

# Women's Policy Group NI

## DOJ Public Consultation on Enhancing Legal Protections for Victims of Domestic Abuse

12<sup>th</sup> February 2021

### WPG Response/Endorsement

#### Introduction:

The [Women's Policy Group Northern Ireland](#) (WPG) is a platform for women working in policy and advocacy roles in different organisations to share their work and speak with a collective voice on key issues. It is made up of women from trade unions, grassroots women's organisations, women's networks, feminist campaigning organisations, NGOs, LGBT+ organisations, support service providers, human rights and equality organisations and individuals.

Over the years this important network has ensured there is good communication between politicians, policy makers and women's organisations on the ground. Several members of the WPG are also submitting responses on behalf of their own organisations to this consultation, including:

We welcome proposals to enhance legal protections for victims of domestic abuse and would like to endorse the consultation responses from our membership organisations including -

- HERe NI,
- Victim Support NI,
- Women's Aid Federation Northern Ireland,
- Migrant Centre NI

For questions or queries regarding this consultation response/endorsement, please contact Elaine Crory [elaine.crory@wrda.net](mailto:elaine.crory@wrda.net).

## Introduction

The Women's Policy Group takes the view that domestic abuse and domestic violence are issues that blight too many lives, and that have often been treated with secrecy, suspicion or hostility by state agencies. This has changed over the course of decades, with serious consideration being given to the problem and significant resources committed to tackling it. It remains a problem however, partially because the instruments used have been insufficient, and also because the root causes of abuse are so difficult to address, if we even acknowledge them at all.

We welcome recent legislation from the Department of Justice on Domestic Abuse and hope to see improvements soon. We also welcome a recent Private Members Bill on paid leave for victims and survivors of abuse. This proposal for the introduction of DAPNs and DAPOs also represents an opportunity to enhance legal protections for victims and survivors, and we welcome that.

The problem will persist however, because much of the approach is piecemeal or firefighting. There are ways to tackle the issue that might yield better, long term results, and we have outlined some of these in the latter part of our response, below. Overall, there ought to be a serious national and even international conversation on the dynamics of abuse. In Northern Ireland, where rates of domestic homicide are particularly high, we need to look at how we have been impacted by the conflict here, and by the long shadow of patriarchal attitudes and the violence within<sup>1</sup>.

We are optimistic that these proposals, well used, can bring an improvement to the experience of victims and survivors of domestic abuse, and we hope to see our consultation response reflected in the final outcome.

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<sup>1</sup> <https://www.ulster.ac.uk/news/2018/september/study-shows-how-victims-of-domestic-violence-benefitted-from-the-peace-process-in-northern-ireland>

## Consultation Questions

### 1. Do you agree that we should introduce Domestic Abuse Protection Notices and Domestic Abuse Protection Orders?

Yes.

The state has an obligation under international law to ensure that such protections are in place. We know that, in practice, the best way to protect somebody who is in immediate danger of violence or abuse is to ensure that there is physical distance between them and the perpetrator. Emergency barring orders are the most effective way of ensuring that this distance is maintained<sup>2</sup> and that the victim or survivor can then begin the less immediate preparations for a more permanent separation in safety.

The advantages of introducing these measures are numerous. These include: the replacement of an array of provisions (non-molestation orders, occupation order, undertakings, restraining order, etc) with two provisions that are more easily understood; the fact that the breach of these Orders can be a criminal offence; the fact that they include cases of domestic abuse as well as of domestic violence and the fact that they can be imposed by both criminal and civil courts, making them more accessible.

With that said it is vital that these new Orders come with proper training for all of the bodies that will be involved in their implementation, and also that NI learns from the experience of issues that have arisen with DVPNs and DVPOs in England and Wales and works to overcome these issues. This includes training for Police, judiciary and the third party bodies that are empowered to seek such an Order.

The cost incurred by the Police in seeking such an order is an additional barrier that should be examined as anything that comes with additional cost but where additional resources are not provided to meet that need will inevitably mean that Police are incentivised not to seek such an Order and evidence from England and Wales shows us that they often encourage victims and survivors to seek Civil Orders.

