



The Survivor's Handbook: Full version

List of contents

General Information

- Women's Aid Introduction by Nicola Harwin CBE
- The Body Shop Introduction by Dame Anita Roddick
- What is domestic violence?
- Recognising domestic violence
- Making a safety plan
- I am experiencing domestic violence – what can I do?

Finding help

- What can Women's Aid do for me?
- Where can I go? – housing options
- What is a refuge and how can I stay in one?
- Money issues
- How can I help a friend?

Your legal rights

- Your legal rights: Introduction
- Getting an injunction
- The police and the criminal prosecution process

Helping your children

- Children and domestic violence
- Making arrangements for children after separation

Special circumstances

- Women from Black and Ethnic Minority Communities
- Immigration issues
- Disabled women
- Lesbian and bisexual women

Health and well-being

- Domestic violence and your physical health
- Domestic violence and your mental health
- Alcohol and other drugs
- Surviving after abuse



Women's Aid Introduction by Nicola Harwin CBE

Every day hundreds of thousands of women and children live with domestic violence. As many as one in four women will experience domestic violence during their lifetime, and at least two women a week die as a result. Over 750,000 children witness domestic violence every year and desperately need support and protection. Thankfully many will seek help, information and support from Women's Aid and other domestic violence services across the UK. Last year nearly 42,000 women and children stayed in refuges in England and there were over a quarter of a million calls to the Freephone 24 Hour National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge).

Women's Aid has over 30 years of experience working with women and children living with domestic abuse. Over the years we have provided women with help, support and information, and aimed to empower them to make informed choices and find appropriate routes to safety. Information has been key to this and we have provided this through helpline services, refuge and outreach leaflets and publications and, more recently, through our two websites for women and children. We know that many women and children, and their families and friends, increasingly use the internet to find out about domestic violence and to seek help. Our online resource, The Survivor's Handbook, brings together comprehensive help and information in one place. It is designed to increase women's and children's safety and sends out a clear message that they are not alone, nor are they to blame. Women's Aid is indebted to The Body Shop, which has generously provided funding for this much-needed resource.

The Survivor's Handbook has been written in an accessible and easy-to-read format. The handbook comprises short sections covering every aspect of seeking help and support. It covers understanding domestic violence and how to make yourself and your children safe, guides you through the legal protection framework, and explains the role of the legal profession and police. Since we first published this new resource, several sections of The Domestic Violence, Crime and Victims Act 2004 have been implemented, resulting in some changes to legal protection, and to the enforcement of non-molestation orders in particular. We have recently updated The Survivor's Handbook to reflect these changes.



The Survivor's Handbook also provides very practical information about your housing options and the range of refuge and other domestic violence services available to you. It also gives you information about how to look after your physical and mental health, and ways you can build self-esteem and confidence. There is information about specialist services for women and children living with domestic violence, and lots of help and information about the impact of domestic violence on children. The handbook is full of useful contact details and signposts you to other supporting and helpful organisations.

Women's Aid believes that everyone has a right to live in safety and have a future without fear. We hope that The Survivor's Handbook will help many more women and children living with domestic violence to seek help and a place of safety, and begin the long process of re-building their lives.

Nicola Harwin, CBE
Chief Executive
Women's Aid



Introduction on behalf of The Body Shop from Dame Anita Roddick

Domestic Violence affects women from every social background, religion, and culture. It can occur at any stage in a woman's life. It is a violent crime with far reaching consequences for our society. It is a drain on the resources of GP's and hospitals and costs millions in lost work days and has a devastating effect on our children.

The Body Shop has been campaigning on the issue of domestic violence for over ten years. We know how much damage mental and physical abuse can do to a woman's self esteem and how it can destroy their lives. There is no doubt that progress has been made in getting the issue recognised and talked about both at Government and local level. However, I was shocked to learn that there is no single resource that brings together all of the information currently available in one easy and readily available format.

That is why I am so pleased that The Body Shop has been able to work with Women's Aid to support the creation of this handbook and provide vital information for women who have experienced domestic violence.

During this campaign I have met many survivors of domestic violence. Your courage is an inspiration to us all and makes us determined to keep on campaigning on this issue.

I hope that this handbook together with the ongoing support offered by Women's Aid and other agencies will go some way to empowering those of you who have experienced domestic violence and enable you to move on to a better and safer life.

Dame Anita Roddick



What is Domestic Violence?

There are a number of different definitions of “domestic violence”. In Women's Aid's view, domestic violence is physical, psychological, sexual or financial violence that takes place within an intimate or family-type relationship and forms a pattern of coercive and controlling behaviour. This can include forced marriage and so-called “honour” crimes. Domestic violence often includes a range of abusive behaviours, not all of which are, in themselves, inherently “violent” – hence some people prefer to use the term “domestic abuse” rather than “domestic violence”.

Domestic violence is very common: research shows that it can affect one in four women in their lifetimes. Two women a week are killed by their partners or former partners. (See **Domestic Violence Statistics** under **Domestic Violence Information Pack**.) All forms of domestic violence – psychological, financial, emotional and physical – come from the abuser's desire for power and control over intimate partners or other family members. Domestic violence is repetitive and life-threatening, it tends to worsen over time, and it destroys the lives of women and children.

Crime statistics and research both show that domestic violence is gender specific – that is, it is most commonly experienced by women, and perpetrated by men, particularly when there is a pattern of repeated and serious physical assaults, or when it includes rape or sexual assault, or results in injury or death. Men can also experience violence from their partners (both within gay and straight relationships); however women's violence towards men is often an attempt at self defence, and is only rarely part of a consistent pattern of controlling and coercive behaviour. For this reason, we will generally refer to the abuser as “he” and to the survivor as “she”: see **Women and men, victims and survivors** later in this section.

Domestic violence also has an enormous effect on the children in the family. Nearly three-quarters of children considered “at risk” by Social Services are living in households where one of their parents/carers is abusing the other. A high proportion of these children are themselves being abused – either physically or sexually - by the same perpetrator. (Estimates vary between 30% to 66% depending upon the study). See **Children and domestic violence** for more information.

Any woman can experience domestic violence regardless of race, ethnic or religious group, class, disability or lifestyle. Domestic violence can also take



place in lesbian, gay, bisexual and transgender relationships. Domestic violence can also be perpetrated by other family members (for example extended family). In some cases, older children - teenagers or young adults - are violent or abusive towards their mothers or other family members. (See ***When children become aggressive.***)

Although every situation is unique, there are common factors that link the experience of an abusive relationship. Acknowledging these factors is an important step in preventing and stopping the abuse. This list can help you to recognise if you, or someone you know, are in an abusive relationship.

Destructive criticism and verbal abuse: shouting; mocking; accusing; name calling; verbally threatening.

Pressure tactics: sulking; threatening to withhold money, disconnect the telephone, take the car away, take the children away, or report you to welfare agencies unless you comply with his demands; threatening or attempting suicide; withholding or pressuring you to use drugs or other substances; lying to your friends and family about you; telling you that you have no choice in any decisions.

- **Disrespect:** persistently putting you down in front of other people; not listening or responding when you talk; interrupting your telephone calls; taking money from your purse without asking; refusing to help with childcare or housework.
- **Breaking trust:** lying to you; withholding information from you; being jealous; having other relationships; breaking promises and shared agreements.
- **Isolation:** monitoring or blocking your telephone calls; telling you where you can and cannot go; preventing you from seeing friends and relatives; shutting you in the house.
- **Harassment:** following you; checking up on you; not allowing you any privacy – for example, opening your mail, repeatedly checking to see who has telephoned you; embarrassing you in public; accompanying you everywhere you go.
- **Threats:** making angry gestures; using physical size to intimidate; shouting you down; destroying your possessions; breaking things;



punching walls; wielding a knife or a gun; threatening to kill or harm you and the children; threatening to kill or harm family pets; threats of suicide.

- **Sexual violence:** using force, threats or intimidation to make you perform sexual acts; having sex with you when you don't want it; forcing you to look at pornographic material; forcing you to have sex with other people; any degrading treatment related to your sexuality, or to whether you are lesbian, bisexual or heterosexual.
- **Physical violence:** punching; slapping; hitting; biting; pinching; kicking; pulling hair out; pushing; shoving; burning; strangling.
- **Denial:** saying the abuse doesn't happen; saying you caused the abusive behaviour; being publicly gentle and patient; crying and begging for forgiveness; saying it will never happen again.

See also *Recognising domestic violence*

Is domestic violence a crime?

Domestic violence can include a number of different behaviours, and there is no single criminal offence of "domestic violence". Not all forms of domestic violence are illegal; some forms of emotional abuse, for example, are not defined as criminal – though these can also have a serious and lasting impact on a woman or child's sense of well-being and autonomy.

However, many kinds of domestic violence constitute a criminal offence, including physical assault, wounding, attempting to choke, sexual assault, rape, threats to kill, harassment, stalking and putting people in fear of violence.

Who is responsible for the violence?

The abuser is always responsible for the violence, and should be held accountable. There is no excuse for domestic violence and the victim is never responsible for the abuser's behaviour.



“Blaming the victim” is something that abusers will often do to make excuses for their behaviour, and quite often they manage to convince their victims that the abuse is indeed their fault. This is part of the pattern and is in itself abusive. Blaming their behaviour on someone else, or on the relationship, their childhood, their ill health, or their alcohol or drug addiction is one way in which many abusers try to avoid personal responsibility for their behaviour.

It is important that any intervention to address domestic violence prioritises the safety of victims/survivors and holds the perpetrators accountable.

Women and men, victims and survivors

This Handbook is primarily addressed to women for the following reasons:

- The majority of domestic violence as defined above is perpetrated by men and experienced by women.
- Women's Aid's information and support services exist to respond to the needs of women and children.

However, most of the information here would also apply equally to men who are on the receiving end of abuse, whether from a male or a female abuser.

The terms “victim” and “survivor” are both used, depending on the context. “Survivor” is, however, preferred as it emphasises an active, resourceful and creative response to the abuse, in contrast to “victim”, which implies passive acceptance. If you are reading this, then you are – at least to some extent – a survivor.

References

Department of Health (2002) “Women's Mental health: Into the Mainstream: Strategic development of mental health care for women” (London: DH)

Farmer, E. and Pollack, S. (1998) “Substitute care for sexually abused and abusing children (Chichester: Wiley)

Walby, Sylvia and Allen, Jonathan (2004) “Domestic violence, sexual assault and stalking: Findings from the British Crime Survey” (London: Home Office Research, Development and Statistics Directorate)



Recognising domestic violence

Everyone has arguments, and everyone disagrees with their partners, family members, and others close to them from time to time. And we all do things at times which we regret, and which cause unhappiness to those we care about. But if this begins to form a consistent pattern, then it is an indication of domestic violence. The following questions may help you:

- Has your partner tried to keep you from seeing your friends or family?
- Has your partner prevented you from continuing or starting a college course, or from going to work?
- Does your partner constantly check up on you or follow you?
- Does your partner unjustly accuse you of flirting or of having affairs with others?
- Does your partner constantly belittle or humiliate you, or regularly criticise or insult you in front of other people?
- Are you ever afraid of your partner?
- Have you ever changed your behaviour because you are afraid of what your partner might do or say to you?
- Has your partner ever destroyed any of your possessions deliberately?
- Has your partner ever hurt or threatened you or your children?
- Has your partner ever kept you short of money so you are unable to buy food and other necessary items for yourself and your children?
- Has your partner ever forced you to do something that you really did not want to do?
- Has your partner ever tried to prevent you from taking necessary medication, or seeking medical help when you felt you needed it?
- Has your partner ever tried to control you by telling you you could be deported because of your immigration status?
- Has your partner ever threatened to take your children away, or said he would refuse to let you take them with you, or even to see them, if you left him?
- Has your partner ever forced you to have sex with him or with other people? Has he or she made you participate in sexual activities that you are uncomfortable about?
- Has your partner ever tried to prevent your leaving the house?
- Does your partner blame his use of alcohol or drugs for his behaviour?
- Does your partner control your use of alcohol or drugs? – for example, by forcing your intake or by withholding substances.

If you answered yes to one or more of the above questions, this indicates that you may be experiencing domestic violence.



Making a Safety Plan

A personal safety plan is a way of helping you to protect yourself and your children. It helps you plan in advance for the possibility of future violence and abuse. It also helps you to think about how you can increase your safety either within the relationship, or if you decide to leave.

You cannot stop your partner's violence and abuse: only they can do that. But there are things you can do to increase your own and your children's safety. You're probably already doing some things to protect yourself and your children – for example, there may be a pattern to the violence, which may enable you to plan ahead to increase your safety.

- Plan in advance how you might respond in different situations, including crisis situations.
- Think about the different options that may be available to you.
- Keep with you any **important and emergency telephone numbers** - e.g. your local Women's Aid refuge organisation or other domestic violence service; the police domestic violence unit; your GP; your social worker, if you have one; your children's school; your solicitor; and the Freephone 24 Hour National Domestic Violence Helpline run in partnership between Women's Aid and Refuge: 0808 2000 247.
- **Teach your children to call 999** in an emergency, and what they would need to say; e.g. their full name, address and telephone number.
- Is there a **neighbour** you could trust, and where you could **go in an emergency**? If so, tell them what is going on, and ask them to call the police if they hear sounds of a violent attack.
- Rehearse an **escape plan**, so in an emergency you and the children can get away safely.
- **Pack an emergency bag** for yourself your children, and hide it somewhere safe - e.g. at a neighbour's or friend's house. Try to avoid mutual friends or family. (There are some suggestions below for what you need to take with you when you leave).
- Try to keep a small amount of **money** on you at all times - including change for the phone and for bus fares.
- Know where the nearest **phone** is – and if you have a mobile phone, try to keep it with you.
- **If you suspect** that your partner is about to attack you, try to go to a **lower risk area** of the house - for example where there is a way out and access to a telephone. Avoid the kitchen or garage where there are likely to be knives or other weapons; and avoid rooms where you

Please note - the Survivor's Handbook was last updated in June 2009. Women's Aid cannot be held responsible for any changes which may have taken place after this date. Women's Aid periodically updates the Survivor's Handbook. Please check out website to check for a more up to date version: www.womensaid.org.uk



might be trapped - such as the bathroom - or where you might be shut into a cupboard or other small space.

- Be prepared to **leave the house** in an emergency.

Preparing to leave

Whatever coping strategies you have used – with more or less success - there may come a time when you feel the only option is to leave your partner.

If you do decide to leave your partner, it is best if you can plan this carefully. Sometimes abusers will increase their violence if they suspect you are thinking of leaving, and will continue to do so after you have left, so this can be a particularly dangerous time for you. It's important to remember that ending the relationship will not necessarily end the abuse.

Plan to leave at a time you know your partner will not be around. Try to take everything you will need with you - including any important documents relating to yourself and your children - as you may not be able to return later. Take your children with you - otherwise it may be difficult or impossible to have them living with you in future. If they are at school, make sure that the head and all your children's teachers know what the situation is, and who will be collecting the children in future. (See below, ***Protecting yourself after you have left.***)

Thinking about leaving and making the decision to leave can be a long process. Planning it doesn't mean you have to carry it through immediately - or at all. But it may help to be able to consider all the options, and how you could overcome the difficulties involved. If at all possible, try to set aside a small amount of money each week, or even open a separate bank account.

What to pack if you are planning to leave your partner

Ideally, you need to take all the following items with you if you leave. Some of these items you can try to keep with you at all times; others you may be able to pack in your "emergency bag".

- Some form of identification.
- Birth certificates for you and your children.
- Passports (including passports for all your children), visas and work permits.
- Money, bankbooks, cheque book and credit and debit cards.



