over £8,000 she will not be able to claim Income Support. If savings are above £3,000 but below £8,000 a 'tariff' will apply, i.e. for every £250 above £3,000 benefit will be reduced by £1. There are different rules for people aged 60 or over.

People over 60 may be entitled to Pension Credit. Pension Credit provides a contribution to a guaranteed minimum income and rewards people aged 65 and over who have made modest provision for their retirement.

A woman may be entitled to Income Support if she is working less than 16 hours a week and has a low income, or if she is not in paid employment. She will not have to sign on as unemployed if she has dependant children, is over 60, sick or disabled, looking after a severely disabled person or pregnant.

If none of these conditions apply she will have to sign on as 'available for work' at her local Job Centre Plus Office. She will receive a claim form for jobseekers Allowance.

Where a woman fears for her safety at the local Job Centre Plus Office, i.e. fears of recognition by her partner or his friends, you should try and negotiate with the office for her to sign on at an alternative office.

How is Income Support calculated?

The calculation for Income Support is based on family size, whether a woman is a single parent or if anyone in the family is disabled or a carer. Income Support and Income-based Jobseekers Allowance are also the only benefits that take into account a person's mortgage.

The Department for Work and Pensions (Social Security) can only help with the mortgage interest and what they pay will depend upon what the mortgage was used for, when it was taken out, how large it is and the person's reasons for claiming benefit. It is a complicated area and the woman should get advice about what will be paid. Where a woman leaves their home due to the fear of violence she can receive help with housing costs on two homes as long as it is considered reasonable.

If a woman still lives at home and her partner claims benefit for both of them, but refuses to

give her a share of the benefit to be paid directly to her. If applying as a separated claimant you must emphasise the financial hardship suffered and that the 'couple', although living in the same house, are living as two separate households. However, this may involve a visit by a Social Security Officer, which should be explained, to the woman.

How to claim

If a woman is signing on, she will need to get a form from the Job Centre Plus Office. The forms are not available anywhere else.

If she is not signing on i.e. because she is a single parent or a carer, she will need to complete an A1 form from their local DWP Officer (Social Security). From 2003 the Job Centre Plus office will be dealing with all claims for people under the age of 60. Claims can be backdated up to 3 months if there are special reasons why someone could not claim earlier. People over the age of 60 are dealt with by Pension Centres. Benefit decisions can be appealed if the person does not agree with the decision but the appeal must be made within 1 month of the date on the decision letter. If the appeal is outside the month it can be treated as a late appeal but may not be allowed unless there is a very good reason why it was made late.

Jobseekers Allowance (JSA)

There are two types of JSA:

Contribution-based JSA is paid where someone is available for work and has paid/been credited with national insurance contributions in the appropriate years to their claim. If awarded it is paid for 6 months.

Income-based JSA is similar to Income Support but is paid where the person meets the means test rules but is required to be available for work as a condition of getting benefit (for example, they are not sick, do not have dependant children etc). JSA is for people who are unemployed or working less than 16 hours per week. Income Based JSA cannot be paid if the person has savings of £8000 or more.

Incapacity Benefit

Incapacity Benefit is the benefit based on past National Insurance contributions where

someone is not fit for work. It is paid at different rates depending on how long the person has been unfit for work and the age at which they became incapable of work. Incapacity Benefit is not means tested but in addition to the contribution test, most people will need to pass a 'personal capability assessment'. The assessment is points based and tests ability to work by looking at physical activities such as walking and sitting ability and also considers mental health problems. If there is any doubt about someone's ability to work, a medical will be carried out. Where Incapacity Benefit is awarded, the woman may still be entitled to claim Income Support to top up her income and so this should also be claimed. Claims for Incapacity benefit are made through the woman's local Department for Work and Pensions (Social Security office) although this will be changing and claims for all people under the age of 60 are to be taken over by Job Centre Plus.

Housing/Council Tax Benefit – What is it?

Housing and Council Tax Benefit is paid to help towards rent and Council Tax where the person is on a low income. Anyone can claim Housing and Council Tax Benefit as long as they have savings less than £16,000. As with Income Support if savings are between £3,000 but below £16,000. As with Income Support if savings are between £3,000 but below £16,000 a tariff will apply. Different rules apply to people aged 60 or over.

If a woman has left her home through fear of violence the local authority can pay benefit on two homes for up to a year as long as it is 'reasonable' to do so. You should argue for double payments to continue if she is responsible for making payments on two homes and intends to return to her former home at some point in the future. She only needs to show she left her former home through fear of violence rather than actual violence. You may be required to provide a letter of support to confirm her situation.

How is Housing and Council Tax Benefit calculated?

Housing and Council Tax Benefit are means tested benefits and the amount of help will

depend on the income of the claimant and her family situation. Housing benefit does not cover heating, water rates or other bills. If these charges are included in the rent the Council will deduct a set amount from the benefit awarded.

The amount of help that some private tenants can get has been restricted. When deciding how much benefit can be paid, the Council will look at the type of property that the person rents and compare this to similar properties in the area. If the house is more expensive or is larger than the Council feels the person needs, they may restrict the rent that is allowed for housing benefit purposes.

Benefit decisions can be appealed but if the rent has been restricted the person may need to also apply for a discretionary housing payment, which is a discretionary payment that is separate from the Housing Benefit system. As these new rules came into effect in January 1996 it is important that the person gets advice before moving if they have lived in their property for some time.

Before you move into a property you can ask the Council how much of the rent they will allow if you move in. This is known as a pre-tenancy determination and is useful if the woman is worried about having her rent restricted.

How to claim

Complete a Housing and Council Tax Benefit application form available from the Housing Benefit Section, Housing Department or advice centres. This should be forwarded to the Housing and Council Tax Benefit office as soon as possible to prevent any rent/council tax arrears from accumulating. Remember, these benefits are paid by the Council not the Department for Work and Pensions.

Housing and Council Tax Benefit, can be back dated up to 52 weeks provided 'good cause' can be shown and it is always worth applying. When awarded, Housing Benefit can either be paid direct to the landlady/lord or to the claimant.

Child Tax Credit – What is it?

Child Tax Credit can be claimed by any person with a dependant child, under 19 and

in full time education. There are no saving limits but the amount that a person receives will depend upon their income. All women with children should be encouraged to claim the Child Tax Credit because it can be paid for families with incomes up to £58,000 per year (2003/4 figures) The Child Tax Credit is paid to the main carer normally the woman. The woman will normally need an account into which the payments can be made.

Working Tax Credit – what is it?

Working Tax Credit can be paid if the person or their partner is working

- 16 hours per week or more and has children or an illness or disability or is aged 50 or over and has been out of work recently due to sickness or unemployment.
- 30 hours per week and is aged 25 or over.

The credit is paid with the person's wages and varies depending upon the family's income. Childcare costs can be taken into account in certain situations.

How to claim

Tax Credits are paid and administered by the Inland Revenue and claims can be backdated up to 3 months if the person claims late. Claim packs can be obtained by calling 0845 300 3900 or by asking at the Job Centre or local tax enquiry office. Forms can also be completed on line at: www.inlandrevenue.gov.uk/taxcredits.

Tax Credits are normally awarded for up to a year at a time and changes in circumstances lead to adjustments at the end of each tax year in April. Certain changes do need to be notified to the Tax Credit Office and these include if the person separates from their partner.

Extra benefits on Income Support and Family Credit

If the woman receives Income Support or income Based Jobseekers Allowance she will be entitled to other benefits which include

Free school meals

Free milk and vitamins for herself if she is pregnant and for any child under five years and one month

Free prescriptions, help with dental treatment and opticians costs and fares to hospital

Some Child and Working Tax Credit claimants will also receive help. Their notification letter will tell them about this.

If the person does not qualify automatically but is on a low income, they will need to complete form HCI for the health benefits, which is available from Post Offices, Department for Work and Pensions and advice centres. They may still be entitled to some help with the costs.

Child Benefit

Child Benefit is available for anyone with a child under 19 and in non-advanced education (up to A-level or equivalent standard). Child Benefit must be applied for within six months of the baby's birth and is paid at a set rate fixed every year.

Unlike most other benefits, Child Benefit does not take into account income and can be paid by either an order book or through a bank account. If a woman is not receiving Child Benefit for her children, contact the Department for Work and Pensions straight away and ask for an application form.

Disability Living Allowance (DLA) and Attendance Allowance

Disability Living Allowance can be claimed up to the age of 65 if the person has attention or supervision needs, has problems walking or going out, or has problems cooking due to their illness or disability. Attendance Allowance can be paid if the person claims after the age of 65 but this benefit does not take into account walking problems outside. The benefit can be paid to children as well as adults, although children will need to show that their needs are substantially more than those of an average child of that age. There are 2 parts to the benefit, care and mobility, which are paid at different rates depending upon the person's needs. Disability Living Allowance is not means tested and there are no savings limits. It is paid on top of other benefits and can lead to entitlement to care allowance if the person receives either the middle or higher rate of care DLA or Attendance Allowance. These benefits can

also increase the rate at which benefits such as Income Support, Income Based JSA and Housing and Council Tax Benefit are paid. A claim form needs to be completed to claim Disability Living Allowance or Attendance Allowance. Forms can be obtained by calling the Benefit Enquiry Line on 0800 88 22 00. Claims for Disability Living Allowance and Attendance Allowance can not be backdated therefore it is important to register the request for the claim pack as soon as possible.

Social Fund

The discretionary Social Fund is made up by three types of payments: budgeting loans, crisis loans and Community Care Grants. It can be used where money is needed due to an emergency or for essential items such as furniture or clothes. With the exception of Community Care Grants, loans have to be repaid and are deducted out of a person's benefit.

Budgeting Loans

(Always apply for a Community Care Grant first)

As the term implies this is a repayable loan assessed according to income and means to repay. It is an interest-free loan available to purchase certain items provided particular entitlement criteria are met.

To be eligible for a Budgeting Loan, a woman must have been on Income Support for at least 26 weeks and have savings less than £500 (£1,000 if aged 60+). As with the two loans however, no one has an automatic right to a grant. The minimum amount of the grant is £30. There is no maximum award.

If you are making an application for a woman who has left a situation of violence always make an application for a Community Care Grant rather than a loan. It is important to give details of the danger to health and safety and any examples or 'exceptional pressure' on the family when applying for a Community Care Grant. As mentioned earlier, Income Support is already a very low income and any further reductions (through Crisis or Budgeting Loan payments) may force a woman to reconsider her reasons for ever having left a violent partner in the first instance.

To apply for Community Care Grants or Budgeting Loans, complete form SF300 (Community Care Grants) and SF500 (Budgeting loans) from your local DWP or advice centre remembering to give as much information as possible.

What if she is refused?

If the application is refused, tell her not to despair. You should always ask for a review within 28 days of the DWP's decision. The review will be made by a Social Fund Officer at the local DWP. If, on review, the application is still refused, ask for the decision to be referred to the Social Fund Inspector who is independent of the local DWP. Try to give as much information as possible and if there is any change to the woman's circumstances let the Inspector know as it may help in overturning the decision.

Surestart Maternity Grant

In addition to the discretionary Social Fund there are also some grants that are regulated and payable as of right. A woman can claim a Surestart maternity grant if she is on Income Support, Income Based JSA, pension credit or in certain cases Child and Working Tax Credit. The grant can be claimed at any time from 11 weeks before the first day of your expected week of confinement until three months after the actual date of confinement. Claims cannot be backdated if these dates are missed. The claim is made on Form SF100 and the grant is currently £500 (2003/4 figures)

Child Support Maintenance

Since 1993 most child maintenance is dealt with by the Child Support Agency. Maintenance is assessed using a standard formula. Since March 2003 the formula is based on the number of children and is a percentage of the non-resident parent's income. Prior to 2003 there was a more complicated formula based on each parent's income and essential outgoings.

If a woman receives Income Support or Income Based JSA and cares for a child it is assumed that she has given the CSA permission to collect child maintenance on her behalf. If she does not receive any of these benefits and there is no existing child

maintenance arrangement, then she can apply for Child Support Maintenance through the CSA. The Child Support Agency will rely on the parent caring for the child (usually the woman) to disclose as much information as possible to enable the Agency to trace the absent parent, assess maintenance and enforce payment. The problem arises for single parents who have left partners through fear of violence or actual violence. Where there is a risk of harm or undue distress to the woman or her children the woman can ask the CSA not to act. If the CSA feel that there has been a failure to cooperate and there is no risk or harm or 'undue' distress, deductions can be made from benefit – known as a benefit penalty. The current rate (2003/4 figures updated each April) is £21.86 per week for three years.

In making this deduction they have to consider the welfare of the child so depending on the circumstances, the deduction does not have to be made. A deduction cannot be made where someone in the family is assessed by the DWP as disabled at the time the reduction is to be applied. If a penalty is imposed and the woman feels that there is a risk of harm or undue distress, she should appeal the decision to an Appeal tribunal.

Policing Domestic Violence: Criminal Law

The Decision to report a domestic violence incident to the police is often a very complicated one. It is a decision that can be further compounded by issues of race. (See below). Women and men experiencing domestic violence will already feel a loss of control over their lives. A reluctance to report to the police may well reflect a fear that the situation will be taken out of their hands. It is important to let a woman/man know that they can report to the police and have an incident recorded without pressing charges. If, at later date a person chooses to pursue this course of action then there will be earlier incidents logged. However there will be circumstances in which the police deem it necessary to pursue a prosecution with or without the individuals consent.

In this section you will find details of the law regulating criminal acts of violence or fear of violence against women/men in a domestic violence situation. As an adviser you may need to negotiate with the police, the Crown Prosecution Service and /or other agencies in order to ensure that the perpetrator is charged with an offence that reflects the serious nature of the persons injuries, and the information in this section should help you to do that.

Recent developments

Until recently the criminal justice system has paid scant regard to the needs of women/men and children experiencing domestic violence. Many abused women/men have reservations about involving the police so it is important that when they do take this step, they receive an appropriate response. Domestic violence is now viewed as a crime by both practitioners in the criminal justice system and the government itself. In 2002 the Central Police Training and development Authority (Centrex) and the Association of Chief Police Officers published a new six part training pack on domestic violence. Police are now trained in a range of issues from handling

999 calls to dealing sensitively with victims. However, domestic violence cannot always be dealt with under criminal law alone. The less physically overt evidence of domestic violence, such as psychological harm can often be ignored.

There have been recent changes in relation to the policing of domestic violence and all 43 forces now have explicit policies on domestic violence and a set of minimum standards for investigation. Within the Metropolitan Police Service (MPS) there are Community Safety Units (CSU) within each area and these units deal with all 'hate' crime including race, domestic violence, homophobic crime and crime involving vulnerable adults. In other parts of the country there are specialist Domestic Violence Units. The police are essential in the development of multi-agency partnerships and there is a local commitment to participation in the London Borough of Barnet Domestic Violence Forum.

Local Statistics

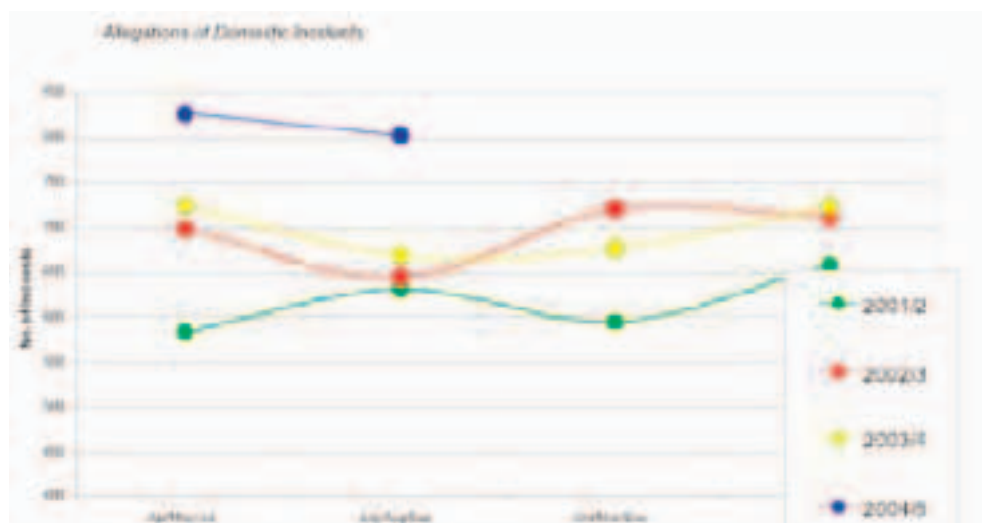
Borough name	April 2001 to March 2002		April 2002 to March 2003		April 2003 to March 2004	
	Incidents	Rank	Incidents	Rank	Incidents	Rank
Barnet	2439	14	2858	15	2987	16
Brent	3331	22	3758	23	4148	23
Camden	2136	9	2442	10	3459	18
Enfield	3326	21	3718	22	2823	13
Haringey	2694	17	3519	20	3315	17
Harrow	2148	10	2194	6	2244	4

Borough name	April 2001 to March 2002		April 2002 to March 2003		April 2003 to March 2004	
	Incidents	Rank	Incidents	Rank	Incidents	Rank
Barnet	7.63	3	8.87	3	9.21	3
Brent	12.36	18	13.93	17	15.49	21
Camden	10.54	12	11.80	12	16.42	22
Enfield	11.99	19	13.28	16	10.07	16
Haringey	12.17	17	15.69	21	14.75	18
Harrow	10.23	11	10.38	9	10.65	7

Domestic Incidents

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
2001	224	182	219	228	181	174	218	210	203	214	184	197
2002	232	207	219	199	242	257	224	205	215	217	267	236
2003	256	210	246	246	217	261	261	216	192	205	236	235
2004	244	238	241	210	314	302	305	268	229	231	255	275
2005	315	304	326	307	287	315	329					

	Apr/May/Jul	July/Aug/Sep	Oct/Nov/Dec	Jan/Feb/Mar
2001/2	583	631	595	658
2002/3	698	644	720	712
2003/4	724	669	676	723
2004/5	826	802	761	945
2005/6	909			



Police Powers

In common with other agencies, the police have a primary duty to secure the safety of survivors/victims and children in cases of domestic violence. The next step is to consider appropriate action against the perpetrator. Each police officer has the discretion to use the power to intervene, arrest, caution or charge a perpetrator of domestic violence. Where an offence has been committed and a power of arrest exists, officers are encouraged to adopt a 'positive action' policy to send a clear message to perpetrators that domestic violence will be treated very seriously and that every effort will be made to gather evidence to support a prosecution case.