Evidence from Women's Aid NI shows us that survivors agree that this approach would have been beneficial to them in the period where they were attempting to separate from an abusive partner. Many are acutely aware that the police are presently limited in what they can do to keep people safe.

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<sup>2</sup> Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), paragraph 264.

**2. Do you agree that the proposed Domestic Abuse Protection Notices and Orders should apply to not only physical violence and threats of violence but also non-physical abusive behaviour?**

Yes.

This proposal is a significant improvement on the situation in England and Wales, which apply to cases where violence has taken place or there has been a threat of violence. We know that domestic abuse often co-exists with domestic violence or proceeds it, but even where there is no known threat of violence there is reason to remove the perpetrator of abuse from the home of the victim/survivor as per these Orders. In addition, since we now have laws against Domestic Abuse it makes sense that the Orders apply to all forms of abuse and not only to violence and threats of violence; we must not create a hierarchy of abuse either in practice through the courts or in the minds of victims of abuse who may already struggle to grasp the seriousness of the risk that they are at.

In England and Wales there is evidence that, because the Orders explicitly refer to domestic violence and not also to domestic abuse, Judges are often reluctant to impose them unless there is evidence of violence. Since it is important not to erect unnecessary barriers to those seeking to escape abuse, it is vital that we do not make the same mistake in NI. This is also further evidence that it is important to ensure that the Judiciary are properly educated on this issue and understand that the nature of abuse can be far more insidious than their understanding might lead them to believe.

**3. What length of time should a Domestic Abuse Protection Notice be valid for before the police have to apply to a magistrates' court for a Domestic Abuse Protection Order, the suggestion being up to four days?**

We support Women's Aid suggestion of a 7-10 day limit, at a minimum.

Four days will be a workable limit only insofar as our judicial system, specifically magistrates courts, is able to process the volume of orders. Hearings in magistrates courts, especially in rural areas, may not be able to take place quickly enough to meet the deadline.

Further, Professor Mandy Burton's research on use of DVPOs in England and Wales concluded that the short duration of DVPNs may have contributed to their underuse<sup>3</sup>. Best practice shows that England and Wales' 48 hour period is too short, and it is out of step with most European countries, for example Austria allows up to two weeks. Given the geography of Northern Ireland and the relatively fewer sittings of magistrates courts, we should opt for an approach that is more in line with established practice elsewhere.

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<sup>3</sup> [https://www.parliament.scot/S5\\_JusticeCommittee/Inquiries/DA](https://www.parliament.scot/S5_JusticeCommittee/Inquiries/DA)

**4. Do you agree that there should be multiple routes via which an application for a Domestic Abuse Protection Order can be made?**

Yes.

The more routes available and the fewer obstacles present so that victims can apply for DAPOs themselves, the better outcomes will be. In every instance and insofar as possible, victims should be empowered to apply themselves, rather than having Orders imposed upon them.

This is true both for practical reasons - it is more likely that Orders will be effective if the victim themselves is the applicant - and because doing so respects the personal autonomy of the victim / survivor. Mindful of the suggestion that Notices/Orders can be granted without the consent of the victim and that the application can be made by a third party, we urge that, as far as possible, this be a last resort. Consent of the victim, whose autonomy has already been violated by abusive behaviour, should be of primary concern and honoured wherever possible.

**5. Do you agree that regulations should specify the ‘relevant third parties’ who would potentially be able to apply for a Domestic Abuse Protection Order?**

There must be extremely tight statutory regulations in place regarding the “relevant third parties” e.g. if social services are one of the third parties, it must be a senior social worker with a specialism in family and child welfare. There must also be a provision to ensure that appropriate resources and training are in place to be able to apply for the orders in such a way that does not cause further harm or risk to the women.

