



Department of
Justice

An Roinn Dlí agus Cirt
Máinnystrie O tha Laa

Abusive Behaviour in an intimate or family relationship – Domestic Abuse Offence

Statutory Guidance

Part 1 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 and other matters as to criminal law or procedure relating to domestic abuse in Northern Ireland

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CHAPTER 1 – INTRODUCTION

Overview of the legislation

- Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021
- A course of behaviour
- Who can commit the offence
- What behaviours are criminalised – five strands of dependency, isolation, control, restriction of freedom, humiliation etc.
- Where and when does the offence apply
- Conditions for the offence to apply
- Defence
- Penalties
- What about single incidents of abuse
- What about children (to include child aggravators)

1.1 The offence closes a gap in the law by **criminalising a course of abusive behaviour**, that is behaviour that occurs on two or more occasions, against an intimate partner, former partner or close family member. Abusive behaviour includes controlling or coercive behaviour, psychological abuse, emotional abuse, financial abuse and economic abuse. This ensures that protection is not limited to physically violent behaviour. The offence can also capture physical violence, sexual violence and threatening behaviour if that is present.

1.2 The offence was introduced following a public consultation in Spring 2016 when respondents called for the law to change to:

- criminalise psychological abuse of a partner, ex-partner or family member;
- recognise the repetitive nature of domestic violence and abuse; and
- reflect the victims' and survivors' experience.

1.3 The following quotes from victims and survivors who took part in the consultation process highlighted the need for a new domestic abuse offence that captures non-physical abusive behaviour:

"I am so broken. They have broken me from the mental torture."

"You think that you are going mad, and they tell you that you are mad and that it is all in your head."

"I used to be a project manager. I was in charge of millions of pounds worth of contracts. But all that changed during my marriage. I remember sitting in my mother-in-law's house one day. I had lost my job and my self-esteem. Someone came over to visit her, and he turned to me and asked me what I thought of something. I just remember feeling so shocked that anyone would talk to me or want my opinion on anything. Over 17 years, I went from being a confident, smart, independent person to being a shadow even in the company of my in-laws."

“For the majority of people, this is how the violence starts. They tell you what to do, how to dress, who you are allowed to talk to and be friends with. The control leads to the violence, it builds up to it. It will always lead to more.”

“It’s not victims being ‘sensitive’, it’s someone systematically picking on your weaknesses and using the intimate things you’ve shared with them against you.”

1.4 The offence mainly reflects the Government’s definition of domestic violence and abuse:

“threatening, controlling, coercive behaviour, violence or abuse (psychological, virtual, physical, verbal, sexual, financial or emotional) inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability) by a current or former intimate partner or family member.”

1.5 It also reflects the vision in the [Stopping Domestic and Sexual Violence and Abuse Strategy](#) when the offence was enacted:

‘To have a society in Northern Ireland in which domestic and sexual violence is not tolerated in any form, effective tailored preventative and responsive services are provided, all victims are supported, and perpetrators are held to account.’

1.6 Domestic abuse captured by the domestic abuse offence covers a course of psychologically abusive or violent behaviour (or both) that is either intentional or reckless, and which typically takes place over time in order for one individual to exert power over another.¹ For the offence to occur there must be more than a single incident of abusive behaviour, forming a course of behaviour (although single incidents of domestic abuse may be aggravated by domestic abuse – see paragraph 1.11 for more detail).

1.7 The offence applies to both adults and those under 18. Abuse against a child under 16 years of age, by a person who has parental responsibility for that child, is excluded from the scope of the offence (this type of abuse should be dealt with under child protection provisions such as section 20 of the Children and Young Person Act (Northern Ireland) 1968). However, an offence may be committed where a person makes use of a third party (including their child) to abuse another person. Abusive behaviour of a young person aged 16 or 17 by a person who has parental responsibility for them is also captured by the new domestic abuse offence.

1.8 Harm does not have to be caused, rather an offence will be committed where a reasonable person would consider the behaviour likely to cause harm. A defence may be that the behaviour in the particular circumstances of the case is deemed to be reasonable (for example, to ensure the safety of a spouse or partner who may be endangered as a result of a medical condition).

1.9 The legislation also includes two child aggravators, where the offence is aggravated by virtue of the involvement of a young person. The first aggravator

¹ There is no set timeframe over which the course of behaviour must take place, rather it is dependent on the circumstances of the case.

applies to the domestic abuse offence where the victim is under 18. The second aggravator applies where:

- a child saw, heard or was present during an incident of abuse;
- a child is used to abuse another person;
- abusive behaviour is (or threatened to be) directed at a child; or
- a reasonable person would consider that the behaviour would be likely to adversely affect the child

enabling the sentencing to be increased up to the maximum available. The Act also makes provision that a child cruelty offence will apply in relation to non-physical ill-treatment of a child aged under 16.

1.10 In addition, the legislation provides for any other offence, other than the domestic abuse offence, to be aggravated where it involves domestic abuse. This could be with, for example, criminal damage, assault or a sexual offence which involves domestic abuse. This enables the court to increase the sentence, to the maximum available, where domestic abuse has occurred but it does not form a course of behaviour or is a single incident. Further information on domestic abuse and the domestic abuse offence in Northern Ireland can be accessed at www.daart-ni.co.uk.

Aims of the guidance

1.11 This guidance is published and issued by the Department of Justice as statutory guidance under section 30 of the Act. The Department must issue guidance about Part 1 of the Act (that is the domestic abuse offence and aggravation) and other matters on domestic abuse that it considers appropriate. Where this relates to public functions being exercised by a body, regard must be had to this guidance.

1.12 The guidance applies to abusive behaviour carried out in Northern Ireland as well as abroad (where the accused is normally resident in Northern Ireland). The guidance should:

- be used by the police, social services and criminal justice agencies investigating offences (or joint protocol cases);
- assist those taking forward criminal proceedings for the domestic abuse offence;
- guide the Probation Board for Northern Ireland in their assessment and analysis for the courts at pre-sentence stage;
- assist the work of non-governmental organisations and voluntary organisations;
- inform educational tools to raise awareness of the new domestic abuse offence; and
- provide information on domestic abuse, and the domestic abuse offence under the Act, to those interested in the subject area (including anyone affected by domestic abuse).

1.13 The guidance includes information explaining:

- What domestic abuse is;
- The new domestic abuse offence, when it applies, and what constitutes abusive behaviour for the purposes of the new offence;
- The child aggravators and domestic abuse aggravator;
- The required police response;
- The impact of domestic abuse on victims (including children and young people);
- Support available for victims engaging in criminal proceedings;
- Courts and sentencing in relation to the new offence;
- The role of other statutory and non-statutory organisations in responding to domestic abuse;
- Other legal remedies available (non-molestation orders, occupation orders and restraining orders);
- Summary of the provisions in Part 1 of the Act; and
- A list of support organisations in Northern Ireland.

Reporting domestic abuse

1.14 The police are there to help anyone suffering domestic abuse and they are committed to bringing offenders to justice. They work closely with partner organisations to provide help, support and guidance to those in need. If someone is in immediate danger or feels threatened, or knows somebody else who is in immediate danger or feels threatened, they should call 999 (18000 for text phone users) and ask for the police. If someone is in danger, but unable to talk on the phone, they should dial 999 and listen to the instructions.

1.15 **The police have a Silent Solutions system which enables a 999 mobile caller who is too scared to make a noise, or speak, to press 55 when prompted – to inform police they are in an emergency situation.** Anyone needing assistance or advice concerning domestic abuse in a non-emergency situation can call the police on 101 or call into their local police station. They can also contact the police online. Further information is available at www.psni.police.uk/crime/domestic-abuse/what-can-i-do/

CHAPTER 2 – WHAT IS DOMESTIC ABUSE?

Forms of domestic abuse

Domestic abuse can include but is not limited to:

- controlling or coercive behaviour;
- psychological/emotional abuse;
- physical abuse (including violent – physical and sexual – or threatening behaviour);
- sexual abuse;
- economic and financial abuse;
- online and technological abuse;
- abusive behaviour (which may encapsulate the above):
 - making the victim dependent on the abuser;
 - isolating them from friends, family members or other sources of social interaction or support;
 - controlling, regulating or monitoring their day to day activities;
 - depriving or restricting their freedom of action; or
 - making them feel frightened, humiliated, degraded, punished or intimidated.

What is domestic abuse?

2.1 Domestic abuse is a form of trauma and can include, but is not limited to, the following:

- **Coercive control** – controlling or coercive behaviour that can take the form of an act or number of acts of assault, threats, humiliation and intimidation, or other abuse that is used to harm, punish or frighten the victim. This behaviour is designed to make a person dependent on their abuser by isolating them from support, exploiting them, depriving them of freedom of action and/or regulating their everyday behaviour.
- **Psychological/emotional abuse** – which can include verbal abuse (yelling, insulting or swearing at the victim), rejection and gaslighting (making the victim doubt themselves, including their sanity, by manipulation of the truth), put-downs, publicly embarrassing them or blaming them for everything. The aim of emotional abuse is to chip away at the person's feelings of self-worth and independence, leaving them feeling that there's no way out of the relationship, or that without the abuser, they have nothing.
- **Physical abuse** is any physically aggressive behaviour and/or indirect physically harmful behaviour. This may include, but is not limited to, a range of violent acts such as hitting (with or without an object), kicking, biting, slapping, shaking, punching, choking, beating, scratching, pinching, pulling hair, burning, threatening with a weapon or threatening to physically assault.

- **Sexual abuse** is any situation when a person is forced (without consent) to participate in unwanted, unsafe or degrading sexual activity. Forced sex, even by a spouse or intimate partner with whom you also have consensual sex, is an act of sexual abuse.
- **Economic and financial abuse** is where one person deprives their partner or family member of financial resources or the ability to make money. This creates a financial dependency, controlling them or preventing them from leaving the relationship.
- **Online and technological abuse** is where abusers exploit the use of technology, social media or other online means to control or coerce victims.

Overlap between domestic abuse and other types of abuse

2.2 Victims of domestic abuse may often also experience other types of abuse, many of which are offences in their own right, but may also be captured by the domestic abuse offence depending on the circumstances of the case.

2.3 Stalking or Harassment: This may be described as unwanted, fixated and obsessive behaviour. It can cause fear of violence or serious alarm or distress to the victim. Separate legislation deals with a new offence of stalking. Similar to domestic abuse it affects more women and girls. However, men and boys may be victims too and it affects people of all ages and backgrounds, particularly once a relationship has ended.

2.4 'Honour-based' abuse: This is typically committed to protect or defend the perceived honour of the family or when individuals try to break from 'norms' of behaviour that their community is trying to impose. It is most commonly experienced by victims from close-knit or closed communities with a strong culture of 'honour' such as some immigrant, travelling and closed religious communities as well as other isolated social groups. It can happen to both men and women.

2.5 Forced Marriage: This is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised, or abuse is used, to force them to do so.

2.6 Female Genital Mutilation: This is a form of violence against women and girls. As this is generally inflicted upon children and young people, it is considered to be a type of child abuse.

2.7 Modern Slavery: Modern slavery takes many different forms, both within and outside personal relationships. Where there is evidence of this type of exploitation in a relationship it is an offence. In some cases, the domestic abuse offence may also apply, for example, in cases of forced labour within a family relationship.

2.8 Non-fatal strangulation: This is when strangulation, or choking, does not result in death. This is a known 'high-risk' indicator in domestic abuse cases,

demonstrating a serious and often escalating form of abuse. It can leave little or no marks on the body, yet it is extremely dangerous. It can lead to homicide and should not be overlooked or minimised. It is usually carried out by men against women though men can also be victims, particularly in same sex relationships. It can be used to exert power, control and instil fear. This will be an offence later in 2023.

2.9 There are also links to sexual exploitation and forced prostitution. An abuser may force or coerce a victim into exchanging sex for drugs, alcohol or money, or committing a crime, such as theft, to pay for drugs or alcohol for them. Sexual exploitation can also include where an emotional, protection or attachment need in the victim is exploited by the abuser.

CHAPTER 3 – THE DOMESTIC ABUSE OFFENCE

Are the domestic abuse offence conditions met?

- A course of abusive behaviour;
- two or more occasions;
- individuals personally connected – intimate (including previous) relationship, partner, former partner or close family members;
- reasonable person would consider the behaviour likely to cause physical and/or psychological harm (including fear, alarm and distress);
- the accused intends to cause harm or is reckless as to this; and
- harm does not have to be caused.

Abusive behaviour

- Behaviour (including towards others) that would have the effect of:
 - making the victim dependent on the abuser;
 - isolating them from friends, family members or other sources of social interaction or support;
 - controlling, regulating or monitoring their day to day activities;
 - depriving or restricting their freedom of action; or
 - making them feel frightened, humiliated, degraded, punished or intimidated.
- violent behaviour (includes both physical and sexual); or
- threatening behaviour.

This is not an exhaustive list.

Abusive behaviour could include (but is not limited to) coercive control, psychological/emotional abuse, physical abuse, sexual abuse, economic abuse as well as online and technological abuse.

Domestic abuse offence

The domestic abuse offence

- 1.—**(1) A person (“A”) commits an offence if—
- (a) A engages in a course of behaviour that is abusive of another person (“B”),
 - (b) A and B are personally connected to each other at the time, and
- I both of the further conditions are met.
- (2) The further conditions are—
- (a) that a reasonable person would consider the course of behaviour to be likely to cause B to suffer physical or psychological harm, and
 - (4) (b) that Ai) intends the course of behaviour to cause B to suffer physical or psychological harm, or
 - (ii) is reckless as to whether the course of behaviour causes B to suffer physical or psychological harm.
- (3) The references in this section to psychological harm include fear, alarm and distress.
- (4) The offence under this section is to be known as the domestic abuse offence.