The police have the same powers to deal with domestic violence under common law, the 'Offences Against the Person Act 1861' or the 'Police and Criminal Evidence Act 1984' as they do in any other criminal assault or offence.

Offences for which the police can take action

- Common assault where there is no visible injury present. There is no power of arrest available to officers for this assault, except where one of the general arrest conditions set out in Section 25 PACE applies. The most likely conditions applicable in the case of a domestic violence incident will be the necessity to prevent injury or harm and to protect a child or other vulnerable person from the relevant person. In cases where there is no power of arrest or one of the general arrest conditions do not apply, every assistance to pursue a private prosecution will be given to a person. Police will attend court and give evidence on the person's behalf in order that the perpetrator can be processed.
- Assault occasioning actual bodily harm where there is some visible injury, e.g. black eye or other bruise, scratch, broken nose, swelling, pain etc
- Unlawful wounding or inflicting grievous bodily harm where substantial cuts are sustained where there may be multiple

broken bones, serious stab wounds, or other life-threatening injuries sustained.

- Rape, attempted rape and indecent assault are committed under the Sexual Offences Act, 2003
- Attempted murder.
- Threats to kill.
- Criminal damage and public order offences.

The Protection from Harassment Act 1997

This act, also referred to as the anti-stalking legislation, provides new measures for protection under criminal and civil law. It provides more effective protection for abused women/men, in particular those who no longer live with the abuser.

There are two offences:

Criminal harassment Section 2

This is where a person pursues a course of conduct, on at least two occasions, which amounts to harassment of another.

Fear of Violence Section 4

This is a more serious offence, involving anyone whose course of conduct causes another to fear, on at least two occasions, that violence will be used against him or her. The two incidents might involve, for example, an abusive telephone call followed by an abusive letter.

The police can arrest, without a warrant, anyone they suspect of committing either of these offences. If convicted of either of these offences a restraining order can be granted by the court, prohibiting the offender from similar conduct. There is also provision for the prevention of harassment under civil law for those who are not eligible under the Family Law Act 1996. (See section on Getting Help from the Courts).

Police Action

The police service treats all forms of domestic violence as 'hate crime' and Community Safety Units exist in all London Boroughs, with officers who are trained in dealing with such situations. Officers are expected to show sensitivity toward victims whilst gathering all available evidence against the perpetrator. When police are called to an incident of

domestic violence it will generally be a uniformed officer who attends in the first instance. An officer's overriding priority is for the safety of the victim and any children present. After speaking to the woman/man on their own, away from the abuser, the officer will then assess the situation, and take into account the victim's wishes and will do one of, or a combination of the following options:

- Arrest the perpetrator if there is evidence of an offence for which there is a power of arrest, e.g. assault occasioning actual bodily harm.
- Make every effort to ensure the victim receives medical attention.
- Obtain a statement from the victim detailing the incident, and indicating what action the victim wishes to take, i.e. pursue a criminal prosecution or not.
- Refer the victim for further consultation to solicitors, the Housing Department, a refuge, the Citizens Advice Bureau, Social Services, and the Victim Support Scheme etc.
- Assist the victim as far as possible with transport to a safe house with the children, if the intention is to leave the home then and there.
- Arrange for an interpreter or signer, if required, where possible of the same sex.

It should be noted that even if the victim does not wish her abuser to be arrested, police may, if they have direct evidence of an offence, i.e. if they witness an assault, if they fear a breach of the peace is likely, if the abuser is drunk or drunk and disorderly, or if they feel they need to act to protect a vulnerable person – arrest the perpetrator nevertheless.

Women of black and minority ethnic origin

There is a real fear for women of black and minority ethnic origin who experience domestic violence, that their immigration status will be questioned if they report incidents to police. The overriding priority of an officer dealing with such incidents is the safety of the woman and her children, if any.

However, if police suspect that the immigration laws are being broken they have a duty to investigate the matter. This should be borne in mind when advisers are dealing with women who may be vulnerable under immigration laws. (For specialist advice on immigration, see agencies listed in Directory of Services at the back of this pack). All necessary action should be taken to ensure her safety and well being, and the well being of any children involved whatever her immigration status.

After arrest

When a perpetrator has been arrested, it does not necessarily follow that the person will be charged. If the woman/man initially wished to pursue a criminal prosecution but subsequently decides to withdraw the allegation, it is likely, except in certain circumstances, that the perpetrator will be released from custody without charge.

A decision to charge or not can also depend on the seriousness of the offence alleged, the perpetrator's previous record, whether or not they admit the offence, and whether or not a prosecution would be in the public interest. In some cases, police may decide to deal with the matter by way of a caution at the police station. Whatever decision is made the woman/man will be consulted and informed prior to the perpetrator's release.

If the perpetrator is charged, he/she may either be kept in custody and brought before court at the first available opportunity, or released from police custody on conditional bail, which will in most cases specify that he/she must not contact or interfere with any witness, including the victim herself/himself, and if he/she does so, he/she is liable to be rearrested and to be kept in custody and brought before the court at the first available opportunity. The court will then decide on whether the perpetrator should be given bail/further bail, usually with similar conditions attached.

A crime report will have been completed, and flagged for the attention of the Community Safety Unit. An officer from that unit will then be allocated to contact the woman/man and

offer her/him further assistance or support as necessary.

Court – Criminal

Where the matter is being pursued as far as a court hearing, the type of offence committed generally dictates at which court it will be heard. Common assault cases can only be heard at the Magistrates Court, while the more serious assaults, criminal damage, theft, etc. can be heard at either Magistrates or Crown Court.

Magistrates can only give limited fines, prison sentences etc., while the Crown Court has more extensive sentencing powers. At Magistrates Court there will either be one Magistrate, usually a Stipendiary, i.e. a full time Magistrate, or a panel of two to three Justices of the Peace, hearing the case. At Crown Court, there is a Judge and Jury hearing the case.

Before any court appearance as a witness the woman/man can, if she/he wishes, sit in on a trial at either court, to see how matters are conducted and to familiarise herself/himself with the surroundings. An officer from the Community Safety Unit or Witness Service can accompany her/him if she/he wishes, or she/he may attend court any day that proceedings are listed and sit in the public gallery.

She/he will be sent a leaflet prior to the case explaining the procedures. The allocated Community Safety Unit officer will be on hand to offer support and explanations before, during and after the case, if the woman/man so wishes. There are also Victim Support workers based at Crown Courts to offer additional support.

Court – Civil

If a woman/man decides she/he does not wish to pursue a criminal prosecution against her/his abuser, the option for her/him to obtain either a civil Injunction against him/her or a Family Protection Order is available. However, the police may decide that the case should be pursued without the consent of the victim and this is referred to as a 'victimless prosecution'. For further information on

injunctions refer to the 'Getting Help from the Courts' section.

Result

There is no guarantee that the perpetrator will be convicted at court. A criminal case requires a higher burden of proof – "beyond reasonable doubt" – than a civil case – "the balance of probabilities". It is therefore advisable that consideration should be given to a woman/man to seek an Injunction or Family Protection Order as well as criminal proceedings.

If a perpetrator is convicted, it does not necessarily mean that a custodial sentence will be passed. This will depend on any previous record, the seriousness of the offence and so on. However, if the perpetrator is found guilty, whatever the sentence, the Court can order payment of financial compensation to the victim.

Alternatively, the victim can make a claim to the Criminal Injuries Compensation Board. Victim Support can provide advice about this, supply the forms and help to complete them where appropriate. It should be noted here, that far more women/men are entitled to criminal compensation than come forward to claim.

Crown Prosecution Service Guidelines on Domestic Violence

The Crown Prosecution Service published a new policy and guidelines on the prosecution of domestic violence cases in November 2001. The code provides guidance on how Crown Prosecutors should make decisions about whether or not to prosecute. The policy makes progress in shifting the emphasis from the victim to the state with regard to prosecution. Domestic violence is like no other crime in that it involves an intimate partner and women/men may withdraw their support for a prosecution for a variety of reasons, including fear of reprisals. The policy gives detailed guidance on how to proceed in cases where women/men have withdrawn their statement. In cases where the violence is serious, or the previous history shows a continuing danger to the victim or the children then the Crown may proceed with a

prosecution. There is legislation available to introduce the victim's evidence without the need for the victim to appear in court. The Crown Prosecution Service has also established a national network of Domestic Violence Co-ordinators within the service. As an advice worker you may wish to familiarise yourself with the policy and guidelines which can be obtained from: CPS Communications 020 7796 8442, Email: commsdept@cps.gov.uk

West London Domestic Violence Court

Where a woman/man or the police decide to press charges it can be very intimidating for the woman/man if the case is delayed in coming to court. In other parts of the country there have been innovative projects designed to address this issue. Specialist domestic violence courts have been established, with court personnel trained in domestic violence, and with prompt court appearance by abusers. This model is in place at West London Magistrates Court. The aim of such projects is to improve co-ordination between the relevant agencies and to improve the interface between civil and criminal proceedings. The West London court is planning to pilot the use of expert witnesses to describe the effects of domestic violence and how these effects may lead to the withdrawal of statements by victims.

When a woman is arrested

There have been much-publicised cases when women suffering domestic violence over a period of years retaliate, often with fatal results, and find themselves arrested and charged with serious offences.

Any person who is arrested has rights under the police and Criminal Evidence Act (PACE). These rights include access to free legal advice, a limit to the length of time they can be kept in custody without charge, the right to have someone informed of their arrest, to have access to reading and writing materials, food and drink, exercise periods, interpreters and signers, social workers and so on.

She will not be charged unless there is evidence to do so, as in any other

prosecution, and if there is a history of violence against her, which has been reported and recorded officially, this may tip the balance of evidence in the woman's favour in any ensuing court case.

A copy of PACE is available from Her Majesty's Stationary Office (HMSO), and is available in all custody suites.

Children

In any case where children are involved and who may also be experiencing violence or showing signs of disturbed behaviour, Social Services should be notified. They will then work closely with the Child Protection Team to ensure the safety and well being of the child or children in question and pursue any criminal prosecution where this is deemed necessary.

Adult Abuse

There will be many occasions where domestic violence and adult abuse overlap. These will be situations where a partner or someone close to her/him may be abusing the vulnerable adult. (A vulnerable adult is someone with community care needs).

In these cases Police and Social Services have strict guidelines and policies in place to deal with such matters jointly, and in consultation with the abused according to their wishes in the matter. The adult Protection Policy Facilitator within Social Services should be consulted at the earliest possible opportunity in such a situation.

Community Safety Unit (CSU)

The CSU is currently based at Colindale Police Station, Grahame Park Way, London, NW9 5TW. It is managed by a Detective Inspector and staffed by three Detective Sergeants and a team of officers specially trained and dedicated to the investigation of 'hate crimes', which includes domestic violence, racially motivated/aggravated crimes, vulnerable adult abuse and homophobic crimes. The unit is staffed seven days a week, between 8am and 10pm. Investigations are initially by way of referral from reporting officers, although increasingly victims are contacting the CSU direct or through a third party (either of which is

welcomed by the unit). Staff within the unit work closely with a number of support networks and different methods of policing domestic violence and reducing re-offending are continually being reviewed.

A proportion of staff is trained to interview vulnerable and intimidated witnesses. This includes applying for special measures available to them in the courts.

The Community Safety Unit can be contacted on 020 8733 4465

IN AN EMERGENCY DIAL 999

At other times the unit can be contacted by victims or agencies for advice, support and practical assistance. It should be borne in mind that apart from criminal prosecution, the unit can assist a victim in many other ways, and will always act in the best interests of the victim/survivor and children within the family. Where there is a history of violence, which appears to be escalating, police will pursue a criminal prosecution against the perpetrator contrary in some situations to the abused persons wishes.

Enhanced evidence gathering

It is very important to gather evidence to support a woman's/man's case. She/he should be advised to contact he/his doctor or to attend A&E to have her/his injuries recorded. Many women/men do not leave a violent abuser after the first assault and it is therefore vital to keep a record of all assaults on each occasion that she/he contacts you. This record could be crucially important in court proceedings either against her or against him if charged with an offence.

Many multi-agency partnerships are involved in projects aimed at enhancing the quality of the evidence gathered. Photographing injuries and damage by other agencies coming into contact with survivors of domestic violence. Women/men may be more willing to report injuries to other agencies and have these injuries photographed by a worker with whom she/he has already established a trusting relationship, such as a health visitor, a worker from the local refuge or someone from LGBT. This evidence can be held by the organisation until a woman/man chooses to report to the

police. At this point the evidence is then passed on to the police.

Gathering evidence in this way, provided guidelines for appropriate recording are adhered to, will increase the chances of a successful prosecution, thus hopefully reducing the potential for repeat victimisation.

Getting Help from the Courts: Civil Law

10

This section is not meant to substitute the specialist advice that would be available from Solicitors or Law Centres, but to provide information on the various remedies available to women suffering domestic violence. It is important to appreciate and recognise that domestic violence can take many forms and includes physical abuse, sexual abuse and emotional cruelty. Legal remedies are available for all forms of domestic violence.

Should women start legal proceedings?

It is important that a woman seeks legal advice about the various options available to her. Always remember that it is the woman's decision, so do not tell her what she should do, just inform her of the options available to her and assist her in making the decision with which she feels most comfortable.

How to consult a solicitor

If a woman is going to consult a solicitor, it is very important that she goes to a solicitor who is familiar with the law on domestic violence and is franchised for family law. If you are on a low income or in receipt of income support you may be entitled to free advice, in which case she will need to go to a firm who has a Legal Services Commission Family Law Franchise. The following are some useful things to take to a solicitor:

- Photographs of the abuser (to enable the process server to identify the abuser when s/he serves the Injunction papers)
- Doctor's report, if there is one
- Photographs of any injuries sustained
- Marriage certificate, if the parties are married and she wants a divorce.

The cost of legal advice

Solicitors can be expensive but if the woman has limited financial resources there are a number of ways of obtaining advice and representation.

Public funding Services

This is public money which is made available to those who have limited means to obtain legal assistance. All or part (the women may have to pay a monthly contribution) of the legal costs may be paid depending on need and level of the woman's income. Public Funding will cover advice, assistance, obtaining evidence and representation at court.

A solicitor can apply for Public Funding on the woman's behalf. It can take several weeks to come through but, if the case is urgent, Public Funding can be granted by way of devolved powers by a solicitor with a family franchise from the Legal Services Commission. If this happens public funding may be granted straight away and court proceedings taken the same or next day.

It is important that the woman understands that if she recovers or retains money or property within the proceedings then a Statutory Charge will be made against such money. It is possible to defer payment of the Statutory Charge; however interest accrues on the deferred payment. When applying for Public Funding the solicitor must sign the application forms to state that s/he has informed the woman of the Statutory Charge. The statutory charge does not apply to injunction or Children Act proceedings but if the Public Funding Certificate either covers or is amended to cover the financial side of a divorce then all the cash incurred under the certificate will be subject to the statutory charge if money or property are recovered.

Fixed fee interview

This is an advisory session with a solicitor for half an hour and the fee charged will vary from one solicitor to the other. Not all solicitors provide this service.

Legal Help Scheme

If a woman is in receipt of Income Support or in receipt of a low income including tax credits, she can get free legal advice and assistance from a solicitor under this scheme. This can cover advising, corresponding, negotiation and drafting documents. However, the Legal Help Scheme does not cover legal representation at Court. Initially, the solicitor will only be able to carry out two hours work, or 3 hours if drafting a divorce petition, in total, which will include advising, making telephone calls, writing letters and preparing documents.

The legal options available

Our thanks to the Women's Aid Federation of England website for providing the information for this section.

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* New remedies under the Family Law Act 1996 Part IV

The 'Family Law Act 1996' is a comprehensive piece of legislation which is intended both to remove anomalies and to make civil protection against domestic violence more effective.

Part IV of the 'Family Law Act 1996' provides a single set of remedies available in all Family Courts including the High Court, County Court, and Family Proceedings (Magistrates) Court. It extends eligibility to a wider range of people in family or similar relationships, although it gives weaker rights to protection from violence to some cohabitants. There are two main types of orders under the Act:

Occupation orders, which regulate the occupation of the family home and **non-molestation orders**, for protection from all forms of violence and abuse.

These orders are 'free-standing' injunctions i.e. they can be applied for directly and do not have to be made ancillary to any other proceedings, such as Divorce. Provisions for enforcement, through the attachment of powers of arrest, have been strengthened.