As discussed in response to Q.4 there is a risk that third parties may unintentionally force the hand of victims/survivors who are not yet ready to leave an abusive situation, and that fear may inadvertently lead to a reluctance of victims to report for fear that an Order will be applied for against their will. This could effectively send domestic abuse underground again and reintroduce secrecy which so much good work has been done to put a stop to. Ideally only specialist services such as Women’s Aid would be in a position to apply for these Orders as a third party.

**6. Which individuals/organisations should be identified as potential ‘relevant third parties’? Please give reasons.**

We would again stress that it is important not to make a victim/survivor, who already has been coerced to a degree, feel as though the choice is being taken out of their hands. As well as being important for their recovery to feel empowered, it runs the risk of inadvertently isolating

the victim/survivor from agencies that ought to be protecting them. The victim/survivor should be empowered to leave on their own terms if at all possible.

If third parties gain the ability to apply on others' behalfs, consideration should be given to whether health and social care should have the power to apply to the courts for a DAPN/DAPO. Social services routinely deal with situations of abuse and protection of vulnerable people and accordingly would be well placed to handle the complexities of a civil court process like this, and would already have training on the ethical and practice issues involved. It is important that the person at risk would have access to information, advice, representation and support through the process. This would, however, take a considerable amount of money and resources to be able to facilitate this through an already over-stretched social work teams in our local Trust areas in Northern Ireland.

Women's Aid suggests that the most appropriate method for most services may be for services to refer to the police (and social services if deemed appropriate) to request that they consider issuing/applying for an DAPN.

**7. Do you agree that courts should be able to make Domestic Abuse Protection Orders of their own volition during other proceedings, including in criminal trials?**

Yes.

It would be helpful for courts to be able to make these Orders during other proceedings. In order to avoid the risk of the inconsistent application of these provisions, detailed guidance and training should be provided to ensure that these interventions are made in the most effective way possible and to a fixed standard of practice.

**8. Following the introduction of Domestic Abuse Protection Orders across Northern Ireland more generally, and in the longer term, do you agree that courts should be able to impose positive requirements as well as prohibitions as part of the conditions attached to the proposed order?**

Yes.

It should be possible to impose conditions on the subject of the order to prevent them from contacting or approaching the person at risk, or prohibiting them from entering other specified locations in order to prevent approaching the victim/survivor at locations where they frequent as outlined below. The Council of Europe states that "any regulation that is limited only to banning the perpetrator from the residence of the victim, but allows him/her to contact the victim or person at risk in other places, would fall short of fulfilling the obligation under the Istanbul Convention"<sup>4</sup>. Women's Aid have evidence that survivors are frequently stalked and harassed

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<sup>4</sup> <https://rm.coe.int/article-52-convention-istanbul-english-version/168073cae6> p.20

by ex-partners following the breakdown of an abusive relationship, using their access to places that they know they will be, such as their children's schools, their workplaces and more. This provision would be necessary for these orders to be effective.

Other prohibitions could include:

- removal of keys to the victim's home
- prohibition on the perpetrator from returning to, approaching, or entering the home
- prohibition from contacting/approaching the victim and/or children via text, phone or electronic means
- prohibition against damaging the property or evicting or excluding the victim from the home
- prohibition from approaching and entering the victim's workplace, children's school, college, university, gym, nursery etc.
  - prohibition of the removal of property/personal effects of the person at risk or of any child of the family

**9. Do you agree that courts should be able to require individuals subject to a Domestic Abuse Protection Order to notify personal details to the police?**

Yes.

This step is essential so that the DAPN/DAPO can be fully enforced.

**10. If so, what personal details should the courts be able to require individuals to provide to the police?**

- Their name (and other names they may be known as / aliases)
  - Current address and a requirement to notify police if that address changes during the period that the DAPO is active
  - If they are currently in a relationship, and if so name of person
  - Any children/others living in the property
  - Any relevant addiction issues
  - Current medication if relevant

- Any other issues that may be relevant to applying the DAPO including poor mental health

**11. As well as enabling conditions to protect the victim, should it be open to the courts to impose conditions within the Domestic Abuse Protection Order requiring the alleged perpetrator not to approach or contact any associated children?**

Yes.