What amounts to abusive behaviour

- 2.—**(1) This section contains provision for determining for the purposes of this Chapter when behaviour of a person (“A”) is abusive of another person (“B”).
- (2) Behaviour that is abusive of B includes (in particular)—
- (a) behaviour directed at B that is violent,
 - (b) behaviour directed at B that is threatening
 - (c) behaviour directed at B, at a child of B or at someone else that—
- (i) has as its purpose (or among its purposes) one or more of the relevant effects, or
 - (ii) would be considered by a reasonable person to be likely to have one or more of the relevant effects.
- (3) The relevant effects are of—
- (a) making B dependent on, or subordinate to, A,
 - (b) isolating B from friends, family members or other sources of social interaction or support,
 - (c) controlling, regulating or monitoring B’s day-to-day activities,
 - (d) depriving B of, or restricting B’s, freedom of action,
 - (e) making B feel frightened, humiliated, degraded, punished or intimidated.
- (4) In subsection (2)—
- (a) the reference in paragraph (a) to violent behaviour includes both sexual violence and physical violence,
 - (b) in paragraph (c), “child” means a person under 18 years of age.
- (5) None of the paragraphs of subsection (2) or (as the case may be) (3) is to be taken to limit the meaning of any of the other paragraphs of that subsection.

Impact of behaviour on victim

- 3.—**(1) The domestic abuse offence can be committed whether or not A’s behaviour actually causes B to suffer harm of the sort referred to in section 1(2).
- (2) A’s behaviour can be abusive of B by virtue of section 2(2)(c) whether or not A’s behaviour actually has one or more of the relevant effects set out in section 2(3).
- (3) Nothing in this Chapter prevents evidence from being led in proceedings for the domestic abuse offence about—
- (a) harm actually suffered by B as a result of A’s behaviour,
 - (b) effects which A’s behaviour actually had on B.
- (4) In this section, “A” and “B” are as referred to in section 1 or (as the case may be) 2.

Where the domestic abuse offence applies

3.1 Sections 1, 2 and 3 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 contain a domestic abuse offence for Northern Ireland (see above for wording). The offence came into force on 21 February 2022. . It does not apply before this date and does not cover abusive behaviour before that date. A summary of the domestic abuse offence legislation is provided at **Annex A**.

3.2 Where a child is experiencing abuse, and where a child is engaged in harmful behaviours, Safeguarding Board for Northern Ireland (SBNI) Core Policy and Procedures <https://www.proceduresonline.com/sbni/#> must be complied with. The response to this should be child-centred, seek to prevent further harm and promote recovery.

3.3 It is an offence for a person to carry out a **course of behaviour** which is abusive of someone that they are (or have been) **personally connected to** (see paragraph 3.7 for the relationships which this covers). A course of behaviour involves behaviour on **at least two occasions**. This is to capture abuse that typically occurs over a period of time¹ in order for an individual to exert control over another.

3.4 Two further conditions must be met for the offence to be committed. These are:

- that a reasonable person would consider that the behaviour in question would be **likely** to cause physical and/or psychological **harm** (hurt or damage, including fear, alarm and distress)² and;
- that the behaviour is carried out with the **intent** to, or is **reckless**³ as to whether or not it would, cause such **harm**. This condition could be met, for example, where the abuser is repeatedly verbally abusive and demeaning towards their partner/connected person but claims that they did not intend the behaviour to cause harm, and the court is satisfied that the accused's behaviour would cause such harm.

3.5 Some victims may 'normalise' abusive behaviours, coercive control or physical abuse or not realise that they are a victim or domestic abuse. To ensure that abusers do not escape justice in this way, **harm does not actually have to be caused to the victim for the offence to apply**. What is important is that there is abusive behaviour, it would be considered to cause harm and the abuser intended to cause harm (or was reckless as to this).

3.6 The offence applies to all victims of domestic abuse in Northern Ireland, except where there is parental responsibility (see paragraph 1.7). It applies to offenders who are over the age of criminal responsibility (age 10). However, where

¹ There is no set timeframe over which the course of behaviour must take place, rather it is dependent on the circumstances of the case.

² The court would also be entitled to take account of any particular vulnerability of the partner/connected person, in considering whether the offender's behaviour would be likely to cause them to suffer physical and/or psychological harm.

³ Disregarding the consequences or danger; lacking caution; rash.

the offender is under 18 years of age, other interventions including diversionary disposals may be considered in the first instance. Any response should be commensurate with the child's age, maturity, needs and understanding. Where the offender is under 18 prosecutors will give particular consideration to diversion in appropriate cases.

Relationships covered by the domestic abuse offence

3.7 The domestic abuse offence covers a range of relationships. It includes those that:

- are, or have been, married;
- are, or have been, in a civil partnership;
- live together (or have lived together) as if they were married or in a civil partnership;
- are or have been in an intimate personal relationship – this is intended to cover relationships between two individuals (including young/teenage and same-sex relationships), although the relationship need not be sexual, nor long-term; or
- are close family members.

3.8 A close family member includes a person's parent,¹ grandparent, child or step-child, grandchild or sibling (including half siblings). It also includes a person's 'in-laws' (the parent, grandparent, child, grandchild or sibling of the person that they are in a relationship with i.e. their spouse, civil partner, or someone they live with as if they are married or in a civil partnership). Half-blood and step-relationships are also covered. Relationships where an adult has parental responsibility for a child under 16 (including foster and kinship relationships) would come under the parental responsibility exclusion.

3.9 It is important that the offence covers not only what may typically be considered domestic abuse, that is in the context of an intimate relationship, but also covers familial abuse such as abuse of parents or grandparents as well as abuse of close family members more generally.

Intimate partner abuse

3.10 Domestic abuse most commonly takes place in, but is not limited to, intimate partner relationships. During 2020/21 almost **three in five relationships** between the domestic abuse victim and offender were categorised as current or ex-spouse (partner, girlfriend/boyfriend etc.). **Just under a quarter** were **parent and child** relationships while 11% were other familial relationships.

3.11 The majority of domestic abuse incidents are carried out against women (69% of victims), but it is important to note that just under a third of victims are male. Domestic abuse does not just take place in heterosexual or young relationships. *Anyone* can be a victim of domestic abuse including those in the LGBTQIA+

¹ In relation to domestic abuse against a child by their parent, the offence only applies if the child is over 16 years of age. If the child is under 16, child protection provisions should be considered.

community as well as older people.

3.12 Intimate partner abuse can involve or be carried out alongside abuse by other family members and in extended family households or settings, particularly where the victim is living with the abuser's family.

3.13 Abuse can often carry on, or escalate, even when a relationship has ended and can cause ongoing harm. This can include physical, emotional, sexual and economic abuse and may also be carried out alongside stalking and harassment. There is evidence to show that victims are at much greater risk of domestic homicide at the point of separation, or after leaving an abusive partner, and it is important victims are offered appropriate support (see **Annex B**).

3.14 Domestic abuse between those in relationships can happen at all ages, not just in adult relationships. Domestic abuse in teenage relationships, or abuse of a teenager by an older person, can be just as severe and life threatening as abuse between two adults. Where relationships have started at an early age this may carry on for a number of years. Young people who experience domestic abuse do so at a particularly vulnerable point in their lives.¹ Many young people who experience domestic abuse will not have a family life with the abuser and will not share finances or a family home. Therefore, it can be difficult for them to recognise and accept that they are experiencing, or have experienced, domestic abuse, and therefore may remain hidden.

Familial abuse

3.15 While intimate partner abuse may be more common, and what is traditionally thought of as domestic abuse, familial abuse poses different challenges and may be less easily recognisable (by both criminal justice organisations as well as the wider public). It is important that it is treated as domestic abuse and captured by the domestic abuse offence. A number of types of familial abuse are listed below by way of example; there may be others.

Abuse of older people

3.16 As with other domestic relationships, older victims are often dependent on their abuser, whether this be an intimate partner or a close family member. This dependence can increase with age, making the person more vulnerable to abuse and less likely to gain independence from their abuser. Where domestic abuse of older people is identified consideration should be given to whether there is a need to consult with Adult Services to identify appropriate care.

Child to parent/grandparent abuse

3.17 Child to parent abuse falls within the definition of domestic abuse. This includes abuse of parents or grandparents by adult children, as well as by younger children. In all cases, parents/grandparents may be frightened, ashamed or simply not know how to effectively address the situation and should be offered support,

¹ [Link to report - Safe Young Lives: Young People and domestic abuse](#)

relevant information and referral to relevant services. This type of abuse can occur in any family and can be psychological or physical. It may also entail financial or emotional abuse.

Sibling abuse

3.18 Sibling abuse involves abusive behaviour of one sibling by another. It may begin at any age and falls within the definition of domestic abuse. Again it can happen in any family and is sometimes seen where siblings are forced to work together or live in very close proximity. Depending on the particular circumstances of the case, abusive behaviour against a sibling could be captured by the domestic abuse offence, regardless of the age of the victim, assuming that the abuser is over the age of criminal responsibility. That being said, sibling abuse between children and young people should be directed to Children's Social Services. SBNI Core Policy and Procedures <https://www.proceduresonline.com/sbni/#> must be complied with in the first instance and the offence only considered where appropriate child protection provisions are unavailable.

What constitutes abusive behaviour for the purpose of the offence

3.19 Psychological abuse or controlling or coercive behaviour (see Chapter 2), that could not previously be prosecuted under existing offences, constitutes abusive behaviour for the purpose of the offence.¹ Behaviour which is violent or threatening (including both physical and sexual violence – see Chapter 2) also constitutes abusive behaviour.

3.20 Abusive behaviour also captures behaviour that an individual directs at someone personally connected to them for the purpose of having certain effect(s) (see paragraph 3.25) on that person. It also includes where a reasonable person would consider it likely to have that effect(s). The behaviour could also be directed at a child, or another person, for the purpose of abusing the individual.

3.21 It is important to bear in mind that abusers can be imaginative in how they abuse an individual and also in the consequences of disobeying. The behaviour is usually personalised, meaning something to the victim but not apparent to anyone else. Indeed, some abusers may use the fact that the behaviour appears trivial to make their victim question their sanity. Others may use 'gas-lighting' techniques where they try to convince the victim that they are wrong about something even when this is not the case. All these types of abuse involve the need to exercise power and control over the victim.

3.22 A key element of abusive behaviour is that it may progress or develop over a period of time and can be repetitive in nature. Abuse may often appear routine and so-called low-level but, taken as a whole, it can cause the build-up of constant anxiety and fear. It can also create an environment in which increasingly harmful conduct is perceived as normal by the victim, often as a result of isolation from family

¹ Psychological abuse could previously be prosecuted under s42 or s47 under the Offences Against the Person Act 1861. Assaults which require actual bodily harm, as psychiatric injury/psychological damage can amount to actual bodily harm.

and friends.

3.23 A one-off incident, or ongoing behaviour, which is considered by a reasonable person to be normal friction in a relationship does not constitute abusive behaviour. One way of viewing abusive behaviour is to see it as a form of bullying or harassment in the relationship, with the victim experiencing a generalised sense of fear, alarm or distress. It is sometimes compared to grooming. If the level of management is sufficiently high, the victim may question their own behaviour and believe that any allegations made against the abuser are false. The cumulative impact of the abusive behaviour is crucial.

3.24 Individual characteristics such as a disability, membership of a closed or marginalised community, or being a non-English speaker can increase the risk of isolation for a victim and make it easier for a person to carry out abuse unnoticed. For example, a victim's medical condition may be known to the abuser who takes advantage of that information, or a victim may be transgender but not want that to be common knowledge. An abuser who knows that fact can take advantage of that knowledge to manipulate the victim's behaviour.

3.25 Some of the effects of domestic abuse are set out below. Abusive behaviour may give rise to several of these listed effects. However, the effects are **non-exhaustive** and abusive behaviour can take many additional forms over and above this. What will be crucial is whether there is a course of behaviour (on two or more occasions), the behaviour is abusive, a reasonable person would consider it such and the abuser intends to cause harm or was reckless as to whether or not it would cause harm. It will remain open to the court to decide, in any individual case, that the accused's behaviour was abusive. It is not necessary to prove that the effects of the behaviour have been actually suffered, or that harm has been caused, for the offence to have been committed. The following effects are by way of example.

Making the connected person dependent on or subordinate to them

This could include, for example:

- preventing or controlling access to money or providing a menial allowance;
- refusing to contribute to household income;
- forcing them to leave their job so that they have no money of their own;
- forcing them to work multiple jobs to 'provide' for the family;
- not allowing them to spend any money unless 'permitted';
- manipulation of family finances due to the 'need' of the abuser to use drugs/gamble etc.;
- persuading them to leave education in order to limit their prospects;
- taking charge of household decision-making to their exclusion;
- running up bills and debts such as credit/store cards in a victim's name, including without them knowing;
- preventing a victim from claiming welfare benefits or preventing access to split payments of Universal Credit;
- setting 'rules' with consequences if they are broken; or
- treating them as a domestic slave, making unreasonable demands or checking up that 'chores' have been done.

Isolating them from friends, family members or other sources of social interaction or support

This could include, for example:

- controlling their movements;
- controlling access to their phone or other forms of communication;
- only allowing them to speak to certain people;
- not allowing visits from their friends or family;
- forcing them to move to an isolated area;
- removing access to transport;
- deliberately failing to pass on messages from friends or family; or
- isolating them from other family members and depriving their access to support services more generally.

