

LAW IN THE MAKING

EXPERTS BY EXPERIENCE BRIEFING

PRIORITIES FOR A **DOMESTIC ABUSE BILL**



women's aid
until women & children are safe

Nobody understands domestic abuse better than survivors. As experts by our experience, our voices must be central in creating new laws.

Law in the Making is a ground-breaking project, led by the national domestic abuse charity Women's Aid, which gives survivors the tools and opportunities to develop their priorities for a domestic abuse bill. This project is about ensuring that the voices of survivors shape legislation, which is essential if a bill is going to bring about the step change in the national response to tackling domestic abuse that we need to see.

We are a group of sixteen survivors who are committed to bringing about that change.

We have dedicated our time and energy to this project, taking part in a series of workshops on legislation and campaigning, engaging with parliamentarians and sharing our experiences, and developing calls for change.

For more information please contact the Women's Aid Campaign and Public Affairs team, or email expertsbyexperience@womensaid.org.uk

We are grateful to the Legal Education Foundation for its generous support which has made this work possible.

The
Legal
Education
Foundation

PRIORITIES

This briefing outlines our final campaign messages and recommendations which we believe must be prioritised in a domestic abuse bill if it is to make a real difference to the lives of survivors and their children.

01 Awareness raising, education and training

02 Mental health and the long-term impact of trauma

03 Housing

04 Immigration and support for migrant survivors

05 Family courts and child contact

06 Disabilities

07 Consistent law enforcement

08 Advocacy and legal support



PRIORITY 01

Awareness raising, education and training

We have suffered in silence because of shame.

We have suffered in silence because we were not given the knowledge or the confidence to recognise abuse.

We have suffered in silence because no one asked us the question...

Talking about domestic abuse saves lives, but across our communities and amongst professionals, we still lack awareness and understanding.

Recommendations

- ▶ A duty on the secretaries of state to introduce compulsory national training for all relevant professionals, including an understanding of the additional barriers faced by survivors with disabilities, black and minoritised survivors, and LGBT survivors.
- ▶ A national public awareness campaign to ensure that domestic abuse is recognised and challenged. This campaign must speak to all communities, and address the unique barriers many communities face.



“I never fully understood what was going on ... you lose your sense of self ... You don't know what it is like to be yourself. It is the insidious nature of this type of abuse that makes it so dangerous, so people have to know about it so they can help.”

EXPERT BY EXPERIENCE

PRIORITY 02

Mental health and the long-term impact of trauma

Our experiences of domestic abuse have had a huge impact on our mental health, as it does for countless survivors, including child survivors. This has a long-lasting effect and must be recognised.

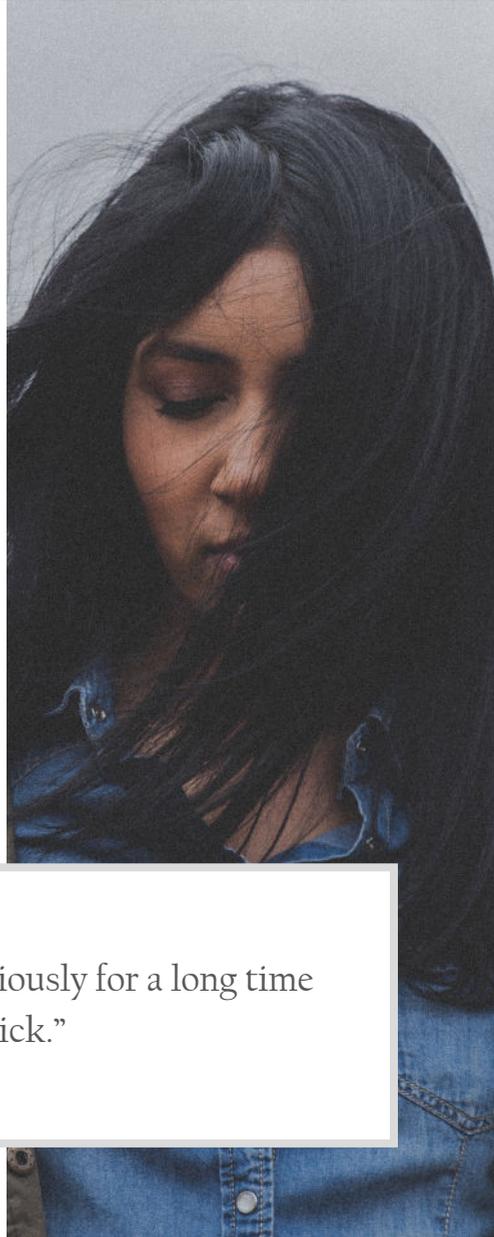
Recommendation

► Survivors to have priority and timely access to specialist mental health support services, which are adequately and consistently funded, and available across the country to all survivors, regardless of their immigration status.