Keys for house, car, and place of work. (You could get an extra set of keys cut, and put them in your emergency bag.)

- Cards for payment of Child Benefit and any other welfare benefits you are entitled to.
- Driving licence (if you have one) and car registration documents, if applicable.
- Prescribed medication.
- Copies of documents relating to your housing tenure, e.g. mortgage details or lease and rental agreements.
- Insurance documents, including national insurance number.
- Address book.
- Family photographs, your diary, jewellery, small items of sentimental value.
- Clothing and toiletries for you and your children.
- Your children's favourite small toys.

You should also take any documentation relating to the abuse - e.g. police reports, court orders such as injunctions and restraining orders, and copies of medical records if you have them.

Protecting yourself after you have left

If you leave your partner because of abuse, you may not want people to know the reason you left. It is your decision whether or not you tell people that you have suffered domestic violence; but if you believe you may still be at risk, it might increase your safety if you tell your family and friends, your children's school, and your employer or college what is happening, so that they do not inadvertently give out any information to your ex-partner. They will also be more prepared and better able to help you in an emergency.

If you have left home, but are staying in the same town or area, these are some of the ways in which you might be able to increase your safety:

- Try not to place yourself in a vulnerable position or isolate yourself.
- Try to avoid any places, such as shops, banks, cafes, that you used to use when you were together.
- Try to alter your routines as much as you can.



- If you have any regular appointments that your partner knows about - e.g. with a counsellor or health practitioner - try to change your appointment time and/or the location of the appointment.
- Try to choose a safe route, or alter the route you take or the form of transport you use, when approaching or leaving places you cannot avoid - such as your place of work, the children's school, or your G.P.'s surgery.
- Tell your children's school, nursery or childminder what has happened, and let them know who will pick them up. Make sure they do not release the children to anyone else, or give your new address or telephone number to anyone. (You may want to establish a password with them, and give them copies of any court orders, if you have them.)
- Consider telling your employer or others at your place of work - particularly if you think your partner may try to contact you there.

If you have moved away from your area, and don't want your abuser to know where you are, then you need to take particular care with anything that may indicate your location; for example:

- Your mobile phone could be "tracked"; this is only supposed to happen if you have given your permission, but if your partner has had access to your mobile phone, he could have sent a consenting message purporting to come from you. If you think this could be the case, you should contact the company providing the tracking facility and withdraw your permission; or if you are in any doubt, change your phone.
- Try to avoid using shared credit or debit cards or joint bank accounts: if the statement is sent to your ex-partner, he will see the transactions you have made.
- Make sure that your address does not appear on any court papers. (If you are staying in a refuge, they will advise you on this.)
- If you need to phone your abuser (or anyone with whom he is in contact), make sure your telephone number is untraceable by dialling 141 before ringing.
- Talk to your children about the need to keep your address and location confidential.

Victims of stalking and domestic violence are now allowed to join the electoral register anonymously, so ensure they are not put at risk, and do not lose the right to vote. Anyone wanting to register their details anonymously must provide evidence such as an order under the Family Law Act 1996 or the



Protection from Harassment Act 1997. If an application is granted, the details that appear on the register only have a person's electoral number and the letter N.

If you stay or return to your home after your partner has left, then you will probably have an occupation order or a protection order (see **Getting an injunction**). If the injunction has powers of arrest attached, then do make sure that your local police station has a copy, and that the police know that they need to respond quickly in an emergency. In some areas, there are special schemes to ensure a rapid response by the police (for example, the Community Alarm scheme in the London Borough of Haringey); and in other areas there may be projects – such as Staying Put in Bradford, and the Sanctuary Projects in Barnet and Bromley - which provide advice and additional security measures to make your home safe. However, it is important to know that you do not **have** to stay at home - with or without an injunction - if you do not feel safe there.

You could also consider the following:

- **changing the locks** on all doors;
- putting **locks on all windows** if you don't have them already;
- installing **smoke detectors** on each floor, and providing fire extinguishers;
- installing an **outside light** (back and front) which comes on automatically when someone approaches;
- **informing the neighbours** that your partner no longer lives there, and asking them to tell you - or call the police - if they see him nearby;
- **changing your telephone number** and making it ex-directory;
- using an **answering machine** to screen calls;
- keeping **copies of all court orders** together with dates and times of previous incidents and call-outs for reference if you need to call the police again.

If your ex-partner continues to harass, threaten and abuse you, make sure you keep detailed records of each incident, including the date and time it occurred, what was said or done, and - if possible - photographs of damage to your property or injuries to yourself or others. If your partner or ex-partner injures you, see your GP or go to hospital for treatment and ask them to document your visit. If you have an injunction with a power of arrest, or there is a restraining order in place, you should ask the police to enforce this; and if your ex-partner is in breach of any court order, you should also tell your



solicitor. See ***Getting an injunction*** and ***The police and the prosecution process*** for further information on legal options.
In an emergency, always call the police on 999.

I am experiencing domestic violence - what can I do about it?

No-one deserves to be abused, and you don't have to put up with it. There are a number of things you can do if you are experiencing violence and abuse from a partner or ex-partner. However none of these will be easy and none provides a complete or immediate end to the abuse.

Getting free from abuse is a long process: most women seek help from a number of sources, and may leave and return several times before they are able to make the final break.

One question that is often asked is: "Why didn't you leave?" or alternatively "Why did you stay so long?" If you haven't been in this situation yourself, leaving may seem the obvious answer. But there are all sorts of reasons why women stay with their abusers - and it is also important to know that leaving does not always end the abuse (and sometimes, at least for a time, it may get worse).

Women stay with their abusers because they still love them - or because they are terrified of the consequences: the abuser may threaten to harm or even kill his partner or the children if they leave. Women may worry about losing their children - or they may feel that it is best for the children if they stay and try to make their relationship work. They may be worried about practical issues: where can they go? Will they make themselves homeless? Where will they get money? They may be worried about loneliness - particularly if their partners have isolated them from friends and family. Maybe their confidence has been undermined so badly that they believe they couldn't cope alone, and lack the confidence to leave.

Perhaps some of those reasons apply to you. But if you **do** decide you want to leave home and leave your abuser, there are some suggestions for dealing with the practical issues you will face in the following sections. For example, you could look at the sections on ***Where can I go?*** and ***What is a refuge?*** The sections on ***What can Women's Aid do for me?*** and ***Making a safety plan*** may help you, too.



Legal options

Whether or not you decide you want to leave your partner, you have a right to be protected under the law, and there are a number of legal options open to you, under both the criminal law and the civil law. The two systems are separate and are administered by separate courts:

- The **civil law** is primarily aimed at protection (or in some cases compensation.) A survivor of domestic violence can make an application for an injunction (a court order) either to the family proceedings court or the county court (usually through her solicitor). Other family proceedings – such as child contact or divorce - also take place in the county court.
- The **criminal law** is primarily aimed at punishing the offender. The police together with the Crown Prosecution Service (CPS) initiate the process. Criminal cases are heard in either the magistrates' court or the Crown Court depending on the severity of the charge.

For further information, you could look at the sections on **Getting an injunction** and **The police and the criminal prosecution process**. You could also look at **Domestic Violence information pack** on our website. Women's Aid also publish a leaflet called "Domestic violence: Your legal rights" which gives more information.

If you are in **immediate danger** always call the police, and always **dial 999** if it is an emergency. They have a duty to protect and help you.

The Freephone 24 Hour National Domestic Violence Helpline

If you want to talk through the different options, you could call the Freephone 24 hour National Domestic Violence Helpline, run in partnership between Women's Aid and Refuge, on **0808 2000 247**.

The National Domestic Violence Helpline provides emotional and practical support, and information to women experiencing (or who have experienced) domestic abuse and to those seeking help on a woman's behalf. Helpline staff - all of whom are women - will discuss the available options and help you to make an informed choice. If it is appropriate, they may refer you to a refuge, or to outreach services and other sources of help and information. You won't be pushed into making any decision you are not happy with, nor will you be expected to take any steps you don't feel ready for. All calls are taken in the strictest of confidence, and are free of charge wherever you are in the country.



The Helpline is a member of Language Line and can provide access to an interpreter for non-english speaking callers. They can also access the BT Type Talk Service for deaf callers

The Helpline is staffed 24 hours a day, seven days a week, by fully trained Helpline support workers and volunteers. If all the lines are busy there is a voice mail system that enables callers to leave a message. The messages are checked at regular intervals throughout the day and all calls are returned, as long as it is safe to do so.

During the course of a call, the Helpline support worker will respond according to your needs. She may, for example:

- Offer a supportive listening ear and (if appropriate) refer to counselling services.
- Refer you to a registered family law solicitor in your area.
- Refer you to local, face-to-face support via the drop-in or outreach services provided by your local Women's Aid organisation or other domestic violence service.
- Refer you (with your children if you have them) to emergency accommodation.
- Send you a Women's Aid Information Pack, which includes leaflets covering a range of issues including "Housing", "Legal options", "Myths about domestic violence", "Risks to children", "Health and domestic violence", and "Breaking Free."

Women's Aid can also provide a help service by letter and email, so if you prefer, either you or someone else on your behalf can email:

helpline@womensaid.org.uk We respond to emails within three working days. You can also write to Women's Aid, P.O. Box 391, Bristol, BS99 7WS.

If you live in Wales, Scotland or Northern Ireland, you could instead call one of the following Helplines:

Wales Domestic Abuse Helpline 0808 80 10 800

www.welshwomensaid.org



Scottish Domestic Abuse Helpline: 0800 027 1234.

www.scottishwomensaid.co.uk

Northern Ireland Women's Aid 24 hour Domestic Violence

Helpline: 0800 917 1414. www.niwaf.org

There is also a national helpline specifically for lesbian, gay, bisexual and transgender people experiencing domestic violence: call **Broken Rainbow Helpline** on 0300 999 5428 (this is LGBT on a mobile phone) Monday 2pm-8pm, Wednesday 10am-1pm, Thursday 2pm-8pm..For further information same sex domestic violence or on Broken Rainbow, see the section on ***Lesbians and bisexual women.***

For further information on services and sources of support, please see the sections on ***Additional Information: Further reading*** and ***Useful organisations.***

In an emergency, you should always dial 999.



What can Women's Aid do for me?

Women's Aid is the national domestic violence charity which co-ordinates and supports an England-wide network of over 300 local organisations, providing over 500 projects which include refuge accommodation, outreach services, children's services, telephone helplines and information services. Our work is built on 30 years of campaigning and developing new responses to domestic violence.

The services offered by local Women's Aid organisations may include:

- **Refuge accommodation:** For further information, see *What is a refuge and how can I stay in one?*
- **Outreach services:** Outreach services have expanded in recent years, and in many areas there are a range of new initiatives including information services in rural areas, and specialist outreach services for women from minority ethnic communities.
- **Floating support:** Domestic violence service providers have developed a range of services to reach out and offer support and help to women whether or not they are staying in refuge accommodation. Floating support is a specific type of outreach service that is designed to support women who wish to remain in their own homes (regardless of the type of tenancy they have), or who are in emergency or other temporary accommodation.
- **Aftercare and resettlement:** Refuge organisations generally provide ongoing support to women and children who have been accommodated within a refuge but have now left. This may be by follow-up work by the woman's key worker in her new home, by the woman visiting the refuge organisation, or by a resettlement worker funded through "floating support" schemes.
- **Support groups** for women who have experienced domestic violence. These enable women to share experiences and support each other.
- Activities and support services for **children**.



- **Independent advocacy services** are being developed in many areas, to give information to those experiencing domestic violence and support them if they choose to take their abuser to court.
- **Freephone 24 Hour National Domestic Violence Helpline** run in partnership between Women's Aid and Refuge: **0808 2000 247**. For further information, see ***I am experiencing domestic violence - what can I do about it?***

Where can I go? Housing options

If you need to leave home because you are being abused by the person you are living with, or are threatened or intimidated by an ex-partner, you may decide to go into a refuge (see ***What is a refuge and how can I stay in one?***); or you may choose to stay temporarily with family or friends; or you may need to go into emergency accommodation.

Staying with friends or family may be your first choice - but often it is not very practicable. Your abuser is likely to guess where you are and may put pressure on you to return; and your family or friends may not be willing or able to accommodate you for very long, and may also encourage you to go back home, or make you feel as though you are to blame for the situation.

Emergency accommodation

You are considered homeless if you are unable to stay in your home because of a risk of violence or abuse. Your local authority (council) housing department has a legal duty to provide you with advice about finding somewhere to live if you are homeless because of domestic violence - and they should also provide temporary accommodation for you. They may also eventually provide permanent accommodation; (see below, ***Obtaining permanent accommodation***).

You can apply for emergency or temporary accommodation while you decide what to do next; leaving home temporarily will not affect your right to return, or your tenancy rights or ownership of the home. You have the same rights to emergency accommodation whether you rent your home from the council, from a private landlord or a housing association, or if you own your own home.



The council may offer you an appointment to explore your options first. This should be in addition to, and not instead of, an interview to make a homelessness application. You should not be pressured to stay in your own home, or to find alternative private rented accommodation, if you are at all concerned for your safety.

Emergency accommodation will usually be in bed and breakfast accommodation - though only for a limited period if you have children - or a hostel or a refuge. To apply for emergency accommodation, you should go to your local council housing department. For support with this, contact your local Women's Aid organisation or other domestic violence service, or telephone the Freephone 24 Hour National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge) on 0808 2000 247.

Housing law is very complicated - but do not be put off from asking for help. There are two major pieces of legislation which specify your rights to emergency accommodation, and the council's duties towards you. These are the Housing Act 1996 and the Homelessness Act 2002. The priority should always be your safety. The following questions are among those most frequently asked:

- **What evidence of abuse will the local authority need?**

You may be told that you need to show evidence that you have experienced violence; but if you do not have evidence available, the council cannot use this as an excuse for not providing temporary accommodation. They must provide you with accommodation while they make their enquiries. The Code of Guidance to the 2002 Act states that in cases of domestic violence "local authorities should not seek proof of violence, or contact the perpetrator. The effects of domestic violence can be cumulative, where incidents occurring over time may erode a victim's self-confidence and contribute to making her/him vulnerable".

- **Can the council force me to go back home?**

You may be told that you have to get an injunction (a court order) to keep your abuser away from you or exclude them from your home so that you can return. (If you want to know more about this, see ***Getting an injunction.***) However, you do not have to do this if you don't want to, and the council must still provide you with somewhere to stay while you get legal advice.

- **Can I only apply to the local authority in my home area?**



If you have applied to a council housing department for help, they should never force you to return to your home area if you believe you are at risk from violence there, nor should they refer you to any other area where you have suffered violence, if you believe that a referral will lead to further violence. Once you have made a homeless application, the local authority to which you have applied has a legal duty to provide you with temporary accommodation while they make enquiries.

If you are applying to a council outside your home area, they will usually want proof that you will be at risk of violence if you return to that area. If you have a "local connection" in the area covered by the council you have applied to, that will help. A "local connection" may be that you have family living in the area, or that you work there or have recently lived there. If you do not have a local connection, it may prove difficult to get the council to accept responsibility for housing you.

- **How will my application be dealt with?**

This varies from one local authority to another. You will probably be interviewed by a Homelessness Officer, and you will be warned against giving false information. Anything you tell them should be treated in the strictest confidence. You may find it helpful to take someone with you, if you can, for support - for example, a friend, or a Women's Aid representative.

You should tell the officer that you cannot return home because of domestic violence. Some officers will be sympathetic and will accept your word that you have been abused. Others will ask for proof - such as an injunction (a court order), a restraining order, a police report or medical evidence.

Sometimes you may be told to get an injunction to protect you and remove your partner from the home. This is not recommended good practice, and if you don't feel safe doing this, you must tell them.