Controlling, regulating or monitoring their day-to-day activities

This could include, for example:

- making frequent calls to check where they are and what they are doing;
- controlling or monitoring their phone, e-mail, social media use or online activity (including communication use);
- demanding that they hand over passwords;
- use of spyware or GPS locators on electronic or personal devices or transportation;
- using hidden cameras or drones to spy on them;
- monitoring them at work, via spyware or getting someone to follow them and report back;
- controlling what clothes they can or cannot wear, how they style their hair, when they sleep, what they eat and other aspects of their everyday life;
- control of their access to and use of money;
- monitoring their time and use of time for both work and personal activities;
- using substances to control them through dependency;
- using children to control them e.g. threatening to take the children or manipulating professionals to increase the risk that they are removed into care; or
- placing unreasonable demands on them e.g. preparing meals in a particular way at a particular time every day or to answer the phone within three rings.

Depriving or restricting their freedom of action: This could include, for example:

- preventing them from attending work or college;
- preventing them from leaving the house alone; or
- insisting on accompanying them to medical appointments, without good reason, and not allowing them to talk or take decisions for themselves in relation to private, individual matters that they are capable of making.

Frightening, humiliating, degrading or punishing a partner/connected person

This could include, for example:

- threats to hurt or kill them;
- threats of institutionalisation (particularly for those that are disabled, elderly or have mental health issues);
- using abusive names to humiliate them whether in private or in company;
- repeatedly yelling or shouting at them, constantly criticising them or repeatedly putting them down and telling them that they are worthless;
- controlling their access to the toilet;
- forcing them to eat food off the floor;
- threatening to reveal or publish private information, including via photos or the internet e.g. threatening to 'out' them or disclose details of sexual activity or a medical condition;
- placing false or malicious information about them on social media;
- trolling them online;
- threats to hurt their child or pet;
- mocking them about their disability, gender, sexual orientation or physical appearance;
- threatening to kill themselves or self-harm;
- threatening a child, including inappropriately restricting access to them; or
- playing mind games to cause them to doubt their sanity.

3.26 It is important to note that behaviour includes saying or otherwise communicating something as well as doing something. It also includes intentionally failing to do, say, or communicate something. This could include intentionally not passing on times and dates of medical appointments or important messages. It might also include deliberately not feeding the family pet to cause distress to the victim.

3.27 It should be borne in mind that behaviour can be either direct or indirect. For example, behaviour could be targeted at property, which could be shared property, social housing, or property belonging to parents. Property is not just limited to housing and includes any item that can be owned, for example cars or mobile phones. Property would also capture pets or other animals, such as agricultural livestock, whether belonging to the victim or others.

3.28 It is important to note that abusive behaviour may not always be directly against the victim. It could be carried out with, or through, a third party (including a child) who may be entirely unaware of this.

3.29 A parent repeatedly using a child to intentionally or recklessly cause the other parent harm (fear, alarm or distress) is also abusive behaviour and could be captured by the domestic abuse offence, depending on the particular circumstances of the case. An example of this would be where the abuser undermines the relationship between a child and the abused parent by psychologically manipulating the child in order to abuse the other person. They may do this by being openly hostile towards the abused parent or encouraging the child to form negative opinions about them.

This can result in the child developing complex and conflicted feelings towards the abused parent and can result in them mirroring the abusive behaviour and resisting or refusing to spend time with the abused parent.

3.30 It must be recognised that some parents discourage engagement with the other parent because of genuine fears for the child or the child themselves refuses engagement, whether or not they have witnessed abuse. The offence does not seek to criminalise these types of cases and safeguards, including a reasonable person test, are in place to ensure that this does not happen. A public interest test would also have to be applied for any case being brought forward.

3.31 It should also be recognised that abusers may use claims that they have been 'alienated' from their child in order to undermine and deflect from abusive behaviour.

Incidents that may be linked to domestic abuse

3.32 Other offences or incidents may be linked to domestic abuse, even where this is not apparent at the time of reporting. For example:

- street disturbances and public disorder such as breach of the peace;
- antisocial behaviour; and
- neighbourhood disputes.

3.33 Information about domestic abuse may come to light in the course of criminal investigations into unrelated crimes. An apparently unrelated offence may have been committed in connection with abuse or as a result of controlling or coercive behaviour, for example, acquisitive crime committed on the instruction of a controlling partner.

Defence against the domestic abuse offence

3.34 The legislation creates a defence where a course of behaviour, which might otherwise be deemed abusive, is, in the particular circumstances, reasonable. This is an important safeguard to ensure that those acting in the best interests of others are not criminalised. It is intended that this would only be used in a very limited range of circumstances.

3.35 The defence may be applicable where a concerned son or daughter restricts the movement of a parent who has a medical condition, for both their safety and the safety of others. It may also apply if, for example, an individual prevents a partner, who has a gambling or alcohol addiction, from associating with certain people, going to certain places where they may be present or having control of the household finances. This will be dependent on the particular circumstances of the case.

3.36 Prosecutors will look for sufficient evidence to support the commission of an offence, they will then consider whether any defence put forward by the suspect is reasonable. If the prosecutor accepts that the defence is reasonable the evidential test is not met and prosecutors will not need to go to the next limb of public interest considerations. If the evidential test is met and the defence is not accepted as being made out by the prosecutor at the decision making stage, only then will prosecutors

apply the public interest test.

3.37 If a reasonable person with access to the same information would not find that the behaviour was reasonable, it would not be possible to rely on the defence. There is also an objective element to the defence that allows a magistrates' court or a Crown Court jury to reject the defence where they find that the behaviour of the defendant was not reasonable in all the circumstances. If the defence is established, the burden would remain on the prosecution to disprove the defence and prove beyond reasonable doubt that the offence has been committed.

3.38 Given that the defence relates to an offence that involves a course of behaviour it will not be enough to simply state that it was a one off. For example, if the offence involves six incidents evidence would have to be provided in relation to five of those incidents, and not be disproved by the prosecution, for the offence not to apply.

CHAPTER 4 – AGGRAVATED OFFENCES: CHILD AGGRAVATORS AND DOMESTIC ABUSE AGGRAVATOR

Child aggravators

The domestic abuse offence may be aggravated if:

- The victim is under 18 at any time of the abusive behaviour, in the context of a young person in (or previously in) a relationship or against a close family member (excludes child parent relationship where the child is under 16); and/or
- At any time, where the domestic abuse offence occurs, and where the person under 18 is not the direct victim:
 - the child saw, heard or was present, during an incident of abusive behaviour that forms part of the domestic abuse offence;
 - abusive behaviour was directed at, or threatened to be directed at, the child;
 - the child was used to direct abusive behaviour at the victim; or
 - a reasonable person would consider the course of behaviour, or an incident of behaviour which forms part of the course of behaviour, to be likely to adversely affect the child.
- The child does not need to be aware of the abusive behaviour and it does not need to cause them harm.
- Where both the domestic abuse offence and a child aggravator is proved, the court may increase the sentence given.

Domestic abuse aggravator

- Any offence (except the domestic abuse offence) may be aggravated by reason of involving domestic abuse e.g. criminal damage of a partner's car or assault of a partner;
- This aggravator should be applied to single incidents of abusive behaviour rather than ongoing abusive behaviour (which forms a course of behaviour) which should be captured by the domestic abuse offence;
- For this aggravation to apply:
 - a reasonable person would need to consider the offence likely to cause physical or psychological harm (including fear, alarm and distress) to the victim;
 - the individuals would need to be personally connected – intimate (including previous) relationship or family members; and
 - the accused would need to intend to cause harm or be reckless as to this.
- The offence can be aggravated whether or not the offence is directly against the victim e.g. in the criminal damage example above, the car could belong to the victim's parent.
- Harm (either physical or psychological) does not have to be caused.

A summary of the legislation (including the aggravators) is provided at **Annex A**.

Child aggravators

4.1 It is important to recognise the impact of domestic abuse on children and young people, either directly where they are a victim, indirectly where they have been used to abuse someone else or where the abuse has an impact on their general wellbeing. The child might not be aware that they are a victim or indeed that they are being used to abuse someone. The Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 provides for two child aggravators that can be attached to the domestic abuse offence. Where both the domestic abuse offence and an aggravator is proved, the court may grant the offender an increased sentence compared to that which they would have received for the domestic abuse offence only.

4.2 The first child aggravator (section 8 of the Act) can be attached to the domestic abuse offence if the victim was under 18 at the time of any of the behaviour that forms part of the offence. If an abuser has parental responsibility for a child under 16 years of age, the domestic abuse offence and this aggravator will not apply. These relationships should be dealt with through child protection measures, including under the amended child cruelty offence under section 20 of the Children and Young Person Act (Northern Ireland) 1968 which explicitly includes non-physical ill treatment of a child, by someone with parental responsibility for them. While the domestic abuse offence and aggravators could apply to teenage relationships it will be for the police and court to determine, depending on the circumstances of the case. A public interest test would also have to be considered for any case being brought forward.

4.3 The second child aggravator (section 9 of the Act) can be attached to the domestic abuse offence if:

- (i) a child saw, heard or was present during an incident of abuse. For example, a verbal abuse incident or a physical assault. The child does not need to be in the same room as the accused and the victim;
- (i) the child is used to abuse another person. For example, the child is encouraged or asked to spy, or report on, day-to-day activities of the victim. The child may not know or be aware that they are being used for this purpose;
- (ii) abusive behaviour is directed, or threatened to be directed, at the child. For example, the accused threatens violence towards a child to control or frighten the victim or is abusive towards the child; or
- (iii) a reasonable person considers the course of behaviour, or an incident of behaviour which the accused directed at a victim as part of the course of behaviour, to be likely to adversely affect the child.

4.4 The aggravation can be applied if any or all of the above aspects are present. It would also apply to the involvement of any child in the commissioning of the domestic abuse offence (except where the child is the victim, which would be caught by the first aggravator). This would include, for example, the accused or victim's child, another child living in or visiting the household or a neighbour's child. There does not need to be evidence that a child ever had any awareness of the accused's behaviour, any understanding of the nature of the accused's behaviour or to have

actually been adversely affected by the accused's behaviour.

4.5 The child aggravators could enable sentencing to be increased up to the maximum available. While both of the child aggravators may not typically be used alongside the domestic abuse offence, there may be occasions when this happens, for example, where a 20 year old abuses his 17 year old girlfriend (meaning that the aggravation where the victim is under 18 applies) and the abuse is witnessed by, makes use of, threatens or has an adverse impact on their infant child or a younger sibling (aggravation where a relevant child is involved also applies).

Other offences aggravated by domestic abuse

4.6 The legislation also provides for a statutory aggravator that can be attached to any offence (other than the domestic abuse offence) if domestic abuse is involved. The most common types of offences that this aggravator could be attached to include criminal damage, assault, grievous bodily harm, threats to damage property or threats to kill, etc. An example of how this would work would be where someone deliberately causes criminal damage to their partner's car. The aggravator is attached to the charge of criminal damage, by virtue of involving domestic abuse. This should be considered for one-off incidents of domestic abuse where ongoing abusive behaviour is not apparent (which is required for the domestic abuse offence). Where both the offence and aggravation are proved, the sentence imposed by the court may be increased. For offences other than the domestic abuse offence the child aggravators do not apply.

CHAPTER 5 – POLICE RESPONSE

- It is important to recognise signs of domestic abuse and abusive behaviour, for both the domestic abuse offence (course of abusive behaviour with two or more incidents) and single incidents (any other offence being aggravated by domestic abuse) or where there is not considered to be a course of behaviour.
- It is critical to recognise that domestic abuse can take many forms.
- Domestic abuse should always be considered as a possible factor in incidents in a domestic context or involving individuals that are personally connected.
- There is a need to build trust with individuals, provide a tailored response and advise those affected about support services.
- A range of factors may mean victims appear unwilling to engage with the criminal justice system, including fear, financial or emotional dependency, concern about children or lack of confidence in the criminal justice system.
- Evidence gathering may cover a wide range of aspects including records of communication, online and technological activity, audio and video recordings, local enquiries, witness testimony, records of lifestyle and household activities, interaction with services.
- Abuse carried out abroad can form part of the domestic abuse offence, where the accused normally lives in Northern Ireland or is a UK national.

5.1 Criminal investigations should follow Police Service of Northern Ireland guidance for investigating domestic abuse as well as operational guidance on the domestic abuse offence. Further information is also available at: <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/domestic-abuse/>

Reporting and first response

5.2 First-hand reporting by a victim or witness is likely to be the most common way for the police to receive information on domestic abuse. Third-party reports could also be made by a family member, concerned member of the public or service provider, such as a general practitioner or support service provider.

5.3 First response officers have a dual role to play when attending domestic call-outs. They should:

- recognise signs of abuse and the need for safety planning to protect victims (or potential victims) and prevent offences from occurring in the longer-term; and
- identify criminal offences so that offenders can be brought to justice and dealt with robustly within the criminal justice system.

Building rapport

5.4 It is important that officers establish a good rapport and effective communication with the victim. If an incident is handled effectively and sympathetically on the first occasion, the victim is more likely to have the confidence to call the police again if the situation recurs. Establishing a good rapport also

means the victim is more likely to co-operate with the risk assessment and safety planning process, thereby improving the chances of preventing or reducing future incidents.

Recognising barriers to engagement

5.5 A victim may appear to be unwilling to engage with police, or the criminal justice system, for a number of reasons. While not exhaustive this could include:

- continuing fear of, and reprisals from, their abuser or fear of escalating abuse;
- financial dependency on their abuser;
- concerns about children, including for their safety, that they may not see them again, that children will be removed/taken or that the abuser will alienate them;
- the unjustified belief that they were responsible for, or 'deserved', the abuse they received;
- emotional attachment or loyalty towards their abuser;
- fear of being 'on their own' – lack of self-esteem and worth;
- lack of confidence in the criminal justice system (previous reports of abuse may seem to have been treated leniently);
- communication barriers such as a disability or not having English as a first language;
- immigration status;
- wider family's response, family pressure; or
- fear of being unable to access specialist support.