There are also a number of related new provisions under the Act, one of which is directly related to the risk of harm to a child:

- The Court, when making an emergency protection order or interim care for a child under the 'Children Act 1989', can exclude a person who poses a risk to the child.
- The Act makes provision for the transfer of tenancies between spouses and cohabitants.

Who can use this law?

Eligibility for orders under the 'Family Law Act 1996' Part IV depends on the type of order, and the relationship between the applicant and the other party (the respondent). The Act considerably extends the categories of people who may seek protection. It introduces the new concept of 'associated persons': to apply for a **non-molestation order** or an **occupation order** the applicant must be 'associated' with the person against whom they wish to take out an order.

S.62 (3) defines 'associated persons' as people who:

- Are or have been married to each other
- Are or have been cohabitants (defined as a man and a woman, not married to each other but living together as husband and wife)
- Have lived in the same household (other than one of them being the other's tenant, lodger, boarder or employee). Are relatives (this is defined to include most immediate relatives)
- Have agreed to marry (evidence by a written agreement, the exchange of a ring, or witnessed ceremony)
- In relation to a child (they are both parents, have or have had parental responsibility for a child)
- Are parties to the same family proceedings (other than under Part IV, but excluding the local authority)

And where a child has been adopted, two people are associated if they are:

- Natural parent/grandparent and adopted child
- Natural parent/grandparent and adoptive parent

In other cases, protection from violence or harassment will still need to be sought through common law actions 'in tort' – that is, as ancillary to other legal actions, for example, actions suing for assault, trespass, or under the injunction provisions of the Protection from Harassment Act 1997. This exclusion will therefore continue to leave many women vulnerable to violence, threats and harassment from men they have never lived with. Moreover powers of arrest cannot be attached to these orders to assist enforcement.

Within the Act an order may be sought to protect from molestation, or regulate occupation rights for, the applicant and any "relevant child".

Non-molestation orders

Under **S.42**, non-molestation orders reproduce and extend the previous powers of the courts to make orders prohibiting a person (the respondent) from molesting another person associated with him or any relevant child. As under previous legislation, an order prohibiting molestation can include both general and particular acts of molestation, none of which need be overtly 'violent', and can be used to order someone to stop using or threatening violence against (usually) a woman or relevant child, or to stop intimidating, harassing, or pestering them. It can also have very specific instructions in it to suit a particular case – for example, it could order an ex-partner to stop telephoning or pestering the applicant at work.

The court can make an order either if the applicant is an 'associated person', or, by its own motion, within any family proceedings that the respondent is party to, the court considers it of benefit to any other party or relevant child. Children under 16 may apply for non-molestation orders with leave of the court **S.43 (1)** if the court decides the child has sufficient understanding.

In deciding the outcome of any application, courts must have regard to the health, safety and well being of the applicant or any relevant child. 'Health' is defined broadly in **S.63 (1)** to include both physical and mental health.

An order may be made for a specified period, an open-ended period, or until a different order is made if further provisions are needed. However if the court decides of its own volition that an order should be made in the course of other family proceedings (for example, under the 'Children Act 1989') then the order will cease to have effect if those proceedings are withdrawn or terminated.

Occupation Orders

An occupation order regulates the parties' occupation of their present, former or intended home and replaces all previous legislation and terminology. Previously similar orders were known as ouster orders, and exclusion orders.

An occupation order may take a number of forms, including:

- Enforcing the applicant's right to remain in the house.
- Requiring the other party (respondent) to allow the applicant to enter and occupy the home.
- Prohibiting, suspending, or restricting the respondent's right to occupy the house.
- Excluding the respondent from the house itself and /or from a defined area in which the house is situated.

These orders do not, however, alter either party's financial interests in the home, and would have to be dealt with in other proceedings.

Occupation orders may be granted depending on the nature of the relationship between the parties and whether the applicant has an existing right to occupy the home. The parties must first be **associated** (see above).

The Act introduces a new concept of 'entitlement':

An **entitled** person is someone who has some legal right to occupy the property, e.g. s/he is the freehold owner, tenant, contractual licensee or someone with a beneficial interest; or s/he has matrimonial home rights. The term 'matrimonial home rights' in the new legislation replaces the term 'rights of occupation' contained in the 'Matrimonial Homes Act 1983'. Spouses of entitled persons automatically have matrimonial home

rights under the Act. These rights are also sometimes obtained through the Divorce process.

A **non-entitled person** has neither the legal right to occupy the property, nor matrimonial home rights.

The main differences between the categories of order are:

- The range of people who can apply
- The criteria the court must use in assessing whether to grant an order
- The length of time the orders may last.

An application may be made:

- Under **S.33**, by a person who is **entitled** to occupy the home because she is either a legal owner or tenant, or has matrimonial home rights in relation to it against another person with whom she is **associated**, whether or not that person is also entitled to occupy the home. This provision will apply to most married couples and cohabitants and others who are sole or joint owners or tenants of their home. An order can be made for a specified period or until further order.
- Under **S.35**, by a former spouse who is **not entitled** to occupy the home or who has matrimonial home rights in relation to it against his or her former spouse who is so entitled.
- Under **S.36**, by a cohabitant or former cohabitant who is **not entitled** to occupy the home against the other cohabitant or former cohabitant who is so entitled.
- Under **S.37**, by one spouse or former spouse against the other spouse or former spouse where **neither of them is entitled** to occupy the home. This situation could include a couple lodging in a relative or friend's house, or squatting.
- Under **S.38**, by one cohabitant or former cohabitant against the other cohabitant or former cohabitants, where **neither of them is entitled** to occupy the home.

Further provisions

Without Notice (emergency) orders

A court may make 'without notice' non-molestation or occupation orders (without

the normal period of notice to the respondent of the proceedings) if it considers it just and convenient to do so. The court must have regard to all the circumstances.

In many cases the Court will not give a return date having made a non molestation order but will give the respondent 'liberty to apply' - This means that if the respondent wants to have a hearing at court he can then apply for one. The Court will not usually make an occupation order on a 'Without Notice' application if it is going to make someone homeless, that person should be given the opportunity to attend Court and make representation.

Undertakings

An undertaking is a promise made to the court to refrain from certain behaviour, and in the past has been used by the Courts as an alternative to granting an order. An amendment was added at the Report stage of the Bill in the Lords to make specific reference to the fact that undertakings could be accepted instead of granting an order. These are likely to be less easy to enforce in practice as no power of arrest can be attached, although the respondent can be committed to prison for breach of the undertaking, and research has shown how unsatisfactory such promises may be in affording protection from violence (Barron, 1990).

Powers of arrest

These shall be attached as a matter of course whenever physical violence has been threatened or used to all orders made 'on notice', except where clear argument can be made as to why this is unnecessary. This duty does not apply to ex parte orders but the court may still attach a power of arrest where:

Violence is used or threatened

There is a risk of significant harm, if a power of arrest is not attached immediately.

New Provisions and amendments to other legislation

The Act makes a number of other new provisions, including changes to police powers, in relation to breaches and

enforcement or orders and others with direct reference to the protection of children:

- An important amendment to the 'Children Act 1989' under **S.52**, and Schedule 6 enables the court when making an emergency protection or interim care order, to make an order to exclude the suspected abuser from the house, removing him instead of the child.
- Within the general provisions of the 'Family Law Act 1996', children under 16 may also apply for orders if given leave court to do so, for which the court must judge that they have sufficient understanding.

The Act brings in new powers under **S.53** and **Schedule 7** to transfer joint tenancies into one party's name a remedy not previously available for cohabitants. This may enable abused women who are afraid to stay in their former home area to exchange their existing tenancy for one in another area and result in women and children having to spend less time in refuges or other temporary accommodation.*

***Advantages of using criminal law for abused women**

- State takes action: not left to woman
- Woman can feel that the violence is taken more seriously
- Abuser can be arrested immediately and easily and he can be held in custody for short periods
- Abuser can be punished/removed from circulation for a certain period
- There is a clear indication of who is at fault
- Bail conditions can be more powerful than an injunction (but have limited duration)
- Proceedings have a symbolic value – domestic violence is not acceptable
- No problems with costs, or access to Public Funding

Divorce

Women often apply for Divorce as a result of their partner's violence, although many women do feel that, regardless of the violence, Divorce is far too final and long-term, and that they should attempt to give their marriage another try, particularly when children are involved. Remember – it must be her decision. Your role is to explore the implications of all the options. If the woman is considering Divorce, advise her of the following:

To apply for a Divorce, you have to have been married for at least one year. This is an unfortunate bar for those women who have experienced violence immediately after marriage. Public Funding is not available for undefended Divorce, although a woman can see a solicitor for legal advice and assistance under the Legal Help Scheme. Public Funding is available to deal with matters which are ancillary to the Divorce, such as maintenance, property adjustment or Children Act applications, depending on the woman's financial means. A legal advice centre or family solicitors can help her if she wants to do the divorce herself.

The Court has to be shown that the marriage has 'irretrievably broken down' and relies on one of the following facts:

- Adultery
- Unreasonable behaviour, e.g. mental or physical cruelty
- Husband has deserted the wife for a continuous period of two years or more
- They have lived apart for two years and the husband agrees to the Divorce
- They have lived apart for five years, for which the husband's consent is not required.

Defended Divorce

If a husband contests the Divorce the woman should seek legal advice about the procedure involved. Public Funding to continue the proceedings where a defence has been filed can be available depending on the woman's financial means. However Public Funding is not normally available to a person wishing to defend Divorce proceedings.

Judicial Separation

A Judicial Separation can end the marriage in practical but not legal terms. The effects of a Judicial Separation are the same as Divorce, apart from the fact that only a Divorce is a license to remarry. It is exactly the same procedure as Divorce, save that no 'decree' is made. Although a Judicial Separation does not end the marriage, it does mean that financial arrangements can be made, i.e. maintenance or property adjustment.

Immigration

(See separate section on Black Minority Ethnic Communities)

Other claims

If a woman needs to apply for financial settlement, she should seek legal advice from a solicitor about the procedure involved, for example, maintenance or property adjustment.

Changing a solicitor

It is important that a woman realises that it is she who is instructing the solicitor and not the other way around. However, if she is in receipt of a Public Funding Certificate she will have to give the reason for the change of solicitor to the Legal Services Commission. Simply saying she is not happy with her solicitor may not be sufficient.

The new solicitor will arrange for the transfer of papers, after obtaining written consent from the woman authorising her previous solicitors to release the papers and upon receipt of confirmation from the Legal Services Commission that the Public Funding Certificate has been transferred. It is important that a woman can trust her solicitor and have confidence in her/him to follow her instructions. It should be noted that the process of changing solicitor may not always be straightforward and may hinder proceedings.

What happens next?

It is important to remember that a woman needs support and help not only when going through Injunctive or Divorce proceedings, but also afterwards. Many women may just want to talk or meet other women in a similar

positions; some may want counselling for themselves or their children. You need to appreciate that often abuse has been occurring for a long period of time before they eventually seek help, and therefore they may have become used to suppressing their feelings. There is also a chance that the abuser will contact the woman and apologise for the behaviour and make endless promises that things will change.

Please turn to the directory at the back of this pack for useful services to which women can be referred.

DIY Injunction Handbook

The organisation Rights of Women has published a DIY Injunction Handbook, which is available in a number of community languages. The handbook gives guidelines on how to obtain an injunction without using a solicitor. You can purchase a copy from Rights of Women by telephoning 020 7251 6577 or by visiting their website at: www.rightsofwomen.org.uk

This is a useful resource for women who are entitled to limited or no financial support from Public Funding.

There has been a proliferation of recent research into the links between domestic violence and child abuse, all of which indicates a very strong correlation between the two. Within statutory children and families work, domestic violence is now often regarded as a child abuse issue. The Department of Health 'Working Together to Safeguard Children' and the 2004 National Service Framework for Children, Young People and Maternity Services (NSF) both acknowledge the impact of domestic violence on children. Changes to the Children's Act 1989 and the publication of the Laming Report (on the murder of Victoria Climbié) in 2003 further confirm the need to ensure adequate policies and procedures are in place to protect children from abuse.

Recommendations within the latter place a clear responsibility on local authorities to work in partnership with local community based organisations and it is crucial that local refuges are included in this.

Women provide by far the majority of childcare, be they part of a family unit or single parents. Women provide for children's every day needs both physically and emotionally. They make decisions, often assuming overall responsibility for the child's upbringing and environment. It is not surprising, therefore, that any decision a woman makes in respect of her own life will involve her children. When making a decision or choice the child's needs will be uppermost. Many women will be reluctant to leave a violent relationship for a variety of reasons: society's view that the ideal family comprises of mother, father and children, lack of financial independence. Housing needs, fear or reprisals and further violence from the man, stigma, lack of confidence, or a belief that the children need a father figure, a male influence however violent that man is. Often it will not be until the man becomes violent towards the children that a woman will make probably the biggest and most traumatic decision of her

life, and finally decide to end a violent or unhappy relationship.

From 31 January 2005, Section 120 of the Adoption and Children Act 2002 came into force, which extends the legal definition of harming children to include harm suffered by seeing or hearing ill treatment of others, especially in the home.

The Impact of violence on children

There is no standard reaction from children who experience violence. However there is increasing evidence to suggest that all children are adversely affected in some way by living with violence. The effects of domestic violence on children may differ according to age but can include some or all of the following:

- Withdrawn
- Isolated
- Angry
- Hyperactive
- Aggressive, anxious, self-blaming or depressed.

Physical symptoms such as:

- Sleeping disorders
- Nightmares
- Bed-wetting
- Eating disorders
- Asthma
- Diarrhoea
- Headaches

Research also shows that:

- "At least 750,000 children a year witness domestic violence. Nearly three quarters of children on the 'at risk' register live in households where domestic violence occurs" (Department of Health, 2002).
- "The link between child physical abuse and domestic violence is high, with estimates ranging between 30% to 66% depending upon the study (Hester et al, 2000; Edleson, 1999)" (Humphreys & Thiara, 2002).

- In a survey of refuge services, Women's Aid found that in reported cases since April 2001, a total of 18 children were ordered to have contact with parents who had committed offences against children and a total of 64 children were ordered to have contact with parents whose behaviour previously caused children to be placed on the Child Protection Register. 21 of these children were ordered to have unsupervised contact with the abusive parent (Saunders & Barron, 2004).

In other words their fears and experience may manifest in emotional and physical signs. There may be difficulties at school, including low educational achievement, truanting and lack of concentration. Fear of violence, constant tension, attitude of others outside the home, a desire in some way to protect their mothers, will have such an impact on children that it will often carry through and affect their adult years. Children often fail to disclose the violence in the home for a number of reasons. They may feel they are protecting their mother or they may experience divided loyalties. Children do, however, survive this experience and with help, explanations and support, can make some sense of it. By explaining what has happened and by answering the children's questions they can be encouraged to be involved in decision making.

Impact of domestic violence on parenting

In cases of domestic violence the focus should be on the man's behaviour and not on the woman's mothering. However, given the nature of the crime, the experience of domestic violence may temporarily affect a woman's parenting capacity. She may be too emotionally drained to cope effectively with the normal demands of parenthood. She may also suffer a loss of self-confidence with regard to her mothering capabilities and this may be exacerbated by criticism from the abuser.

Parenting may be even more difficult if the child was conceived through rape or if childbearing is used as a form of control. Difficulties may also arise where the children replicate the behaviour of the abuser.

Supporting the woman to live free from an abusive relationship is the best way to help her restore good parenting skills.

Perpetrators of domestic violence have often been found to have inferior parenting skills as they may use physical punishment as a means of control. They may subject their children to other patterns of behaviour similar to the abuse of the mother.

Support for children

The best form of support is full and frank explanations and knowledge of what is going on and why. The age of a child will be relevant, but it must be borne in mind that children are more resilient and understand far more than we, as adults, give them credit for. Keeping secrets or involving children in secrets should be avoided. Children sense something is wrong and feel isolated and powerless and will need to be given time to talk and to have their questions answered truthfully. Often a particular problem will seem of considerable importance to a child but may be something which the mother may not have thought of or dismissed as a minor issue.

The Children Act 1989

One of the major worries for women considering leaving a violent relationship is concern over 'custody' of her children. She will want to know what rights she has and what legal options are available for keeping her children. The original Children Act 1989 enabled the Court to make specific orders regarding particular problems brought to its attention. However the act did not recognise domestic violence and this created difficulties. The Adoption and Children Act 2002 amended the Children Act 1989 following a report to the Lord Chancellor's Department in 2001 on contact cases where there is domestic violence. It is now incumbent upon the Courts to decide whether domestic violence has occurred before considering any contact. If the court decides domestic violence has taken place but still orders contact between the parent and child, it will have to explain the reasons why contact was allowed. The following is an explanation of the legal provisions under The Children Act.

Legal Proceedings

These can be traumatic, bureaucratic and difficult to understand. Parental disagreements and family breakdown often develop to the point where a Court case culminating in a Court order is the only answer, particularly if the child is in danger.

Factors the court will bear in mind when arriving at a decision

Some of these make up the 'welfare checklist'. This checklist will be referred to when the Court is considering any of the orders discussed below. The 'Checklist' comprises:

- The wishes and feeling of the child concerned (considered in the light of age and understanding)
- The child's physical, emotional and educational needs.
- The likely effect on the child of any change in his/her circumstances.
- The child's age, gender, background and any characteristics which the Court considers relevant.

- Any harm the child has suffered or is at risk of suffering including the existence of domestic violence within the household.
- How capable each of the parents, and any other person whom the Court considers relevant, is in meeting the child's needs.
- The range of powers available to the Court under the Act in the proceedings in question.