This is essential to ensure congruence with the new legislation in Northern Ireland introduced by the Domestic Abuse and Family Proceedings Bill. The Bill recognises the serious impact of domestic abuse and coercive controlling behaviour on children. The amendments to the Child Aggravator clause in the Bill also provides vital recognition of the impact of domestic abuse on children, beyond the end of the abusive situation itself, where they have an awareness or understanding of the abuse.

The police, courts (and any other third parties if approved) should have the ability to impose conditions to the children of the victim (not only children living with them), or any children they consider at risk due to the abuse where they consider it necessary to do so, for example children who live in the victim's home if they form a blended family as part of a new relationship.

Further, victims/survivors frequently report that they continue to be abused through contact with children which can result in further harm as a result of this. Child contact is frequently a time that perpetrators try to continue the abuse of the victim/survivor, because the conditions of the DAPO may keep them away from the victim otherwise, and because there may be practical barriers associated with facilitating child handover without face to face contact. It is also well documented that survivors are at most risk of being seriously hurt, harmed or murdered when separating or just having separated, and this time is especially sensitive as a result.

**12. Should provision be made that would, in the longer term, enable courts to be given an express power to impose electronic monitoring as a condition of a Domestic Abuse Protection Order?**

Yes.

It would be important to have strict and careful guidelines as to when this approach should be taken, but there are occasions when this could well be necessary as a safety precaution.

**13. What safeguards should be put in place relating to any use of electronic monitoring with Domestic Abuse Protection Orders?**



The use of this approach has to be met with sufficient resources to make careful monitoring practical; any tool such as this is only as useful as far as the police have the means to fully enforce it.

**14. Do you agree that breach of the proposed order should be a criminal offence?**

Yes.

It is absolutely essential that a breach of a DAPO must be a criminal offence or the Orders will not be an effective or useful deterrent.

The nature of domestic abuse is that perpetrators of domestic abuse are often resistant to being told that they are not allowed to do something, and any such Order must have teeth. In Northern Ireland we already have a problem with regard to the numbers of breaches of NMOs and the perception of victims/survivors and specialist organisations is there is not a strong enough consequence to these breaches. This means that many abusers continue to repeatedly breach orders.

In the interests of justice a test is required that any person who is subject to an Order is made fully aware of the consequences that may follow from the breaching of it. This is similar to the requirement for any accused person to specifically accept any conditions of bail including, where relevant, special conditions.

**15. If you do agree that breach of the proposed order should be a criminal offence, should it be possible for breach to alternatively be punished as a contempt of court?**

No, this should not be the route taken. As well as being a long, cumbersome process to undertake, this approach fundamentally misunderstands that the breach of a DAPO has an immediate victim or victims who are endangered, and whose victimhood and safety should be at the centre of the approach.

**16. Do you agree that courts should have flexibility in determining how long to impose a Domestic Abuse Protection Order for?**

Yes.

With that said there will often need to be long DAPOs imposed. This means that, for the victim/survivor, the matter can be settled for a long time, allowing them to focus on rebuilding their lives rather than on the possibility or worry of constant court dates.

**17. Do you agree that courts should be able to vary or discharge Domestic Abuse Protection Orders either of their own volition or at the request of the victim, or alleged perpetrator, or the applicant?**

No, not in general.

There are insufficient safeguards to ensure that the concerns of the victim/survivor would be taken on board, and the impact on their mental health of any such uncertainty could potentially be severe. Orders should remain in force for the specified period, to provide this security prevent continued revictimisation of survivors, as well as to send a strong message to abusers and to society about the severity of the situation and of domestic abuse more broadly.

With that said, specialists in domestic abuse do stress that victims do sometimes return to abusive relationships after relationships may appear to have ended, even doing so multiple times on occasion. Some variation may be appropriate in these specific cases, and only at the discretion of the victim/survivor.