5.6 LGBTQIA+ people may experience particular barriers to engagement including fear of being 'outed', fear of not being understood by police or fear of experiencing homophobia, biphobia or transphobia from police.

Identifying the domestic abuse offence or an offence aggravated by domestic abuse

5.7 Victims of abusive behaviour may not recognise themselves as a victim of domestic abuse and may have effectively 'normalised' the abusive behaviour. Therefore, it is important that the domestic abuse offence is considered by the police and other authorities in attendance at all call-outs, including those of domestic violence and abuse. Consideration also needs to be given, where there is a single incident or a course of behaviour does not exist, as to whether any other criminal offence, such as criminal damage, assault, etc. should be aggravated by domestic abuse (see Chapter 4 for more information).

5.8 A thorough approach on a first visit may enable police officers to uncover evidence in relation to the domestic abuse offence or another offence aggravated by domestic abuse. It may help to ask questions about rules, decision making, norms and fear in the relationship, rather than just what happened. Building trust can help to elicit a disclosure and a tailored response may assist. For example, consideration should be given to the gender of the attending officer, and information provided on support services (see **Annex B**), where possible.

5.9 It is important to consider the wider context and the potential evidence which could demonstrate a course of abusive behaviour or an offence aggravated by domestic abuse. If there have been at least two occasions where behaviour has caused the victim to suffer physical and/or psychological harm, or a reasonable person would consider that this would be the case, that may be sufficient to demonstrate that there has been a course of abusive behaviour.

5.10 The offence of domestic abuse does not have retrospective effect. This means that charges cannot be brought in relation to behaviour(s) that occurred before the date the offence comes into operation. However, behaviour that occurred before implementation may still be adduced as evidence of bad character and any evidence relating to it should be passed to the Public Prosecution Service who can consider making an application to the court.

Determining who is the abuser and dealing with counter-allegations

5.11 Officers should avoid jumping to conclusions about which of the individuals is the victim and suspect. Domestic abuse applies to all types of relationships, whether heterosexual, same sex, transgender or familial. They should probe the situation, be aware that the primary aggressor is not necessarily the person who was first to use abusive behaviour in the incident and examine whether:

- the victim may have used justifiable force against the suspect in self-defence;
- the suspect may be making a false counter-allegation;
- both individuals may be exhibiting some injury and/or distress; and
- a manipulative individual may be trying to draw the police into colluding with their control or coercion of the victim, by making a false incident report.

Gathering evidence

5.12 Officers should focus on establishing a course of behaviour for the domestic abuse offence, or abuse related to any other offence, across different types of evidence. Much of it will be evidence of the victim and abuser's day to day living and their interaction. Types of evidence which may be useful include:

- the victim's account of what happened to police;
- records of communication between the victim and abuser e.g. emails, phone records or text messages;
- evidence of abuse over the internet, digital technology and social media platforms;
- audio or visual recordings of interaction between the victim and suspect, demonstrating body language and tone e.g. 999 recordings, CCTV, body worn video footage;
- local enquiries e.g. neighbours, regular deliveries, postal services, window cleaner;
- witness testimony e.g. from family and friends as to observed behaviour by both individuals and its effect and impact;
- diaries kept e.g. by the victim and/or children;

- records of lifestyle and household, including photographic evidence;
- evidence of isolation e.g. lack of contact with family and friends, withdrawal from social activities and clubs;
- records of interaction with services which show the suspect adopting a dominant role e.g. always accompanying the victim to banking or medical appointments without good reason;
- bank records showing restricted financial management;
- medical evidence including records of visits to a doctor or other medical practitioner, or of visits to a hospital out-patients' clinic or casualty department. These visits could include visits for both physical and non-physical abuse. Evidence of treatment of other members of the family may also be presented to support a claim that behaviour has been directed at others to abuse the victim;
- GPS tracking on mobile phones, tablets, vehicles, etc.; or
- care plans, where the accused has caring responsibilities.

5.13 ***These types of evidence are not exhaustive*** and any evidence which shows a course of behaviour which is abusive of another person, or abuse that would enable any other offence to be aggravated, is relevant. If unsure as to whether the domestic abuse offence may apply in a specific case, or if any other offence should be aggravated by domestic abuse, an officer should seek guidance from a prosecutor. If officers require advice about abusive behaviours, or generally in relation to domestic abuse, they can also speak to a local specialist support service provider. If the advice is on a specific case they will need the victim's permission to seek it.

5.14 As domestic abuse incidents often take place in private, the victim may be the only witness. As noted at paragraph 5.5, a victim may be unwilling to engage with police, give evidence or support a prosecution. Officers should not assume that investigating the incident in such circumstances will not result in a positive outcome, and should take steps to build a case for a potential evidence-led prosecution. Evidence, which does not focus on the victim's statement, might include:

- 999 recordings;
- abuse over the internet, digital technology and social media platforms;
- social media, text messages and emails;
- mobile phone records;
- bank records;
- statements from third party witnesses;
- records of interaction with services such as support services or statutory service providers;
- evidence relating to isolation, control, humiliation, dependency, etc.;
- CCTV footage;
- footage from police body-worn video cameras;
- forensic evidence;
- photographs of any visible/immediate injuries and the scene;
- medical evidence; and
- police observation at the scene (such as furniture overturned, any damage to property, etc.).

5.15 It should also be noted that a victim may not know the full extent of the suspect's conduct therefore all potential lines of enquiry should be explored.

5.16 Taking photographs of the victim a few days after the incident would capture images of bruising which was not immediately evident. Evidence of non-physical abuse will also need to be considered. 999 calls and the victim's account are admissible in a domestic abuse case.

5.17 Sometimes, victims will ask the police not to proceed any further with the case and say that they no longer wish to give evidence. There may be a number of explanations for this. This does not mean that the case will automatically be stopped.

Domestic abuse offence outside the UK

5.18 The domestic abuse offence (but not any other offence aggravated by domestic abuse) can apply where some of the abusive behaviour takes place outside the United Kingdom, where the suspect usually lives in Northern Ireland or is a UK resident. This ensures that abusive behaviour that takes place, for example, on holiday abroad could form part of the course of behaviour for the purpose of the offence. This individual could be charged with the domestic abuse offence, if it would have been an offence had the behaviour taken place in Northern Ireland.

5.19 This will be particularly important given the land border with the Republic of Ireland. Where offences occur on both sides of the Irish Border the most appropriate jurisdiction for progression of the charges is likely to depend on the individual circumstances of the case. In these cases there should be discussion between the Police Service of Northern Ireland and An Garda Síochána as to how best these cases are progressed.

CHAPTER 6 – VICTIMS AND THE IMPACT ON CHILDREN AND YOUNG PEOPLE

Victims of domestic abuse

Anyone can be a victim of, or carry out, domestic abuse regardless of:

- sex or gender identity;
- age;
- cultural heritage or ethnicity;
- immigration status;
- sexual orientation;
- disability;
- religion or belief;
- social status or wealth; or
- occupation (including those working in the criminal justice system).

Certain factors may also increase the risk of abuse including pregnancy, rurality, dependency on others and at the point of leaving a relationship.

Support and help is available (see **Annex B**)

Sex or gender identity

6.1 Whilst the legislation applies to all victims regardless of gender, or gender identity, we recognise that more women than men are affected by domestic abuse. During 2020/21, **69%** of all domestic abuse crime victims in Northern Ireland were **female** and **31%** were **male**. While the majority of victims are female it is important to recognise that men are also affected by domestic abuse.

Age

6.2 Individuals of all ages can be affected by domestic abuse. However, there has been an increase in **victims in the younger and older age groups** in Northern Ireland. In 2004/05 3/4 of victims were between the ages of 20 and 49; by 2020/21 this had fallen to 66%. Over the same time period increasing proportions were seen in both the younger (under the age of 15) and older age groups (those aged 50 or over).

6.3 Older victims of domestic abuse can face significant barriers when asking for help or when trying to leave an abusive relationship. These barriers can be severe for victims who have been subject to years of prolonged abuse, are isolated within a particular community through language or culture, are experiencing long term health impacts or disabilities or those who are reliant on their abuser for their care or money.

Cultural heritage or ethnicity

6.4 There is often under-reporting of domestic abuse by those from black and minority ethnic backgrounds and they may experience additional barriers to receiving help or reporting abuse. This may include:

- a distrust of the police;
- concerns about racism;
- language barriers;
- being disproportionately impacted by certain forms of violence or abuse, including forced marriage, so-called 'honour-based' abuse and female genital mutilation;
- concerns about family finding out; and
- fear of rejection by the wider community.

6.5 The involvement of support services will be key to ensuring that the needs of such victims are met. See **Annex B** for contact details for support organisations.

Immigration status

6.6 Victims who have entered Northern Ireland from overseas may face additional barriers when attempting to escape domestic abuse that are related to their lack of access to public services and no recourse to public funds. This may be exploited by partners or family members to exert control over victims. For example, by threatening to inform immigration authorities, be separated from their children or to no longer provide support for their stay in Northern Ireland. They may also face a greater economic impact of leaving an abuser if they are unable to claim benefits or access housing, or if they lose their immigration status by leaving their partner, including destitution and homelessness. Therefore, victims from overseas may be more reluctant to come forward and report abuse.

Sexual orientation

6.7 Heterosexual and LGBTQIA+ people may experience similar types of domestic abuse. Domestic abuse is a problem that cuts across society, but research based in England has shown that LGBTQIA+ individuals are disproportionately affected. There are no official figures on the prevalence of domestic abuse in those identifying themselves as LGBTQIA+ in Northern Ireland. Domestic abuse is widely underreported within the LGBTQIA+ community and English based research from GALOP suggests that rates of under-reporting within the LGBTQIA+ population are between 60-80%.

6.8 There are some specific issues that are unique to the experiences of LGBTQ+ people, which include but are not limited to:

- threat of disclosure of sexual orientation or gender identity to family and friends or religious community;
- pressure to keep the relationship, their own or the abuser's sexual orientation

- or gender identity a secret;
- increased isolation due to lack of family support or safety nets; and
- discrimination in society and myths about the nature of abuse in LGBTQIA+ relationships.

6.9 LGBTQIA+ people experience distinct personal and structural barriers in access to help and reporting abuse. This may include services lacking quality referral pathways with LGBTQIA+ specialist sector and low visibility and representation of LGBTQIA+ issues within services. It can also include lack of understanding and awareness in professionals around unique forms of coercive control targeted at sexual orientation or gender identity, and professionals minimising the risk experienced by LGBTQIA+ people.

Disability

6.10 Data for England and Wales shows that those with a long-term illness or disability were more likely to be victims of domestic abuse than those without; this was true for both men (9.8% compared with 3.5%) and women (16.8% compared with 6.3%).¹ While statistics are not available for Northern Ireland they are expected to be similar. Disabled victims are more likely to face abuse from an adult family member compared to non-disabled victims and are also more likely to be still living with the abuser.² Victims with a disability may also face particular difficulties in reporting abuse and accessing support services. These could include communication difficulties, a concern that they will not be believed, not recognising the behaviour as abusive and a reluctance to report their abuser if that person is also their carer.

Religion or belief

6.11 Domestic abuse can affect anyone, regardless of how they identify religiously, the communities they belong to, or how they are seen by others. Employing religious texts and values may be used to harm victims – this may be done by selectively quoting texts or interpreting religious values as a means of providing justification for the abuse. Often, this dynamic manifests as an abuser telling the victim that they are not living up to the ideals of what a partner should look like, according to their religion. In some cases an individual may be pressurized into joining or staying in a faith or religion they do not agree with or be prevented from practicing a particular religion.

Social status or wealth

6.12 Some people have the misguided impression that people with a low socioeconomic status are the only people who are subjected to domestic abuse; that domestic abuse only occurs among certain populations or within particular religions/faiths; or that domestic abuse does not occur within well to do communities. This is untrue. Domestic abuse occurs across the entire spectrum of wealth and social status and has no respect for either class or status.

¹ ONS data, year ending March 2018

² SafeLives, [Disabled Survivors Too: Disabled people and domestic abuse](#)

6.13 Wealth, social status or professional attainment may place even greater pressure to maintain a public face of contentment, no matter the turmoil they experience privately. Highly educated, high income victims of domestic abuse may also experience additional barriers when attempting to seek help – they may live in more isolated or remote locations and have a fear of losing their status should the abuse be revealed. It is also important to recognise that victims from lower socio-economic backgrounds may also face additional barriers to accessing support or leaving abusive relationships. This includes access to housing, less resources to leave, potentially living in areas controlled by paramilitaries and access to child care.

Occupation

6.14 Someone's occupation has no bearing on whether they become a victim of domestic abuse or whether they are an abuser. One or both individuals may be in high status or professional posts. They may also be working within the criminal justice system itself.

Additional risk factors

6.15 A range of factors may increase the risk of someone suffering domestic abuse. Pregnancy is a specific risk factor that can make victims more vulnerable. Abuse may escalate when the partner is pregnant or after giving birth.

Leaving the relationship

6.16 Evidence suggests that female victims and their children are at greater risk of domestic abuse, and ultimately domestic homicide, when they leave an intimate partner relationship. Professor Jane Monckton's 8 Stages of Domestic Homicide¹ describes the escalation process.

Rurality

6.17 Victims living in rural areas face additional barriers when accessing support or reporting abuse. They are likely to be more isolated due to lack of transport options or accessibility. Some victims in rural areas may be reluctant to report abuse because they (or the abuser) are well known in the community.