Some councils will want to gather supporting information from friends, neighbours, relatives, or other agencies such as the police, but they can only do this with your agreement. Ask the council to tell you if they intend to interview or write to anyone about you - and if you do not feel safe with their doing this, tell them so - and seek advice or support from Women's Aid or other housing advice services. If the local authority asks for proof of violence, suggest someone that you would be happy for them to check with - for example, your solicitor or doctor, a friend or social worker, or your health visitor.



- **What can I do if the local authority won't help me?**

If you have difficulty getting temporary accommodation, contact the Freephone 24 Hour National Domestic Violence Helpline, your local refuge organisation, a housing advice centre, a law centre, Shelter, or a solicitor who can give you advice under the Community Legal Services Fund (which replaces legal aid for civil actions, for those who cannot afford to pay for legal advice and who meet the eligibility criteria.) See **Further information** at the end of this section for contact numbers.

You have the right to ask about the facts which were considered in making the decision. You also have a right of review of the decision. The housing department should ensure that their review procedures are clear, accessible, and fair.

- **Will my rent be paid?**

If you are entitled to housing benefit, and have left your home because of violence or the threat of violence, you can receive housing benefit on both the temporary accommodation and your original address for a short period of time, if the local authority considers it reasonable. The violence must have occurred in the home, or be from a member or ex-member of your family. Payment for two homes applies only if you intend to return to your former home as soon as you believe it is safe to do so.

- **What if I have rent arrears?**

The council should not refuse your application for emergency accommodation if you have rent arrears and have left home because of domestic violence. However, they may have a policy of not rehousing you, if you and your partner jointly owe rent on your previous home. Some local authorities accept that if you left home because of violence you should not be held responsible for rent arrears on your previous home. Others may be prepared to negotiate payments. If the previous tenancy was in your partner's sole name, then you cannot legally be held responsible for rent arrears on that property.

Obtaining permanent accommodation

Provision of temporary accommodation does not guarantee that the local authority will re-house you permanently. Every council has procedures for deciding priorities in the allocation of housing, and you will probably need to be accepted on to your local authority's Housing Register before you can be re-housed. Apart from any other considerations, the council will also have to



give preference to those in "priority need". These include (among other less relevant categories):

- people who are vulnerable because of violence or threat of violence
- people in temporary or insecure housing (such as a refuge)
- people with dependent children living with them
- pregnant women
- those with particular needs on medical or welfare grounds, or who are particularly vulnerable.

People who are vulnerable as a result of domestic violence, or who have left home because of harassment or threats of violence from outside the home, are specifically mentioned in the Guidance accompanying the 2002 Homelessness Act. The council may therefore agree to re-house you even if you don't fit into the other categories of priority need. When making their decision, they should take into account the impact and likely effects of the ongoing abuse on your physical and mental health, including the cumulative impact of serious harassment. They should also take into consideration supporting information from friends, relatives, and other agencies, with your agreement.

If the council decides you are **not** in priority need, it has to inform you of the decision, and the reasons for it, in writing. It must also inform you of the procedures for review of that decision. If you want the council to review its decision, you have to ask them within 21 days.

The council does not have a legal responsibility to provide permanent housing for you, if you are not in priority need, but it should still give you advice and assistance on finding somewhere else to live.

- **Must I have a residence order for my children before I am offered permanent accommodation?**

No, this is not necessary. You can only apply for a residence order under the Children Act 1989 if there is a genuine dispute over who has care of a child. The local authority should not require you to get a residence order before providing priority needs housing, and to ask for it is contrary to the principles of the Children Act. (See **Residence** in the section on **Children**.)

- **Do I have any choice in the home I get offered?**

The local authority should take into account your safety and where you would like to be housed - for example, near to relatives or away from your partner



and his family. They only have to make you one offer but the property should be suitable to your needs, large enough to house your family, and in good repair. Be very careful about refusing an offer of housing. Before you do so, always take advice - e.g. from your local Women's Aid organisation, or from Shelter or another housing advice centre. You need to be clear about your reasons for refusing the offer. Check if there is an appeal procedure. You may not get another offer if you cannot clearly show that the accommodation was unsuitable.

Other housing options

You may decide that it is safe to return home if you get an injunction (a court order). You could apply to get an occupation order (to exclude your partner or ex-partner from the property and to give you the right to live there) and/or a non-molestation order to protect you and keep them away from you. See ***Getting an injunction*** for further information.

In some places there may be projects – such as Staying Put in Bradford, and the Sanctuary Projects (currently in only a few areas, e.g. Barnet, Bromley, and East Staffordshire, but which will shortly become more widespread) - which provide advice, personal alarms, and additional security measures to make your home safe. However, it is important to know that you do not **have** to stay at home - with or without an injunction - if you do not feel safe there.

You could also apply to one or more local housing associations. Your local council will give you a list of registered social landlords in your area. If your original tenancy (with either the council or a housing association) is in your sole name, or if you have been able to transfer it to your sole name by a court order, you could then consider asking the council or the housing association for a transfer or exchange to another property.

Alternatively you could look for rental property from a private landlord - but many landlords do not welcome those claiming benefits, and the rent may otherwise be too expensive.

You may possibly be in a position to consider buying your own home - particularly if you have a share in the ownership of your previous home, and may eventually expect to receive some money from the proceeds of the sale. In some areas, housing associations provide shared ownership schemes; and if you are considered a "key worker" - such as a teacher or a nurse - there may be a special scheme in your area to enable you to start buying your own home.



Further information

You could contact the homelessness charity, **Shelter**, for more information on housing rights and homelessness:

Shelterline: 0808 800 4444 open 8 a.m. until midnight every day; their website, www.shelter.org.uk also provides links to sites providing information on state benefits.

Your local **Citizens' Advice Bureau** provides free, confidential and independent advice, including advice on housing. Their website has information in Welsh, Bengali, Chinese, Gujarati, Punjabi and Urdu, as well as English, and allows you to locate your nearest CAB.

www.citizensadvice.org.uk

HOMES – Housing Mobility and Exchange: Works with local authorities and registered social landlords to help people move to a different home or area. Can give advice to tenants and members of the public who wish to move home, and can provide information on shared ownership.

Tel.: **0207 963 0200/0845 080 1089**

www.homes.org.uk or email customer.services@homes.org.uk

Women's Link: Provides emergency accommodation for women in London.
0207 248 1200 www.womenslink.org.uk

Freephone 24 hour National Domestic Violence Helpline run in partnership between Women's Aid and Refuge: **0808 2000 247**. For information and support with housing options relating to domestic violence, and for putting you in touch with your local Women's Aid organisation and other related services in your area.



What is a refuge and how can I stay in one?

What is a refuge?

A refuge is a safe house where women and children who are experiencing domestic violence can stay free from abuse. Refuge addresses (and sometimes their telephone numbers) are confidential. There are over 500 refuge and support services in England, Scotland, Wales and Northern Ireland. You can choose to travel as far away from, or stay as near to your home town as you wish (subject to space and availability).

Some refuges have space for many women and children, and some are small houses. Some refuges are specifically for women from particular ethnic or cultural backgrounds - for example Black, Asian or South American women - and many refuges have disabled access, and staff and volunteers who can assist women and children who have special needs.

If you have children, you can take them with you. There are some refuges that have self-contained family units but most refuges will usually give you your own room for yourself to share with your children. Other spaces - the living room, TV room, kitchen, playroom and possibly the bathroom - will be shared with other refuge residents. You will be expected to cook for yourself and your children. It is up to you and the other refuge residents whether or not you share cooking or eat together at mealtimes. You can be as self-contained or as sociable as you want to be.

You will be asked to sign a **License agreement** which will include the terms under which you can stay in the refuge, how long you can stay, and any necessary rules to ensure the safety of yourself and other residents – for example, regarding the use of alcohol or drugs, confidentiality, visitors, and so on. Refuges also have their own codes of conduct regarding the day-to-day running of the house. These usually cover things like bedtimes for children, incoming telephone calls and rotas for using the washing machine.

Who can go into a refuge?

Any woman who needs to escape from domestic violence or abuse can go into a refuge at any time. It does not matter whether or not you are married to or living with your abuser, or whether or not you have children.



How do I arrange refuge accommodation?

You can call the Freephone National 24-hour Domestic Violence Helpline, which is run in partnership between Women's Aid and Refuge, and which will find a refuge space for you if you want this. Many refuge organisations have public contact numbers, and if you want you can contact these yourself. See the Women's Aid website under: **National Network/ A-Z of refuges**, or look in the telephone book for your local Women's Aid organisation or other domestic violence service. You can also contact refuge organisations through the police, the Samaritans, social services or the Citizens Advice Bureau.

You should be able to go into a refuge on the day that you call. You cannot usually book accommodation in advance, nor will you always be able to find refuge space in the location of your choice.

If you decide you would like the Helpline to arrange refuge space for you, you will be asked for your name (you only have to give your first name if you prefer) and the ages of any children who are with you. You will need to give a telephone number on which you can be called back when accommodation has been found for you. This can be a telephone box, as long as it takes incoming calls; or a mobile phone; or it could be at a friend's house, or a health centre, or any other safe place where you are able wait for any return calls.

When refuge accommodation has been found for you, a member of staff or a volunteer from the organisation will discuss with you how you can get there. They may arrange to meet you at their office or somewhere else which is easy to find. If they do give you the address and the location of the refuge, it is important that you keep this information to yourself, and that you take care not to leave any of this information behind, (thus enabling your location, or the address or telephone number of the refuge, to be traced).

What can I take with me to the refuge?

As a guide, try to take the following with you to the refuge:

- Identification.
- Birth certificates for you and your children.
- School and medical records, including the telephone numbers of the school and your GP or surgery.
- Money, bankbooks, cheque book and credit and debit cards.
- Keys for your house, car, and workplace.



- Driving licence (if you have one) and car registration documents, if applicable.
- Prescribed medication, and vitamin supplements.
- Cards or payment books for Child Benefit and any other welfare benefits you are entitled to.
- Passports (including passports for all your children if you have them), visas and work permits.
- Copies of documents relating to your housing tenure, e.g. mortgage details or lease and rental agreements.
- Current unpaid bills.
- Insurance documents.
- Address book.
- Family photographs, your diary, jewellery, small items of sentimental value.
- Clothing and toiletries for you and your children.
- Your children's favourite small toys.

Not all women will need all of these items, and there may be some items that you would need to take that have not been included in this list, but this is a general guide.

What can't I take with me to a refuge?

Most refuges do not have a large amount of storage space, so you are unlikely to be able to take large items such as furniture with you to the refuge. Also, refuges cannot generally take house pets. Some refuges are equipped to accommodate small animals such as fish, mice and other caged pets. Additionally, some refuge organisations have arrangements with local pet fostering schemes. Ask the staff for more information or see the sections on ***Useful organisations***.

How long can I stay at the refuge?

You will usually be able to stay as long as you need to - from a couple of days to several months - though some refuges have a maximum length of stay. Many women stay in refuges for a break from the violence, a breathing space with time to think away from danger. Some women decide to return to their partners.

However long you decide to stay, you can be as sociable or as quiet as you want to. Should you want it, there is support and advice, available but no-one at the refuge will make you do anything you don't want to do.



If I leave a refuge, can I go back?

Yes, in most cases, if you choose to leave the refuge but later need safe accommodation again, you and your children will be able to go back, either into the same or another refuge, depending on space and availability at the time you need it.

If you were asked to leave a refuge because you broke the terms of the license agreement (see above), it may not be possible for you to return to the same house. You may be referred to refuge accommodation elsewhere, or another safe place will be found for you.

You can also use the refuge organisation for information, friendship and support when you are no longer a resident. Some Women's Aid organisations have outreach services, floating support or drop-in services which women and children who have left or have never gone into the refuge can use for support and contact. (See ***What can Women's Aid do for me?***)

What about my permanent housing situation?

You can return home from the refuge at any point. You may decide to return with an injunction. You may decide you want to be re-housed elsewhere. The choice is yours, and refuge workers will give you information about the various options in order to help you to decide what you want to do. They will also help you to get advice regarding joint property and mortgage agreements.

Do not agree to sign any documents relating to the tenancy or ownership of your home until you have taken legal advice.

Look at the section on ***Where can I go?*** for additional information on long-term housing options.

Further information

Telephone: **Freephone 24 Hour National Domestic Violence Helpline** run in partnership between Women's Aid and Refuge on **0808 2000 247**



Money

If you are thinking about leaving your abusive partner, or have recently separated, you may be worried about how you can support yourself, and your children if you have any with you. You may have had to give up your job – perhaps because you have had to move to a different area, or because you were afraid your abuser would contact you there. You may find you have to rely on state welfare benefits for the first time in your life. Or perhaps your abuser kept control of the finances and you may never have been allowed to have any money of your own before, so you are concerned about how you will manage.

Safety issues

Most people these days have bank accounts, and many people use credit and debit cards. However, if you are not very careful, the paperwork associated with these could make it easier for your abuser to trace you after you have left.

If you have just left your abusive partner, and you have a joint bank account, then it may be safer not to use it, if you do not want him to know where you are: any withdrawals from cash machines or bank branches will be traceable. Use of a joint credit card is also best avoided. Even if you have an account in your sole name, if the statements are posted to your home address, they could be opened by your abuser.

If you are still with your abuser, but perhaps thinking about leaving, try to save a small amount of money for emergencies if you can. (See ***Making a safety plan.***) If you currently have a joint account with your abusive partner, this might also be the time to set up a separate bank account. It may be safer to use a different bank to avoid the possibility of any confusion or inadvertent leak of information by the bank. You will need to have identification to set up a new account so try to take relevant documents with you if you are leaving home. You could consider an internet account, so that statements will not be sent to your home address, and you will be able to access it wherever you are.

If you have any regular payments - such as earnings, Child Benefit or other benefits - which are made into a joint bank account, you will need to change these arrangements as soon as you can after you leave, or you may lose money. Tell your bank about your changed situation as soon as you can.



Supporting yourself

If you have left your abusive partner and are living on your own (perhaps with your children), your most likely sources of income will be one or more of the following:

- earnings from employment;
- state benefits;
- maintenance for your children (and possibly for yourself) from a former partner.

In many cases, your income could be less than it was when you were with your partner; however, you alone will now be in control of spending it.

Employment

If you have a job, or had one while you were with your abuser, you may want to continue working when you leave. It will probably be advisable to tell your employer what is happening - partly for safety reasons (if your abuser tries to contact you at work), but also because - if your employer has a domestic violence policy - you may be able to have some additional time off to help you sort out your situation.

If you have a job, you should contact the HM Revenue and Customs and tell them of your changed circumstances: www.hmrc.gov.uk. You may be eligible for additional tax allowances or credits.

If you have not had a job for some time, but are thinking about returning to work, it's worth taking some time to consider what kind of work and for how many hours would be best for you - particularly if you have children. You won't necessarily be better off financially if you get a job, though that may not be your only consideration. The voluntary organisation Single Parents UK includes on its website a summary of the main advantages and disadvantages of paid work versus voluntary work, full-time parenting or going back into education. See www.singleparents.org.uk. In some areas, Job Centres provide additional support to help single parents come off benefits and move into work.

If you have children, you will need to consider childcare arrangements and costs. Even if your children are at school, you are likely to need care after school and during school holidays. You may be able to get some help with childcare costs if you use a registered childminder, nursery or other childcare



scheme run by an approved provider, and are claiming Working Tax Credit (see below). The website

<https://www.taxcredits.inlandrevenue.gov.uk/HomeIR.aspx> will tell you more about this.