It must be kept in mind that the 'checklist' is not exhaustive and the Court may consider other relevant matters, such as not making an Order at all. This is known as the No Order Principle.

What is available?

(a) Private Law

Parental responsibility is a concept designed to break away from the view that children are the property of their parents or other adults over whom 'rights' are exercised. Parental responsibility involves duties toward the child, responsibility to provide a safe environment, to provide emotional, educational and financial support and to protect from harm. In other words all those responsibilities and duties which have been apparent to caring parents for years.

Who has parental responsibility?

A child's natural mother by virtue of her relationship has parental responsibility. If the father and mother were married to each other at the time of the child's birth, or have married after the birth of the child, they each have parental responsibility. The responsibility is equally shared with, technically, no one view prevailing. Where the parents are not married then only the mother has parental responsibility. The father can acquire it either by a formal agreement with the mother, applying to and being granted it by the Court, or if he is granted a 'residence order' in his favour. If there is any doubt as to the man's paternity, the Court will have to be satisfied he is the father before he is granted parental responsibility. Other persons who can acquire parental responsibility include: a guardian and anyone who has a 'residence order' for so long as that order remains in force. A person who has parental responsibility is not entitled

to act in any way that would be incompatible with any order made in respect of the child.

Residence Order

A Residence Order replaces the former custody order. It determines where and with whom the child is to live. The order can be made in favour of more than one person, for example the child is to stay with one parent for some of the time and with the other, the remainder. Where a residence order is in force no person may change the child's surname or remove the child from the United Kingdom without either written consent of every person with parental responsibility or the leave of the Court. However, the person in whose favour there is a residence order, can remove the child from the U.K. provided it is for less than a month. This means that if the mother has a residence order, the father is prohibited from removing the child. If the mother has not obtained a residence order and there is a threat of abduction she can apply for an *ex parte* residence order.

Ex parte Residence Order

This can be granted within minutes of the application being made and in some situations, i.e. out of Court hours, can even be granted over the telephone. Because it is an emergency there is no obligation to inform the father and can be obtained without his knowledge. Once granted, however, the Court will set a date for the father to make representations. He will then have an opportunity to consent or object to the order continuing or even make his own application for a residence or any other Children Act Orders. The Court will give directions as to how the matter is to proceed and set down a timetable.

Contact Orders

The Courts view contact with a child's natural parents as the right of the child rather than the right of the parent. In exceptional circumstances, for example child abuse, the Court may refuse to allow contact or will order that it be supervised. It is now acknowledged that contact sessions maybe used to further harass a victim of domestic violence following separation. Indeed a number of women and children have been murdered during contact

visits. As mentioned above, domestic violence is now regarded as a risk factor and will be taken into account when contact orders are made.

Supervised or Supported Contact

These are two different forms of contact: Supervised and Supported. Supervised Contact will be performed either at a specialist Contact Centre with trained personnel, or by a third part, e.g. relative or friend. Supported Contact takes place at a Contact Centre run by volunteers who oversee contact. If a mother fears violence she can ask that contact be supervised and that the Court specify a time and place where contact will take place. Men will often use their contact visits as a method of continuing their control over women and children. They can continue to intimidate, threaten and use violence, manipulate the situation and use the children as the medium to continue the abusive relationship. Not surprisingly many women fear contact with the man and have understandable objections.

If the woman has managed to exclude the man from the home on a previous occasion then any contact visit is a potential danger. Risks can be minimised by supervision or by having contact at a centre or a neutral territory. Children can be delivered and collected by a third party.

It is important to remember, particularly in light of recent developments, that if the woman has any concerns following a contact visit, e.g. the child is distressed or is injured, she can immediately return to court to revise the terms of the order or have contact visits terminated. Contact may also be obtained by grandparents or other relatives who wish to continue seeing the child.

Safe Contact Project

The Safe Contact Project is a partnership project running within a limited catchment area, which includes Hounslow, for an initial pilot from April 2000-2004. The partners involved are the Children and Family Courts Advisory Support Service, London (CAFCASS), The Domestic Violence Intervention Project (DVIP) and the Coram Contact Service (CCS). The project was

established in response to the concerns outlined above regarding the safety of both women and children during contact visits. The various elements of the SCP are as follows:

- Risk assessment
- The perpetrator programme
- Supervised contact
- Interagency protocols
- Developing increased awareness and shared understandings.

Prohibited Steps Order

These may be made against anyone. It essentially prohibits the person to whom it is directed from taking any of the steps which will be specified in the order. The order can be used in a variety of ways. For example if there is no Residence Order in favour of the mother and, therefore, the automatic prohibition in respect of removing the child from the country does not apply, a Prohibited Steps Order can prevent removal; or if the father has an alcohol or drug abuse problem, he can be prohibited from being under the influence of alcohol or drugs during any contact visits; or it can be used to restrain named persons from associating with the child.

Specific Issue Order

This is intended to enable either parent, or with leave of the Court, other person, to bring a specific question relating to the child before the Court. These orders can be made on their own, or in conjunction with residence and contact orders. Disputes over the child's education, religion, or medical treatment are examples of the type of issue that could be resolved by the Court.

These orders can also contain directions and conditions. These directions may determine how the order is to be carried into effect and conditions which must be complied with, e.g. that the father must not threaten or use violence during a contact visit.

Linked to injunctions

Because conditions can be imposed on a man, retraining him from violence, women can effectively obtain an injunction by obtaining Children Act Orders. However there is a difference of opinion in the Courts as to whether this approach is the correct one. Until

the matter is resolved, the best way to protect mothers from violent men is to issue separate proceedings under the Domestic Violence Legislation.

The Children Act applications and Family Law applications can be issued from the same Court and thus combined. In fact, the Courts will often recommend this course of action, as in any proceedings involving children, the Children Act can be applied.

(b) Public Law

Supervision Orders

These place the child under the supervision of a Social Worker, or Probation Officer in order to keep an eye on the child. The order can last up to one year. It can, however, be extended. Parents will not lose parental responsibility and the child will remain in their care at home. The Local Authority will be likely to impose directions as to how that care should be performed and has ultimate supervision responsibility.

Care Orders

These place the child into the care of the Local Authority where the child lives with foster parents, in a children's home, in secure accommodation or even at home. The mother has a right to contact with the child, and if contact is denied she can make an application under the Children Act. In this situation the Local Authority assumes parental responsibility and thus overall control.

Both the above orders are interventionist and before they can be made, the following criteria must be met:

- The child concerned is suffering 'significant harm', or is likely to suffer significant harm and,
- The harm or likelihood of harm is attributable to:
 - the care given to the child, or likely to be given to him/her if the order were not made, not being what it would be reasonable to expect a parent to give him/her;
 - or the child is beyond parental control.

In addition the Court must consider the 'checklist' and the No Order Principle.

At the Court proceedings, those with parental responsibility will have the right to be represented and granted legal aid. The child will be represented by a Guardian Ad Litem. The Guardian's views are usually very traditional and more often than not the Court will accept their recommendations. It is advisable, therefore, that if the Guardian wishes to interview the mother, all co-operation is given.

Education Supervision Orders

These can be applied for by the Local Education Authority for example when a child is not attending school regularly. The order will put the child under the supervision of a designated Local Education Authority for one year. In addition, some women may find themselves summonsed to Court, as it is a criminal offence for children not to attend school regularly unless there is a good cause or it can be proved they are receiving adequate education at home.

Emergency Protection Orders

These are made in cases that the Local Authority view as urgent where the child's safety is perceived to be immediately threatened. They will place the child under the immediate protection of the Local Authority for maximum of eight days, with a possible extension of a further seven. These orders are designed to deal with abuse and neglect situations. They authorise the Local Authority, accompanied by the Police, to enter premises and physically remove the child from the parents' care.

Before granting them, the Court must be satisfied that the child is likely to suffer significant harm, or cannot be seen in circumstances where the child might be suffering significant harm. It is worth bearing in mind that these orders are sought on an ex parte basis and so the Court will only hear the Local Authority's view before either granting or refusing them. The mother has between 3-8 days to discharge the order so advice and legal aid should be sought promptly. In addition the mother must be allowed reasonable contact during the period of the order.

Interim Orders

If matters are disputed, the Court can make interim orders pending the outcome of a full hearing. When making these orders, the Court must observe the same criteria, as it will for the full order, e.g. 'significant harm' and the checklist.

Married

If married, both husband and wife have parental responsibility for children. If they are to separate, the Court has the power to make a residence order in favour of one, or more persons. A residence order in favour of one parent does not deprive the other of parental responsibility; they can still have a say in the child's upbringing. Obviously the parent who has day to day care of the child will, in practice, assume the majority of decision-making.

Before granting a divorce or legal separation, the Court will need to be satisfied that adequate arrangements have been made in respect of the children such as where the child will live, what contact the other parent and other relatives have and so on.

If a woman has changed her name on marriage, she can revert to her maiden name without notifying the Court (it's simply a question of amending documents etc). However if there is a residence order in force, a child's name can only be changed with permission of the Court or written consent from everyone who has parental responsibility.

Unmarried

The woman has sole parental responsibility. The father can apply to the Court for parental responsibility, contact and even a residence order of his children or children of the family. A child of the family is one that has lived with the parties during the relationship but is not the natural child of one of both parties. If he is granted a residence order, he will automatically assume and be granted parental responsibility. Even though the parents are not married, the father still has financial obligations towards the child.

Who will the children live with?

More often than not, the Courts make residence orders in favour of women. If the

mother has had the child living with her throughout then she is in a strong position. Even if the children have not been living with the mother recently, she will not be prohibited from applying to the Court, although her position will not be as strong.

Every case is decided on its own facts and merits. There may be a variety of reasons why women have been separated from their children and these can be put before the Court and explanations given. It is common practice for men and their legal representatives to make allegations in an effort to convince the Court that the woman is an unsuitable mother. Women should be warned of this at an early stage. The most common examples are:

- Mentally unstable
- Not a fit mother
- Has criminal convictions
- Misplaced priorities
- Number of boyfriends
- Lesbianism
- Religious fanatic
- Rejected culture

The man may appear convincing, reliable and persuasive. It is important to stress that these tactics are often used and that Court and legal representatives, having heard them all before, may well not attach very great weight to them. It will be necessary to pre-empt such allegations, address them and stop them from the start using a calm and explanatory approach. Having made a residence order the Court will consider contact with other family members.

Immigration

If a woman and her children come to this country to join the already established father then they remain by the virtue of his status. If the relationship then breaks down, either because of violence or any other reason, then the mother and children's own status will be at risk. In emergency situations, immigration advice can be provided by the refuge or the refuge will put the woman in touch with an expert.

Lesbian, gay, bisexual and transgender parents (LGBT)

When LGBT people apply for any Court order even if it is not contested, they must be prepared for the inherent prejudice that they are likely to receive. LGBT people are not precluded from obtaining residence orders simply because of their sexuality, but they must be prepared to justify themselves and come under a great deal more scrutiny than heterosexual people would. The Courts, as with other institutions, operate under a system of myths surrounding LGBT people. For instance in contested matters, lesbianism will often tip the balance in favour of the father. However The Civil Partnership Act recently passed by Parliament is intended to bring in many changes to the legal position of lesbian and gay couples. This Act effects everything from parental rights to pensions and bereavement issues. At the time of this document going to print the bill has not yet received Royal Assent, although this is expected in the near future.

However, there are many lawyers who specialise in these cases and who will provide expert and sympathetic guidance, i.e. Rights of Women on 020 7251 6577

Child Abuse

It is impossible to define child abuse and our perceptions of what amounts to abuse is ever changing. There is abuse by direct physical violence; threats of violence, sexual abuse carried out by fathers, brothers, other male family members or friends. Abuse can also take the form of control by gestures, words, conduct or a certain look. The fear and emotional distress of living in a violent household, of witnessing or experiencing violence, the internalising of blame, loss of will power and guilt are also abuse.

Emotional abuse and control can deprive children of their own self-esteem, they feel worthless, unable to make decisions or in any way control and influence their own lives.

Abuse cannot always be diagnosed by way of a physical examination. What is important is to promote and encourage openness. Encourage children to talk, ask questions, and answer truthfully anything they want to know rather than what it's thought they should know, and to listen attentively. When a

woman complains of violence or the fear of child abduction, she should be taken seriously; so too, when children complain of abuse, they must be taken seriously. The initial allegation may appear quite trivial, but this is often the way that children 'test the water' to see what response they get. If the allegation is taken seriously then the child is more likely to confide as to what has really gone on, having gained the confidence to do so. If the allegation is dismissed, the child may never openly refer to it again.

From a mother's point of view, if she believes or suspects abuse, she should be encouraged to do something about it. She is in a vulnerable position suspecting abuse and feeling powerless to prevent it. If the abuse comes to the attention of Social Services, and/or the Courts, she can find herself being blamed for 'failing to protect the children'. The Courts take a strict view, and she may be doubly victimised – the victim of abuse herself and blamed for allowing the abuse of her child to continue. The Courts may remove children from the mother's care for this reason alone and so any suspicions must be met with support and substantive preventative action.

Long-term consequences

Orders in respect of children, injunctions or simply mother and child on their own, provide stability for the future. However orders do not have to be permanent. It is open to the mother or other interested party to go back to the Courts to vary or discharge (end) the orders. If circumstances change, or the mother has fresh concerns, she can go back to Court, often on very short notice. For example, if following a contact visit, the child comes home alleging abuse, the mother can get the matter before the Court immediately and if she can convince the Court her fears are well founded, contact with the father will be terminated. It is important to remember that no order is final and a certain amount of flexibility in the Children Act will ensure that almost every change in circumstances can be dealt with promptly.

What children want

Any child who has experienced the uncertainty and stress of a violent past will often experience a new security just in knowing that his/her mother now has an order; knowing that the 'Judge says s/he is to live with Mummy', and knowing that s/he sees father once a week with people around supervising. Often men may let the children down and not turn up for contact visits. If this is the case then mothers will have to deal with it by emphasising their own commitment and loyalty.

The Courts are obliged, along with other factors, to listen to the children's own views. Older children may be able to speak to the Judge themselves. In Private Law cases, the Court will often appoint a Court Welfare Officer, who is a trained individual, to make a report. The officer will talk to children who are old enough, parents, and anyone else considered relevant. In Public Law cases there will be a Guardian Ad Litem who will report back to the Court on the child's behalf. What children really want is to know what is going on. Many are old enough to know their mother is going to see the Judge and if they are old enough to know that, they are old enough to know why. To make long-term decision about a child's future without involving them in the decision-making is not in the child's best interest. Children are more resilient and often capable of understanding more than we give them credit for.

Child Abduction

What is it?

If a child is removed from its mother's care without her consent, or a valid Court order to that effect, it is abduction. There may be a residence order (see earlier in this section) in favour of the mother; this in itself prohibits removal of the child from her care without her consent. It may be that, on abduction, the mother will seek a Court order to return the child and/or a residence order in which case the Court will give weight to the child's wishes, especially older children. Once a child has been abducted it can be a lengthy and difficult process to secure their return to the mother. In some more tragic situations the

child may never be returned. Not knowing a child's whereabouts, whether safe, whether alive or dead if anyone is caring for the child, will necessarily mean that a woman, will, in this situation, need a great deal of care and support to deal with the emotional stress, trauma and fear. Reunite (see Directory of Services at the back of this pack) is a charity which specialises in child abduction matters; they can provide legal advice and have a team of volunteers who have had similar experiences. The Courts do have powers under the Child Abduction Act to order the return of the child. A number of countries are signatories to the 'Hague Convention' which means an adherence and compliance with orders from English Courts – not all countries are signatories. The nature of child abduction is that the whereabouts of the child and abductor are unknown. By far the best protection is by way of prevention.

Fear of Abduction

Many women who experience domestic violence fear their children will be abducted by their violent partners. Any fears that a woman may have should be taken seriously and preventative action taken from the outset. Women may fear abduction because the man has already threatened that 'she will never get custody of my children' or that he believes he will be deprived of the child. She may fear he will abduct in order to punish her. There is no picture of an abductor, no general pattern of behaviour. There may or may not be warning signs. Apart from the women's own often intuitive fears warning signs may include:

- Previous threats
- He has had access to the child's documents, or removed them from the household
- The purchase of airline tickets
- He may have indicated a desire to leave the country, said there is nothing to keep him here now the relationship has broken down – he may have friends, family, property or connections overseas.

To live with the constant fear of abduction creates tension and will often detrimentally affect the mother and her children's enjoyment of life. Even if a woman's fears appear without

grounds, they are real to her and she will need a lot of reassurance. Prevention is better than cure.

What to do?

If there are fears, an emergency ex parte prohibited steps and/ or residence order can be obtained in the mother's favour. This will prohibit removal from her care without her consent whether that is in this country or abroad. This can be granted at very short notice and because it is ex parte the father has no knowledge of it.

- Keep the child's passport and documents (e.g. birth certificate, National Health Card) in a safe place.
- Do not agree to the father taking the child abroad for a holiday, or anywhere else if there are concerns.
- Keep copies of all Court Orders in a safe place.
- Keep recent photographs of the child and the father.
- Make a written description of the child and the father.
- Do not leave the child unaccompanied.
- Warn teachers and any carers not to hand any child over to the father, relatives or friends without your permission.
- Teach the child not to go anywhere with anyone without having your permission.
- Teach the child that if they are taken to make as much noise in order to get attention as s/he can.