Impact of domestic abuse (including on children and young people)

Victims

6.18 Domestic abuse has a hugely negative impact on victims. It affects their health and well-being; their freedom and human rights; their identity and self-esteem and their participation in social and public life. It is a form of trauma that can have a long-lasting effect on adult and child victims and may lead to a range of mental

1

https://www.womensaid.ie/assets/files/pdf/jane_monckton_smith_powerpoint_2018_compatibility_mode.pdf

health issues. Many victims are also seriously physically injured as a result of domestic abuse, suffering long-term injuries.

6.19 Some victims may also use drugs or alcohol to help cope with abuse, which for some progress to addiction. Abusers can also exploit and sustain addictions to keep a victim controlled and dependent on them, as well as manipulate the threat of exposing this to professionals (with subsequent impacts should the victim have children).

6.20 Victims may also end up homeless as a result of domestic abuse. The risk of this can prevent someone leaving an abusive situation, particularly if they have children. Contact details for the Northern Ireland Housing Executive can be found at **Annex B**.

6.21 Victims may also suffer from the effects of economic abuse, such as unemployment, diminished employment prospects or poverty. This can cause debt problems and poor credit ratings, negatively impacting on the victim for decades.

Children and young people

6.22 We know that being exposed to domestic abuse can have devastating consequences for children and young people. Domestic abuse is an example of Adverse Childhood Experiences that are known to have lifelong impacts on mental and physical health and behaviour into adulthood. Studies indicate that children and young people exposed to parental violence are almost three times more likely to experience abuse in their own adult relationships.¹ They are at greater risk of substance abuse, juvenile pregnancy and criminal behaviour than those raised in homes without domestic abuse.

6.23 Domestic abuse can impact children and young people in a range of different ways, including:

- feeling anxious or depressed;
- poor self-esteem and low confidence;
- having difficulty sleeping, nightmares;
- feelings of guilt or shame about the abuse;
- physical symptoms such as stomach aches or bed wetting;
- reduction in school attainment, truancy;
- inconsistent regulation of emotions, including becoming distressed, upset or angry;
- a belief that it is their job to protect the abused parent or siblings and take on a 'parenting' role;
- becoming aggressive or internalising their distress and becoming withdrawn; and
- using alcohol or drugs, or self-harming.

6.24 Alternatively, some children or young people may present as overly self-regulating, extremely well behaved, people pleasers or protectors as a result of the

¹ <http://safelives.org.uk/sites/default/files/resources/Safe%20Young%20Lives%20web.pdf>

domestic abuse that they are experiencing.

6.25 Children and young people are not just impacted by physical violence in the home but also non-physical abuse behaviour (including coercive control). They may try and respond to this by changing the way they interact in the family home to become less noticeable or more compliant. Children and young people may also be forced to participate in abusive behaviour towards the other parent or may be involved unwittingly.

6.26 Children and young people can also experience domestic abuse in their own relationships; domestic abuse in teenage relationships is just as severe and life threatening as adult abuse. Young people may experience a complex transition from childhood to adulthood, which impacts on behaviour and decision making. It may impact on the way that they respond to abuse as well as the way that they engage with services. Additionally, they may be ill-equipped to deal with the practical problems such as moving home or finances. As a result, young people who experience domestic abuse do so at a particularly vulnerable point in their lives. Young people commonly experience abuse through new technologies and social media, which can be used as a monitoring or harassment tool by the abuser.

6.27 We know that domestic abuse affects different children and young people in different ways. Children and young people should be offered support based on their individual needs, with a range of interventions, so that each child is able to access the specialised help they require. This could include access to psychoeducational support, therapeutic services, for example, counselling or specialist children's workers. A trauma informed approach should be at the centre of all support provided to children and young people affected by domestic abuse. A strengths-based approach to recovery, building on 'the resilient blocks in the child's life', has been shown to be effective in interventions for children and young people. It should also be noted that a number of children and young people do manage to thrive despite domestic abuse. See **Annex B** for specialist support providers for children and young people.

Offenders

6.28 It is important to dispel some of the myths that exist about abusive behaviour. Violence as well as non-physical abuse is not the result of an abuser's loss of control over their behaviour. Rather it is a choice to exert power and control over their partner, ex-partner or family member, using a variety of methods to do this such as dominance, humiliation, isolation, a variety of threats related to injury or actions that may be taken, intimidation as well as denial, blame and minimising the abuse. Of all offenders dealt with by police during 2020/21 in connection with domestic abuse crimes that resulted in an outcome, 86% were male and 13% were female.

6.29 There is never any justification for carrying out domestic abuse and it is never the victim's fault. Abusers are very adept at manipulation and may use a range of tactics in order to perpetuate contact with and control their victims. While factors such as alcohol and drugs misuse can increase the likelihood and severity of domestic abuse, there is not a simple causal relationship between substance misuse and domestic abuse. An abuser may also use their, or their victim's substance use,

as justification for their abuse. They may also force a person to use substances against their will (or without their knowledge) or force or coerce them into illegal activities.

6.30 Addressing an abuser's drug or alcohol use alone will not reduce their abusive behaviour and any treatment programme for them must address the complex dynamics, as well as the power and control, which underpin domestic abuse.

6.31 To help stop domestic abuse, it is important to engage directly with offenders and those displaying concerning behaviour as well as victims. The Department of Justice funds behavioural change programmes for individuals who have displayed concerning behaviour but have not yet entered the criminal justice system. Such behavioural programmes aim to work with abusers to address their behaviour as well as keep partners and children safe.

CHAPTER 7 – SUPPORT FOR VICTIMS ENGAGING IN CRIMINAL PROCEEDINGS

7.1 Support services can assist those affected by domestic abuse to engage with the criminal justice process. Providing specialist support can better assist in preventing them withdrawing from the case. This can also support case building, for example, by providing service records, case records and records of contact made with helplines which may act as evidence for the offence. A list of support organisations for victims of domestic abuse can be found at **Annex B**.

Victim Charter

7.2 Victims of crime in Northern Ireland are entitled to receive services under the Victim Charter. When they report a crime to the police they are entitled to have the police automatically pass their details to a victim support service provider so that they can be offered information on support services and information schemes that are available to them. There is however no obligation to use the services. The information leaflet that they are given, or told about, by the police when a crime is reported also provides details of specialist support services that are available to victims of domestic or sexual abuse/violence. The Victim Charter can be found at <https://www.justice-ni.gov.uk/publications/victim-charter>.

7.3 Children and young people can be victims of domestic abuse when they are directly targeted for violence/abuse or if they are assaulted in an incident involving others. Children and young people can also be seriously affected where they have been present when domestic abuse is occurring. Practical and emotional support services are available to help them engage with criminal proceedings.

7.4 The victim may need specialist support to be offered, such as:

- a sign language interpreter;
- a lip-speaker;
- a language interpreter or intermediary (children aged seven or under should be assessed by a Registered Intermediary due to their developmental stage);
or
- a support service specialising in Lesbian, Gay, Bi-sexual and Transgender issues, for example.

Victim personal statement

7.5 Under the Victim Charter, all victims are entitled to make a Victim Personal Statement. Victim Support NI and NSPCC Young Witness Service offer assistance with the completion of a victim personal statement. The Victim Personal Statement is important as it provides the opportunity to set out the impact that the crime has had. The types of impact that can be included are:

- any physical injury;
- emotional impact, such as interaction with other people; or
- financial impact, i.e. including any money or property lost.

7.6 The Victim Personal Statement will only be considered by the court following a guilty plea or guilty verdict. It will also be seen by the prosecutor, the defendant, and their legal representative. While the Victim Personal Statement cannot be read out in court, the judge may refer to parts of it as part of the sentencing comments.

Special measures

7.7 Those subject to the domestic abuse offence, or any other offence aggravated by domestic abuse, are automatically eligible for consideration of special measures when giving evidence, which could include the use of live links or screens. The accused is also prohibited from cross examining their victim in a criminal court, where this relates to the domestic abuse offence or an offence aggravated by domestic abuse. Together these provisions help victims to give the best evidence in court and also reduce the number of victims disengaging from the criminal justice system.

Protections to prevent individuals using the criminal justice system to further abuse their victim

7.8 Individuals may use the criminal justice system to further victimise their partner, ex-partner or family member. For this reason, the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 includes safeguards to prevent an abuser using the criminal justice process to further exert control and influence over their victim. These provisions help to minimise the trauma for the victim while ensuring the proper administration of justice is achieved. For example, the accused is prevented from electing for trial by jury at Crown Court, in summary proceedings, in relation to the domestic abuse offence.¹ This builds on existing provisions.

7.9 As noted above there is a prohibition on cross-examination by the accused. The Act also prohibits, in family proceedings, cross-examination in person by a party who has been convicted of, given a caution for, or is charged with a specified offence, of a witness who is the victim, or alleged victim, of that offence; and by a party against whom an on-notice injunctive order is in force for the protection of a witness. This guidance does not cover these proceedings.

¹ The decision on which court tier the accused is returned to will depend on the seriousness of the incident and the past history of the defendant and is therefore decided upon by the Public Prosecution Service.

CHAPTER 8 – COURTS AND SENTENCING

Penalty for the domestic abuse offence

8.1 Given the range of behaviours that domestic abuse often involves and the serious and long lasting harm it can have, the maximum penalty is up to 12 months imprisonment in Magistrates Court and 14 years in Crown Court. It may also include a fine (at the time of publication up to £5,000 at a magistrate's court and an unlimited fine at Crown Court).

Aggravated sentences

8.2 Where aggravation of the offence has been proven, whether by virtue of the child aggravators and/or the general domestic abuse aggravator, the Judge may increase sentencing for the offence up to the maximum penalty available. The court must state on conviction that the domestic abuse offence, or any other offence (for which there is a domestic abuse aggravation), is aggravated and take the aggravation into account when determining the sentence as a factor that increases the seriousness of the offence. The court is also required to state how the aggravation has affected the sentence and in recording the conviction show it as aggravated.

Conviction for an alternative offence

8.3 A court may decide that the offence of domestic abuse has not been proven. Consequently, there can be no conviction for that offence. However, the accused can alternatively be found guilty of harassment or putting people in fear of violence, if there is sufficient evidence in relation to those offences. In due course this will include an offence of stalking.

8.4 It is envisaged that this would only be used where it has not been possible to prove a personal connection between two people, that is that they are married, partners or in an intimate or close family relationship, as outlined in paragraph 3.7. For example, a domestic abuse offence conviction might not succeed as the personal connection between the two individuals has not been proven. On the facts of the case, however, there may be no question that the behaviour involved harassment. The individual could be found guilty of harassment rather than the domestic abuse offence.

CHAPTER 9 – OTHER AGENCY INVOLVEMENT

Statutory organisations

9.1 There are a number of statutory organisations who play a key role in:

- helping to prevent domestic abuse;
- spotting signs of domestic abuse in those they come into contact with; and
- providing services to assist victims of domestic abuse.

Schools and colleges

9.2 Schools and colleges can play a key role in preventing and detecting domestic abuse. With the correct training staff can spot the signs of domestic abuse in children/young people, parents and colleagues so they know what to do if they have a concern and/or how to handle a disclosure.

9.3 The Department of Education's 'Safeguarding and Child Protection in Schools' guidance document aims to assist schools and other educational settings in fulfilling their responsibilities regarding their safeguarding and child protection role. This recognises that everyone in education plays a part in keeping children and young people safe from harm and abuse and to supplement the guidance document appropriate safeguarding training is required to ensure staff are appropriately equipped to undertake this role.

<https://www.education-ni.gov.uk/publications/safeguarding-and-child-protection-schools-guide-schools>

9.4 Every school should have a Designated Teacher and Deputy Designated Teacher for Child Protection who forms part of the school's Safeguarding Team which also includes the Chair of the Board of Governors, the Designated Governor for Child Protection, the Principal (as Chair), the Designated Teacher and Deputy Designated Teacher. This team is the vehicle for ensuring effective co-ordination and co-operation between the key individuals responsible for safeguarding throughout the school.

9.5 The organisation Operation Encompass has also developed guidelines on domestic abuse, how teachers can deal with disclosures and how Designated Safeguarding Leads should engage and work with their local police force (where the force has signed up). Further information can be found on their website. Although this is not in place in Northern Ireland at present, the website is still a useful resource.

9.6 Educating young people about domestic abuse through age-appropriate materials is vital in ensuring they can experience healthy relationships. In Northern Ireland Relationship and Sexuality Education is part of the statutory curriculum under the Personal Development and Mutual Understanding area of learning at primary school level and the Learning for Life and Work area of learning at post primary level. This provides a statutory minimum entitlement for all young people.

9.7 Whilst Relationship and Sexuality Education is therefore mandatory for all pupils of compulsory school age it is the responsibility of schools to ensure that an age appropriate, comprehensive programme is delivered. Beyond the statutory minimum content, as in all areas of learning across the curriculum, schools and teachers have the flexibility to decide the topics and approaches that best suit their pupils and how that fits with the school's overall ethos.

9.8 To support schools in the delivery of all areas of learning across the Northern Ireland curriculum, including Relationship and Sexuality Education, the Council for the Curriculum, Examinations and Assessment (CCEA) develops and produces a range of curricular guidance and teaching support materials. In 2019 CCEA launched a Relationship and Sexuality Education hub to provide easy access for teachers and pupils to a range of up-to-date, relevant resources and sources of support on a number of key priority issues including [domestic and sexual violence and abuse](#).

9.9 The Relationship and Sexuality Education Hub can be accessed at [Link to the Relationship and Sexuality Education Hub](#). It is of course a matter for schools to decide which, if any, of these resources they use to inform the development and delivery of a Relationship and Sexuality Education programme.

Health and Social Care

9.10 Almost all those affected by domestic abuse interact with health services at some point and, for many, it may be the only service they are able to access alone and feel safe to disclose.