Benefits

There are various types of benefits that you may be entitled to, even if you are working. Some benefits are based on previous National Insurance contributions, and are called "contributory" benefits; these include non-means tested Job Seeker's Allowance. Other benefits - such as Child Benefit, and Disability Living Allowance - are "non-contributory" and paid to all those who meet the appropriate criteria and who have been living legally in the UK for a certain period of time. Finally, some benefits - such as Income Support and income-related Job Seeker's Allowance - are means tested, and are based on the level of your income and your savings. Most state benefits are **not** available to you if you have "no recourse to public funds" (see **Immigration issues**.) Please note that benefits do change frequently, and although we have tried to update information as we become aware of changes, it might be best to check with for example a Citizens' Advice Bureau or welfare rights centre.

Means tested benefits

While means-tested benefits are not really sufficient to live on for any length of time, many women who have left abusive partners will be dependent on them, at least initially, and if you have children, they may be essential. Some of the most important means-tested benefits are summarised below. (For full information about all state benefits, see the Department for Work and Pensions website, which gives information on all state benefits, alphabetically, and provides links to the website for Job Centre Plus when appropriate. You can also download information leaflets and claim forms from this website. www.dwp.gov.uk. See also **Further information** at the end of this chapter.)

- **Income Support (IS):**

You can claim IS if you are not employed, or if you work for less than 16 hours a week, and you have a low income and savings of less than £8000. You will not have to look for work if you are a lone parent, sick or disabled, unless you want to - but you may be asked to attend a "work focused interview" to talk to "personal advisor" about work and training possibilities. If you are a single parent who receives Income Support, you are allowed to study at further



education college (full or part-time) and continue to receive IS so long as you are still responsible for a child under 16 years (or under 19 years if in full-time education). From October 2010, once your youngest child reaches the age of 7, you will no longer be eligible for Income Support and will be expected to look for employment and will need to claim Job Seekers' Allowance in the mean time.

If you are living in your own home and have a mortgage, an amount **may** – after a number of weeks or months - be included for mortgage interest (but you will not become eligible immediately and this will **not** cover repayment of capital). If you are renting, then rent will be paid by Housing Benefit; (see below).

- **Job Seeker's allowance (JSA)**

If you are unemployed and do not have dependent children aged 7 or under, and are not sick or disabled, you will have to register at your local Job Centre and will be expected to be actively "seeking employment" in order to claim benefits. You may be eligible for payments based on your previous National Insurance contributions – and if so, these will not be means tested – but otherwise you will need to claim income related JSA.

If you are claiming JSA you are permitted to study "part-time", that is less than 16 hours attendance at college per week. In addition, you must be available for and "actively seeking work", and be prepared to give up the course or re-arrange the course hours to fit in with your job if you find one.

- **Child Tax Credit**

If you are responsible for at least one child of 16 or under (or 18 if in fulltime education) you are likely to be eligible for Child Tax Credit, whether or not you are working. The amount you get depends on your income and your circumstances, but it is worth applying whatever your income, as the calculations are complicated and even if your income is above average, you may qualify for some payment.

If you are claiming Income Support or income based Job Seeker's Allowance, Child Tax Credit replaces the amount previously paid for children. (You will get Child Benefit separately - see below).

- **Child Support Maintenance**

A new system of child maintenance has been introduced over the last couple of years, following the Child Maintenance and Other Payments Act 2008.



Since 27 October 2008, all parents have had the choice of setting up a child maintenance arrangement using the Child Support Agency, making a private agreement about child maintenance with the other parent, or using the courts. You are no longer forced to make a claim for child support if you are receiving means-tested benefits such as Income Support. Also, since 12 April 2010, if you are the parent with the main day-to-day care of your children, you will be allowed to keep all your child maintenance without it affecting your entitlement to benefit.

The Child Maintenance and Enforcement Commission can give you more information about the different systems of arranging child maintenance and claiming support from the other parent if you want to do this. See www.childmaintenance.org

- **Housing Benefit**

Housing benefit is available to pay (or help to pay) rent for people who are on benefits or who have low incomes. If you are on Income Support or income related Job Seeker's Allowance you can get an application form from your local Job Centre Plus (previously the Benefits Agency); otherwise, you should apply to your local council.

If you are entitled to housing benefit, and have left your home because of violence or the threat of violence, you can receive housing benefit on both the temporary accommodation and your original address for a short period of time, if the local authority considers it reasonable. Payment for two homes applies only if you intend to return to your former home as soon as you believe it is safe to do so.

If you are responsible for paying council tax, you can also claim Council Tax benefit.

- **Working tax credit**

Working Tax Credit is for people who are employed or self-employed for a certain number of hours per week (depending on their age and whether or not they have children) and who are on low incomes. **If you have no children**, you need to be aged at least 25, and to work at least 30 hours per week. **If you have at least one dependent child** you need only work for 16 hours or

more a week and be 16 years or older. As part of Working Tax Credit, you may also qualify for help towards the costs of childcare.



Non-means-tested benefits

The following are the most important:

- **Child Benefit**

If you have children, you probably already receive Child Benefit, which is paid to whoever is responsible for the child(ren). This is usually the person with whom the child lives. Only one claimant can count as being responsible for the same child at any one time – so if you have **not** received Child Benefit in the past because someone else was claiming for your children, you will need to tell them of your change of circumstances. You can do this at www.hmrc.gov.uk or ring the Child Benefit Office on 0845 302 1444 (between the hours 8 am and 8 pm).

- **Disability Living Allowance (DLA)**

You can claim this if you have needed help for 3 months because of a severe physical or mental illness or disability, and you are likely to need it for at least another 6 months. DLA is not usually affected by savings or other money coming in, and it is usually ignored when working out your entitlement for Income Support or Job Seeker's Allowance. You can also claim DLA for children with additional care or mobility needs.

- **Lump sum payments**

You may also, in certain circumstances, be able to claim a lump sum payment from the Social Fund. This may be useful if you have had to leave your home to ensure your own safety, and have been unable to take any money or essential items with you. For example:

- **Crisis loan**

This may be available from Job Centre Plus (previously the Benefits Agency) if you have been left without money due to disaster or other unforeseen circumstances, or you are waiting for earnings or benefits to come through. You do not have to be on benefits to apply; however you will need to provide evidence to support your request. You will only get a Crisis Loan if it is judged to be the only way of preventing serious risk to your health or safety, or that of your children.

- **Community Care Grant**



Community Care Grants help people who are getting Income Support or income-based Jobseeker's Allowance (see above). They cover a wide range of personal circumstances and needs, and are intended ease exceptional

pressure on families and specifically to help people live independently in the community after leaving "institutional" care. You may be able to claim this if you have been left without essential household items, for example bedding or cooking utensils - particularly if you have spent some time in refuge accommodation or a homeless hostel. Community Care grants do not have to be paid back.

- **Social Fund Budgeting Loan**

This is an interest free loan, which may enable you to spread the cost of large items – e.g. furniture, household equipment or clothing, or for paying removal expenses or rent in advance when you move to a new home. It is available to those claiming Income Support or income-related Job Seeker's Allowance.

The benefits system is very complicated so the above information is for general guidance only. To be sure that you are getting your full entitlements, you should go to your local Citizens Advice Bureau or other advice agency.

If you are in debt

Many women find that their abusive partners have left them with debts. Legally, if a debt is in your name, you are responsible for paying it off; and if you have loans or credit agreements in joint names then you may also still have a responsibility for any outstanding debt, regardless of what the money was spent on, and who initiated it. If you have been left with arrears of rent or mortgage, these are particularly important to sort out, as your home may be at risk. If you had a joint tenancy with your abusive partner, both of you are legally liable for the arrears; however, if the tenancy was with a council or housing association, they may accept that - because of the abuse - you were not in control of the household budget and therefore unable to pay the rent at the time.

If you are having difficulty in paying back a loan which is in your name or joint names, it is usually advisable to contact the company concerned and tell them of your situation. You may be able to make arrangements to pay the money as you can afford it. Different debts are treated in different ways, and you may find it helpful to take advice. You could contact the National Debtline on 0808 808 4000, www.nationaldebtline.co.uk, or contact your local Citizens Advice Bureau or other voluntary sector advice agency, which may be able to



negotiate on your behalf with companies to which you owe money. It is better not to contact commercial firms which offer debt advice, as they will make a charge or take a percentage of any repayments you make.

Other financial issues

If you and your former partner own a house or other property together, or have joint savings, you will need to decide how these shared assets are divided. If you were married, this will probably be done in conjunction with proceedings for legal separation or divorce. It would probably be advisable for you to consult a solicitor, who will be able to tell you your rights and negotiate on your behalf, so you won't need to have any direct contact with your abuser if you don't want to. Your solicitor will keep your address confidential, and all correspondence can be sent there.

Your local Women's Aid organisation may be able to recommend a suitable solicitor. To get in touch with them, ring the Freephone 24 Hour National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge) on 0808 2000 247. The Law Society or the local Citizens' Advice Bureau will also be able to give you a list of solicitors who deal with family law issues. You may be eligible for public funding (Community Legal Services funding, or legal aid) to pay your legal costs, if you are claiming welfare benefits, or are on a low (or no) income and have little or no savings. You can call Community Legal Services on 0845 345 4345 or look on their website, which also has a Directory of solicitors: www.clsdirect.org.uk. See also ***Funding for legal action*** in the section on ***Getting an injunction***.

Further information

Department for work and pensions

www.dwp.gov.uk: provides information on all state benefits, alphabetically, with links to www.jobcentreplus.gov.uk when appropriate. You can download information leaflets and claim forms from the website.

Citizens' Advice Bureau: Advice Guide

Online advice guide to benefits, including a section on benefits relating to domestic violence.

www.adviceguide.org.uk/



Multikulti

Provides information and guidance in a variety of languages on a number of topics including welfare benefits, debt, education, employment.

www.multikulti.org.uk

Advice Now

Provides information on a number of areas, including benefits, housing, employment, living together and separating. They provide leaflets to download, and link to a wide variety of other useful websites.

www.advicenow.org.uk

National Debtline 0808 808 4000 Monday to Friday 9 a.m. – 9 p.m.;
Saturday 9.30 a.m. – 1 p.m.

Offers information and advice on debt. Their website has an information pack, a personal; budget section, factsheets, and debt advice. They have access to Language Line.

www.nationaldebtline.co.uk

Email: advice@nationaldebtline.co.uk

One Parent Families: Lone Parent helpline: **0800 018 5026**, 9 a.m. - 5 p.m.,
Monday to Friday

www.oneparentfamilies.org.uk

This website provides a useful “helpdesk” with basic information on benefits, childcare and other issues.

Single Parents UK

www.singleparents.org.uk

Includes information on welfare benefits, childcare, the pros and cons of paid work versus voluntary work, full-time parenting or going back into education.



How can I help a friend who is experiencing domestic violence?

Unless you are trying to help someone who has been very open about their experiences it may be difficult for you to acknowledge the problem directly. However, there are some basic steps that you can take to assist and give support to a friend, family member, colleague, neighbour or anyone you know who confides in you that they are experiencing domestic abuse.

- **Listen to her**, try to understand and take care not to blame her. Tell her that she is not alone and that there are many women like her in the same situation. Acknowledge that it takes strength to trust someone enough to talk to them about experiencing abuse. Give her time to talk, but don't push her to go into too much detail if she doesn't want to.
- **Acknowledge** that she is in a frightening and very difficult situation.
- Tell her that **no-one deserves to be threatened or beaten**, despite what her abuser has told her. Nothing she can do or say can justify the abuser's behaviour.
- **Support her** as a friend. Encourage her to express her feelings, whatever they are. Allow her to make her own decisions.
- **Don't** tell her to leave the relationship if she is not ready to do this. This is her decision.
- Ask if she has suffered **physical harm**. If so, offer to go with her to a hospital or to see her G.P.
- Help her to **report the assault** to the police if she chooses to do so.
- Be ready to **provide information** on organisations that offer help to abused women and their children. Explore the available options with her. Tell her about the **Freephone 24 hour National Domestic Violence Helpline** (run in partnership between Women's Aid and Refuge), and how to access this **Survivors' Handbook**.
- **Go with her** to visit a solicitor if she is ready to take this step.



- **Plan safe strategies** for leaving an abusive relationship. (See ***Making a safety plan.***) Let her create her own boundaries of what she thinks is safe and what is not safe; don't urge her to follow any strategies that she expresses doubt about.
- Offer your friend the **use of your address and/or telephone number** to leave information and messages, and tell her you will look after an emergency bag for her, if she wants this.
- **Look after yourself** while you are supporting someone through such a difficult and emotional time. Ensure that you do not put yourself into a dangerous situation; for example, do not offer to talk to the abuser about your friend or let yourself be seen by the abuser as a threat to their relationship.



Your legal rights

If you are frightened of your current or former partner, then you have a right to be protected under the law. These are some of the legal options you have:

- You have rights under the criminal law. Being assaulted by someone you know or live with is just as much a crime as violence from a stranger, and often more dangerous. See ***The police and the criminal prosecution process*** for more information.
- You can apply for a civil court order to tell your abuser to stop harassing or hurting you, or to keep out of or away from your home. See ***Getting an Injunction*** for information on these options.
- You can get help with emergency or temporary accommodation. See ***Where can I go? Housing options*** for more information.
- The law can also help to protect children. You can apply to the family courts for an order specifying where and with whom the children should live, and regulating contact with the other parent. See ***Children and domestic violence*** and in particular the sections on ***Contact with the other parent***, ***Residence***, and ***Threatened abduction***.

Domestic violence is dealt with both under the criminal law and the civil law. The two systems are separate and are administered by separate courts:

- The **civil law** is primarily aimed at protection (or in some cases compensation.) A survivor of domestic violence can make an application for an injunction (a court order) either to the family proceedings court or the county court (usually through her solicitor). Other family proceedings – such as child contact or divorce - also take place in the county court.
- The **criminal law** is primarily aimed at punishing the offender. The police together with the Crown Prosecution Service (CPS) initiate the process. Criminal cases are heard in either the magistrates' court or the Crown Court depending on the severity of the charge.

Further information

Further information is contained within the Women's Aid leaflet "Domestic violence: Your legal rights", and under the ***Policy Briefings*** section of our website.



See also the websites and other information listed under *The police and the criminal prosecution process* and *Getting an injunction*.

Getting an injunction

You could try to gain some protection from your abuser by applying for a civil injunction or protection order. An injunction is a court order that requires someone to do or not to do something. There are two main types of injunctions available under Part IV of the Family Law Act 1996:

- a non-molestation order
- an occupation order

A non-molestation order is aimed at preventing your partner or ex-partner from using or threatening violence against you or your child, or intimidating, harassing or pestering you, in order to ensure your health, safety and well-being of yourself and your children.

An occupation order regulates who can live in the family home, and can also restrict your abuser from entering the surrounding area. If you do not feel safe continuing to live with your partner, or if you have left home because of violence, but want to return and exclude your abuser, you may want to apply for an occupation order.

Under new legislation, a breach of a non-molestation order is now a criminal offence; however, you should still be able to take your abuser back to the civil court for breaking the order, if you prefer this. If you already have an injunction, you may have a **power of arrest** attached, and you can also have powers of arrest attached to an occupation order. These powers come into effect if your abuser breaks the order (see below, **Powers of arrest**.)

While getting a court order **may** provide some protection, it isn't always helpful: sometimes it makes very little difference, and it can even (in some cases) be counter-productive.

Who is eligible to apply for an injunction?