In Barnet

The Children and Families Service has two large divisions (Family Support and Looked After Children) based at Barnet House and these are supported by two smaller divisions (Listening to Children and Information & Service Improvement).

Outside of Barnet House, we have social work teams at the Curtis Family Centre, 68a Meadow Close, New Park House and the Youth Offending Service, as well as in the two major hospitals in the borough.

Further information about each of the divisions is given below.

- **Supporting Families** - This division undertakes assessments of need and helps children to remain safely at home in the care of their parents/families.
- **Listening to Children** - This division has lead responsibility for auditing and monitoring the services offered to children in need and their families and for developing and implementing a Consultation Strategy for children young people and their families.

The division comprises the Conference and Review Team and chair Looked After Children's reviews and child protection conferences, the Child Protection Unit who administer the child protection register and conferences and the Consultation and Improved Outcomes Team who work to improve the educational and health outcomes team for Looked After Children.

The Division administers the work of the Safeguarding Children's Board and links with the Children's Rights Service and the central complaints, comments and compliments service.

- **Improving Services** - This division aims to collect and communicate information about the service to central government, the council, staff and other agencies and to drive up performance improvement within the service to achieve better outcomes for vulnerable children.
- **Looking After Children** - This division is responsible for ensuring that the council discharges its responsibilities as a 'corporate parent' to achieve the best possible outcomes for children. This is achieved internally via the Foster Care Service and the Adoption Service and by placing children in one of our two residential settings. External placements are also arranged by the Commissioning team.

“Women experiencing domestic violence present very frequently to health services and require wide-ranging health interventions”¹

There is a vast amount of evidence illustrating the negative effects of domestic violence on women’s physical and mental health. These may be short term, as in the immediate effects of physical injury or long term such as organ damage, loss of sight, and loss of hearing. Domestic Violence can reduce self-esteem and confidence and this can result in psychological damage. Many women experience domestic violence for the first time whilst pregnant and this can have serious consequences for both mother and child.

Women experiencing domestic violence may present to a number of health providers, such as doctors, dentists, A&E staff, antenatal and maternity services. Health professionals should ensure that staff at all levels are fully aware of the indicators of domestic violence and the referral routes to specialist services where appropriate.

Identifying domestic violence in a health care setting

As domestic violence may not be the primary reason for women’s presentation to health services, health care professionals have a critical role to play in identifying the abuse and in providing access to help and protection for abused women and children. There are difficulties associated with asking about domestic violence as both staff and patients may be embarrassed. Some areas screen routinely in order to establish consistent practice others provide a list of questions to be asked where domestic violence is suspected.

Department of Health (DOH) Guidelines

In recognition of the links between domestic violence and health, in March 2000 the DOH published domestic violence guidelines for health professionals. It is a resource for Health Authorities, Trusts and Primary Care Groups (PCGs) to review their policies and practices for responding to actual and suspected domestic violence. Many areas have now used these guidelines in the development of local policy for health professionals and domestic violence features in many local health improvement programmes.

Effects of domestic violence on health

As mentioned already, domestic violence can have serious consequences for women’s physical health. Injuries sustained include cuts and bruises, broken bones and injuries to the head, genitals and breasts. Attempted strangulation is also a feature of domestic violence. As domestic abuse may involve rape, women may also contract sexually transmitted diseases. Pregnancy is a time of extreme vulnerability and often of increased domestic violence. Pregnant women may sustain injuries to the foetus. They may experience premature birth and babies may have low birth weight. Domestic Violence often starts or intensifies during pregnancy.² Pregnancy is seen as an opportune time to ask about domestic violence as some women have commented that it made them think seriously about their future and how their children might be affected in the long-term.³

The effects on mental health may include depression, anxiety/panic attacks, eating disorders, insomnia, self harm, including

1 Davidson, L et al. *Reducing Domestic violence: What Works?* London: Home Office, 2000.

2 Mezey, GC. *Domestic Violence in Pregnancy*, IN Bewley, S et al. *Violence Against Women*. London:RCOG, 1997

3 Dr Mezey, GC and Dr Bewley, S. *An Exploration of the Prevalence and Effects of Domestic Violence in Pregnancy*. London: ESRC.2000

attempted and actual suicide, post traumatic stress disorder and substance misuse.

Health Visitors

Health visitors have a particular role to play in that they provide a service to both women and children experiencing domestic violence. Many health visitors are trained to respond sensitively and positively to domestic violence situations. Due to the prevalence of domestic violence, many health visitors will have had previous experience in this area. Women may be more likely to disclose to a health visitor with whom she has developed a trusting relationship than to a GP who may also treat other members of the family including her abuser. Health visitors will be aware of the indicators of domestic violence and can offer support in the following ways:

- They can provide mothers with information on specialist domestic violence support services (e.g. refuges)
- They can make a referral to social services if they have concerns about the safety of the children.
- They can document any injuries and /or disclosures of domestic violence which could later be useful evidence in criminal and /or civil court proceedings and /or housing applications.
- They can reassure mothers that the violence is not their fault and that they can get help.

Counselling

Many women who have been or are being abused often think about approaching a counsellor or therapist. There are many different models of counselling and therapy and it is important that a woman has information regarding these so that she can make an informed choice. Women subjected to domestic violence will have experienced a loss of control in their lives and it is important that the experience of counselling or therapy does not mirror this. The primary aim of the counselling should be to help a woman find her own answer and make her own decisions. Counselling can assist a woman to manage the traumatic effects of physical and emotional abuse and help her to take charge of her life again.

Couple Counselling

Some agencies and individuals offer couple counselling. **This should not be recommended for couples in an ongoing abusive relationship** as this is likely to put the women at greater risk of violence and abuse.

The British Association of Counsellors and Psychotherapists (BACP) can be contacted to obtain a list of local counsellors in the area. A woman's GP can refer her, usually for short term counselling, but the waiting list is often lengthy.

Contact details for local counselling services can be found in the Directory of Services at the back of this pack.

Three Rs

It is crucial that health professionals pay due regard to the three Rs

- Requesting (information)
- Recording
- Referring

Requesting Information

Where domestic violence is suspected, or where routine screening is the policy, health professionals should ask women about the occurrence of domestic violence. The possibility of embarrassment in some cases is outweighed by the benefits of providing women in need with the appropriate support.

Recording

It is vital to make detailed and appropriate records of injuries and to note that the injuries have been sustained as a result of domestic violence. This will provide victims with evidence should prosecution be the chosen option. The evidence from qualified medical staff can be crucial in securing successful convictions.

Referring

In all dealings with victims, health professionals should prioritise the safety of women and children experiencing domestic violence. All health care settings should display leaflets and posters advertising help line numbers and the details of local support agencies. Staff should be aware of the

process involved in accessing safe temporary accommodation either in the local area or further afield.

The relationship between domestic violence and substance misuse is a complex one which has often been explored in relation to the perpetrator alone but not always with regard to the victim. Although research may support the fact that many assaults take place while the perpetrator is under the influence of drugs or alcohol, this does not automatically indicate causal link. Dealing with the alcohol abuse will not necessarily mean a reduction in partner abuse. Also, some men misuse substances but do not abuse their partners and vice versa.

Another aspect of the relationship between domestic violence and substance misuse that is often overlooked is that a victim of domestic violence may be reliant on drugs or alcohol as a coping strategy. It should also be noted that women might be at increased risk of abuse when violent partners are undergoing treatment for substance misuse. The 'Safety and Justice' (2003) government consultation paper on domestic violence makes a clear link between domestic violence and substance misuse and seeks to identify ways in which organisations can work together more effectively to meet the needs of survivors of domestic violence.¹

The Stella Project

There has been very little work done in the United Kingdom to explore the links between substance misuse and domestic violence. The two areas have usually been addressed separately. However the Stella Project, a partnership between the Greater London Domestic Violence Project and the Greater London Alcohol and Drug Alliance has been established to address the issue and explore ways of working with domestic violence and substance misuse. One recommendation emerging from the launch of this project was the need to break down barriers to joint

working and provide integrated services across both substance misuse and domestic violence services.²

The Stella Project works firmly from the perspective that there is not a causal link between substance misuse and violence; drug or alcohol use should never be accepted as an excuse for violent or abusive behaviour and neither should women's substance use be used to justify their experiences of violence.

As an advice worker you may wish to find out more about this project, contact details can be found in the Directory of Services at the back of this pack.

Access to services

Women who drink or use other substances are often excluded from specialist domestic violence services. Most refuges will not accommodate women if they are using drugs or alcohol, as they do not have the experienced staff to provide the specialist support required to help women in these circumstances. Refuge provision involves communal living in a limited space, with women and children perhaps at their most vulnerable. This means that this is not the ideal environment for women experiencing the additional problems associated with substance misuse. Unfortunately many substance misuse projects do not provide safe alternative accommodation for women. It is therefore vital that the services that do exist explore other ways of meeting the needs of women experiencing domestic violence.

Attitudes

Women may also elect to exclude themselves from services, as they may fear being confronted by judgemental attitudes. Gender stereotyping results in harsher attitudes

1 Safety and Justice: The Government's Proposals on Domestic Violence Home Office 2003

2 Carter, R. The Stella Project: Separate Issues Shared Solutions-Exploring ways of working with domestic violence and substance misuse. Report for the launch December 2nd 2002 Greater London Domestic Violence Project

toward women who drink and abuse other substances. Women may believe that they deserve the abuse because of their addiction, as this may be the negative response they have received from contact with services. The client world of drug and alcohol services is very male dominated and possibly very intimidating for women experiencing domestic violence. Women with children may also fear having their children removed by social services if they disclose addictions in the process of attempting to access help and support for themselves and their children. Although substance misuse is likely to have an effect on parenting, it is important to recognise that support for women in addressing the domestic violence problem is likely to have a positive effect on the substance misuse issue.

The education system has an important role to play in passing on values of mutual respect and non-violence. A 2000 survey of 1300 school children found that 1 in 3 boys thought violence against women was acceptable.¹

A growing body of research indicates that the range of reasons why domestic violence takes place are complex and abusers and survivors come from non-violent as well as violent backgrounds. Involving those children and young people who have not necessarily experienced domestic violence is therefore necessary for any prevention project.

The opportunity to work within schools, colleges and youth centres on the subject of domestic violence and its prevention has been widely recognised. Schools are legally obliged to promote pupils' "moral, spiritual and social development" (Education Reform Act 1988).

Section 175 of the Education Act, 2002 and Children Act 2004, require school governing bodies to make arrangements to safeguard and promote the welfare of children. The skills and knowledge gained in work to prevent domestic violence also helps with other aspects of pupils' lives and behaviour in and outside school.

Domestic violence not only affects the mental and physical health of women being abused but also the children living with her. In 90% of incidents of domestic violence, children are in the same or next room. Furthermore, research evidence suggests that children who have witnessed domestic violence often have similar outcomes to those of physically abused children.²

Research shows that violence in the home will affect a child's performance at school. A study carried out by Kings College London and Boston University suggests that in homes where Domestic Violence is perpetrated children's IQs are an average eight points

lower than usual. Children's response to experiencing domestic violence is varied and can include fear, depression, anger and low self esteem. They are also at risk of developing emotional or behavioural problems. The National curriculum which includes areas such as 'Personal Social and Health Education (PSHE) or Citizenship' provides an appropriate vehicle for dealing with domestic violence.

The Association of London Government (ALG) has launched an initiative to raise awareness of domestic violence in schools and improve the support available for teachers when they become aware of incidents of domestic violence.

In 1998, the Westminster Domestic Violence Forum developed a training programme and resource pack for teachers to use with children in schools.

Barnet was awarded 112 training packs and obtained funding to pilot the training programme.

Following a successful pilot study ALL schools in the London Borough of Barnet have been offered Domestic Violence Awareness Training for teachers. The LEA, Community Safety Team and Healthy Schools Team are rolling out this initiative jointly. The programme provides detailed and structured work for schools, and begins to address the issues of domestic violence for children, especially around prevention. There are 2 stages to the education training programme, firstly a general introduction for all staff to raise awareness of key issues, and secondly a more specific follow-up session for teachers who will be delivering the education training pack directly to pupils.

Since January 2005 12 schools have completed the training with more training sessions booked for the next academic year.

1 Survey by Zero Tolerance Charitable Trust

2 Kitzmann et al. (2003)

Information leaflets for schools to distribute to victims of Domestic Violence have been produced in English, Urdu, Somali, Portuguese, Gujarati and Farsi.

With the continuing support and funding from the 'Sanctuary Project' it is hoped that this invaluable training will eventually be delivered to all schools in Barnet.

Benefits of the Education Initiative

For Children

The delivery of this initiative will:

- Allow children who are experiencing domestic violence to access information and support in a school or youth setting;
- Enable all children to discuss domestic violence in a safe and supportive environment;
- Educate children and young people about domestic violence as a prevention initiative;
- Reduce bullying, truancy and minimise the impact of disrupted learning.

For Schools

The implementation of this initiative will:

- Prevent children from becoming victims and perpetrators of the future;
- Provide teachers with the necessary training and support to raise and discuss domestic violence within schools including activities for building self-esteem, assertiveness and conflict resolution skills;
- Help inform child protection work and policy development;
- Increase the understanding of the practical and emotional problems children may have;
- Increase knowledge and awareness about referral systems onto other support services;
- Understand better how domestic violence affects children's schooling and teachers' roles in overcoming potential barriers to achievement;

School Responsibilities

Section 175 of the Education Act, 2002 and Children Act 2004, require school governing bodies to make arrangements to safeguard and promote the welfare of children.

The London Domestic Violence Strategy makes a number of recommendations in relation to education and these are reproduced in full below:³

- Develop domestic violence policies and protocols including:
 - Seeking to prevent domestic violence through curriculum approaches
 - Ensuring access to education for children fleeing domestic violence
 - Recognising domestic violence as a potential child protection issue
- Develop domestic violence training modules for teachers.
- Explore ways in which domestic violence can be included in subjects additional to PSHE
- Integrate domestic violence into existing initiatives for example on bullying, truancy, and school exclusion.
- Introduce prevention programmes in schools and youth settings including 'special' schools, primary schools and nurseries.
- Train teachers, especially those with designated child protection responsibilities, on their responsibilities with regard to council policy on domestic violence.
- Integrate domestic violence into the work of teachers with responsibility for child protection.
- Ensure that schools have procedures in place to deal with perpetrators attempting to use the school to track down their former partner.
- Ensure that all work is evaluated to increase the body of knowledge in this area.
- Provide schools with information about available support services to which children/adults affected by domestic violence can be referred.
- Recognise the potential impact of domestic violence on educational attainment and behaviour and seek to support children in order to reduce any such problems.

3 The London Domestic Violence Forum, Second Annual Report (2003) to the Mayor of London

Perpetrator programmes operate for men convicted by the courts for offences of domestic violence or offences related to domestic violence. The programmes can be included as a condition of release from prison or as a condition of a community rehabilitation order. The programme is six months long and is based on the principle that every act of violence is a calculated decision, and not one influenced by misusing substances or losing control through emotional turmoil such as anger or frustration. Partners and ex-partners and their children are offered support whilst the man is attending the programme by probation employed women's safety workers and information is shared in a multi-agency setting regarding risk factors and safety planning. This programme is run in some areas of London in partnership with Domestic Violence Intervention Project located in Hammersmith. Enforcement is rigorous and two unacceptable absences will result in the case being returned to court.

The Disability Discrimination Act 1995 defines a disability as, 'A physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities'. In this definition, long term is taken to mean more than 12 months and would cover long term illness such as cancer and HIV or mental health problems.

"Disabled children and adults are more vulnerable than non-disabled people to abuse of all kinds, by individuals and by the state - physical and sexual abuse by family and assistants; the sense of inferiority encouraged by the media and medical professionals; extreme poverty and isolation produced by segregated education, employment and service provision. It is important to remember that these things don't just happen as a direct result of peoples impairments. Disabled people, LGBT people, poor people, black people and many non-disabled women, can be abused because they are powerless at the margins of society and its decision-making processes; because they find it difficult to be believed; because their chances for leaving abusive situations are limited."

Disability Awareness in Action

Definitions of domestic violence in relation to disabled people can encompass many forms. Abuse can be physical, psychological and emotional, disabled women can experience abuse in ways that non-disabled women do not. There are forms of abuse that are unique to women with disabilities that may place them at additional risk. For example if an abuser is providing a caring role, they may withhold medication, or use it to distort her sense of reality. Some women with disabilities depend on others to meet basic health or social needs. The abuser may capitalise on low-self esteem, or the belief that a disabled person could not manage without their 'carer'.

Any perpetrator may attempt to isolate the person they are abusing. For disabled people

this problem can be magnified. The abuser might be the primary carer or support worker, and accompany that person everywhere (even on visits to the GP) thus making it difficult to raise the alarm.

Disabled women can face particular difficulty in being believed; there is a perception among non-disabled people that any man who devotes his life to 'caring for' a disabled woman must be 'marvellous', and at times it can be particularly difficult to be believed when suggesting anything otherwise.

Disabled women are often placed in a position of powerlessness by a society that still fails to recognise what is required to ensure equality of access to all necessary services. Problems such as lack of access to public transport or buildings can make it extremely difficult for those experiencing abuse to access services available to other women. Disabled women are likely to experience further problems when they try to access safe alternative accommodation. Although some emergency shelters and refuges are becoming accessible to disabled women, there can still be difficulties such as space restrictions and the necessary confidentiality of refuge addresses can make it difficult if a resident needs a PA.