9.11 Health and social care professionals have a key role in providing care and support to victims of domestic abuse through a wide range of health and social care services, including services for physical and mental health. They can help to identify victims and potential victims of domestic abuse and provide, signpost or refer them to appropriate support and safeguarding services; for example to specialist domestic abuse services (including children and adult safeguarding) and where appropriate, through the Multi Agency Risk Assessment Conference (MARAC) process.

9.12 Local adult protection arrangements as set out in the *Adult Safeguarding Prevention and Protection in Partnership Policy*, may also apply. Further details can be found [here](#).

9.13 Children's child protection arrangements are set out in the SBNI Core Policies and Procedures – further details can be found [here](#).

9.14 The National Institute for Health and Care Excellence (NICE) published its Quality Standard for Domestic Abuse in 2016. This includes identifying and supporting people experiencing domestic abuse, as well as support for those who carry it out. It also covers children and young people (under 16) who are affected by domestic abuse that is not carried out against them. The NICE quality standard can be found [here](#).

Children's Social Care

9.15 Domestic abuse is the most common risk factor identified by social workers in assessments and is a key driver of need for children's social care. Children's social workers are therefore an important partner both in the identification of domestic abuse and the service response – whether by engaging families to keep children safe from harm, co-ordinating actions to protect children and young people from domestic abuse and violence, finding the best possible care when children cannot live at home, or creating the conditions that enable children to thrive and achieve. Children's social workers have responsibility for the coordination of the child protection system and play a crucial role within the wider multi-agency response, alongside other safeguarding partners like the police, schools and Health and Social Care to help protect children and young people.

9.16 Effective social work practice will build on an understanding that securing quality information, including a full disclosure – from an adult or child or young person victim – can take time and trust, and the absence of visible indicators of abuse or a disclosure of abuse doesn't necessarily mean that abuse is not occurring. This includes understanding the different effects domestic abuse can have on children and young people and how this may present in behaviour (set out in Chapter 3) and recognising and being responsive to children and young people where they are victims of intimate partner abuse in their own relationships.

9.17 All practitioners working with children and young people need to recognise that the risks presented by domestic abuse and/or coercion and control within relationships cannot be fully assessed in isolation, and information sharing underpins the effective identification of all forms of abuse and neglect, which includes domestic abuse. 'Co-operating to Safeguard Children and Young People in Northern Ireland'¹ sets out how all agencies and practitioners should proactively share information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children and young people.

9.18 Fears about sharing information should not inhibit professionals and agencies from fulfilling their duties related to the need to promote the welfare, and protect the safety, of children, which must always be the paramount concern.

Response

9.19 It is important that social work appropriately identifies and supports young people experiencing domestic abuse in their own inter-personal relationships. Evidence suggests that young people are more likely than adult victims to still be within the relationship at the point at which they access support and are likely to have been referred to support by a range of professionals who may have identified the abuse before the young person has chosen to disclose it.

9.20 The needs of young people who experience domestic abuse within their household or own relationships should be addressed with the involvement of other agencies as appropriate and should be supported in a way that is specifically tailored

¹ [Link to Co-operating to Safeguard Children and Young People in Northern Ireland policy](#)

to their needs through a Child in Need or Child Protection Plan. Children can also be referred through the Multi-Agency Risk Assessment Conference (MARAC) multi-agency risk assessment. Individuals with a specialist understanding and experience of young people and the intricacies of 'peer-on-peer' abuse, should, where required, be involved in the multi-agency response. Services designed for adult victims of domestic abuse are not always appropriate for young people who have experienced abuse in their own relationships.¹

Housing

9.21 Housing is a major barrier to escaping domestic abuse and can factor into a victim's decision making about whether they stay or leave an abuser. As the majority of domestic abuse is carried out at home, housing providers can play a unique role in supporting victims of abuse who are their tenants. The Sanctuary model is a non-statutory, victim centred initiative which aims to enable households at risk of domestic abuse to remain safely in their own homes by installing a 'Sanctuary' in the home, once the abuser has left. The 'Sanctuary' comprises enhanced security measures and where applicable a Sanctuary room. The Northern Ireland Housing Executive provides a Sanctuary scheme to cover all of its tenants and not just those currently deemed 'most at risk'. The scheme is offered free of charge to all their tenants.

9.22 Discretionary Housing Payments may also be directed towards individuals or families fleeing domestic abuse as a priority.

9.23 Under the current Housing Selection scheme, victims of domestic abuse are awarded 70 points for homelessness and up to 40 Primary Social Needs points (including 20 for violence or threat of violence). This results in up to 110 points. Applicants presenting due to domestic violence do not, however, meet the criteria for the award of intimidation points (200 points).

Jobcentres

9.24 Staff in the Department for Communities Jobs & Benefits are aware of local services for victims of domestic abuse and are equipped to share knowledge and signpost victims to additional, external support.

9.25 There are a range of measures that may help victims of domestic abuse, including:

- Easements – survivors of domestic abuse can be exempt from work-related requirements for up to 26 weeks;
- The Destitute Domestic Violence Concession;
- Additional financial support from Discretionary Support Advance payments;
- Short term financial assistance from the Finance Support Service including Discretionary Support and the Universal Credit Contingency Fund.

¹ [Link to Safe Young Lives: Young people and domestic abuse paper](#)

- Provision for exceptional circumstances within the Universal Credit to support a third or subsequent child;
- Housing Benefit paid to a Universal Credit claimant (such as for Temporary Accommodation) is exempt from the benefit cap;
- Waiver of the Child Maintenance Scheme application fee;
- Dual housing benefit if the victim intends to return to their former home;
- Spare-room subsidy for survivors staying in exempt accommodation (such as refuges, hostels and managed accommodation);
- Discretionary Housing Payments - The Discretionary Housing Payments Guidance Manual highlights that Discretionary Housing Payments may be directed towards individuals or families fleeing domestic abuse as a priority;
- Alternative payment arrangements, including split payments; and
- Universal Credit claimants in joint claims are encouraged to nominate the bank account of the main carer to receive their Universal Credit payment.

9.26 Jobs & Benefits staff should be aware that abusers may make vexatious allegations of benefit fraud in an attempt to control and abuse partners/former-partners.

Non-statutory organisations

Employers

9.27 Any employer with a substantial headcount is likely to have some employees affected by domestic abuse, either as victims or abusers. Domestic abuse reduces work performance, increases absenteeism and ultimately may result in staff leaving. As such, employers have an important role to play in supporting victims of domestic abuse. See link below for guidance on how to develop a workplace policy on domestic and sexual violence and abuse.

[*Employer Guidance on how to develop a Workplace Policy on Domestic and Sexual Violence and Abuse*](#)

Links with the voluntary sector

9.28 The voluntary sector plays a key role in providing specialist support for victims and their families. Contact details for key organisations can be found at **Annex B**.

CHAPTER 10 – OTHER LEGAL REMEDIES

Non-molestation orders

10.1 A non-molestation order is an order that a judge can grant to stop or prevent a person from abusing, harassing, pestering, using or threatening to use violence against another person in any way. It can be applied for at any time and is not dependent on the pursuit of criminal proceedings. It can be general in nature, for example, that “x shall not molest” or it can be more specific, for example, the court can set out certain acts which are forbidden and deemed to be an act of molestation.

10.2 A non-molestation order can specifically include children or in some cases they may be made for children alone.

10.3 The court also has the power to attach an ‘exclusion zone’ to the order which means that an alleged abuser can be excluded from certain places such as the street or area in which the victim lives, works, or on occasions, the school which their children attend.

Occupation orders

10.4 An occupation order is an order that a judge can make stating who has the right to occupy a property. The judge will look at many things when deciding whether to make an occupation order, like whether or not the person has other accommodation available.

10.5 An occupation order may be used as a complementary order to the non-molestation order or as a stand-alone order. When it is granted alongside a non-molestation order it offers added protection to victims by preventing the alleged abuser from living in the family home and a breach of any such orders is deemed to be a criminal offence.

Who can apply for non-molestation and occupation orders?

10.6 In general terms a victim can apply for an order against someone who is a family member or has lived with them in a familial relationship. The following are the specific categories of people who can apply (known as **associated** persons).

10.7 A person is associated with another person if:

- they are or have been married to each other;
- they are or have been civil partners of each other;
- they are co-habitees or former co-habitees;
- they live or have lived in the same household, otherwise than merely by reason of one of them being the other’s employee, tenant, lodger or boarder;
- they are relatives;
- they have agreed to marry one another;
- they have entered into a civil partnership agreement;

- in relation to any child, they are a parent of the child; or has or has had parental responsibility for the child; or
- they are parties to the same family proceedings (other than proceedings under this order).

10.8 'Relative', in relation to a person means:

- (a) the father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, grandmother, grandfather, grandson, or granddaughter of that person or of that person's spouse or former spouse; or
- (b) the brother, sister, uncle, aunt, niece or nephew (whether of the full blood or of the half blood or by affinity) of that person or of that person's spouse or former spouse

and includes, in relation to a person who is living or has lived with another person, as husband and wife, any person who would fall within paragraph (a) or (b) if the parties were married to each other.

10.9 If an alleged abuser does not fall under one of these categories a victim may instead be able to apply for protection by way of a civil injunction.

Emergency order (Ex-parte order)

10.10 Both a non-molestation order and an occupation order can be made by way of an emergency order (an ex-parte order). If there has been a **recent** (usually within seven days) incident of abuse a victim can make an **emergency** application to the court for either a non-molestation order or an occupation order or both. These are often referred to as **ex-parte orders**. This means that the alleged abuser (Respondent) is not notified of the application being made to the court. These emergency orders will only be granted on a short term (interim) basis but are useful in providing urgent protection from further abuse, until such times as the alleged abuser can be given notice of the application for a full order being sought. The order usually lasts until the next court date.

10.11 If the order has been made in an emergency (ex parte) then the alleged abuser will not have been in court and will not know that the order is in place. In these cases the information on the order is sent by the court to the Police Service of Northern Ireland (PSNI) who will inform the person (serve it). The order takes effect once served.

10.12 The victim (applicant) will also receive a copy of the order by first class post from the Northern Ireland Court and Tribunals Service. If an emergency order is granted by the court, the court will then summons both parties to attend court for a full hearing.

10.13 The Respondent (alleged abuser) can either confirm that they are content for a full non-molestation and/or occupation order to be made against them, or, they can say that they are not happy with the order being made and can defend themselves against such an order being made.

Inter-partes order

10.14 An inter-partes order is the term used when both the Applicant (victim) and the Respondent (alleged abuser) have been given the opportunity to be present or represented in court.

10.15 If the order is made when the alleged abuser is in court, or is represented in court by a solicitor, then they are aware from that date that the order is in place. The order will also be served by special delivery or first class post by the Northern Ireland Court and Tribunals Service on both the applicant and respondent.. Legal representatives will have access to the orders once they are confirmed on the Courts' operating systems. Copies of the order are also sent to the police.

10.16 If the Respondent was present at the hearing but **not** represented by a solicitor and it is not known if a solicitor is engaged the order is also served by first class post by the Northern Ireland Courts and Tribunal Service at the alleged abusers residence or last known residence.

10.17 If the Respondent is not present in court or not represented by a solicitor the order will be sent to the police to be served on the alleged abuser. The order is effective from the time that it is granted in court.

10.18 The orders granted can last for whatever period the court orders - the usual period is 18 months. During this period the order can be varied to meet any changing circumstances. If domestic abuse persists after the order has expired further orders can be applied for.

10.19 The following are relevant forms:

[Form F1](#) Application for a non-molestation order/ occupation order

[Form F2](#) Summons to respondent on an application under the Family Homes & Domestic Violence (Northern Ireland) Order 1998

Breaching an order

10.20 Anyone who has been granted a non-molestation and/or an occupation order should expect protection from the person that the order relates to. It is important to remember that the person on whom the order is served may not keep to the conditions of the order and may continue to try to harass/molest their victim. In this case it is **extremely important** that all incidents that occur are recorded and reported to the police, so that they can take steps to enforce the order.

10.21 Once a person has been served with the order they can be arrested by the police for any breaches. Whilst these orders are made in the civil court and are civil orders any breaches (further abusive behaviours or not abiding to what the court has directed) of these orders are deemed to be a criminal offence. The person who is alleged to have 'breached' the order can be arrested and taken to a **criminal court**.

10.22 It should be noted that when a stand-alone occupation order is breached the police do not have a power of arrest. However, victims should be encouraged to report breaches to the police as other criminal offences may have occurred. They should also seek advice as to what other legal remedies are available.

What does it cost? – Legal aid and financial eligibility

10.23 Everyone applying for a non-molestation order and or a non-molestation order combined with an occupation order is eligible for legal aid. A financial assessment for legal aid is carried out on a **Green Form** by the solicitor.

10.24 If a client's income or capital is above a certain amount they will have to make a 'one off' contribution to legal aid. The rest of the legal costs are met by legal aid no matter how long the application goes on for.

10.25 A client need only be eligible at the time of signing the Green Form. They will continue to benefit from the legal aid even if their income subsequently increases. Some solicitors firms may agree to the client paying the contribution by instalments where a client is not in a position to pay the full amount at one time.

10.26 An applicant for an occupation order is not automatically eligible for legal aid and will need to be assessed to see if they are financially eligible. Advice can be obtained from a solicitor.

Victims with no recourse to public funds

10.27 A person with no recourse to public funds is eligible to Green Form advice and therefore legal aid is available for non-molestation proceedings. The Legal Services Commission will expect their solicitor to check how they are supporting themselves e.g. if they are getting financial support from a charity or a Trust or if they are an asylum seeker, for example, whether they are getting support from the National Asylum Support Service (NASS).

What is a restraining order?