In order for you to apply for one of these orders you must be an "associated person". This means you must be related or associated with each other in one of the following ways:



- you are or have been married to each other
- you are or have been in a civil partnership with each other;
- you are cohabitants or former cohabitants (including same sex couples)
- you live or have lived in the same household;
- you are relatives;
- you have formally agreed to marry each other (even if that agreement has now been ended);
- you have a child together (this can include those who are parents of the same child, and those who have parental responsibility for the same child);
- you are both involved in the same family proceedings (e.g. divorce or child contact);
- although not living together, you are in an “intimate relationship of significant duration”.

If you are not eligible to apply for an order under the Family Law Act, or if you are being continually harassed, threatened, pestered or “stalked” after a relationship has ended, you can also get civil injunctions under the Protection from Harassment Act 1997. Recent legislation will also allow a restraining order to be attached when criminal proceedings have been taken - even if the conviction has not been upheld – if the court believes you are likely to be at risk; however this has not yet been put into effect. Restraining orders can provide the same protection as injunctions under the civil law but may be more effective as they carry stronger penalties.

Action under the criminal law, coupled with restraining orders, may avoid the problem of the cost of taking civil legal action if you do not also need to apply for an injunction to exclude your abuser from your home. (See also the section on ***The police and the criminal prosecution process.***)

If you are applying for an **occupation order** you either have to have a legal right to occupy the home (as joint or sole tenant or owner of that home); or you have to have been married to, or cohabiting with, an opposite sex partner who is the owner or tenant. The court will apply a “balance of harm” test when deciding whether to make the order. When making an occupation order, the court may make other related orders imposing obligations on you or your abuser, for example relating to repair and maintenance of the home, or to payment of rent or mortgage.



Injunctions are normally for a specified period of time – e.g. 6 months - but can be renewed; or they may be made “until further order”. There is no limit on the length of time that non-molestation orders can be extended. Occupation orders can only be extended beyond 12 months if you have a legal right to stay in the home (i.e. as owner or co-owner, or tenant/joint tenant, or because you are or have been married to the owner/tenant).

Getting legal advice

Although you can apply for an injunction yourself, you might find it helpful to have legal advice. It is best to get a solicitor who has a lot of experience with domestic violence cases, and who is likely to understand all the issues. Your local Women's Aid organisation may be able to refer you to a solicitor who has experience of domestic violence issues. The Law Society or the local Citizens' Advice Bureau will also be able to give you a list of family solicitors in your area.

You may be eligible for public funding (Community Legal Services funding, or legal aid) to pay your legal costs, if you are claiming welfare benefits, or are on a low (or no) income and have little or no savings. (Your partner's or husband's income is not taken into account if you are taking legal action against him.) See below: ***Funding for legal action.***

Going to court

Applications for injunctions under the Family Law Act are held at the magistrates' family proceedings court or the county court, or in some cases the High Court. The application will be in a closed court ("in chambers") and no-one who is not directly concerned with your case will be allowed in. This means that you will be able to take in your solicitor or other legal representative, but will not normally be allowed to take in a friend or other supporter (though they can stay in the waiting room). The good thing about this is that no members of the public will be there (unlike at a criminal court) and this provides a degree of privacy.

If you are concerned that your abuser might hassle you while you are waiting, you should tell your solicitor who can ask the court officers to keep him away from you. They should also be able to provide separate waiting areas.

You can ask for your address to be kept secret and not read out in court, so that the abuser does not know where you are staying.



How long does it take to get an injunction?

If you are in immediate danger, an application can be made to the court on the same day without your abuser being there. This is called a “without notice” or *ex parte* application. The court will need to consider whether or not you are at risk of significant harm, whether you will be prevented or deterred from applying if you have to wait, or whether your abuser is avoiding being served notice to appear before the court.

If the court grants a “without notice” order, you will have to return to court for a full hearing once your abuser has been served with notice.

If there are other family proceedings already in progress (e.g. for a residence or contact order for a child) the court may wish to hear the whole case together - but they can still grant an emergency order while you are waiting for the full hearing.

What evidence will be needed?

You will need to make a sworn statement (sometimes called an affidavit) to the court about the physical and emotional abuse you have experienced. You should be as precise as possible about all the ways you have been physically or emotionally harmed, the dates and times (if you have them), and the effects on you and your children. It is important that you or your solicitor provides the court with as much evidence as possible of all aspects of harm caused by your partner or ex-partner's abusive behaviour. It will help if you have kept a record of past events, or if you have independent evidence - such as police reports or medical records.

The court has discretion when deciding to make an order, and has to look at all the circumstances, including the likely effect of any order on their health safety and well-being, their conduct in relation to each other, their needs, and their financial and housing resources.

The court sometimes suggests that, instead of an injunction, the abuser should make an **undertaking** (a promise) to the court not harass or threaten you. While this is supposed to have the same strength as a court order, and breach of an undertaking constitutes contempt of court, in practice, undertakings cannot be enforced effectively as powers of arrest cannot be attached. The court should never accept an undertaking where violence has been used or threatened, and you do not have to agree to accept an undertaking if you do not want to.



If you are applying for an occupation order, and do not have a legal entitlement to occupy the property, the court must apply a "balance of harm" test; that is, who will suffer the most harm if an order is not made?

Once an order has been made, you should have a copy, and your solicitor should arrange for a printed copy to be handed personally to your abuser. The injunction will not be effective if there is no proof that your abuser received it.

Powers of arrest

If your abuser has used or threatened physical violence, and the court accepts this at a full hearing of the case, then they must attach a power of arrest to an injunction (unless they believe you will be adequately protected without this). This means that a copy of the order must be held on record at the police station, (you or your solicitor should ensure that this happens) and the police can arrest immediately if the order is broken, even without a specific criminal offence having been committed. A power of arrest may be attached even if the hearing was held "without notice", if the court believes you are likely to be at risk of harm otherwise.

Under new legislation, breach of a non-molestation order automatically becomes a criminal offence. Occupation orders will be treated differently, however, and a separate "power of arrest" will still be needed.

What happens if the abuser breaks the order?

If your abuser breaks the terms of the injunction, and you are at all fearful for your safety or that of others, you should call the police. Under the Domestic Violence, Crime and Victims Act 2004, breach of a non-molestation injunction made on or after 1st July 2007 is a criminal offence. This means that the police should treat any breach of such an order just like any other criminal offence; so they should arrest your abuser, and take him to the magistrates' court, and **not** back to the county court or family proceedings court. This should strengthen the power of court orders. (See also the section on ***The police and the criminal prosecution process.***)

If, however, you are unhappy about the enforcement process being taken out of your hands, it should still be possible for you to take your abuser back to the county court or family proceedings court for contempt of court – in the same way as you have to do for breach of an occupation order. (See below)



If your abuser has breached an occupation order, (or a non-molestation order made before 1st July 2007) and if there is no power of arrest attached, then you (with the help of your solicitor if you have one) may have to go back to court yourself and apply for an arrest warrant. Your abuser is in contempt of court for disobeying a court order. The court may then fine your abuser, impose a suspended sentence, or commit to prison (rare for a first offence).

Funding for legal action

If you are on a low income or are receiving state benefits (such as Income Support or income-based Job Seeker's Allowance) and have little or no money in savings, you may be eligible for civil legal aid (run by the Legal Services Commission). The income of your partner or husband does not count if you are taking legal action against him.

If you are applying for legal aid to cover the costs of seeking protection from domestic abuse (e.g. a non-molestation order, occupation order or forced marriage protection order) then you will qualify for legal aid regardless of your income.

If you are on benefits or a low or no income, and with little or no savings, you will not pay anything towards your legal costs.

If your income after essential outgoings (such as utility bills, mortgage or rent payments, and allowances for children) is over a certain amount, you will be asked to pay a contribution towards the costs of your case. This contribution would be paid monthly until the case ends and the certificate is discharged. You will also be asked to make a contribution if you have savings over a certain amount.

For other issues (such as those relating to divorce, contact or residence) an eligibility test will apply, but you will still be eligible for legal aid if you are claiming benefits, or have a low (or no) income of your own.

The Community Legal Services website has information about applying for this funding, and there is a calculator enabling you to work out how much – if any – your monthly contribution is likely to be. Go to www.communitylegaladvice.org.uk. You can also call them on **0845 345 4345** for legal help and advice. The CLS website has a Directory which enables you to find a solicitor in your area. All solicitors listed there hold the Community Legal Service “quality mark”.



In addition to income criteria, you will need to show that there are reasonable grounds to pursue the case, i.e. the “cost benefit criterion” set out in the Legal Services Commission Funding Code.

Applying for funds to pursue a case may take time, but in the case of an urgent application for a domestic violence injunction, a solicitor who is contracted with the Legal Services Commission can grant an emergency certificate of legal representation.

You can also get free advice from a Law Centre or from the Citizens' Advice Bureau. It is also possible to make your own application for an injunction. Your local county court office will be able to give you the forms and a leaflet “Part IV of the Family Law Act: How can it help me?” or you can download these from the Court Service website: www.courtservice.gov.uk. There is an application fee – currently £60 – but if you cannot afford this, you can apply for it to be waived. Alternatively, you may be able to apply to the magistrates' family proceedings court instead, and if you do this, you won't have to pay a fee. Rights of Women produce the **Domestic Violence DIY Injunction Handbook** which may help you. This is also available in Bengali, Gujerati, Hindi and Urdu. To purchase a copy, you can call them on **020 7251 6575/6**.

Further information

Rights of Women (ROW): Have a general legal advice line and also a new sexual violence legal advice line

Legal advice line: 0207 251 6577; Tuesdays, Wednesdays, Thursdays,

2 – 4 p.m. and 7 – 9 p.m; Fridays 12 – 2 p.m..

Textphone: 0207 490 2562

Sexual Violence legal advice line: 020 7251 8887

Mondays 11 a.m. - 1 p.m; Tuesdays: 10 a.m. - 12 noon

textphone: 020 7490 2592, same times

email: info@row.org.uk

www.rightsofwomen.org.uk

Rights of Women also produce useful publications, including their Domestic Violence DIY Injunction Handbook (the 2nd edition of which has been substantially updated to include recent changes to the law following the implementation of the Domestic Violence Crime and Victims Act 2004): and a handbook for those who have experienced rape or sexual assault, “From Report to Court”. This can be downloaded free from their website, where the DIY Injunction handbook can also be purchased, price £8.



The Law Society will provide a list of solicitors in your area: **020 7242 1222**.

Community Legal Services will also provide information on legal advisors who have their quality mark, and gives advice on eligibility for CLS-funded services (civil legal aid.) www.clsdirect.org.uk or phone **0845 345 4345**, 9 – 5 Monday – Friday.

Legal Services Commission: 020 7759 0317/8
email: family@legalservices.gov.uk

Southall Black Sisters 020 8571 9595

Provide advice and information on domestic violence, racial harassment, welfare and immigration, primarily for Asian, African, and African- Caribbean women. Casework primarily undertaken in London Borough of Ealing, but deals with enquiries on a national basis.

www.southallblacksisters.org.uk

The National Centre for Domestic Violence 0870 922 0704 24 hours.

The NCDV may be able to help you obtain an injunction to prevent further abuse from your partner. They are a non-profit-making organisation, that can advise on the range of legal remedies available. Their services are free of charge, and they will refer you to an experienced solicitor who – if you are eligible – will arrange Community Legal Service funding, or will accept payments in stages if you have to pay your own fees. They also have a freephone number, if you are unable to pay for your call: **08009 702070**.

www.ncdv.org.uk

Freephone 24 hour National Domestic Violence Helpline run in partnership between Women's Aid and Refuge: **0808 2000 247**. For information on legal options relating to domestic violence, and for putting you in touch with your local Women's Aid organisation and other related services in your area.

Local Women's Aid or other domestic violence support services can offer you support in getting an injunction or going to court, and refer you to local solicitors experienced in domestic violence issues. To find out about local domestic violence services in your area contact the Freephone 24 hour National Domestic Violence Helpline (as above) or see Women's Aid website:

www.womensaid.org.uk



The Police and the Criminal Prosecution process

What the police can do

Most forms of domestic violence are crimes, and you (or someone else on your behalf) may decide to contact the police for help. The police are a key 24 hour agency for women experiencing domestic violence, and the first port of call in emergency. Being assaulted, sexually abused, threatened or harassed by someone you know or live with is just as much a crime as violence from a stranger, and is often more dangerous.

When the police have been called, their first priority should be your safety and well-being, and that of your children, and to protect everyone present from injury or further harm. Their role is to investigate and not to mediate, counsel or allocate blame by asking inappropriate questions.

If you call the police because you are experiencing domestic violence, they should always give you the opportunity of being listened to and spoken to separately, away from your abuser. You can also ask to be seen by a woman police officer (WPC). The police should provide you with an interpreter if you need one, and should never ask your children or other family members to interpret in cases of domestic violence¹.

The police should help and support you by:

- protecting you and your children;
- removing the risk of further violence – ideally by arresting and removing the perpetrator;
- arranging first aid or other medical assistance - such as an ambulance;
- finding out what has happened, taking into account the known risk factors associated with domestic violence²;
- offering you support and reassurance;
- helping you to access other agencies (e.g. Women's Aid);
- arranging transport to a safe place, if you want this.

Domestic violence should be treated as seriously as an assault or threat from a stranger. Each police officer can use his or her powers to intervene, arrest, caution or charge an abuser. If there are reasonable grounds to justify an

¹ Except as a last resort in order to confirm factual information and ensure your immediate safety.

² See ACPO Guidance – full reference at the end of this section.



arrest, the police should do this without asking your “permission”, or insisting on a statement from you first - though they will need to take one later. They do not need a warrant to arrest someone who they suspect is about to commit an arrestable offence nor do they need to witness an assault. The abuser can then be held for up to 24 hours (or 36 hours at weekends) before they need to charge him.

If the perpetrator has left before the police arrive, the police should circulate a description and make every effort to find him. Officers should also gather alternative evidence (e.g. photos of damage or injury) in order to charge and build a prosecution case that does not rely entirely on your statement. They should ensure that you and your children are safe while they do this.

For many women who are experiencing domestic violence, calling the police is not the first option, but is often only a last resort after repeated attacks. Many women are ambivalent about calling the police: they fear they will not be believed or taken seriously, or it may seem like a betrayal. Black women, in particular, are less likely to call the police if they fear racism against themselves or their partner, and some women may have concerns about their immigration status and what will happen if they call the police. Lesbians and bisexual women may anticipate homophobia; and women who use drugs, or who work as prostitutes will also distrust the police.

If you do call out the police, and they take action against your abuser, do ask them for and make a note of the crime reference number as this may be helpful when you contact other agencies. If your immigration status is insecure, a record of police attendance to an incident of domestic violence might form part of your case to apply for leave to remain in the UK. See ***Immigration issues*** for further information.

What happens next?

If the police arrest your abuser, it can act as a deterrent against re-offending, at least for a short time. It can also demonstrate to your partner that the police take domestic violence seriously, and that this behaviour is not acceptable.

Arrest does not necessarily lead to a charge. If the police decide to proceed, they will consult the Crown Prosecution Process (CPS) about the charge, and will then pass the papers to the CPS who will make the final decision to continue with a prosecution. See the section below on ***The criminal prosecution process***. Prosecution does not in itself guarantee protection or



safety in the long term, and there may be increased danger of reprisals from a vengeful partner or ex-partner. You may also face a number of practical and emotional difficulties. Nevertheless, the criminal justice system has an important role to play in preventing and challenging domestic violence, both symbolically and practically, and it is worth seriously considering all the options.

Police Bail

If the police arrest and charge the abuser, they will then make a decision whether to keep him in custody, or to release him on bail. If they release him on bail, they will attach conditions to this, aimed at protecting you, your children and any witnesses from further intimidation and violence. The police should make every effort to consult you before making conditional bail decisions. They should also inform you of any conditions they have placed on the abuser, what these conditions mean, and what action you should take if these conditions are broken. They should give you as much information as possible and should explain that the responsibility for complying with police bail conditions rests with the abuser.