There are particular difficulties for women whose partner/carers is their abuser. For example, it is very difficult for women to transfer community care packages if they need to move to a new area to escape abuse, or in accessing physical support for themselves or their children if her violent partner has always been her 'carer'.

Disabled men are vulnerable to abuse too, and female carers can be their abusers.

The risk for abuse that women with disabilities face, the direct and indirect effects of abuse on their health, and their barriers to seeking help remain largely undocumented. In addition, information about the experiences of abuse that women with disabilities face

across cultures, disability types, and locales is extremely limited. This lack of information is problematic because existing knowledge indicates that women with disabilities experience violence and abuse at similar or higher rates than non-disabled women (Nosek, Howland & Hughes, 2001). Furthermore, the absence of attention to this issue from both disability and domestic violence researchers, has contributed to the 'invisibility' of the victimisation of women with disabilities.

Financial insecurity is often a prohibiting factor for many women contemplating leaving an abusive relationship. For disabled women this may be magnified. It is far more expensive to live as a disabled woman and the cheapest forms of transport are denied to women with physical disabilities. Benefits tend not to cover care in a way that promotes independence and disabled women may not have had the opportunity to manage budgets, pay bills and so on.

'Disability Awareness in Action' Newsletter

"Disabled women, in common with everyone else, have the right to choose what we want to do, who we want to be with, what we do with our bodies and how we spend our time and our money, living in safety and free from abuse".

'UK Disability Forum European Affairs Women's Committee'

Home Office statistics suggest that women and girls make up 81% of those who experience domestic violence, and that the perpetrators are overwhelmingly male. However it is important to highlight the fact that men can also suffer abuse. Disabled men are vulnerable to abuse too, and female carers can be their abusers. Tellingly, it is difficult to find information on numbers of disabled people – women or men – who experience domestic abuse.

For more information see websites below:

www.edfwomen.org.uk

www.voiceuk.clara.net

www.daa.org.uk

www.respond.org.uk

Lesbian Gay Bisexual and Transgender (LGBT) Communities 17

LGBT communities are faced with discrimination and violence every day. Same sex domestic abuse (SSDA) does not receive the attention or resources afforded to other aspects of domestic violence. More than 1 in 4 LGBT people experience domestic violence and abuse from family members, partners and ex-partners. They are likely to face additional complications when attempting to resolve the situation. 38% of young lesbian, gay and bisexual people under 18 experience homophobic domestic violence and abuse from parents and family members.¹

Access to services

LGBT access to support services is limited for a number of reasons. Most services have not been designed to meet the needs of the LGBT communities, and staff awareness levels of the needs are often low. Lesbians escaping domestic violence and abuse routinely face homo/transphobia in women's refuges. Services are also poorly publicised, they often fail to mention that they are for LGBT communities and are rarely publicised in a way to target them such as using the LGBT press.

Defining the violence or abuse can be an issue in itself. For instance, a lesbian assaulted by her father could be seen as a victim of either domestic violence or homophobia, both are 'hate' crimes. The definition may influence the services approached by the woman. Although there is likely to be considerable overlap in what the service user needs, the reality of what is provided will vary enormously between LGBT specific services and mainstream services.

There has been very little research into SSDA but organisations and projects, such as **Broken Rainbow** and **Hold Tight, Tight Hold** have been established to raise awareness of the issues and to challenge

mainstream services with regard to service delivery to people in same sex relationships (See Directory of Services at back of pack).

Refuges

Lesbian and bisexual women fleeing domestic violence may face homophobia in women's refuges. Gay and bisexual men escaping domestic violence and abuse from partners and families have access to only eighteen bed spaces in the whole of England and no provision in the rest of the UK. These are provided by **Opendoor Housing Trust**, which has three five-bedroom houses.² Transgender people have absolutely nowhere to go for domestic violence and abuse services. Bisexuals remain completely invisible, even to most LGBT agencies. Young LGBT people coming out to homo/transphobic families may find themselves homeless and at risk.

Stereotypes

There is an assumption that violence in same sex relationships is mutual. However domestic violence in these circumstances is still about one person choosing to exercise power and control over another. Women are not exceptions in their capacity to have power and control over other women and the same applies to men in same sex relationships.

Same sex domestic violence is a different issue from the abuse of women by men, in that it is not socially sanctioned or even recognised in the same way. Whilst gender stereotyping and the recognition of power relations within heterosexual relationships may lead to an acceptance that gay, bisexual and transgender men can be perpetrators of violence and abuse it does not support the view that lesbian, bisexual and transgender women can also be perpetrators. However the common stereotypes of gay and bisexual men as camp, funny and unthreatening can

1 National survey 'Queer Bashing' by Stonewall 1995

2 Broken Rainbow conference report 2002

often challenge the acceptance of such men as perpetrators of violence and abuse.

Within the LGBT communities there is a significant level of denial that domestic violence and abuse exists. Community members often fail to intervene in public displays of such abuse and as such collude with the behaviour. There is a clear need to challenge such perceptions within the LGBT communities and ensure that such behaviour is seen as socially unacceptable.

Isolation

People in same sex relationships may feel less bound by social expectations to remain in a relationship. Conversely people in this situation may also feel greater isolation when choosing to leave and by leaving the abuser they may feel that they are walking away from their local LGBT community network.

Confidentiality and Disclosure

Seeking help may mean disclosing the nature of the relationship for many lesbians, gay men, bisexual and transgender people and this might seem quite daunting. For example if a gay man needed time off from work to gain access to support services, he may need to disclose both his sexuality and relationship to his employer to justify his time away from work. This could seem quite daunting; most LGBT people do not declare their sexuality to mainstream service providers because of their routing experience of homo/transphobia.³ Lesbians, gay men, bisexuals and transgender people can be 'outed' by an abuser and as a result, face discrimination from employers, neighbours, family and services.

Children

When a relationship breaks down the issue of children is always fraught with complications. The usual trauma of leaving an abusive relationship may be exacerbated by a fear of losing residency of, or contact with children. For example in same sex relationships this is often further complicated by prejudice and discrimination.

Family abuse

Many LGBT people can experience negative reactions from family members when disclosing their sexuality or when they are 'outed'. Responses vary enormously but can include forced counselling to 'cure' their sexuality, forced marriage, emotional blackmail, physical violence, threats to partners and friends, stalking, harassment, and being disowned or made homeless. For young LGBT people this is often a difficult situation to resolve, however there are targeted services to support young people, including LGBT youth projects, fostering agencies and housing services. See directory of services for details.

The needs of specific groups of LGBT people

LGBT people may face domestic violence and abuse on the basis of their ethnicity, culture, asylum status or religion. Examples include being outed and ostracised from their ethnic community, faith community or culture, threats of being sent back to a country with homophobic or transphobic laws, threats of deportation, and facing racism from a partners family or a partner themselves.

Disabled LGBT people can face abuse and violence from carers and personal assistants. This can take many forms such as preventing access to other LGBT people, withholding medication, food, or equipment, preventing financial and personal independence and preventing sexual activity.

For older LGBT people domestic violence and abuse can often be experienced through housing services which fail to recognise the needs of LGBT service users. Older LGBT people, who live in homes, can be abused by both staff and other residents. The forms of such abuse can be similar to those experienced by disabled LGBT people and can also include being isolated from partners and LGBT friends.

3 Broken Rainbow conference report 12 May 2002

Racism

Institutional racism in our society makes it more difficult for people from minority groups to access the help and support they need when experiencing domestic violence. If, in the past, they have been treated in a patronising or oppressive manner then they will be less likely to seek assistance in a crisis. A lack of understanding about cultures different from their own may lead workers to make assumptions about the prevalence or nature of domestic violence in certain communities and this will affect the quality of service provided.

It may be that black people's experience of the criminal justice system in the country is likely to be negative. They are more likely to be arrested, charged, and convicted than their white counterparts. In this climate black women are less likely to report violence to criminal justice agencies. There is still a tendency to label black people as the problem and blame them for their situation. A black woman is more likely to fear that her children will be taken into care if she involves outside agencies. She may also think that the police will deal more harshly with a partner who is black and this may result in a reluctance to press charges.

Language

If English is not her primary language and she has limited access to means of communication such as interpreters and translators, then a BME will experience further isolation. The limited resources of many voluntary agencies inhibit the provision of advice and support in variety of languages, thus exacerbating the situation. A woman in this situation is less likely to receive the message that the abuse is unacceptable and that she is not alone.

It would be preferable for a woman to have the support of women from the same culture or community. However she may be

concerned that this will compromise both her safety and that of the women she involves. Referrals to cultural specific agencies should be accompanied by a reassurance that those agencies will respect confidentiality.

Interpreters

Although an expensive resource, it is vital that professional interpreters are used at all times. Family members and in particular children, should never be used as a substitute for appropriate interpreters. It is therefore important for all agencies, both statutory and voluntary to consider the financial implications of using these services and ensure that funding applications and budget projections take this into account.

Immigration

Thanks to the Women's Aid Federation of England website for some of the information in this section. *Text from the asterisks is protected by copyright to Women's Aid (©2001 Women's Aid Federation of England) who has granted permission for it to be reproduced in this pack.*

Immigration law is constantly changing so it is important to seek expert advice in this area. Some immigration laws make it difficult for women to leave an abusive relationship and it is important that these women understand their rights.

The 'two year' (formerly on year) rule

Those who enter the UK as the spouse or unmarried partner of a person settled in the UK must remain with that partner for a probationary two year period before an application for indefinite leave to remain in the country can be made. Women and children in violent and abusive relationships are going to be seriously disadvantaged by this ruling. The settled spouse or partner has considerable power over the woman in this situation, in that he will be aware of her insecure immigration

status if she were to leave the relationship. The woman is dependant on him to complete the Home Office application form before permission to stay expires. In this position women are faced with a choice of remaining in the abusive relationship until indefinite leave is granted or face deportation to the country of origin where they may face further risks, hostility or discrimination. Women in this position are far less likely to report the abuse to external agencies.

*In 1999 the Home Office introduced a 'spouse's concession outside the immigration rules for victims of domestic violence', which provides an exemption to the immigration rules for women who experience violence during the probationary period so that they may gain leave to remain in the country. This is subject to the submission of 'satisfactory evidence' of domestic violence. The 1999 concession states that:

"An applicant who has limited leave to enter or remain in the United Kingdom as the spouse or unmarried partner of a person who is present and settled in the UK and whose relationship breaks down during the probationary period as a result of domestic violence, may be granted indefinite leave to remain in the United Kingdom exceptionally outside the Immigration Rules provided that the domestic violence occurred during the probationary period whilst the marriage or relationship was subsisting and the applicant is able to produce one of the following forms of evidence that domestic violence has taken place:

- An injunction, non-molestation order or other protection order against the sponsor (other than an ex-parte or interim order); or
- A relevant court conviction against the sponsor; or
- Full details of a relevant police caution issued against the sponsor

On 26 November 2002 the Home Office announced that although they still want to encourage perpetrators to be brought before the courts, the type of evidence the Immigration and Nationality Directorate can consider as 'proof' that domestic violence has occurred has been extended.

From December 18 2002 under the changes, if one of the above pieces of evidence is not available, more than one of the following is acceptable:

- A medical report from a hospital doctor confirming that the applicant has injuries consistent with being the victim of domestic violence.
- A letter from a GP who has examined the applicant and is satisfied they have injuries consistent with being the victim of domestic violence.
- An undertaking given to a court that the perpetrator of the violence will not approach the applicant who is the victim of violence.
- A police report confirming attendance at the home of the applicant as a result of domestic violence.
- A letter from social services confirming its involvement in connection with domestic violence.
- A letter of support or report from a women's refuge.

The effectiveness of the concession has been severely limited for the following reasons:

- Many women are not aware of the existence of agencies that offer legal advice and support. Women who fear deportation are less likely to approach those agencies they may be aware of.
- Although the recent changes mean that more women can apply for leave to remain, there is still a need to provide TWO means of supporting evidence. Although one can be from a women's refuge, the second must also bring women into contact with statutory services. Hospital doctors and GPs will have to confirm evidence that any injuries are consistent with domestic violence (which does not appear to take into account the impact of psychological abuse on a woman's health). Alternatively confirmation is needed that social services or the police have been involved in connection with domestic violence.*
- A stay in a refuge is crucial for many women initiating criminal or civil proceedings or simply seeking help and support. However these women have no

recourse to public funds (see below) and therefore no access to benefits or emergency housing. Some refugees will accept women with no recourse to public funds but this has severe budgetary implications and few can sustain this for a significant period of time. Women in this situation will have no money for subsistence.

- Police officers or other advisors may not be aware of the concession.

Women with no recourse to public funds

*Women who are subject to the 'two year rule' are also totally financially dependant on the spouse, as they have no recourse to public funds. Many women are unable to seek work because of the violence they experience and many women do not speak or are prohibited from learning to speak English.

Children also suffer by the 'no recourse to public funds' ruling. Although local authorities have a statutory power under section 17 of the Children Act 1989 to make appropriate provision for children to ensure that their needs are being met (e.g. being adequately fed and housed and cared for), this is subject to interpretation. Some use Section 17 to pay for the housing and subsistence costs for women with children to live in a refuge whilst others discharge their duty by taking the children into care.*

Forced Marriage

Forced marriage is a marriage contracted without the free consent of one or both parties. A clear distinction must be made between forced marriage and arranged marriage. In arranged marriages there is free and valid consent from both parties, families of both spouses take a lead role in arranging the marriage but the choice whether to accept the marriage remains with the individuals. A marriage becomes forced if there is any duress. This may involve mental, emotional and physical abuse as well as blackmail and intense family and social pressure. It is the perception of the individual under pressure to marry, which matters when defining duress. A child marriage can also be seen as a forced marriage since children do

no have the capacity to give consent. The reasons for forced marriages are many and varied but may involve family pressure, family honour, long-standing family commitments, the protection of perceived cultural and religious ideals and controlling female behaviour and sexuality.

Who is affected?

Forced marriages occur within diverse communities, traditions, nationalities, races and religions. The problem of forced marriage within the UK has been highlighted amongst South Asian women. However cases have also been reported in many other religious groups such as Sikh and Hindu and amongst other ethnic groups from the Middle Eastern, East Asian, Turkish and African communities. It may also exist within other orthodox communities such as the Chinese, Japanese and Jewish communities.

As with other forms of domestic violence, evidence shows that although some men may be affected, cases overwhelmingly involve women and girls. Women marry at a younger age and are less likely to complete their education and establish a career and therefore have fewer options. There is far greater pressure on women and girls to protect the family honour. Women are pressurised into remaining in abusive relationships rather than challenging accepted norms. Some women are married in this country and others are taken abroad, usually without knowledge of the purpose.

Effects of forced marriage

Victims of forced marriage are likely to lose their freedom and power and control over their own lives. It is no surprise that a forced marriage will lead to many forms of abuse. Many women report being beaten, sexually abused, imprisoned, abducted, sold and bought. In extreme cases women attempting to flee, are murdered in order to protect the family honour. Most women experience extreme isolation and this can lead to depression. Asian women have one of the highest suicide rates in the country. Asian women, particularly those in the 15-34 age range, are two to three times more likely to

commit suicide than women in the general population.

The Home Office has produced a pamphlet entitled 'Forced Marriage' and all agencies coming into contact with survivors of domestic violence should keep copies of this on display. Women and girls forced into marriage are likely to have extremely limited access to support services so it is absolutely vital to ensure that copies of this pamphlet are stocked by statutory agencies with which all women are likely to come into contact without raising the suspicions of an abusive partner.

Refugees and Asylum Seekers

Refugee and Asylum Seekers experiencing domestic violence will have very specific needs. Many women who enter Britain as refugees are not independent applicants for asylum but family members dependent on a husband, father or older male members of the family for immigration purposes. As mentioned earlier, lack of independent immigration status can result in a reluctance to leave an abusive relationship.

Types of abuse

As well as forced marriage and deportation threats mentioned above and in addition to all the well documented forms of domestic violence, refugees and asylum seekers may experience other types of abuse such as female genital mutilation, honour crimes and acid throwing.

Thanks to the London Borough of Camden for their kind permission to reproduce this section.

This section can be photocopied and given to women seeking help where appropriate to do so.

Having a personal safety plan is essential if you or your children are suffering abuse or living in a violent home.

This personal safety plan has been designed with safety in mind, whether you stay in the relationship or choose to leave.

In an emergency the most important single factor is the physical safety of yourself and any children you may have. These are some steps to follow but please remember that every woman's situation is different, you may need to take all or only some of these steps and not necessarily in this order.

Safety during a violent incident

- If an argument seems unavoidable, try to have it in a room or area where you have access to an exit. Try to stay away from the bathroom, kitchen, bedroom or anywhere else where weapons might be available.
- Practice how to get out of your home safely. Identify which doors, windows, elevator or stairwell would be best.
- Have a bag packed ready and keep it at a relative's or friend's home in order to leave quickly.
- Identify one or more neighbours you can tell about the violence and ask that they call the police if they hear a disturbance coming from your home.
- Devise a codeword to use with your children, family, friends and neighbours when you need them to call the police.
- Decide and plan for where you will go if you have to leave home (even if you don't think you will ever need to).
- Use your own instincts and judgment. If the situation is very dangerous, consider giving

the abuser what he/she wants to calm him/her down. You have the right to protect yourself until you are out of danger.

- Always remember – you don't deserve to be hit or threatened!

After a violent incident

- Call the police if you are able to.
- If your partner injures you see your doctor or attend hospital as soon as possible.
- Think about speaking to a police officer from the Community Safety Unit.
- Consider seeking advice from a solicitor.