**18. What safeguards should be put in place to ensure that the Domestic Abuse Protection Order is not varied or discharged because the victim is being pressurised by the alleged perpetrator?**

This question recognises that part of the nature of Domestic Abuse is the way in which it can influence the behaviour of the victim/survivor such that they may appear to make choices that are not in their own best interests. This can be difficult to mitigate against in some circumstances. One vital part will include a commitment not to vary the terms of the Order except in very specific circumstances, and the inclusion of places outside of the victim/survivors home in the terms of the Order, so that the perpetrator will have less opportunity to influence or pressurise the survivor.

Safeguards should also be in place in relation to risk assessments for the victim/survivor and or any relevant children, young people or adult dependants. These risk assessments should be fluid, dynamic and consistent during the duration of the order.

**19. Do you have any views about how the Domestic Abuse Protection Notice/Order process can contribute to better perpetrator management?**

As outlined above in response to Qs. 12 and 13, monitoring is vital but also must be adequately resourced if it is to be effective. Monitoring can also be an opportunity for rehabilitation of perpetrators. Properly done, this could be a time for the perpetrator to address their abusive behaviour and the attitudes and beliefs that so often underpin the behaviour. This in turn will help to prevent repeat and serial offending which is a serious issue in relation to domestic abuse cases in NI and around the world.

There could be, for example requirements to attend a perpetrator intervention programme, attend a mental health assessment, attend an assessment for drugs and alcohol and to seek treatment where this is necessary, parenting programmes etc. There are specialist agencies, organisations and treatment programmes in place that can provide much of these specialisms, but these would need to be adequately resourced to do so - an investment that would almost certainly reap rewards in terms of reduced burdens on police time and other costs associated with the scourge of domestic abuse.

**20. How can we ensure that the alleged perpetrator is not able to use the DAPN/DAPO process to further abuse a victim?**

This is a serious issue that exists at present with regard to NMOs and it is, to an extent, a function of the nature of domestic abuse. The loss of control by the perpetrator inherent in the end of a relationship can act as a trigger for an increase of abusive behaviour or an escalation into violence. We know that victims/survivors are often most at risk in the period immediately around the end of the relationship, and since children are so often involved it can be difficult for victims to completely avoid the perpetrator, even when they do respect the NMO in other circumstances - which often they do not.

Therefore, there must be strict monitoring of the Order to ensure adherence. Positive, proactive and regular engagement with the victim/survivor is also vital, ideally they should be given advice that errs on the side of caution and they must have fears and worries taken seriously and addressed promptly. This engagement needs to keep the victim informed of any conditions that have been breached or concerns there are with regard to the notice or order. There also needs to be appropriate robust risk assessments in place that are kept up to date.

**21. It is intended to pilot DAPNs and DAPOs in two geographical locations. Do you have any views on this?**

Ideally, this would be available to all victims/survivors without respect to location, to avoid creating an unevenness in delivery and a hierarchy of victims. If the pilot covering only two locations goes ahead it should be short; Women's Aid urges no more than one year. It should also be robustly evaluated with a victim/survivor centred approach.

**22. Do you have any views as to the two locations that Domestic Abuse Protection Orders could be piloted in, possibly Belfast and one 'more rural' area (dependent on numbers)?**

With the proviso that we would prefer to see this rolled out across NI, if it must be piloted in two areas only, one should be urban, and one rural.

This is because of the issues that we anticipate will be especially obvious in rural areas, such as we outlined in response to Q. 3 around access to Courts and indeed differences like the speed of police responses in the event of a breach, and access to support for both victims and perpetrators. In addition the issue of the need for housing for an abuser who is obliged to leave what was their home because of abuse could be especially relevant in rural areas, which in itself can make a "clean break" separation more difficult and could even prolong abusive relationships.