10.28 Restraining orders are provided for under:

The Protection from Harassment (NI) Order 1997 (section 3)

<http://www.legislation.gov.uk/nisi/1997/1180/contents>; and

Domestic Violence, Crime and Victims Act 2009 (section 13)

<http://www.legislation.gov.uk/ukpga/2012/4>

10.29 A restraining order may specify any conduct or act which is prohibited and which amounts to harassment or will cause a fear of violence. Restraining orders can be applied for, once criminal proceedings have concluded in court.

10.30 Restraining orders may even be made where the defendant is not found guilty, to cover cases where despite the acquittal the court feels protection is still needed.

The court can make the order of its own volition or if they are asked to by the prosecution. The onus is on the prosecution to remind the court of its powers particularly on acquittal.

10.31 The police, in making a referral to the prosecution, can include a recommendation to the prosecution that such an order needs to be considered. It is of course still open to any victim to seek a non-molestation order as previously outlined but the use of this power by the courts would perhaps suggest a more proactive approach by the courts and may offer more seamless protection to victims.

Children order proceedings

10.32 Someone who has been a victim of domestic abuse may find themselves involved in disputes with their former partner about arrangements for the care of children. The law governing such disputes is contained in the Children (Northern Ireland) Order 1995 and cases are heard in dedicated family courts that operate differently from other courts so that children are protected and their interests are paramount. The proceedings are often referred to as 'Article 8 proceedings', because court orders about where a child is to live (residence orders) and who they will have contact with and in what way (contact orders) are made under Article 8 of the Children Order.

10.33 Going to court to settle disputes about children can be a stressful and challenging experience, in particular where there is a history of abuse between the parties. Legal aid is available to support people involved in these proceedings, subject to an assessment of their means.

10.34 In recognition of the particular vulnerability of victims of abuse in these cases, the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 provides for legal aid to be available without a means test where the proceedings are brought against a person by their abuser.

10.35 The Act also requires the Department of Justice to produce a report on the potential to offer further support to victims of abuse who are involved in Article 8 proceedings. The production of this report will require insight from people with direct experience of the challenges involved in these proceedings for victims of abuse, and an engagement process that enables their voices to be heard. The report is due to be completed in the early part of 2023. An overview of these provisions in the Act is provided in **Annex A** (sections 28 and 29).

ANNEX A - Summary of the provisions in Part 1 of the Domestic Abuse and Civil Proceedings Act 2021

- **Section 1** of the Act makes it an **offence** for someone to engage in a course of abusive behaviour, that is on **at least two occasions**, against a partner, former partner, someone they are in an intimate personal relationship with or a close family member.

This is subject to **two conditions**. Firstly, that a **reasonable person** would consider that the course of behaviour would be **likely to cause harm**. Secondly, that the accused **intended to cause harm or was reckless** as to whether or not harm would be caused. As a result, the offence can be committed regardless of whether or not harm is actually caused to an individual.

- **Section 2** sets out **what amounts to abusive behaviour**. The description is not exhaustive and includes violent or threatening behaviour (including sexual violence) as well as behaviour that is directed at the victim, their child or another person, that may have **certain effects** on the victim.

These effects are deliberately broad, capturing a range of abusive behaviour, for example:

- making the victim **dependent** on the abuser;
- **isolating** them from friends, family members or sources of social interaction or support;
- **controlling**, regulating or monitoring their day to day activities;
- depriving or **restricting their freedom of action**; or
- making them feel **frightened, humiliated, degraded, punished or intimidated**.

These types of behaviour could include preventing a person from having access to money, forcing them to leave their job or education, or controlling their movement or access to friends, family or a variety of means of communication.

It could also include controlling access to the 'outside world', what the other person wears, how they behave as well as preventing them from carrying out day to day activities on their own and without being monitored.

- **Section 3** outlines that the effects of the **abusive behaviour**, such as dependency, subordination, isolation and control, **don't have to have caused harm in order for an offence to occur**. Rather, as set out in section 1, it is sufficient that a reasonable person would consider that the behaviour would be likely to result in harm. This is intended to cover situations where a victim may not consider that they have been harmed, effectively due to either their resilience or abusive behaviour being normalised.
- **Section 4** sets out what is meant by **behaviour for the purpose of the Act** and how it can be carried out. This can include where abuse is carried out with, or through a third party, whether knowingly or not.

- **Section 5** sets out what is covered by **personally connected** for the purpose of the domestic offence and an aggravated offence. This includes those that are **married, civil partners or living together** as such, or **have been**, or are **otherwise in an intimate personal relationship**. It also sets out that **family member** broadly covers parents, grandparents, children, grandchildren and siblings.
- **Sections 6 and 7** make provision in relation to the domestic abuse offence, that it can be proposed that a **relationship between two individuals be taken as established**, unless this is challenged.
- **Section 8** provides for **aggravation of the domestic abuse offence**, where a **person under 18 is involved**, in the context of a young person in a relationship or against a family member. This **enables the court to increase the sentence imposed**, to the maximum available. Where there is aggravation the court would have to state that the offence is aggravated, record it as such and explain how the aggravation affected the sentence imposed. It also makes explicit that where a charge includes an aggravator that failure to prove that aggravation would not result in the main offence falling.
- **Section 9** provides that an **aggravation of the domestic abuse offence** could also occur through **abusive behaviour being (or threatening to be) directed at a young person** or them **being used to facilitate abusive behaviour**, whether knowingly or not. The aggravator would apply where the **child, saw, heard or was present** during a single incident of domestic abuse that forms part of the course of abusive behaviour. It would also apply where a reasonable person would consider that the behaviour would be likely to adversely affect the child.
- This enables the court to increase the sentence imposed, to the maximum available. Where there is aggravation the court would have to **state that the offence is aggravated**, record it as such and explain how the aggravation affected the sentence imposed. It also makes explicit that where a charge includes an aggravator that failure to prove that aggravation would not result in the main offence falling.
- **Section 10** relates to **extra-territorial jurisdiction**. This provides that the course of abusive behaviour, and therefore the domestic abuse offence, may occur where the **abusive behavior takes place outside of the UK**, if the accused is normally resident in Northern Ireland.
- **Section 11** provides that the domestic abuse offence would **not apply** in the context of someone having **parental responsibility for a young person under the age of 16**. The provisions may however apply where two teenagers are involved in an abusive relationship or where there is domestic abuse of a parent by their child.
- **Section 12** provides for a **defence**, where a person can show that the course of **behaviour was reasonable**, for example restricting access to household finances where an individual suffers from some form of addiction, or on safety

grounds as a result of illness. The purpose of this is to recognise that behaviour which may otherwise be considered abusive may be justified, in certain circumstances.

- **Section 13** provides that where the domestic abuse offence is brought forward, and it is not possible to convict of this, that the court **may convict of alternate offences** under **harassment legislation** where the evidential threshold for that offence is met. This would include stalking offences in due course.
- **Section 14** provides that the **penalty** for the offence is **up to 12 months at magistrates' court level and up to 14 years at Crown Court** (as well as a fine or both at each court tier).
- **Section 15** provides for **any other offence**, other than the domestic abuse offence, to be **aggravated** where it involves domestic abuse. This could be with a charge of, for example, criminal damage, assault or sexual offences which involve domestic abuse. This enables the court to increase the sentence imposed, to the maximum available. Where there is aggravation the court would have to state that the offence is aggravated, record it as such and explain how the aggravation affected the sentence imposed. It also makes explicit that where a charge includes an aggravator that failure to prove that aggravation would not result in the main offence falling.
- **Section 16** sets out the **three conditions for involving domestic abuse**, in the context of an aggravated general offence. These are similar to the conditions that apply to the domestic abuse offence itself.

These are that a **reasonable person would consider that the offence would be likely to cause** the person physical and/or psychological **harm**; that the **accused intended to cause harm or was reckless** as regards this; and that the **two individuals are personally connected** that is are partners, in an intimate personal relationship or are family members.

- **Section 17** (similar to section 11) provides that an **aggravated offence would not apply** in the context of someone having **parental responsibility** for a young person under the age of 16.
- **Section 18** sets out what is covered by **personally connected** for the purpose of an **aggravated offence**. This includes those that are **married, civil partners or living together as such, or have been**, or are otherwise in an **intimate personal relationship**. It also sets out that **family member** broadly covers parents, grandparents, children, grandchildren and siblings.
- **Sections 19 and 20** make provision in relation to an **offence aggravated by domestic abuse**, that it can be proposed that a **relationship between two individuals be taken as established**, unless this is challenged.
- **Section 21 amends the child cruelty offence** under section 20 of the Children and Young Persons Act 1968 making clear that non-physical ill treatment of a child (under 16) by someone with parental responsibility for them is an offence.

- **Section 22 prevents the accused from electing for trial by jury at Crown Court**, in summary proceedings, in relation to the domestic abuse offence.
- **Section 23** will enable those subject to the domestic abuse offence, or an aggravated offence, to **automatically be eligible for consideration of special measures** when giving evidence, which could include the use of live links, screens etc.
- **Section 24** would **prohibit the cross examination of an individual in a criminal court by the accused**, where this relates to the domestic abuse offence or an offence aggravated by domestic abuse.
- **Section 25 inserts a new section 3A to the Criminal Evidence (Northern Ireland) Order 1999**, which sets out the meaning of an “offence involving domestic abuse” for the purpose of that Order (deals with the giving of evidence and special measures).
- **Section 26** enables **information sharing** with an education provider about an incident of domestic abuse involving a pupil or student, allowing for an Operation Encompass type model to be introduced.
- **Section 27** enables the Department to bring forward measures to protect victims of domestic abuse including, but not necessarily limited to, **domestic abuse protection notices and orders**.
- **Section 28** provides for a **waiver of the financial eligibility rules** that would otherwise apply in determining a person’s application of civil legal services to enable them to be represented as a respondent in proceedings under Article 8 of the Children (Northern Ireland) Order 1995. These proceedings involve contact, residence, specific issues and prohibited steps orders relating to the care of children by people with parental responsibility for them. The waiver would apply in circumstances where the person is a victim of domestic abuse, and where the person bringing the application against them is their abuser.
- **Section 29** requires the Department of Justice to bring forward a **report setting out proposals to reduce the cost for the victim of defending proceedings** brought against them by an abusive partner, and for making it more difficult for abusers to bring vexatious applications and to perpetuate their abuse through the courts.
- **Section 30** sets out that the Department must **issue guidance** related to the domestic abuse offence, which has been developed in conjunction with our statutory and voluntary sector partners.
- **Section 31** provides that the Department may **issue guidance** to police and the Public Prosecution Service about the **information it needs** to assess the operation of Part 1 of Act and considering any steps that could be taken to ensure the Act is operating effectively. At an operational level the Northern

Ireland Courts and Tribunal Service will also be involved.

- **Section 32** places a duty on the police and Public Prosecution Service to provide such **annual mandatory training** as they consider appropriate for those that have responsibilities for domestic abuse cases. The Department has a similar responsibility in relation to the Northern Ireland Courts and Tribunals Service. Additional bodies may be selected by the Department or be provided for in Regulations. An annual statement will be prepared on the training undertaken.
- **Section 33** sets out that an **independent oversight person** is to be appointed to advise and make recommendations on the Operation of Part 1 of the Act as well as advise and make recommendations in relation to guidance under section 28.
- **Section 34** requires the Department to prepare a report on the operation of the domestic abuse offence, child aggravated offence and offences aggravated by domestic abuse, with a range of information to be provided. A report is to be published every three years.

ANNEX B

Northern Ireland contacts and support organisations

Organisation	Overview	Contact details
24hr Domestic & Sexual Abuse Helpline	The Domestic and Sexual Abuse helpline is open to women and men affected by domestic or sexual violence or abuse. This free telephone service is available 24 hours a day, 365 days a year.	Tel: 0808 802 1414 (Freephone) Email: help@dsahelpline.org Webchat: www.dsahelpline.org (web chat)
Addiction NI	Addiction NI provides treatment and support for people who are dependent on alcohol or drugs.	Tel: 028 9066 4434 Email: enquiries@addictionni.com Web: www.addictionni.com
Advice NI	Advice NI provides leadership and services to members and ensures accessible advice services across Northern Ireland.	Tel: 0800 915 4604 Email: advice@adviceni.net Text: ACTION to 81025 Web: www.adviceni.net
Age NI	Age NI is the leading charity for older people in Northern Ireland which provides advice, information or practical support on a wide range of issues.	Tel: 0808 808 7575 (8am to 7pm, 365 days a year) Email: advice@ageni.org Web: www.ageuk.org.uk/northern-ireland/
Aware NI	Aware NI is the only charity in Northern Ireland working exclusively for those with depression. They also support carers and friends or family of those with depression.	Tel: 07548530931 or 07340488254. Email: info@aware-ni.org Web: https://aware-ni.org/
Barnardo's Northern Ireland	Barnardo's NI works with children, young people and families across Northern Ireland to promote better outcomes and build better futures. Barnardo's NI delivers a wide range of services, from providing family support and early intervention, to working directly with children and families who have experienced adversity and need support.	Tel: 028 9067 2366 Email: ReceptionNI@barnardos.org.uk Web: https://www.barnardos.org.uk/northern-ireland
BME Women's Network	Promote racial equality for ethnic minority women in Northern Ireland	Email: bmewomensnetwork@gmail.com