Safety when preparing to leave

- Open a savings account and/or a credit card in your own name to start to establish or increase your independence. Think of other ways in which you can increase your independence.
- Get your own post office box. You can privately receive cheques and letters to begin your independence.
- Leave money, an extra set of keys, copies of important documents, extra medicines and clothes with someone you trust so you can leave immediately.
- Determine who would be able to let you stay with them or lend you some money.
- Keep the refuge phone number close at hand and keep some change or a phone card on you at all times for emergency phone calls.
- Remember – leaving your abuser is the most dangerous time. Review your safety plan as often as possible in order to plan the safest way to leave your abuser.

Safety in your home

- Consult a solicitor to see if you are able to change the locks on your doors. Buy additional locks and safety devices to secure your windows.
- Discuss a safety plan with your children for when you are not with them.

- Inform your children's school, day care, etc about who has permission to pick up your children.
- Inform neighbours and landlord that your partner no longer lives with you and that they should call the police if they see him/her near your home.
- Get in contact with the local Community Safety Unit so they can ensure a speedy response to an emergency call from your address.

Safety with a non-molestation / occupation order (injunction)

- Keep your *injunction* at all times (when you change your bag, that should be the first thing that goes in it).
- Call the police if your partner breaks the *injunction*.
- If you have a solicitor, let them know if your partner breaks the *injunction*.
- Think of alternative ways of keeping safe if the police do not respond right away.
- Inform family, friends, neighbours, your doctor or health care worker, and the people you work with that you have an *injunction*.

Safety on the job and in public

- Decide who at work you will inform of your situation. This should include office or building security. Provide a picture of you abuser if possible.
- Arrange to have an answering machine, caller ID or a trusted friend or relative to screen your calls if possible.
- Devise a safety plan for when you leave work. Have someone escort you to your car, bus or train and wait with you until you are safely on your way. Use a variety of routes to go home if possible. Think about what you would do if something happened while going home (i.e. in your car, on the bus, etc).

Your safety and emotional health

- If you are thinking of returning to a potentially abusive situation, discuss an alternative plan with someone you trust.
- If you have to communicate with your partner, determine the safest way to do so.

- Have positive thoughts about yourself and be assertive with others about your needs. Read books, articles, and poems to help you feel stronger.
- Decide whom you can call to talk to freely and openly to give you the support you need.
- Look into joining a women's group or counselling to gain support from others and to build confidence and self worth.

Checklist

What you need to take when you leave.

Identification

- Birth certificate
- Children's birth certificate
- Driving licence

Financial

- Money and/or credit/debit cards
- Bank details
- Chequebook

Legal papers

- Tenancy agreement, lease, rental agreement, house deed
- Car registration and insurance papers
- Passport for you and your children
- Marriage certificate or Divorce papers
- Custody papers

Other

- Benefit books – income support, child benefit, housing benefit etc
- House and care keys
- Mobile phone/phone card/small change
- Medication
- Jewellery
- Address book
- Pictures of you, your children and your abuser
- Children's small/favourite toy(s)/comforter
- Toiletries/nappies and any essential baby equipment
- Change of clothes for you and your children

Zingo Safe taxi service

In the year 2002, 214 women were sexually assaulted and 54 raped after getting into unlicensed cabs in London. Using the Zingo service allows members of the public to call for a black cab and wait in a safe place until the cab arrives. The service uses Global Positioning Satellite (GPS) applications and the location of the user's mobile telephone to match where the service user is located and the location of nearest Zingo black cab. The cab will be contacted and will come immediately to collect. The charge for the service is £1.60, which is added to the metered fare. All of these cabs have on-board credit facilities. Zingo can be contacted on: 08700 700 700

Website: www.zingotaxi.com

Helpful numbers:

In an emergency dial **999** for Police assistance

- Police Community Safety Unit – 020 8733 4465
- National Domestic Violence Helpline (for advice and refuge space, open 24/7 – Free phone 0808 2000 247
- Jewish Women's Aid – 0800 59 12 03 or 0808 2000 247
- BHAC – 020 8446 2504
- Victim Support Barnet – 020 8343 4435

Useful websites

Advice, Support and Counselling Services

- www.womensaid.org.uk
- www.victimsupport.org
- www.samaritans.org
- www.rightsofwomen.org.uk
- www.rapecrisis.co.uk

Black Minority Ethnic Services

- www.asylumaid.org.uk
- www.refgeecouncil.org.uk
- www.iasuk.org
(Immigration Advisory Service)
- www.rwlg.org.uk
(Refugee Women's Legal Group)

- www.bmespark.org.uk
(Supporting people information relating to BME communities)

Children

- www.childline.org.uk
- www.barnardos.org.uk
- www.nspcc.org.uk
- www.gingerbread.org.uk
(For lone parent families)
- www.reunite.org
(For parents of abducted children)

Criminal Injuries Compensation Scheme

- www.cica.gov.uk

Disabilities

- www.bda.org.uk
- www.disabilities-trust.org.uk
- www.respond.org.uk

Funding

- www.hm-treasury.gov.uk
- www.tudortrust.org.uk
- www.bridgehousetrust.org.uk

General

- www.bbc.co.uk/hittinghome
- [www.womens-unit.gov.uk/
domesticviolence/healthcare.htm](http://www.womens-unit.gov.uk/domesticviolence/healthcare.htm)
- www.homeoffice.gov.uk
- www.odpm.gov.uk
(Office of the Deputy Prime Minister for government policy and papers)
- www.womensunit.gov.uk
(For government policy on women's issues)
- www.lat.org.uk
(Greater London Domestic Violence Project)
- www.london.gov.uk
(Greater London Association)
- [www.met.police.uk/enoughisenough/
strategy.htm](http://www.met.police.uk/enoughisenough/strategy.htm)

Health

- www.doh.gov.uk
(Department of Health)
- www.rcm.org.uk
(Royal college of Midwives-domestic abuse in pregnancy)
- www.bbc.co.uk/health.mental

Housing

- www.shelter.org.uk
- www.homelessness.odpm.gov.uk

Legal

- www.justask.org.uk
(Community Legal Service)

Lesbian Gay Bisexual and Transgender

- www.safraproject.org
- www.lgbt-dv.org
(Hold Tight-Tight Hold-raising awareness of same sex abuse)
- www.londonfriend.org.uk
(Counselling and support)
- www.queery.org.uk
(Advice line)
- www.tht.org.uk
(HIV and AIDS charity offering support to gay men experiencing domestic violence)
- www.naz.org.uk
(For people from South Asian, Middle Eastern, North African, Horn of Africa, and Latin American Communities)
- www.pacehealth.org.uk
(Lesbian and gay counselling and mental health project)

Perpetrators

- www.dvip.org
(Programmes for perpetrators of domestic violence)

Substance Misuse

- www.talktofrank.com
- www.bbc.co.uk/health/addictions

This section contains a list of local and national agencies. Women may need to consult a number of different agencies in order to have their needs met. However this may be a disconcerting experience in itself. Therefore it is important to carefully note the services offered in order to minimise the number of organisations approached. This should help when referring women to the most appropriate place.¹

The directory sections are sub divided as follows:

Help lines and Support Services London wide

- Specialist Domestic Violence Services
- Other Services

All services are listed alphabetically.

Local Services

This section is divided into the following categories:

- Black Minority Ethnic Organisations
- Children
- Counselling and Support Services
- Health
- Housing
- Substance Misuse
- Other Services

Agencies are listed alphabetically in each section.

Help lines and Support Services London Wide

Specialist Domestic Violence Support Services

Aricas

T 020 8728 2343 (clients)

020 8728 3849 (admin)

F 020 84501177

17 Mapesbury Road, London NW2 4HU

Group work programme and individual counselling for male perpetrators of domestic violence. Individual counselling for partners of perpetrators of domestic violence.

Broken Rainbow Hotline

T 08452 60 44 60 Helpline Number (Survivors)

08452 60 55 60 Office Number (Agencies):

E mail@broken-rainbow.org.uk

W www.broken-rainbow.org.uk

Broken Rainbow run a listening, information and signposting helpline service, staffed by LGBT people for lesbian, gay, bisexual and transgender victims of domestic violence.

They advise, support and train mainstream services and work towards establishing community-led reporting and referral centres, hostels, self-help groups and regional LGBT domestic violence forums.

Domestic Violence Intervention Project

T 020 8563 7983 Violence Prevention

020 8748 6512 Women's Services

020 8748 2229 Training

P.O Box 2838 London W6 9ZE

Provides perpetrator programmes and support for partners of perpetrators attending programme. Also provides training programmes.

¹ Directory of Services produced by Barnet Domestic Violence Forum January 2005

Ebony Sistren

T 020 7731 1902

F 020 7736 8724

E Ebony.sistrenha@talk21.com

Muslim Women's Helpline

T 020 8908 3205 (admin)

020 8908 6715

020 8904 8193

Based in Brent, open Mon to Fri 10am to 4pm

This national helpline is aimed at all Muslim Women, they provide listening, emotional support, information and referrals. Face to face support is also offered but only after assessment.

The NIA Project

T 020 7683 1270

020 7683 1210 (Advice Line)

F 020 7683 1272

E info@niaproject.info

W www.niaproject.info

Provide information, advice and advocacy for women and children in the community experiencing domestic violence.

Refuge

T 0808 808 9999

0808 2000 247 (24 Hours National

Domestic Violence help line)

020 7395 7700

E info@refuge.org.uk

2-8 Maltravers Street London WC2 3EE

A 24-hour service providing information, advice and support to women experiencing domestic violence. The help line service has access to information on refuge availability.

If the line is busy, please keep trying.

Respond

T 0808 808 0700 Help Line

W www.respond.org.uk

A registered charity providing advice and support to disabled people with learning difficulties who have been abused.

Rights Of Women

T 020 7251 6577

52-54 Featherstone Street,

London EC1Y 8RT

Advice on family law matters including domestic violence.

SOLA

T 020 7328 7389 (help line service every Thu 7 to 9pm)

Help line offering support, advice and information to survivors of lesbian abuse.

Southall Black Sisters

T 020 8571 9595

52 Norwood Road, Southall,

Middlesex, UB2 4DW

Advice, emotional support and help for Black and Asian women experiencing domestic violence.

Stella Project

T 020 7983 5772

c/o Greater London Domestic Violence Project, 3rd Floor, City Hall, The Queen's Walk, London SE1 2AA

A second tier project supporting direct service providers to find positive ways of working with domestic violence and substance misuse.

This is a partnership between the Greater London Domestic Violence Project and the Greater London Alcohol and Drug Alliance.

Voice UK

W www.voiceuk.clara.net

Provides support and information for people with learning difficulties who have been abused, and campaigns for changes in the law.

Women's Aid National Domestic Violence 24-Hour Help Line

T 0845 702 3468

A 24-hour service providing information, advice and support to those experiencing domestic violence. The helpline service has access to information on refuge availability.

If the line is busy, please keep trying.

Woman's Trust

T 020 7795 6444/6999

Top Floor, Unit 1, Kensington Cloisters, 5 Kensington Church Street, London W8 4LD

Provides independent confidential women-only services to women who have been or are affected by domestic violence.

Other Services

British Association For Counselling And Psychotherapy

T 0870 4435252

BACP House 35-37 Albert Street, Rugby, CV21 2SG

Can provide a list of local counsellors and psychotherapists.

Childline

T 0800 1111

24 hour help line service for children in need.

Community Legal Service

T 0845 608 1122

Mon-Sat 8am-8pm Sun: 8am-6pm

Legal information

Disability Information And Advice Line Services UK (DIALS)

T 01302 301 123

St Catherine's, Tickhill Road, Doncaster, South Yorkshire DN4 8QN

Ring for details of local DIAL service.

Drink Line

T 0800 917 8282

Advice on safe drinking and problems relating to alcohol. Referrals to other relevant agencies.

Everyman Project

T 020 7737 6747

Counselling, support and advice to men who are violent or concerned about their violence, and anyone affected by that violence.

Frank

T 0800 776600

Information on the effects and risks of various drugs. Specialist help line advisers and referrals to other relevant agencies.

Joint Council For The Welfare Of Immigrants

T 020 7251 8706

115 Old Street London SW8 1SJ

Information and Advice to Asylum Seekers.

London Friend

T 020 7837 3337

For Lesbian, Gay and Bisexual counselling and support.

London Lesbian And Gay Switchboard

T 020 7837 7324

24 hour information, support and referral service for lesbians and gay men from all backgrounds.

Mankind

T 0870 794 4124

Helps and advises male victims of domestic violence.

Muslim Youth Help Line

T 0808 808 2008

E help@myh.org.uk

Confidential telephone counselling and email enquiries service for young Muslims in need.

National Drugs Helpline

T 0800 77 66 00

Free confidential 24 hour help line.

NSPCC

T 0808 800 5000

24 hour help line service for children in need.

Parentline Plus

T 0808 800 2222

UK wide help line offering support to anyone caring for children and young people.

Rape Crisis Federation England And Wales

T 0115 900 3560

Unit 7, Provident Works, Newdigate Street, Nottingham NG7 4FD

A referral service for women who are seeking advice and / or support around the issues of rape and sexual abuse/assault.

Refugee Council

T 020 7582 6922

3 Bondway, London SW8 1SJ

Information and advice for asylum seekers.

Reunite

T 0116 255 6234

International Child Abduction Centre

P.O Box 7124, Leicester LE1 7XX

Support groups for parents of children who have been abducted.

Samaritans

T 020 8560 2345 (24 Hour Service)

Confidential support help line service.

Shelterline

T 0808 800 4444 (24 Hour Service)
Provides information and advice for those facing homelessness or any matters relating to housing.

Local Services

Black Minority Ethnic Organisations

Africans and Descendants Counselling Services

Contact Coordinator
42 Church Lane, Finchley, London N2 8DT
T 020 8883 2691 (24hrs)
F 020 8444 8508

Target group

The main focus is on Black and Minority ethnic communities, refugees, asylum seekers but they are open to all nationalities and age groups.

Area covered

Based in Finchley but take clients London wide.

Services

- Although ADCS do not deal specifically with DV, they do provide confidential counselling and advice on a variety of issues such as bereavement, culture coping, children and family support mediation, mental health, emotional, psychological and spiritual well-being as well as offering home care and hospital and prison visits.
- Make an appointment by leaving a message on the answer phone. The response will be from the person on duty or a designated person. The time will depend on the urgency.
- There is no disabled access, but they are able to make home visits.
- Interpreters are available.
- Have links with necessary agencies including the police and social services.
- There is an equal opportunities policy complaints procedure in place.

African Cultural Association

Contact Mrs M Manu
Top Floor, Burnt Oak Library, Watling Avenue, Edgware, Middlesex HA8 0UB
T 020 8959 8743
F 020 8959 8743

Opening times

Tue and Wed 10am to 4.30pm
Thu 12.30 to 6.30pm
Fri 10am to 4.30pm

Target group

Primarily ethnic minorities, although they do not turn anybody away.

Area covered

London Borough of Barnet and the surrounding areas.

Services

- Provide a back up service to other agencies as well as information and general advice on health, employment, education, legal services, immigration, youth activities and racial issues. Also deal with DV referrals.
- The service is confidential.
- You can contact this agency by telephone, drop in, appointment or leave a message on the answer phone. The response will be from the person on duty, receptionist or an allocated person.
- Response time within 24 hours or by appointment
- African language translators are available.
- There are links with most community organisations in Barnet.
- There is an equal opportunities policy in place.

Barnet Asian Women's Association

Contact Ms Farida Bhaloo (co-ordinator)
1 Friern Park, London N12 9DE
T 020 8446 9897
F 020 8492 0003

Opening times

Mon to Fri 9.30am to 5.30pm

Target group

Asian women residing in the London Borough of Barnet (over 18 years).

Area covered

Cover London Borough of Barnet.

Services

- Specifically deal with DV, providing advice, counselling and a back up service to other agencies. They are a support basis for Asian

women. Also hold a support group for women who have or are experiencing mental health problems at the Multicultural Day Centre, in the west side of the Borough.

- The service is confidential.
- Agency can be accessed by telephone, drop in, appointment or leave a message on the answer phone. The response will be from the person on duty or an allocated person.
- Provide information on domestic violence.
- Women will receive an immediate response and can walk into our office without an appointment.
- Female victims only
- No access for disabled people, but they can see people downstairs.
- Can provide information in most main Asian languages.
- Equal opportunities policy

Sangam – Association of Asian Women

Contact Mrs Rupa Mistry (president) or Mrs Jyoti Shah (vice president)
210 Burnt Oak Broadway, Edgware,
Middlesex HA8 OAP

T 020 8952 7062

Opening times

Mon to Fri 10am to 4pm

Sat 10am to 2pm

Target group

Primarily for Asian women, but open to all.

Area covered

Barnet, Harrow and Brent Services:

- Deal with domestic violence
- Provide advice and community services.
- The service is confidential.
- Can be accessed by telephone, drop in, appointment or leave a message on the answer phone. The response will be from the person on duty or the receptionist/telephonist. It will be immediate or within 24 hours.
- Work with male and female victims
- Specific domestic violence information is accessed through local authority, by the police and victim support
- Co-operate with Housing, CLS, OISC, Met Police, Asian Resource Centre
- There is access for disabled people.
- Information (verbal) can be obtained in English, Hindi, Gujarati, and Urdu
- Equal opportunities policy

Sangam also provide access to a free Counselling Service for Asian Women who are victims of Domestic Violence run by EACH.