**23. Do you have any other comments you wish to make regarding the introduction of Domestic Abuse Protection Notices and Orders?**

Much of the substance of our answer on this is covered in the remaining questions, particularly in answers to Q. 24, Q.25 and Q27, however, briefly:

1. DAPNs and DAPOs have the potential to be very useful, even transformative, if adequately resourced in terms of finances and training
2. There should not be a financial penalty associated with being the victim of domestic abuse or violence
3. Since domestic abuse and violence form such a large part of police work and take such a toll on the public purse, consideration should be given to ways to prevent and divert such behaviour - this could alleviate financial burdens in the long term
4. In any approach, the welfare of the victim/survivor should be, as far as possible, centred in the way that all state bodies engage with this issue

**24. Do you have any comments to make on the potential implications the introduction of Domestic Abuse Protection Notices and Orders may have on equality, in terms of the impact of the proposals for different groups?**

Potentially the impact on those who presently suffer the greatest burden of domestic abuse could be very significant. Properly actioned, these Orders could free people living in abusive situations to live fuller lives than they otherwise would have. They could also be partnered with significant interventions to help address the causes of domestic abuse and to alleviate the long term impact of domestic abuse through intervention and rehabilitation.

At the same time there are concerns about the financial impacts of the Orders. Victims must not be required to pay a fee for a DAPO, justice must be available to all or it is not justice in anything but name and safety must not come at a price. This cost is presently an issue with regard to the current system for Non-Molestation Orders and Occupations Orders and it means, in practice, that this protection is available only to those who have the means to afford it.

Related to this, we must consider the cost of the court fees incurred by the police in the first instance when applying for a DAPN and then any subsequent DAPO. There would need to be sufficient funding in place during the pilot to allow the police to take a decision to apply for a DAPN and DAPN for a victim based on risk and risk alone. It is unfair, impractical and dangerous to ask police to be the arbiters of who deserves or needs this help and who does not.

As a matter of urgency resources must be committed to make the introduction of enhanced legal protections for victims of domestic abuse to work. All agencies and staff involved need adequate funding and resources to equip them to recognise domestic violence and abuse, coercive control, signs and symptoms in order to respond appropriately and adequately.

Resources also need to be allocated to ensure that victims/survivors have the practical means at their disposal to leave an abusive situation and then to build a life thereafter. Dr. Racheal Killeen argues that “a holistic response would require engagement with the ongoing impacts of austerity and welfare reform on communities, particularly those with intersecting vulnerabilities. A lack of access to safe and affordable housing, funding cuts to support agencies and

inadequate health and social services all contribute to a situation in which remaining at home may be the lesser evil. Resources that are being directed into the criminal legal system might better be spent providing economic and housing support for victim-survivors. On a smaller scale, policies that enable emergency housing or secure tenancies for victim-survivors, and which grant victim-survivors paid leave, might be explored.”<sup>5</sup>

**25. Is there an opportunity to better promote equality of opportunity or good relations as part of the proposals?**

In Northern Ireland, like elsewhere in the world, marginalised groups are especially susceptible to domestic abuse and violence, and this is partially because they may have less engagement with state agencies and support structures for a variety of reasons and due to their circumstances. Disabled women are especially vulnerable and suffer domestic abuse at a much higher rate than their abled counterparts, partially because their abuser may also be their carer.<sup>6</sup> Migrants who may not be fully fluent in the language or who may worry about their immigration status may struggle to engage with services, BAME people and LGBT+ are similarly marginalised and often less comfortable engaging with available services.

Across the board and for all demographics, we should note that a Home Office evaluation of EBOs in England and Wales which identified cultural attitudes of the police as a barrier to effective implementation and they recommended further training to encourage greater use of the orders. Training of this sort, especially culturally competent training which takes into account the barriers that some marginalised communities experience at higher rates, is vital.

**26. Do you have any comments on the potential implications the introduction of Domestic Abuse Protection Notices and Orders may have on human rights?**

Respecting the human rights of all parties involved in a domestic abuse situation is important in order to ensure that the provision is both ECHR compliant and has the confidence of the police as the implementing body and of the Courts, as well as important morally. The UK has also signalled its intentions to ratify the Istanbul Convention, and therefore embodying the spirit of this Convention is important in order that the legislation be compatible.