Further information on police services

Most police forces have a specialist division to provide ongoing follow-up, investigation and risk assessment of incidents of domestic violence. These may be called Domestic Violence Units or Community Safety Units. The officers should have been specially trained to respond sensitively, to give you guidance, and to use their knowledge of domestic violence offending to advise you during the investigation and prosecution processes.

Each police force in the UK has its own website – though some are more informative and helpful than others. Some police websites give information about how they respond to domestic violence incidents, and may include copies of policy documents, and information on what you can expect if you report an incident to them. Some police forces now use a risk assessment tool to help them identify who is at greatest risk of further harm from their abuser. That means that they may ask you questions which may not seem directly related to this offence, but will help them decide the extent to which you may be at risk of further abuse. Some police forces now share information with other agencies - for example, health visitors or social workers - in order to help provide support and protection to women and children most at risk of further domestic violence. There are now national guidelines for police forces on investigating domestic violence: see below.



Each police force now has a domestic violence policy, and/or a strategy or guidelines, which you could check if you are unhappy with the way they responded to you. It isn't always easy to find this information on the website, however, and you will probably need to use the "search" facility. To find the website for the police force covering your area, you can go to the UK Police Service portal on www.police.uk. There is a national domestic violence training programme for all police officers which aims to ensure that all police forces respond appropriately when called to domestic violence incidents. If you are at all unhappy about the way the police have treated you, you could make a formal complaint. Your local Women's Aid organisation or independent domestic violence advocacy service will be able to help you with this.

Crime prevention officers (or their local equivalent) should be available to survivors of domestic violence to suggest improvements to home security, including advice on smoke alarms, burglar alarms and improved lighting.

The phone number for your local police will be in the phone book – but in an emergency, you should always dial 999.

The criminal prosecution process

Once an abuser has been arrested and charged, the file passes to the Crown Prosecution Service (CPS). The police and the CPS have agreed charging standards for certain types of offence, including assaults. These guidelines aim to ensure that consistent decisions are made in relation to charging.

Police custody officers should liaise with the CPS at an early stage to seek advice on the sufficiency of the evidence, type of evidence required and the most appropriate charge(s). Custody officers should ensure that all advice given by the CPS is recorded on the prosecution file.

A **pre-charge advice scheme** is being developed so that crown prosecutors will be available to provide advice to the police, prior to charging. When this scheme is fully in use, it will mean that between locally agreed hours (typically 9am – 5pm), no defendant should be charged with an offence (within the scheme) without reference to the "Duty Prosecutor". Outside these agreed hours, officers should consult the out of hours telephone advice service, CPS Direct.



The CPS will take into account the safety of the victim, and any others (including children) who are involved. They also take the views of the victim into consideration when deciding whether to proceed with a prosecution – but this is not the sole determining factor. The CPS produces various publications on domestic violence, including a leaflet entitled “Domestic violence: How prosecution decisions are reached” (which is available in several languages), and a more substantial document, “Domestic Violence: Policy for prosecuting cases of domestic violence”, also available in a variety of languages. They also have a policy for prosecuting cases of rape and sexual assault. See www.cps.gov.uk/publications

If you withdraw your support for a prosecution, the CPS will want to know why. You are likely to be interviewed by a police Domestic Violence Officer, who will try to find out why you are wanting to make this decision, and whether any pressure has been put on you. There are several reasons why you might want to withdraw your complaint of domestic violence; for example:

- your abuser has said he is sorry and you want to give him another chance;
- you don't want your children's father to have a criminal record;
- you may have been threatened, and/or you feel frightened about what the abuser or his family might do if you proceed;
- you don't want to have to give evidence in court.

In certain circumstances - for example, if you have been intimidated - your statement can be used as evidence without your being called to court. If you do decide to withdraw your statement, your wishes will be taken into account, but the final decision about prosecution will be taken by the CPS in conjunction with the police. They may decide that the “public interest” supports going ahead with the case, despite your wishes.

If the CPS decide to proceed, the abuser will initially be taken to a magistrates' court, after which - depending on the seriousness of the charge - he will either be remanded in custody, or released on bail. If bail is given, then conditions can be imposed by the court - for example, that the abuser stays away from you and your home, or your place of work, or that he lives at a certain address.

It may be several months before the full case is heard. During this time, the police may contact you again for further information. You may be asked to make a Victim Personal Statement, which will add to the information you have



already given in your initial statement. This gives you a chance to talk about how the violence has affected you - both this particular incident, and in general - and to raise concerns about fear of intimidation, and whether you want to claim compensation or request support from other agencies. Any additional evidence you can give the police at this stage will be very helpful; for example:

- medical reports of injuries and other effects of the abuse;
- statements from neighbours who have witnessed or heard the abuse;
- any other agencies to whom you have reported the violence in the past - for example, housing, social services, your health visitor, GP or midwife;
- reports from the children's schools on the effects on the children;
- any injunctions (court orders) which are in place against your abuser, or which you have applied for previously;
- any particular fears you have, or threats he has made.

The case may be heard in the magistrates' court or the Crown Court (depending on the charge.) You will only be called to give evidence if your abuser has pleaded not guilty at the initial hearing. If he pleads guilty, or if he is found guilty after the evidence is heard, then the court will usually adjourn for reports from the Probation Service before sentencing.

The sentence depends on the seriousness of the offence and whether your abuser has had any previous convictions. It can range from a conditional discharge to a prison sentence. The criminal law can offer you some protection - particularly if your partner is given a custodial sentence; but it is primarily aimed at dealing with the offender. Under new legislation, a restraining order can be attached whenever criminal proceedings have been taken against your abuser - even if the conviction has not been upheld - if the court believes you are at risk. Alternatively (or in addition), you could consider applying for an injunction under the civil law: look at ***Getting an injunction.***

In some areas (for example, Derby, Leeds, Wolverhampton and West London) there are **specialist domestic violence courts** in which the staff will have been specifically trained to deal with the issues and will try to "fast track" criminal domestic violence cases. These special courts should also enable better partnership working between the various agencies. More specialist domestic violence courts will be set up in the near future and - if you live in one of the areas covered by them - it should make it easier for you to go to



support your complaint, and to give evidence in court if you need to. **Independent domestic violence advocacy services** are also being set up in the areas covered by these courts, and elsewhere, and many women find these services very helpful. If there is a domestic violence advocacy service in your area, it may help you to decide what to do, and will support you through the court process, if you choose that option.

Further information

For help and support with going through the prosecution process, you could contact a specialist domestic violence advocacy service, which may be part of your local Women's Aid organisation, or be run independently. There may also be a Women's Aid outreach service in your area which could provide support with legal processes: look in the phone book or ring the **Freephone 24 Hour National Domestic Violence Helpline** (run in partnership between Women's Aid and Refuge) for the contact number: **0808 2000 247**.

Specialist domestic violence officers should help you in safety planning, taking into account risk assessment and risk management processes. They should be available to give you advice on additional safety measures that you or others could put in place, building on measures that you have already developed. (See ***Making a safety plan.***)

To find the police force covering your area, go to www.police.uk.

You could also contact **Victim Support**. The police might already have put you in touch with them, or you could ring the national Victim Supportline on 0845 303090 or contact your local group which will be listed in the telephone book. Their website www.victimsupport.org.uk gives useful information, including their leaflet on "Going to court". Volunteers from Victim Support can provide emotional support and help you in confidence to explore the different options open to you. The Victim Support Witness Service will support you if you go to court, including giving you information about the court and prosecution process. If you want, they will sit with you in the waiting room, and when you are called to give evidence.

The **Home Office** produce a leaflet, "Witness in court", which you should be sent if you are asked to appear as a witness. www.homeoffice.gov.uk

For information on police guidelines for investigating domestic violence, see: "Guidance on investigating domestic violence 2004" produced on behalf of the



Association of Chief Police Officers (ACPO) by the National Centre for Policing Excellence, available at:
<http://www.acpo.police.uk/asp/policies/Data/Guidance%20on%20DV.pdf>

For information on the Crown Prosecution Service, and in particular how decisions on prosecution are reached, see www.cps.gov.uk.

If you want to know more about the law on domestic violence, there is further information under **Policy Briefings** on the Women's Aid website.



Children and domestic violence

How will my children be affected by the violence?

If you have children, you have probably tried to shield them from the domestic violence as much as you possibly can. Perhaps you are hoping they do not know it is happening. However, in the majority of families where there are children, and where abuse is being perpetrated, the children will be aware of this, and will often hear it or see it going on. According to the Department of Health, at least 50,000 children a year witness domestic violence. In some cases, the children themselves will suffer physical or sexual abuse from the same perpetrator; see below, ***When children are being abused***.

Children can witness domestic violence in a variety of ways. For example, they may be in the same room and may get caught in the middle of an incident – perhaps in an effort to make the violence stop; they may be in another room but be able to hear the abuse or see their mother's physical injuries following an incident of violence; or they may be forced to take part in verbally abusing the victim. Children are completely dependent on the adults around them, and if they do not feel safe in their own homes, this can have many negative physical and emotional effects. All children witnessing domestic violence are being emotionally abused, and this is now recognised as "significant harm" in recent legislation³.

Children will react in different ways to being brought up in a home with a violent person. Age, race, sex, culture, stage of development, and individual personality will all have an effect on a child's responses. Most children, however, will be affected in some way by tension or by witnessing arguments, distressing behaviour or assaults – even if they do not always show this. They may feel that they are to blame; or – like you – they may feel angry, guilty, insecure, alone, frightened, powerless, or confused. They may have ambivalent feelings, both towards the abuser, and towards the non-abusing parent.

These are some of the effects of domestic violence on children:

- They may become anxious or depressed.
- They may have difficulty sleeping.

³ Section 120 of the Adoption and Children Act 2002, which came into effect on January 31st 2005.



- They may have nightmares or flashbacks.
- They may complain of physical symptoms such as tummy aches.
- They may start to wet their bed.
- They may have temper tantrums.
- They may behave as though they are much younger than they are.
- They may have problems at school, or may start truanting.
- They may become aggressive.
- They may internalise their distress and withdraw from other people.
- They may have a lowered sense of self-worth.
- Older children may start to use alcohol or drugs.
- They may begin to self-harm by taking overdoses or cutting themselves.
- They may develop an eating disorder.

Violence may also interfere with your children's social relationships: they may feel unable to invite friends round – or may be prevented from doing so by the abuser – out of shame, fear, or concern about what their friends may see. They may feel guilty, and think the violence is their fault, or that they ought to be able to stop it in some way. There can be an impact on school attendance and achievement: some children will stay home in an attempt to protect their mother, or because they are frightened what may happen if they go out. Worry, disturbed sleep and lack of concentration can all affect school work.

You may feel that you will be blamed for failing as a parent, or for asking for help, and you may worry that your children will be taken away from you if you report the violence. But it is acting responsibly to seek help for you and your children, and you are **never** to blame for someone else's abuse. It is important that you - the non-abusing parent – are supported so that in turn you can support your children and ensure that they are safe, and that the effects of witnessing (and perhaps directly experiencing) the violence are addressed.

When children are being abused

Research has consistently shown that a high proportion of children living with domestic violence are themselves being abused – either physically or sexually - by the same perpetrator. Estimates vary from 30% to 66% depending upon the study. Nearly three-quarters of children on the “at risk” register live in households where domestic violence is occurring. (Department of Health figures – see below for references.)



Men who are abusive to women do not necessarily abuse children too, but some of them do. If you suspect that this is happening, or that it has happened, it is important that you raise this issue with your children and take steps to protect them, for example, by seeking advice from Women's Aid or another domestic violence organisation, or from social services or other agencies who are there to assist and protect children. Social workers will not take your children away if they can work with you to make sure they are safe.

If your child, or a child you know, tells you that they have been abused, your immediate response is very important:

- Listen carefully and let your child tell you what happened in their own time.
- Reassure her or him that they are not to blame for what happened (or is happening) to them.
- Let them know they are very brave to tell you about it.
- Show your child that you are concerned for them.
- Try to stay calm and not let them see how shocked you are.

If your child is at risk of further abuse – for example, if you are still living with the perpetrator, or if your children have regular contact with him – then you will need to take steps to protect her or him from further harm. You may want to talk to your local Women's Aid organisation, or to the Freephone 24 Hour National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge) to help you decide what you do next: **0808 2000 247**.

How you can help your children

Some mothers and children use silence or denial to try to cope with the abuse. But most children appreciate an opportunity to acknowledge the violence, and to talk about what they are feeling. Do talk to your children - and listen to them. Try to be honest about the situation, without frightening them. Reassure them that the violence is not their fault and that they are not responsible for adult behaviour. Explain to them that violence is wrong and that it does not solve problems. Remember, your children will naturally trust you - try not to break that trust by directly lying to them.

Encourage your children to talk about their wishes and feelings. You could do this perhaps by doing an activity together, or encouraging them to draw or write about what is happening and how they feel about it. Your child's teacher may be able to help you with this. Sometimes children will wait until they feel safe and are no longer in the violent environment before they start to talk about their feelings. You could suggest that your children look at the



Women's Aid website for children and young people, **The Hideout:** www.thehideout.org.uk. This has information, activities, a quiz and stories of children living with domestic violence.

You may believe it is best for your children if you try to keep the family together in order to provide the security of a home and father – despite the ongoing fear, and the emotional and physical abuse. However, children will feel more secure with one parent in a stable environment than with two parents when the environment is unstable and violent.

Moving into a refuge with your children

For reasons of safety, you may find it impossible to prepare your children in advance for an imminent move to a refuge. However, as soon as you can do so safely, do tell them what is happening. You could perhaps make this move less threatening by saying that you are all going away for a little while to a special place for mothers and children. Explain to your children that the move does not mean that they will never see other family members, their friends or their pets again.

Most refuges have Children's Support Workers who will make your children feel safe and at home in the refuge, and almost all refuges will have other children staying there when you arrive. There will always be a playroom for children, and the Children's Worker will arrange activities for young refuge residents both in and away from the refuge. These children's activities will benefit you as well as your children; you will have time to consider your own options and discuss your plans with other adults.

Children are an important part of refuge life, and living in a refuge can be a positive experience for your children. They will have the opportunity to meet other children in a similar situation to theirs. They can talk about their experiences to each other and begin to understand that they are not alone. With the help and support of the refuge staff and volunteers, children can be helped to come to an understanding of their situation.

When children become aggressive

Sometimes one of your children may become aggressive or abusive towards you or to others in the family. Some women only experience domestic violence from their sons. Others may be abused both by their partners and by their children - either at the same time, or subsequently. Boys in particular may copy their father's behaviour - or they may be afraid they will turn out like him. This may be a temporary behavioural disturbance; but if it is ongoing,



and particularly if your child is a teenager (or older) you may need to do something to protect yourself and other children in the family.

You may decide to contact Social Services. If your child is over 16, you have the right to evict them from your home – and it is Social Services' responsibility to carry out a needs assessment under the Children Act 1989. If they refuse to help, try to get this in writing. You can contact the Children's Legal Centre on 01206 872 466. See www.childrenslegalcentre.com, or email: clc@essex.ac.uk

If your child is abusive towards you, it is **not** your fault; nor should you feel guilty about taking steps to protect yourself and your family. Remember that a severely aggressive or abusive child can have a negative effect on the other children in the family.

For further advice if you are experiencing abuse or violence from one of your children, contact the **Tulip Group** on **0151 637 6363**.

Further information and help with your children

Whether or not you and your children move into a refuge, you could call the **NSPCC National Child Protection Helpline on 0808 800 5000**; or you may want to talk to your Health Visitor, or other health care professional. If you are pregnant, you may want to talk to your midwife.