Contact: Foziha Raja

Services:

- One to one counselling, group support, home visits, information and advice and an advocacy service.

Somali Family Support Group

Contact Ms Hanan Ibrahim (Co-ordinator)
Avenue House, East End Road, Finchley,
London, N3 3QE

T 020 8371 4125

F 020 8371 4132

Target group

Everyone is welcome

Area covered

London wide

Services

- Provide advice and counselling.
- Run conferences and workshops.
- Provide a confidential service
- Can be contacted by telephone, drop in, appointment or leave a message on the answer phone. The response will be from the person on duty.
- Immediate response after contact.
- Work with male and female victims
- Can provide leaflets on domestic violence and information in different languages
- Co-operate with Social Services and other refugee organisations
- Equal opportunities policy
- Complaints procedure
- Also provide services at the Rainbow Centre, Dollis Valley

Jewish Women's Aid

Contact Ms Mich Greenberg (refuge worker)
P.O Box 14270, London N12 8WG

Help Line 0800 591203

Opening times

Mon to Thu 9am to 5pm

Fri 9am to 2pm

Do provide emergency out of hours service

Target group

For Jewish women experiencing domestic violence

Area covered

All of the UK

Services

- Provide advice and counselling, also provide a back up service to other agencies and outreach work / floating support.
- Confidential service
- You can access agency via the help line. The response will be by the person on duty or a designated person will be available for emergency out of hours work.
- Work with female victims only
- Has access for the disabled.
- Can provide information in different languages.
- Co-operate with WAFE and Refuge
- Equal opportunities policy

Asylum Seekers Team

Contact Leanora O'Garro (Team Manager)
Barnet House, 1255 High Road, Whetstone,
London N20 0EJ
T 020 8359 4207

Opening times

Mon, Tue, Thu and Fri 9am to 4pm
Wed 1.30pm to 4pm

Target group

For asylum seekers who are not eligible to receive public funds.

Services

- Access for disabled people.
- Interpreters will be provided where necessary.

Children

Children Information Service (CIS)

Contact Ms Rachel Williams (Information and Admin Manager)

Building 4, North London Business Park,
Oakleigh Road South, London N11 1NP

T 020 8359 7615

F 0870 889 6798

Opening times

Mon to Thu 9am to 5.15pm

Fri 9am to 5pm

Target group

For parents and carers of children; people wanting to work in childcare; professionals needing information on services for children

Area covered

London Borough of Barnet

Services

- Do not deal specifically with domestic violence, but would signpost appropriately
- Provide information and signposting.

- Confidential service
- Access service by telephone or via the website www.barnet.gov.uk/cis
- Immediate response if possible.
- Access for disabled people.
- Can provide service in Braille. Signer available
- Can provide information in different language on request
- Co-operate with Social Services, DSS, PCT
- Equal opportunities policy.

CAFCASS (Children and Family Court Advisory and Support Service)

Contact Paul Breeze

Archway Team, Archway Tower (13th Floor),
2 Junction Road, London, N19 5HQ

T 020 7210 4493

F 020 7210 4477

Opening times

- Mon to Fri 9am to 5pm

Target group

Family Cases from the High, County and Family Proceedings Courts.

Services

- Interpreters can be arranged for meetings with clients where required.
- Access for disabled people.

Education Welfare Team

Contact Alison Corcoran

1st Floor North London Business Park,
Oakleigh Road South, London N11 1NP

T 020 8359 7684

Opening times

Mon – Fri 9am to 5pm

Target group

For parents with school aged children and young people.

Area covered

London Borough of Barnet

Services

The service has staff who can speak: German, Spanish, French, Greek, Bengali, Urdu, Somali, Yoruba and limited Punjabi.

- Access for disabled people.

Fairway Early Years Centre

Contact Maureen King (Manager)

1 The Fairway, London NW7 3HS

T 020 8959 5776

F 020 8959 8009

Opening times

Mon to Fri 8.30am to 6pm

Target group

For children aged from 2 to 5

Area covered

London Borough of Barnet

Services

- Access for disabled people.

Lakeview Children and Family Centre

Contact Heather McCarthy (Manager)

Tyrrel Way, West Hendon, London NW9 7QW

T 020 8202 7960

F 020 8202 2441

Opening times

Mon 8.30am to 4pm

Tue to Thu 8.30am to 4.30pm

Fri 8.30am to 3.30pm

Target group

For children and families

Services

- Access for disabled people.

Meadway Children and Family Centre

Contact Debbie Dearman (Manager)

110 Meadway, Barnet, Herts, EN5 5JX

T 020 8447 0343

F 020 8440 8616

Opening times

- Mon to Thu 8.30am to 4.30pm

Fri 8.30am to 4pm

Target group

- For children and families

Services

- Access for disabled people.
- drop in on Wed only.

Newstead Children and Family Centre

Contact Sajni Sharma (Manager)

1 Fallows Close, London N2 8LG

T 020 8346 0420

F 020 8346 0700

Opening times

Mon and Fri 8.30am to 3.30pm

Tue and Thu 8.30am to 4.45pm

Wed 8.30am to 4.30pm

Target group

For children and families

Services

- Access for disabled people.

Wingfield Children and Family Centre

Contact Chhaya Tailor (Manager)

The Concourse, Grahame Park Estate,

London NW9 5UX

T 020 8205 6175

F 020 8205 0619

Opening times

Mon and Fri 8.30am to 3.30pm

Tue and Thu 8.30am to 4.45pm

Wed 8.30am to 4.30pm

Target group

For children and families

Services

- Access for disabled people.
- Drop in (not Thu)

Counselling, Support and Advice Services

Barnet Citizens Advice Bureau

Contact Ms Helen Kelavey (service manager)

Hendon Branch: 40-42 Church End, London NW4 4JT

Grahame Park Branch: 19 The Concourse, Grahame Park, London NW9 5AX

Barnet Branch: 30-32 Station Road, New Barnet, London

Finchley Branch: 23-27 Hendon Lane, Finchley, N3 1RT

T 0870 128 8080

F 020 8203 3202 (Hendon Branch)

Opening times

Hendon: Mon to Fri 10am to 12.30pm and 1.30pm to 4pm

Grahame Park: Mon to Wed 10am to 3pm

Barnet: Mon, Tues, Wed and Fri 10am to 12.30pm

Finchley: Mon, Wed and Thu 9.30am to 12.30pm

Target group

All members of the community.

Area covered

Located in Barnet, but take referrals from all London boroughs and outside London

Services

- Deal with domestic violence
- Provide advice and also a back up service to other agencies.
- Confidential service
- Access by telephone or by drop in however in specific circumstances appointments can be made. The response will be by the person on duty.
- Work with male and female victims
- Access for disabled people in the Hendon, Grahame Park and Barnet branches. Service in Braille with notice
- Signer available In the Finchley branch
- Induction loop in the Barnet and Hendon Branches
- Can provide information in different languages
- Co-operate with Council, voluntary organisations and statutory organisations.
- Equal opportunities policy

- Also provide services at:

Dollis Valley Centre: Tue am

Safe Start Foyer Finchley: Tue am

Connexions Finchley: Wed am

Paddington Churches Marble Drive: Wed

St Mary's County Court: Thu

Victim Support Barnet

Contact Ms Loraine Buckingham (Borough Manager)

The Flat, Avenue House, East End Road, Finchley N3 3QE

T 020 8343 4435

F 020 8343 3146

Opening times

Mon to Fri 10am to 3pm

(Scheme answer phone outside hours)

National support line 0845 30 30 900

Target group

For residents in the borough who have been a victim of crime.

Area covered

London Borough of Barnet

Services

- Provide advice and short term support, also provide a back up service to other agencies.
- Confidential service
- Access by telephone, occasionally by drop in but mostly by appointment or leaving a message on the answer phone. All staff are trained to deal with telephone calls and visits.
- Immediate response to telephone referral or within 24 hours for letter
- Work with male and female victims
- No access for disabled people, but can see clients in their own houses or 'safe' places
- Provide the service in Braille with prior notification to national offices there is also a partially qualified signer available.
- Information in different languages available.
- Further information on domestic violence is available from the website:
www.victimsupport.org
- Co-operate with all appropriate agencies
- Equal opportunities policy

The Domestic Violence Support Service

Contact Ms Jean Osborne (manager)
Colindale Police Station, Grahame Park Way,
Colindale, London NW9 5TW
T 020 8733 4573
F 020 8733 5869

Opening times

- Mon to Fri 10am to 6pm

Target group

For domestic violence victims and their children

Area covered

Covers London Borough of Barnet

Services

- Provide advice, counselling, information, advocacy, outreach as well as a back up service to other agencies.
- Confidential service
- Access by telephone, appointment or leaving a message on the answer phone the response will be from the DVSS manager.
- Domestic violence information can be provided from the internet, GLDVP forum and other resources.
- Response time after contact depends on the caseload but usually immediate phone contact. Appointments usually within a few days.
- Work with male and female victims
- Access for disabled people
- Interpreters are available to the police
- Co-operate with all statutory and voluntary sector agencies and private organisations relevant to each case.
- Equal opportunities policy

Christian Action (Elevate)

Contact Tina Spencer
Benedict House, 61 Island Centre Way
Enfield, Middlesex EN3 6GS
T 01992 765 900

Opening Times

Mon - Fri 9am - 5pm

Target Group

Victims of Domestic Violence.

Services

- Elevate give support to victims of Domestic Violence who are no longer with the perpetrator. They give advice on benefits, childcare, repeat victimisation, housing, injunctions, education and training. They also make referrals to counselling services.

- Management and running of two Refuges in the borough for more information see section on Refuges.

- There is access for the disabled.

- Interpreters can be arranged on request.

Elevate Refuge:

P.O. Box 49

London N3 1WB

P.O. Box 3347

Barnet EN5 5XD

Health

Chase Farm Hospital (Patient Advice and Liaison Service)

Contact Mr Clive Shaw (Patient Advice and Liaison Service)

Chase Farm Hospital, The Ridgeway, Enfield, EN2 8JL

T 020 8375 2378

Opening times

- Mon to Fri 9am to 5pm

Area covered

Covers LB Enfield, Cheshunt, Potters Bar

Services

- Provide advice and counselling
- Confidential service
- Access by telephone, drop in, appointment or by leaving a message on the answer phone. The response will be from the person on duty.
- Immediate response or within 24 hours
- Access for disabled people
- Co-operate with Social Services
- Equal opportunities policy

Clare Simpson Clinic

Contact Ms Debbie Burnett (Health Adviser)
2nd Level, Barnet General Hospital
Wellhouse Lane, Barnet, Herts, EN5 3DJ

T 020 8216 4110

F 020 8216 4948

Opening times

Please telephone for details of opening times, as they vary.

Target group

Anyone who is sexually active

Services

- DGUM clinics are open access.
- Provide examination and diagnosis of sexually transmitted infection with counselling and advice provided by health advisers in sexual health. Also able to refer to clinical psychologist and psycho-sexual medicine.

- Domestic violence is sometimes disclosed during clinical examination.
- Confidential service
- Access by telephone or by drop in although appointments are preferred. The response will be by the person on duty.
- Leaflets on domestic violence are available
- There is access for disabled people and a signer can be arranged
- Interpreters can also be arranged.
- Co-operate with Police, Social Services and other voluntary services
- There is an equal opportunities policy and a complaints procedure
- A walk in clinic for young people under 21 is available on Wed at 4.30pm at Grahame Park Health Centre.

Housing

Barnet Homeseekers

Contact Ms Charlie Percy (principal housing assessment officer)

Barnet House 1255 High Road, Whetstone, London N20 0EJ

T 020 8359 4797

F 020 8359 4871

Opening times

Mon, Tue, Thu, Fri 9am to 4pm (closed on Wed except for emergencies after 1.15pm)

Telephone service Mon, Tue, Thu 9am to 5.15pm, Wed 1.15 to 5.15pm and Fri 9am to 5pm

Area covered

Mainly for Barnet residents, but anyone is free to approach the borough for assistance.

Services

- Provide advice on housing options
- Deal with domestic violence in relation to housing.
- Confidential service
- Access by telephone, drop in or by appointment. The response will be from the person on duty, receptionist/telephonist or a designated person allocated to you.
- An immediate response will depend on the nature of the approach or if possible an appointment can be made.
- Work with male and female victims
- There is access for disabled people

- Service in Braille is available on request a Signer is also available if advance notification given. There is also an induction loop
- Information in different languages is available on request
- Co-operate with Social Services, Police, Barnet Women's Aid and Jewish Women's Aid
- Equal opportunities policy

Barnet Housing Aid Centre

Contact Ms Julie Hall (service manager)

36B Woodhouse Road, North Finchley, London N12 0RG

T 020 8446 2504

F 020 8446 3191

Target group

All those who live and work in Barnet.

Services

- Provide advice
- Confidential service
- Access by telephone or drop in.
- Work with male and female victims
- Information in different languages available.
- Equal opportunities policy

Substance Misuse

Barnet Impact

Contact Mr Steven Bangher

80 Daws Lane, Mill Hill NW7 4SL

T 020 8201 1394

F 020 8201 1239

Opening times

Mon to Thu 9am to 6pm

Fri 9am to 5pm

Target group

For 18s and under

Area covered

London Borough of Barnet

Services

- Provides advice, counselling and a back up service to other agencies. As well as outreach and drugs education work.
- Deals with domestic violence
- Confidential service
- Access by telephone, drop in, appointment or by leaving a message on the answerphone. The response will be from the receptionist / telephonist.
- Response time after contact will be immediate or within 24 hours or by appointment.

- Access for disabled people
- Leaflets available in different languages
- Co-operate with Connexions, 331, The Crossing, BDAS, CAHMS, YOT and TAVISTOCK
- Equal opportunities policy

Barnet Drugs and Alcohol

Contact Mr Neil Schofield
Woodlands, Colindale Hospital, Colindale Avenue, Colindale, Barnet
T 020 8200 9525

Opening times

Mon 10am to 1pm and 2.30 to 8pm

Tue 1.30 to 5.50pm

Wed to Fri 10am to 5.30pm

Target group

For people who are opiate or alcohol dependant.

Area covered

London Borough of Barnet

Services

Provide advice, counselling, key work and a back up service to other agencies. As well as prescribing, detox, rehab and onward referrals.

- Can provide information on domestic violence
- Confidential service
- Access by telephone, drop in, appointment or by leaving a message on the answerphone. The response will be from the receptionist / telephonist or a designated person allocated to you.
- Work with males and females
- Can provide information in different languages
- Co-operate with The Crossing (Turning point), Children and family teams, Mental Health, Housing and GPs
- Equal opportunities policy

Turning Point, The Crossing

Contact Mr Darren Woodward (senior team leader)

The Crossing, 82 High Road, East Finchley N2 9PN

T 020 8815 1800

F 020 8815 1801

Opening times

East Finchley Mon and Wed 1 to 3.30pm and Fri 10am to 12.30pm

Burnt Oak Thu 10.30am to 1pm

Target groups

Barnet residents wanting support regarding drug and/or alcohol use and also people (friends and family) affected by substance use.

Area covered

London Borough of Barnet

Services

- Provide advice and information, counselling, referrals to other agencies, run drop ins, key working, complimentary therapies, groups, after care, arrest referral, prison liaison, BME drug and alcohol work, homelessness drug and alcohol work, housing support, community care assessments for rehabs, friends and family support, psychotherapy service and positive parenting supports for drug and alcohol users.
- Confidential service
- Access by telephone, drop in, appointment or by leaving a message on the answer phone. The response will be from the person on duty or the receptionist/telephonist.
- Response time after contact depends on the agency referred from.
- Work with males and females
- Can provide information in Gujarati, but interpreters can be arranged in all languages.
- Co-operate with Clinical D&A service (BDAS), Mental Health service, Social Services, Probation, Primary Care and other agencies relevant to the client group.
- Equal opportunities policy
- Also provide services at:
Burnt Oak Drop In
Homeless Action In Barnet,
36B Woodhouse Rd, Finchley N12
Colindale Police Station
HMP Wormwood Scrubbs

Other services

London Probation

Contact Mr Paul Teft

6 Alexandra Grove, Finchley,

London N12 8NU

T 020 8445 1623

F 020 8445 1618

Opening times

Mon to Fri (except Wed) 9am to 5pm

Wed 9am to 8pm

Target group

For convicted men and their families

Area covered

Finchley and Hendon

Services

- Provide advice and counselling to partners / ex partners of perpetrators
- There are limits to confidentiality in terms of safety of survivors and children
- Access by telephone or appointment if currently known / on supervision. The response will be from the receptionist / telephonist or a designated person.
- Response time after contact will be by appointment
- Work with males and females
- Access for disabled people
- Can provide information in different languages
- Co-operate with members of the Barnet DV forum, voluntary and statutory agencies.
- Equal opportunities policy

Metropolitan Police

Contact Community Safety Unit

Colindale Police Station, Grahame Park Way,

London NW9 5TW

T 020 8733 4465

F 020 8733 5822

Opening times

- Open 24 hours. Office – 8am to 10pm

Target group

N/A

Area covered

London Borough of Barnet

Services

- Deal with domestic violence and other forms of Hate Crime
- Provide advice and police intervention.
- Confidential service
- Access by telephone, drop in or by appointment. The response will be from the person on duty, receptionist/telephonist or a designated person.
- Response time after contact - within 24 hours
- Work with both male and female victims
- Access for disabled people. Can provide service in Braille
- Can provide information in different languages
- Co-operate with all members of the Barnet domestic violence forum.
- Equal opportunities policy