“

“I found that I wasn’t taken seriously for a long time because I didn’t ‘appear’ to be sick.”

EXPERT BY EXPERIENCE



PRIORITY 03

Housing



For many of us, especially those of us without children or with an insecure immigration status, our journey through the housing system has been re-traumatising and hindered our recovery. Many of us were housed in unsafe and unsuitable accommodation, triggering our trauma. Some of us were stuck in refuge for over a year, unable to free up places for other survivors in need, and preventing us from moving forward with our lives.



“After a year of fallout, I was still homeless and on my backside - it felt like I was worse off for going through ‘the system’ ... the experience really took its toll on my resilience and fortitude, let alone my self-belief, confidence and positive outlook.”

Recommendations

- ▶ All survivors must have priority need for housing, without the need for police evidence, and regardless of our immigration status, and whether or not we have children.
- ▶ A duty on local authorities to ensure that housing allocation for survivors is safe and suitable. This must take into account the impact of trauma, physical safety, and additional needs, including suitable accommodation for women with disabilities, and the provision of women-only spaces.

EXPERT BY EXPERIENCE

PRIORITY 04

Immigration and support for migrant survivors

Those of us who came to the UK on spousal visas had little awareness of our rights in this country, no idea of our partners' history of abuse, and no friends or family to turn to for support. These additional barriers to seeking support were used by our abusers to control us, ensuring we lived in a state of fear and isolation. We lived in fear of having our children taken away or being deported to countries which were no longer safe to call home. Even after fleeing the abuse we are still struggling to rebuild our lives, while many of our abusers have gone on to apply for further spousal visas, continuing their cycle of abuse.

Recommendations

- ▶ For the government to expand the support received through the destitute domestic violence (DDV) concession to all migrant survivors (not only those on spousal visas), and to ensure that migrant survivors can easily access the support they need without fear of deportation.
- ▶ For the government to explore means to ensure serial perpetrators of domestic abuse are not able to apply for multiple spousal visas.



“I felt so manipulated, controlled, and lost on an island (UK) where I didn’t know how to survive. All I wanted was to go home but I didn’t know where home was.”

EXPERT BY EXPERIENCE

PRIORITY 05

Family courts and child contact

For many of us, the family courts system has been re-victimising and re-traumatising, showing poor understanding of the dynamics of domestic abuse and coercive control. The voice of ‘the child’ – of *our* children – is rarely heard. Our children have names, they are individuals with needs, and the system is failing them and preventing us from keeping them safe.

“

“My experience of the family courts - horrific, traumatic, psychological warfare. Mind games that replicated the abuse from the relationship.”

Recommendations

- ▶ A national and accredited training programme, and on-going competency checks, for all CAFCASS officers, the judiciary, and child contact centre staff. To include:
 - ▶ An understanding of the dynamics of domestic abuse and coercive control, and an ability to identify it and respond safely;
 - ▶ An understanding of the effects of trauma and the impact this may have on how a survivor may present in child contact proceedings;
 - ▶ An approach which is child-centred, recognising that each case is different and should be led by the needs of our children.

PRIORITY 06

Disabilities

Disabled women are three times more likely to experience gender-based violence, including domestic abuse, compared to their non-disabled counterparts. Such abuse is often perpetrated by those who they rely on for care and support, and there are often many more barriers to living free from abuse. For one of us, it took numerous attempts to leave because of the lack of understanding of disability within statutory and non-statutory organisations, a lack of information available in alternative formats, and barriers to accessing a suitable refuge.



Recommendation

- ▶ A legal duty upon public sector bodies and support services to provide information in alternative formats including braille, large print and audio.

”

“I was always told that, because I am blind and a woman, I could not be independent or have high aspirations. Consequently, every aspect of my life was under constant control and monitoring. When I reached out for help, I found that there was a lack of understanding of issues related to both disability and gender-based violence.”