Other organisations which you may find helpful include:

Parentline Plus which provides support to parents under stress and provides referrals to sources of local support. Phone **0808 800 2222** (24 hour freephone helpline); www.parentlineplus.org.uk

Family Rights Group gives confidential advice for families whose children are involved with Social Services. They have a number of information leaflets available on their website, and they offer an advocacy service for parents.

www.frg.org.uk

Freephone **0808 801 0366** 10am-3:30pm Monday to Friday

Email advice@frg.org.uk

Mind produce a useful booklet, "How to parent when you're in crisis". You can print a copy from their website or buy it from their online shop.

www.mind.org.uk



The **Young Minds** parents' information service provides help for parents concerned about a young person's mental health and also has a variety of leaflets and booklets, including one which explores how divorce and separation affect children and young people. Phone **0800 018 2138**.
www.youngminds.org.uk

You could suggest your children ring **Childline** on **0800 1111**, or they could look at the Women's Aid website for children and young people, **The Hideout**: see www.thehideout.org.uk

A guide for educational professionals has been produced by Save the Children in conjunction with local Women's Aid services. *Safe learning* (2006, price £9-95) offers an insight into children's experiences of domestic violence and how these may affect their learning, and makes suggestions as to how educational professionals could respond in order to support children and minimise any disruption to their education. www.savethechildren.org.uk

References

- Department of Health (2002) "Women's Mental Health: Into the Mainstream: Strategic development of mental health care for women". (London: DH)
- Mullender, A. and Morley, R. Children living with domestic violence (London: Whiting and Birch).
- Royal College of Psychiatrists (2004) Mental health and Growing up, 3rd edition: Domestic Violence: Its effects on children. Available from <http://www.rcpsych.ac.uk/info/young.htm>



Making arrangements for children after separation The role of the family courts

Contact with the other parent

If you have left home because of your partner's violence, you will probably have taken the children with you, and will probably want to continue to care for them and make a home for them. When both your children and your ex-partner (the non-resident or "absent" parent) wish to see each other, and this can be arranged safely and without major problems, this is likely to benefit everyone concerned. However, in many cases, safety – your own or that of your children – may be a serious concern.

Many mothers have good reason to fear any ongoing contact between their children and their former partner, but they often find that family court professionals minimise or ignore these fears because they are convinced that ongoing contact with both parents is in the interests of the children in the long-term. Many mothers who have escaped from their abusive partners therefore find it extremely difficult to protect their children from ongoing abuse, because they are required by the court to comply with an order for contact.

When a parent applies for contact with his (or her) children, under the Children Act 1989, this will almost always be granted. One fundamental principle of the legislation is that the child's welfare should be paramount – and in most cases, this is assumed to be upheld by maintaining his or her contact with both parents: in 2003, only 601 out of 67,184 contact applications (less than 1%) were refused. The courts fail, in many cases, to take domestic violence seriously, despite the introduction in April 2001 of Good Practice Guidelines recommending that the dangers are highlighted at an early stage in the proceedings, so that the safety of the child and the resident parent is secured before, during and after contact visits.

When courts have ordered contact with an abusive parent, in three-quarters of cases, the children suffered further abuse. Some children have even been ordered to have contact with a parent who has committed offences against children. In some cases, children have even been killed as a result of contact or residence arrangements⁴. There are also many cases in which an abusing parent has used a contact visit to trace the mother's whereabouts, or to assault or otherwise abuse her further.

⁴ See references at the end of this section.



So – if you are fearful about your children having ongoing contact with your abuser – how can you try to ensure your child's safety?

If you have been told that your former partner is applying for contact with the children, it is very important for you to have a really good - sympathetic and experienced - solicitor. Your local Women's Aid organisation may be able to recommend a solicitor, or you could contact Rights of Women which has a legal advice helpline, and produces helpful leaflets, including one on child contact. **0207 251 6577** (advice line) and Textphone on 0207 490 2562. www.rightsofwomen.org.uk or email: info@row.org.uk.

It is also important that when you receive the court forms, you respond to your partner's application for contact by ticking "yes" to the question about domestic abuse. You should then receive a supplementary form on which you can give details of the abuse you have experienced, and can point out your fears for your and your children's safety, if contact goes ahead. The more evidence you can give, the better – particularly if incidents have been witnessed by others, or have been documented, for example by the police or in your healthcare records. If your abuser has made false allegations about **you**, you will need to challenge these, as well as providing evidence of his abuse.

If you make allegations of domestic violence which are likely to affect the outcome of the case, these should be considered before any decision about contact is made by the court. It is likely that an officer from the Children and Family Courts' Advisory and Support Service (CAFCASS) will be asked to prepare a welfare report, after talking, separately, both to you and to your ex-partner, and seeing the children (normally on their own). The purpose of this report is to advise the court on the children's best interests, and to make recommendations on whether or not there should be contact, and the extent and nature of contact.

If you are making very serious allegations against your former partner – for example, allegations of child sexual abuse - you need to consider what evidence you have: the more serious the allegations, the higher standard of proof that will be needed. Any independent evidence will be helpful: for example, if your child has said anything to someone other than yourself, or if there is any medical evidence. The court will also refer the case to Social Services, and a social worker will interview your child. (However, it is unlikely that in a single interview of this kind your child will feel able to disclose abuse.)



Sometimes the judge may decide that contact should – at least initially – be supervised; and sometimes s/he will order indirect contact only – that is, letters, cards or gifts but no face to face meetings. Contact may be arranged at a contact centre, where your ex-partner will be able to spend time with your children, and you will be able to hand them over to the staff without meeting him. Most contact centres are run by volunteers who provide “supported” contact for several families simultaneously, but only a minority are able to provide supervision continuously. If yours is a “high risk” case – that is, there is a serious risk of your children being abused or abducted while having contact with their father – your solicitor should ask for supervised contact, so that visits can be supervised individually.

If you do not comply with a contact order, you will be in contempt of court, and may be threatened with sanctions, which can include: fines, withdrawal of legal aid (if you have it), transfer of residence to your ex-partner, or even imprisonment.

If you are unhappy with the outcome of the court hearing, you can apply for an appeal – but your application may be refused. You can also apply to vary a contact order which has previously been made.

If your children are having contact with their father – whether this has been ordered by the court or you have made an informal arrangement – and you become aware that they are not happy with contact visits, then it may be helpful to arrange for them to attend play sessions or receive outreach support from your local refuge organisation; or you may be able to arrange for them to have some counselling. Young Minds (www.youngminds.org.uk) or CAMHS (Child and Adolescent Mental Health Services) may be able to help you, or you could contact your GP. Counselling would allow your children – if they wished - to talk to someone about what is making them unhappy, and would also provide a useful source of independent evidence if the contact order needs to be changed or contact ended altogether.

Residence

The family courts can also make an order specifying where and with whom the children should live. If your children are living with you or you took them with you when you left your partner, and you would like them to continue to live with you, then you may decide to apply for a “residence order”. This may be particularly important if your ex-partner has what is called “parental responsibility” for the children. Parental responsibility is automatic if you and



your partner were married and both of you are the biological (or adoptive) parents of the children; or if you are unmarried, but registered the births of the children together; or he may have gained parental responsibility if he applied for it later. A parent who has parental responsibility is legally entitled to have the children with him or her; so if you are at all concerned that your ex-partner may take the children away or keep them after a contact visit, then it is advisable to have a residence order in your favour.

The courts can make interim orders while legal proceedings are continuing. They can also make an order “by consent” if you and your ex-partner agree that the children should live with you.

The procedure for applying for a residence order is similar to that for contact, and often both applications will be considered at the same time. You could talk to your solicitor, or contact Rights of Women advice line on **0207 251 6577**, or textphone on 0207 490 2562 if you would like further information.

Threatened abduction

If you are afraid your ex-partner may try to take the children away from you, then you should seek urgent advice from your solicitor, and – if the threat is imminent - call the police. If your ex-partner has taken the children away without your consent, or kept them following a contact visit, you may need to make an application to the court for an order requiring that they are returned to you. The court can also make a “prohibited steps” order aimed at preventing their being taken away again.

If you are afraid that your children might be taken out of the UK, then you will need specialist advice. If a parent abducts a child to another country with a different jurisdiction, that is a criminal offence. The Hague Convention can be used to get the children back to the UK.

The organisation **Reunite** provides an advice line on international child abduction: call **0116 2556 234** (available Monday to Friday 9.30 a.m. – 5 p.m. Out of office hours, their answerphone gives an **emergency contact number**.) Reunite also produces a **Child Abduction Prevention Guide**. Contact www.reunite.org.

References and further reading

Aris, R., Harrison, C. and Humphreys, C. (2002) “Safety and child contact” (London: LCD).



Barron et al., (1999) "From Utility to Rights? The Presumption of Contact in Practice" International Journal of Law, Policy and the Family Vol. 13 (pp111-131).

Hester, M. and Radford, L. (1996) "Domestic violence and child contact arrangements in Britain and Denmark" (Bristol: Policy Press).

Radford, L. Sayers, S. and AMICA, 1999: "Unreasonable fears?" (Bristol: Women's Aid Federation of England).

Saunders, H. with Barron, J. (2004) "Failure to protect? (Bristol: Women's Aid).

Women's Aid has compiled a list of 29 children in 13 families who have been killed as a result of contact or residence arrangements in the last 10 years. Ten of these children have been killed since 2002. See Saunders, H. (2004) "Twenty-nine child homicides" (Bristol: Women's Aid Federation of England). This is also available on the Women's Aid website:

http://www.womensaid.org.uk/policy&consultations/briefings/children/childhomicides_execsumm.htm

Rights of Women produce a "Child Contact Handbook". You can contact them at 52-54 Featherstone Street, London EC1Y 8RT
Office telephone for publications: 020 7251 6575/6; Legal Advice line 0207 251 6577 www.rightsofwomen.org.uk



Women from Black and Minority Ethnic Communities

Domestic violence affects women from all ethnic groups, and there is no evidence to suggest that women from some ethnic or cultural communities are any more at risk than others. However, the form the abuse takes may vary; in some communities, for example, domestic violence may be perpetrated by extended family members, or it may include forced marriage, or female genital mutilation. Women from black or minority communities may also be more isolated, or may have to overcome religious and cultural pressures; and they may be afraid of bringing shame onto their “family honour”.

If you are a black or minority woman trying to escape from domestic violence, your experiences may be compounded by racism, which is pervasive in the UK. You may be unwilling to seek help from statutory agencies – such as the police, social services, or housing authorities – because you are afraid of a racist response. You may be disadvantaged because you are black; or you may find that service providers are basing their responses on particular cultural, ethnic or religious stereotypes. In some cases, they may avoid intervening for fear of being perceived as racist. If your partner and abuser is black, you may wish to protect him or her (and the black community) from police intervention due to your experiences of institutional racism.

Maybe you are escaping violence from other members of your family, for example, your parents or parents-in-law, rather than - or as well as - your partner or husband. You may be afraid of rejection from your own community if you ask for help. It may be particularly hard for you to admit to having problems with your marriage, and you may experience additional pressure from your extended family to stay with your partner. You may even have been forced or persuaded into marrying him in the first place. If your marriage fails, it may be seen as your fault, and you may be blamed for damaging the family honour; and you may be afraid that, if you leave your husband, you will be treated as an outcast within your community.

Getting help

If you have recently arrived in this country, or if your first language is not English, it will be much harder for you to understand the systems of support available or to access appropriate sources of help. You may be unaware of support services, and not know where to go. You could ring the **Freephone 24 Hour National Domestic Violence Helpline** run in partnership between Women's Aid and Refuge on **0808 2000 247**. The Helpline is a member of



Language Line and can provide access to an interpreter, and suggest organisations in your area which can help you.

If you have approached an agency for help, and do not speak English fluently, they should offer you an independent interpreter; ask for this if it is not offered to you. If you are unhappy with the interpreter, or are afraid they may breach your confidence or pressure you in any way, ask the agency to change the interpreter. Only use a trusted friend or relative to interpret for you if it is an emergency and no-one else is immediately available.

If your immigration status is insecure, or is dependent on your remaining with your husband or partner, you may feel trapped and believe there is nothing you can do, or you may be afraid to approach anyone for help in case you are deported. (If this is your situation, see the section on **Immigration** for more information on this.)

Whatever your immigration status, you have a right to health care, and to protection from the police. You also have the right to apply for a court order (injunction) to protect you from your abuser.

Specialist provision

You may prefer to get support from someone from the same ethnic, religious or cultural group as yourself. There are a number of specialist services for women from black and minority ethnic communities. Some of these are listed at the end of this section. Others you can access via the National Domestic Violence Helpline (see above).

On the other hand, you may be concerned that if workers at a local service come from the same cultural group as yourself, they may also know your family, and it may be easier for your husband, partner or extended family to trace you. You should have the choice whether to use a service specifically for black, Asian or other minority women, or to use a general service.

All domestic violence organisations within the Women's Aid network offer a service to women of all ethnic groups, and some provide services addressing the particular needs of women from black and minority ethnic communities. There are also refuge organisations which will provide you with accommodation and support you even if - due to your immigration status - you have no right to live permanently in the UK or to claim welfare benefits (this is termed "no recourse to public funds"). See the section on **Immigration** for further information.



Forced marriage

If you fear you may be forced into marriage overseas, or know someone else who may be, the Forced Marriage Unit may be able to help. You could call one of the following numbers: **020 7008 0230**, **020 7008 0135** or **020 7008 8706**. You can also contact them at fmf@fco.gov.uk. All calls and emails are dealt with on a totally confidential basis by skilled caseworkers who are fully aware of the cultural, social and emotional issues surrounding this abuse. For more information see:

<http://www.homeoffice.gov.uk/comrace/race/forcedmarriage/>

Further information

The following organisations may be able to help you further:

Southall Black Sisters

Resource centre mainly for Asian, African, Afro-Caribbean women. They provide advice & information on domestic violence, racial harassment, welfare and immigration rights, and matrimonial rights. They provide face to face support and case work for women in London Borough of Ealing, but also deal with enquiries on a national basis.

Telephone: **0208 571 9595**; email: sbs@leonet.co.uk

Website: www.southallblacksisters.org.uk

Apna Ghar 0207 474 1547 24 hours, every day.

Helpline for Asian women experiencing domestic violence.

Languages spoken include: Bengali, Hindi, Punjabi, Gujarati, Tamil and Urdu.

Asian Women's Helpline 0800 052 6077* Monday – Thursday 9 a.m. – 5. 30 p.m; Fridays 9 a.m. – 5 p.m.

For Asian women experiencing domestic violence, as well as other issues.

Languages spoken: Bengali, Hindi, Punjabi and Urdu.

Muslim Women's Helpline 0208 904 8193/0208 908 6715

A telephone counselling service for all muslim women, regardless of ethnicity. They provide information and refer to local services when appropriate.

Website: www.mwhl.org

Chinese Information and Advice Centre

For Chinese people on a low income, or who have difficulty communicating in English to access mainstream support services.

Domestic Violence Line: **0207 462 1281**; Legal Advice Line: **0207 462 1285**.



Turkish Cypriot Women's Project

Telephone: **0208 340 3300**

Offers help with emergency housing, children, injunctions against violent partners, welfare benefits, healthcare matters and other issues related to domestic violence. They provide a free service for any Turkish-speaking woman living in London.

Newham Asian Women's Project

Based in the London Borough of Newham. The Project supports South Asian women who are experiencing domestic violence, and offers a Resource Centre, refuges for women and children, counselling services, and projects for teenagers and young women.