In saying this, we would reiterate that the human rights of victims/survivors experiencing domestic abuse, particularly their rights to a private and family life under Article 8 of the ECHR, have long taken second place to those of perpetrators. This is highlighted by the demand and high occupancy within Women’s Aid refuges in Northern Ireland. We also cannot ignore the fact

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<sup>5</sup> <https://nilq.qub.ac.uk/index.php/nilq/issue714-article2>

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/480942/Disability\\_and\\_domestic\\_abuse\\_topic\\_overview\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/480942/Disability_and_domestic_abuse_topic_overview_FINAL.pdf) p.10

that this is a gendered crime<sup>7</sup> with a very high proportion of perpetrators being men, and taking a gender-blind approach to this is not always appropriate if we are aiming for justice. There is an intrinsic link between the high incidence of women and children and homelessness because of domestic abuse and the women who lose their right to remain in the family home. Men who are victims deserve the same degree of support and quality of services as women who are victims, but to really get to terms with the nature of domestic abuse the issue must be understood with regard to its roots.

**27. Do you have any comments on the potential implications the introduction of Domestic Abuse Protection Notices and Orders may have in rural areas?**

As outlined in our answer to Q. 22, there will be particular impacts and implications for DAPOs and DAPNs in rural areas. These must be mitigated against as much as possible so that a DAPO in rural Fermanagh has the same power as a DAPO in central Belfast. Many are connected with resources and training, and therefore must be considered alongside earlier remarks on resourcing DAPOs fully in order to ensure they are workable.

In research conducted by the National Rural Crime Network in 2019: *Captive & Controlled Domestic Abuse in Rural Areas - isolated, unsupported, and unprotected, victims failed by the system, services and those around them* a number of potential implications are outlined that must be addressed.<sup>8</sup> These are as follows:

1. Abuse lasts, on average, 25% longer in the most rural areas
2. The policing response is largely inadequate
3. The more rural the setting, the higher the risk of harm
4. Rurality and isolation are deliberately used as weapons by abusers
5. Close-knit rural communities can facilitate abuse
6. Traditional, patriarchal communities often control and subjugate women
7. Support services are scarce – less available, less visible and less effective
8. Retreating rural resources make help and escape harder - a lack of funding for rural areas as a whole impacts all areas of rural life
9. The short-term, often hand-to-mouth funding model has created competing and fragmented service provision
10. An endemic data bias against rural communities leads to serious gaps in response and support

We would urge the Department of Justice to look at the recommendations within the report to further inform their work within the rural communities, It is also important to liaise with the local rural community here in Northern Ireland as they also have their own specific needs as well as their own voices and priorities, and have done primary research to support this<sup>9</sup>.

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<sup>7</sup> <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/domestic-abuse-is-a-gendered-crime/>

<sup>8</sup> <https://www.nationalruralcrimenetwork.net/news/captivecontrolled/>

<sup>9</sup> [https://www.nirwn.org/wp-content/uploads/2016/12/WCRP\\_Women\\_\\_Violence\\_Report\\_Final.pdf](https://www.nirwn.org/wp-content/uploads/2016/12/WCRP_Women__Violence_Report_Final.pdf)

**28. Do you have any comments you wish to make regarding the financial impact of the introduction of Domestic Abuse Protection Notices and Orders?**

We would again urge the Department of Justice to take seriously our repeated calls for funding to be allocated to all of the following:

1. Training for police, the legal system and any third parties empowered to apply for DAPNs/DAPOs
2. Funding for police so that they can apply for DAPNs or DAPOs on the basis of need and not unduly burdened by financial concerns
3. Funding to be allocated so that victims/survivors do not have to fund applications for DAPNs or DAPOs themselves
4. Funding for domestic abuse support services across the board
5. Particular care to be paid to ensure that more marginalised communities receive the funding and support that they need
6. Robust rural proofing of funding and training allocation
7. Consideration be given to investing in housing provision for victims/survivors and their families and to rehabilitative work with perpetrators.

Elaine Crory for Women's Policy Group