EXPERT BY EXPERIENCE

PRIORITY 07

Consistent law enforcement

The criminal justice system has failed us time and time again – failing to enforce the current orders available. What difference will a new order make? We want to see the criminal justice system ensure compliance and enforcement of our current orders, equipping professionals with what is needed to make sure we are making best use of what is already available.

Recommendation

- ▶ To review the criminal justice system response to breaches of restraining and non-molestation orders, and ensure sufficient resourcing, capacity and legislation to enforce these now.

“

“My last 11 years were built on 13 harassment warnings, four restraining orders, and one non-molestation order - averaging a breach a month. It’s not easy to get a protection order, and when we do get them they are not enforced, time and time again.”

EXPERT BY EXPERIENCE

PRIORITY 08

Advocacy and legal support

Many of us have had to navigate the legal complexities of the system with very little support, often at great expense to ourselves both financially and emotionally. We need more support to ensure we understand our rights and get the justice we deserve.

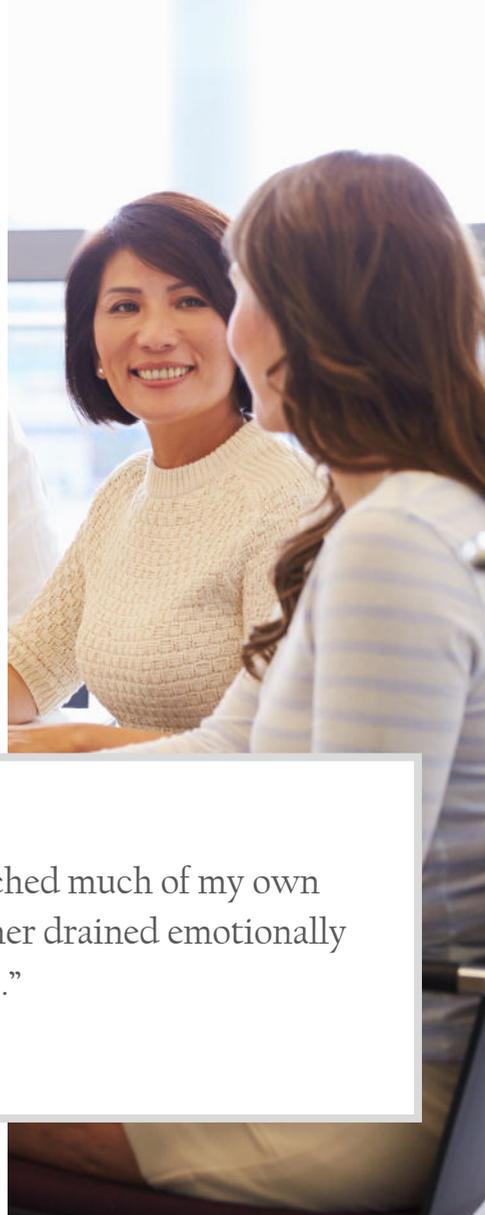
Recommendations

- ▶ Reverse the legal aid cuts delivered in the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

“

“Justice is prohibited ... I researched much of my own case myself and felt worse, further drained emotionally and financially - women give up.”

EXPERT BY EXPERIENCE



***Law In The Making Experts by Experience Briefing:
Priorities for a Domestic Abuse Bill***

Published by:

Women's Aid Federation of England,
PO Box 3245, Bristol, BS2 2EH
T: 0117 944 4411 F: 0117 924 1703
www.womensaid.org.uk

© Women's Aid 2019

Women's Aid is the national charity working to end domestic abuse against women and children. Over the past 45 years, Women's Aid has been at the forefront of shaping and coordinating responses to domestic violence and abuse through practice, research and policy. We empower survivors by keeping their voices at the heart of our work, working with and for women and children by listening to them and responding to their needs.

We are a federation of over 180 organisations which provide just under 300 local lifesaving services to women and children across the country. We provide expert training, qualifications and consultancy to a range of agencies and professionals working with survivors or commissioning domestic abuse services, and award a National Quality Mark for services which meet our quality standards. We hold the largest national data set on domestic abuse, and use research and evidence to inform all of our work. Our campaigns achieve change in policy, practice and awareness, encouraging healthy relationships and helping to build a future where domestic abuse is no longer tolerated.

Our range of services, which include the Survivors' Forum, help hundreds of thousands of women and children every year.

**Women's Aid Federation of England is a charity registered in
England & Wales, number 1054154**