Organisation	Overview	Contact details
Cara-Friend	Cara-Friend provides regional LGBTQIA+ youth groups across Northern Ireland and one-to-one support for individuals.	Tel: Belfast Office: (028) 9089 0202 Foyle Office: (028) 7128 3030 LGBT Switchboard: 0808 8000 390 Email: admin@cara-friend.org.uk Web: www.cara-friend.org.uk/
Chayn	Multi-lingual resources for victims of abuse, written by survivors and edited by experts.	www.chayn.co
Childline	Childline is a free, private and confidential service for anyone under 19 living in the UK.	Tel: 0800 1111 Web: https://www.childline.org.uk/
Children in NI	Children in NI provides training, policy, information, and participation support services to member organisations, relating to their work with children and young people.	Tel: 028 9040 1290 Email: info@ci-ni.org.uk Web: http://www.ci-ni.org.uk/
Children's Law Centre NI	The Children's Law Centre provides advice and information on young people's rights.	Tel: 0808 808 5678 Email: chalky@childrenslawcentre.org Web: www.childrenslawcentre.org.uk
The Cithrah Foundation	Cithrah consists of a drop-in centre providing support, counselling, information and training for volunteers and individuals seeking help in a crisis and a women's refuge for women and their families who find themselves homeless due to an abusive situation.	Tel: 028 9335 1199 Email: info@cithrah.org.uk Web: https://cithrah.org.uk/ Drop-in centre address: 28 North Street, Carrickfergus, Co. Antrim, BT38 7AR
Disability Action	Disability Action are a Northern Ireland charity who work with people with physical disabilities, learning disabilities, sensory disabilities, hidden disabilities and mental health disabilities.	Belfast Tel: 028 9029 7880 Email: hq@disabilityaction.org Derry~Londonderry Tel: 028 7136 0811 Email: derry@disabilityaction.org Dungannon Tel: 028 8775 2372 Email: dungannon@disabilityaction.org Carrickfergus

Organisation	Overview	Contact details
		Tel: 028 9336 9367 Email: elizabethbrisbane@disabilityaction.org Web: https://www.disabilityaction.org/
Education Authority	The Education Authority is responsible for delivering education services across Northern Ireland.	Tel: 028 9056 4000 Email: info@eani.org.uk Web: https://www.eani.org.uk/
Helplines NI	Helplines NI is a membership-led organisation consisting of over 30 different helplines operating across Northern Ireland.	Web: https://helplinesni.com/
HERe NI	HERe NI empowers, supports and advocates for all lesbian and bisexual women and their families.	Tel: 02890 249452 Email: tracey.mcdowell@hereni.org Web: https://here875008472.wordpress.com/
Health and Social Care Trusts	Health and Social Care Trusts provide integrated health and social care services across Northern Ireland.	<p>Adult Protection Gateway Teams</p> Belfast Trust – 028 9504 1744 South Eastern Trust – 028 9250 1227 Northern Trust – 028 9441 3659 Southern Trust 028 3756 4423 Western Trust 028 7161 1366 <p>Evenings / weekends: 028 90504999</p> <p>Web: http://online.hscni.net/hospitals/health-and-social-care-trusts/</p> <p>Children’s Safeguarding Gateway Service</p> Gateway numbers: Belfast Trust – 028 90 507000 South Eastern Trust – 0300 1000 300 Northern Trust – 028 94 424459 Southern Trust - 028 37 567100 Western Trust - 028 71 314090

Organisation	Overview	Contact details
Hourglass Northern Ireland	Hourglass NI listens, advises and supports vulnerable older people and all those affected by abuse and neglect throughout the UK.	Tel: 0808 808 8141 Email: enquiries@elderabuse.org.uk Web: https://wearehourglass.org/ni
Inter Ethnic Forum	Provide a link between minorities and statutory and voluntary bodies, as well as community groups.	Tel: 028 2564 8822 Website:
Irish Congress of Trade Unions – NI Committee	The Irish Congress of Trade Unions (ICTU) is the single umbrella organisation for trade unions on the island of Ireland. The Northern Ireland Committee of the ICTU is the representative body for 34 trade unions with over 215,000 members across Northern Ireland.	Tel: 02890 247940 Email: info@ictuni.org Web: https://www.ictuni.org/
Law Centre NI	Law Centre NI offers specialist legal advice in the areas of social security, employee rights, immigration and asylum.	Tel: 028 9024 4401 Email: For immigration advice: immigrationadvice@lawcentreni.org For employment advice: employmentadvice@lawcentreni.org For benefits advice: benefitsadvice@lawcentreni.org For general enquiries: admin@lawcentreni.org Web: https://www.lawcentreni.org/
Law Society of Northern Ireland	The Law Society is the regulatory and representative body for solicitors in Northern Ireland.	Tel: 028 9023 1614 Web: https://www.lawsoc-ni.org/
Lifeline NI	Lifeline is the Northern Ireland crisis response helpline service for people who are experiencing distress or despair.	Tel: 0808 808 8000 Web: https://www.lifelinehelpline.info/
Men's Action Network (MAN)	Men's Action Network supports and promotes the health and well-being of men in the North-West of Ireland by offering	Tel: 02871 377777 Email: admin@man-ni.org Web: www.man-ni.org/ Specialist counselling helpline

Organisation	Overview	Contact details
	advice, counselling and support in a range of issues such as Men's Health Education and Health Promotion.	available weekdays, 9am to 4pm, on 028 7122 6530
Men's Advisory Project (MAP)	MAP exists to provide counselling services for men experiencing domestic abuse.	Tel: Belfast - 028 9024 1929 Foyle - 028 7116 0001 Email: info@mapni.org.uk Web: www.mapni.co.uk
The Migrant Centre	Supporting Migrants in NI by tackling racism and eliminating barriers against new and settled migrant communities in NI.	Email: management@migrantcentreni.org Web
National Society for the Prevention of Cruelty to Children - NSPCC	NSPCC is leading children's charity in the UK, specialising in child protection. NSPCC is the only children's charity with statutory powers meaning that it can take action to safeguard children at risk of abuse.	NSPCC Child Protection Helpline Tel: 0800 800 5000 Email: help@nspcc.org.uk Web: www.nspcc.org.uk/
Nexus NI	Nexus NI offers services and support across Northern Ireland, to people who have been affected by sexual violence in any form.	Tel: 02890 326803 Email info@nexusni.org Web: https://nexusni.org/
North West Migrants Forum NWMF	North West Migrants Forum (NWMF) offer free, confidential, impartial and independent advice on integration processes such as housing, and health via our weekly clinics, in the Derry Region. Our advice helps people resolve their problems with benefits, employment, housing, discrimination, and many more issues.	Tel: 0287 136 2184 0788 020 7223 Email: info@nwmf.org.uk
Northern Ireland Council for Racial Equality (NICRE)	Represents a voice on racial equality, racism and racist violence in Northern Ireland.	Tel: 07710 767235 Web: https://nicre.org/
Northern Ireland Housing Executive	Key strategic objectives are: <ul style="list-style-type: none"> • delivering better homes • supporting independent living 	See NIHE website for contact details. For queries in relation to discretionary housing payment and

Organisation	Overview	Contact details
	<ul style="list-style-type: none"> • building stronger communities • delivering quality services 	homelessness, contact the homelessness contact number on: 03448 920 908.
Parenting NI	Parenting NI provides free support for parents across Northern Ireland.	Tel: Freephone 0808 801 0722 Email: help@parentingni.org Web: www.parentingni.org
Police Service of NI	<p>PSNI protects, helps and supports anybody who is suffering domestic abuse by:</p> <ul style="list-style-type: none"> - fully investigating any incident that has occurred and taking action against the perpetrator, if there is sufficient evidence; - protecting you and your children from immediate or further harm; - providing information in relation to criminal proceedings and police procedure; and - providing information on local domestic abuse support agencies that can give emotional and practical assistance. 	<p>Tel: Call 101 in a non-emergency but you need immediate assistance or advice.</p> <p>Call 999 in an emergency where you need immediate assistance or feel threatened.</p> <p>Web: www.psni.police.uk/crime/domestic-abuse/</p>
Probation Board for Northern Ireland	<p>The Probation Board for Northern Ireland assesses people subject to a community order or licence and prepares reports for Courts, Parole Commissioners and others. Probation also supervises people subject to a range of court orders and licences at any given time.</p> <p>Probation is also centrally involved with two multi agency Domestic Abuse projects to deliver Problem Solving Justice and provide early intervention in tackling the underlying causes of offending behaviour.</p>	<p>Web: For contact details for individual probation offices see: www.pbni.org.uk/contact/</p> <p>For more details on the behavioural change programmes see: https://www.pbni.org.uk/what-we-do/programmes/</p>

Organisation	Overview	Contact details
The Rainbow Project	The Rainbow Project is a health organisation that works to improve the physical, mental and emotional health and well-being of lesbian, gay, bisexual and/or transgender people in Northern Ireland.	Tel: Belfast 028 9031 9030 Foyle: 02871 283030 Email: info@rainbow-project.org Web: www.rainbow-project.org
Relate NI	Relate NI provides a service to individuals, couples or families experiencing violence or abuse in their relationships.	Tel: 028 90323454 Email: office@relateni.org Web: www.relateni.org/domestic_violence_and_abuse_services
Samaritans	Samaritans is available 24 hours a day to provide confidential emotional support for people who are experiencing feelings of distress or despair.	Tel: 028 90664422 or 116 123 Email: jo@samaritans.org Web: www.samaritans.org/ni/branches/
Sexual Assault Referral Centre – The Rowan	The Rowan is the regional Sexual Assault Referral Centre (SARC) for Northern Ireland. It delivers a range of support and services 24 hours a day, 365 days a year to children, young people, women and men who have been sexually abused, assaulted or raped, whether this happened in the past or more recently.	There are a number of ways someone can access help and support from The Rowan: <ul style="list-style-type: none"> - The Rowan can be accessed through the police. If someone has been sexually assaulted, they can report this to the police directly by telephoning 999 or 101. They will arrange for them to visit The Rowan to discuss and receive the support and services they need. - Contact The Rowan directly, without any police involvement, by telephoning 0800 389 4424 (freephone from landlines). A friend or family member or any professional or support worker can be asked to make that first call on their behalf. Web address: www.therowan.net
Victim Support NI	Victim Support NI is an independent charity which helps people affected by crime by offering a free and confidential service, whether a crime has been reported and regardless of how long ago the	Tel: 02890 243133 or 02871 370086. Live Chat (9am – 5pm) on www.victimsupportni.com/about-us/contact-us/ and clicking on the ‘chat’ icon. Email:

Organisation	Overview	Contact details
	event took place.	Belfast@victimsupportni.org.uk or foyle@victimsupportni.org.uk Web: www.victimsupportni.com/help-for-victims/domestic-violence/
Women's Aid Federation	There are local Women's Aid groups throughout Northern Ireland. They are all members of Women's Aid Federation Northern Ireland. Local groups deliver a range of specialised support services to women and children who have experienced domestic abuse.	Tel: (028) 9024 9041 Email: info@womensaidni.org Local groups: Antrim, Ballymena, Carrickfergus, Larne & Newtownabbey Women's Aid Tel: 028 2563 2136 Email: womensaidareaoffice@btconnect.com Website: www.womens-aid.org.uk Twitter: @womensaidabcln Facebook: womensaidabcln Armaghdown Women's Aid Tel: 028 3025 0765 [Newry, Mourne and Down area] 028 3839 7979 [Armagh, Banbridge and Craigavon area] Email: admin@womensaidarmaghdown.org Twitter: @WomensAidAD Facebook: womensaidarmaghdown Belfast & Lisburn Women's Aid Tel: 028 9066 6049 Email: admin@belfastwomensaid.org.uk Website: www.belfastwomensaid.org.uk Twitter: @WomensAidBL Facebook: belfastwomensaid Belfast & Lisburn Women's Aid also operate a one-stop shop every Friday morning 10am-12pm which provides free, immediate and confidential access to legal, benefits and housing advice, as well as a Women's Aid support worker. Location: 30 Adelaide Park, Belfast,

Organisation	Overview	Contact details
		<p>BT9 6FY (off the Malone/Lisburn Road). No appointment needed.</p> <p>Causeway Women's Aid Tel: 028 7035 6573 Email: www.womensaidcoleraine@btinternet.com Twitter: @causeway_s</p> <p>Fermanagh Women's Aid Tel: 028 6632 8898 Email: womensaidfermanagh@btopenworld.com Website: www.fermanaghwomensaid.com</p> <p>Facebook: Volunteers-for-Fermanagh-Womens-Aid</p> <p>Foyle Women's Aid Tel: 028 7141 6800 Email: info@foylewomensaid.org Website: www.foylewomensaid.org</p> <p>Twitter: @foylewomensaid Facebook: foylewomensaid</p> <p>Mid-Ulster Women's Aid Tel: 028 8676 9300 Email: admin@midulsterwomensaid.org.uk Website: www.midulsterwomensaid.org.uk</p> <p>North Down & Ards Women's Aid Tel: 028 9127 3196 Email: info@ndawomensaid.org Website: www.ndawomensaid.org</p> <p>Facebook: North-Down-Ards-Womens-Aid</p> <p>North Down & Ards Women's Aid also run a multi-agency drop-in service on the first and third Thursday of every month 10am-12pm for women experiencing:</p> <ul style="list-style-type: none"> • Physical abuse • Emotional abuse • Financial abuse

Organisation	Overview	Contact details
		<ul style="list-style-type: none"> • Sexual abuse <p>This One Stop Shop provides FREE, immediate and confidential access to Women's Aid, legal support, benefits advice, housing support and safety advice. Location: Thriving Life Church, Crawfordsburn Road, Newtownards, BT23 4EA, No appointment necessary. Crèche facilities available. For any further information about the One Stop Shop or Women's Aid support services please call 028 91273196 or email onestopshop.ndawa@gmail.com.</p> <p>Omagh Women's Aid Tel: 028 8224 1414 Email: info@omaghwomensaid.org Website: www.omaghwomensaid.org g</p> <p>Facebook: Omagh-Womens-Aid</p>

Additional resources

[DAART awareness raising tool](#)

[Homicide Timeline – The 8 Stages](#)