Telephone: **0208 472 0528**; Website: www.nawp.org

email: info@nawp.org

Jewish Women's Aid

Provides a number of different services including a helpline, floating support and outreach for Jewish women and their children. London based.

Freephone Helpline: **0800 59 12 03**

9.30am - 9.30pm - Monday to Thursday

Latin American Women's Aid

Provides refuge accommodation, a helpline and outreach for Latin American women and children experiencing domestic violence. Staff speak Spanish, Portuguese and Russian. London based.

Telephone: **0207 275 0321** Monday to Friday 9.30 a.m. – 6 p.m.



Immigration issues

The information in this section will help you if you are experiencing domestic violence and your immigration status is insecure.

If you have insecure immigration status, you are still entitled to protection from domestic violence, just like anyone else in the UK. Your abuser will also be subject to the same sanctions as anyone else, whatever his or her immigration status.

Did you come to the UK to marry or join your partner?

If you came to the UK in order to marry or join your partner who is already settled here, current immigration rules state that you have to complete a two year probationary period - during which time you must stay with your partner - before you can make an application for indefinite leave to remain in this country.

If you are experiencing domestic violence, your abuser (and/or his family) may use your insecure immigration status to abuse you further. He may have taken your passport and other documents from you, denied you any information about your rights, and isolated you from outside contacts. Even if you have completed the two year probationary period, you may never have had your immigration status confirmed because you have been kept unaware of the procedures. Furthermore, you may be afraid of reporting the abuse to anyone, or to leave your home, in case you are deported.

If you are subject to immigration control, you will also be unable to claim most state benefits – including Income Support, Jobseeker's Allowance, Housing Benefit, homelessness assistance, Child Benefit, disability allowances or Working Families Tax Credit. This is known as having “no recourse to public funds”. Therefore you will almost certainly be reliant on your husband, partner or family to support you, and so you will be even more dependent on them. See below, ***If you have no recourse to public funds***, for more information, and some alternative sources of support.

Domestic violence and the Immigration Rule

If you are a survivor of domestic violence and can produce clear evidence of this, and are also subject to the two-year probationary period, you may be



able to apply for indefinite leave to remain in the UK⁵. To qualify for leave to remain in the UK as a victim of domestic violence, you have to show all the following:

- you have been given limited leave to enter or remain in the UK as the spouse or partner of someone already settled here;
- you are still subject to the two year probationary period;
- domestic violence occurred during this probationary period;
- you are no longer living with your partner (i.e. your “sponsor”);
- domestic violence was the reason for the breakdown of this relationship.

You must also have clear evidence of domestic violence supported by one of the following forms of “proof”:

- a non-molestation order or other protection order;
- a relevant court conviction against your partner;
- full details of a relevant police caution.

If none of the above is available, however, then you will need to produce **two or more** of the following:

- a letter from a refuge organisation or other domestic violence service confirming your experience of domestic violence;
- a medical report from a hospital doctor confirming that you have injuries consistent with being the victim of domestic violence;
- a letter from a GP who has examined you and is satisfied you have injuries consistent with being the victim of domestic violence;
- an undertaking given to a court that your abuser will not approach you;
- a police report confirming their attendance at your home due to domestic violence;
- a letter from social services confirming their involvement in connection with domestic violence.

It is your responsibility, or that of your legal representative or other advisor, to provide this evidence as part of your application. If you want to apply to stay in the UK under these immigration rules, application forms are available at www.bia.homeoffice.gov.uk or you could ask one of the organisations listed

⁵ Immigration Rules, 2002



under **Further information** to help you. If your initial application is refused, you have the right of appeal.

It may take time to find expert legal representation on immigration issues, and in some areas, access to such representation is particularly difficult. Time will then be needed for the advisor to gather evidence in support of your application, and for the Border and Immigration Agency (previously the Immigration and Nationality Department) to consider it and make their decision. Until your application to remain has been accepted (either initially, or on appeal) you will continue to have "no recourse to public funds". (See below for further information and contact details for domestic violence support services.)

New rules from 2nd April 2007 mean that most applicants for indefinite leave to remain now have to show they have sufficient knowledge of English and of "life in the UK", in addition to meeting usual requirements. However, those who apply under the Domestic Violence rule do **not** have to fulfil these new requirements. There is new application form for use in domestic violence applications, only⁶. Otherwise the rules remain as above.

If you have over-stayed your leave to remain in the UK because you were unaware of your rights under these rules, you may still be able to apply on discretionary grounds. Consideration will be given to your application if it is submitted not long after your probationary period has expired, but you will not have a right of appeal.

If you have made an application for asylum which is outstanding or has been turned down, or your insecure immigration status is for some other reason, then regrettably you cannot benefit from these rules.

If you are an asylum seeker

If you are an asylum seeker, or a dependent of an asylum seeker, and you are experiencing domestic violence, reporting this should not affect your claim for asylum in any way⁷. Try to keep all relevant papers, including your

⁶ SET (DV)

⁷ The National Asylum Support Service (NASS) has developed guidance for those providing accommodation and other services to asylum seekers, when they receive a report of domestic violence. See NASS Policy Bulletin 70, available on the Border and Immigration Agency's website at <http://www.ind.homeoffice.gov.uk/documents/accesstosupport/pb70?view=Binary>



passport and those of your children, with you at all times if you possibly can. If you are being accommodated as an asylum seeker, your safety and that of your children should be paramount. If you report domestic violence, your accommodation provider should ensure that – with your consent - you are transferred immediately to alternative accommodation that is safe and secure. The National Asylum Support Service (NASS) should pay all reasonable costs of alternative safe accommodation (including refuge accommodation). They should also refer you to other appropriate agencies for support. You should also be able to claim emergency support for your essential living needs, for a short period of time.

A case conference will probably be arranged to agree on a plan of action. You – but **not** your abuser – will be invited, and it should be held at a place and time that is convenient (and safe) for you. If you need an interpreter, your accommodation provider should arrange this. The case conference will, among other things:

- consider your future accommodation needs;
- encourage you to report incidents of violence to the police;
- suggest you obtain legal advice – e.g. on getting an injunction;
- if you have children, suggest social services are informed.

They will also consider whether to withdraw support from your abuser, or whether he should be transferred to alternative accommodation.

If you are not the principal asylum seeker (that is, your abuser has made the initial claim for asylum and you are a dependent) then you should consider whether you wish to apply for asylum independently of him.

If you are making a separate application for asylum, the Border and Immigration Agency should - in addition to your grounds for asylum - take into consideration the risk of your return to your country of origin as a woman alone. For example, you may be subject to social rejection, stigmatisation, loss of status or economic resources (and in some cultures may even be at risk of an “honour killing”).

For help, information and advice about your particular case, you should contact a registered immigration advisory service, and give them all the details of your circumstances, including incidents of abuse (with dates and



times if possible, and any independent evidence, such as police reports.) See the contact details of organisations under **Further information** below.

If you have insecure immigration status for other reasons

Many women experiencing domestic violence may not be eligible to apply under the Domestic Violence Immigration Rule (outlined above). This includes migrant workers, women who are in the UK as dependents of students or workers, or women here temporarily in their own right. If this is your situation, you may be able to apply for financial support from your local authority and you can also contact your local domestic violence support service for help and support (see below).

If you have no recourse to public funds

If you are still subject to immigration control, you cannot claim most state benefits, at least until a decision is made on your right to remain in the country. This is called “having no recourse to public funds”. This rule may force you into total dependence on your husband, partner or family, and will make it much harder for you to leave if you need to. For a variety of reasons, you may be unable to take on paid work, and will have to support yourself financially in some other way.

There are some (minor) exceptions to this rule. Funding **is** available through Supporting People to allow women with insecure immigration status and who are experiencing domestic violence to access “housing related support” either in a refuge or other temporary accommodation, or in the community (through “floating support”.) However, this only covers the cost of support staff and does not cover the rent charged in refuges or other temporary accommodation, nor does it provide you and your children with any living expenses.

Local authorities do have a statutory power under the Children Act 1989 to ensure that children “in need” or “at risk of significant harm,” are adequately fed, housed and cared for. Some local authorities may use this provision to pay for you to stay with your children in refuge accommodation; whereas others may simply take the children into local authority care. Also, following an amendment in December 1999, you will not be able to get this assistance if you are eligible for support under the asylum provisions. (See above.)

Local authorities also have the power under section 21 of the National Assistance Act 1948 to assist victims of domestic violence, but - for those



subject to immigration controls - only if they are particularly vulnerable, or have additional special needs⁸; and again this is subject to local discretion.

Women's Aid's "Last Resort Fund" – which provided financial assistance for up to 8 weeks for women experiencing domestic violence and who had no recourse to public funds – is currently suspended due to lack of money.

Some refuge organisations will provide you with accommodation and support even if you have no recourse to public funds, though they will have to cover the costs from their own reserves, and therefore may have to place limits on the number of women in this situation that they can take at any one time. Some domestic violence organisations have workers or volunteers who speak a variety of languages, or they may have access to Language Line. There are also a number of specialist services for women from black and minority ethnic communities, where you may be able to get support from women from the same ethnic, cultural or religious group as yourself.

To contact these services, ring the **Freephone 24 Hour National Domestic Violence Helpline**, run in partnership between Women's Aid and Refuge, on **0808 2000 247**. The Helpline is a member of Language Line and can provide access to an interpreter, and suggest organisations in your area which may be able to help you.

Further information

These are some organisations which may help you, and provide free and confidential services:

Southall Black Sisters: 020 8571 9595

Provides advice and information on domestic violence, racial harassment, welfare and immigration, primarily for Asian, African, and African-Caribbean women. Casework primarily undertaken in London Borough of Ealing, but deals with enquiries on a national basis.

www.southallblacksisters.org.uk

Asylum Aid: legal advice line 020 7247 8741

Give free legal advice to asylum seekers and runs the Women's Resource Project.

⁸ This section of the National Assistance Act was amended from December 2000 so that those subject to immigration controls would no longer be eligible for assistance if the need arose solely out of "destitution".



Joint Council for the Welfare of Immigrants: 020 7251 8706 Advice line
Tuesdays and Thursday 2 p.m. – 5 p.m. For information on immigration and
asylum.
email: info@jcw.org.uk

The Refugee Council: 020 7346 6777
The Refugee Council provides advice and assistance to asylum seekers and
refugees. They have a range of services for asylum seekers recently arrived
in the UK, asylum seekers settled in the UK, and also offer advice to those
who have received an asylum decision. Their offices can be visited in person
or advice can be given by telephone, subject to the availability of interpreters.
Their website gives up to date information on legislation relating to asylum.
www.refugeecouncil.org.uk
Email info@refugeecouncil.org.uk

National Asylum Support Service (NASS) for housing and financial support
if you have made an application for asylum or on human rights grounds.
NASS main switchboard: **0845 602 1739**
To obtain NASS support, you will need to go to the Refugee Council One Stop
Service in your area (Check your phone book for your local number, call 020
7346 6700 or visit their website www.refugeecouncil.org.uk. Unless there are
really exceptional reasons to stay in your locality, in an emergency, you are
likely to be housed anywhere in the country.

AsylumSupport.info – part of the **National Asylum Support Service**
This website focuses on all matters that concern people seeking asylum, and
includes a directory of hundreds of online resources relating to: asylum and
refugees, conflict, country data, court cases, deportation, detention,
discrimination, funding, gender, government, human rights, human trafficking,
law, media, migration, policy and studies. See www.asylumsupport.info

Multikulti: www.multikulti.org.uk provides information in a number of
community languages (as well as English) on issues such as immigration,
claiming asylum, health, housing, welfare benefits and employment.

The Refugee Support Centre 020 7820 3606
Provides a multi-lingual counselling and psychotherapy service free of charge
for refugees and asylum seekers in the London area experiencing emotional
distress.

Refugee Legal Centre: 020 7377 5123



Free legal advice, advocacy and representation for refugees and asylum seekers concerning their status for remaining in the U.K.

Additional organisations are listed in the section on ***Useful organisations: Websites and Helplines.***

Disabled women

Disabled women are twice as likely to experience domestic violence than non-disabled women (1995 British Crime Survey, also confirmed by data from other countries). They are also likely to experience abuse over a longer period of time and to suffer more severe injuries as a result of the violence.

If you are disabled, your abuser may also be your carer or your personal assistant (P.A.), and you may be reliant on him or her for personal care or mobility. You can be subject to physical, psychological, sexual or financial violence in any or all of the ways that non-disabled women are abused, but in addition you may experience the following forms of abusive behaviour:

- Your abuser may withhold care from you, or undertake it neglectfully or abusively.
- Your abuser may remove mobility or sensory devices that you need for independence.
 - Your abuser may be claiming state benefits in order to care for you – enabling him to control your finances more effectively.
 - Your abuser may use your disability to taunt or degrade you.

If you are experiencing domestic violence, and you are disabled, you may find it harder to protect yourself or to access sources of help.

- You may be more physically vulnerable than a non-disabled woman.
- You may be less able to remove yourself from an abusive situation.
- You may be socially isolated both because of your disability and as a result of your abuser's control of your social relationships.
- You may find it harder to disclose abuse because you have no opportunity to see health or social care professionals without your abuser being present.



If you are disabled, you may have particular concerns about moving out of your home: it may have been specially adapted for you; or perhaps a care package has been organised, and you are worried that you will lose your current level of independence if you are forced to move elsewhere. You may be reluctant to report domestic violence from a partner whose care you depend on, and which you believe enables you to stay out of institutional care.

Seeking help

If you do report the abuse you are experiencing, you may receive an inadequate or unhelpful response from service providers. Many people find it hard to believe that disabled women experience domestic violence. They may be influenced by stereotypes which (for example) de-sexualise the disabled person, and regard the carer as akin to a saint. They may see you as physically or emotionally vulnerable, and therefore be unable to accept that violence has been used against you. They may view your carer as beyond criticism – or believe him if he alleges that you are mentally unstable.

There may be little communication or effective partnership between those working in disability organisations and those working for domestic violence services. Those who work in the disability field often know little about domestic violence and tend to focus on a disabled person's impairments, rather than any abuse she may have experienced; and those who work in the domestic violence sector may be ill-informed about the needs of disabled women.

As a disabled woman, you may be regarded as a “vulnerable adult”, and in this case, the multi-agency Policies and Procedures for the safeguarding and protection of vulnerable adults will apply. All areas have had to develop these Policies and Procedures following on from the publication of the Government's *No Secrets* guidance. The criteria for being defined as a “vulnerable adult” vary from area to area – but if you do fit the criteria set in your area, then all agencies (both statutory and voluntary) have to follow these procedures.

You may be reluctant to report domestic violence, if you do not feel confident you will be believed, or that your concerns will be taken seriously. You may also think that there is little that anyone can do, and nowhere for you to go. If you decide you want to leave your abuser, refuge-based support and other domestic violence services may not always be appropriate. Some refuge



accommodation may not be accessible, and you may need help with personal care or other needs (such as sign language interpreters, or transport).

A number of domestic violence organisations now do provide for a range of impairments, and in future more will develop their facilities in order to comply with the terms of the Disability Discrimination Act 2005. Many have outreach services or independent advocacy services which can help you. Many refuges now have full wheelchair access, and workers who can assist women and children who for example may have hearing or visual impairments, and some Women's Aid organisations offer BSL interpreters. You should contact the Freephone 24 Hour National Domestic Violence Helpline, run in partnership between Women's Aid and Refuge, for more information: **0808 2000 247**

Further information

DIAL UK

Helpline: **01302 310 123** 9 a.m. - 5 p.m. Monday to Thursday and 9 - 4 p.m. on Fridays.

Links the national DIAL network of over 100-disability advice centres and can refer to local groups. Offers information on a wide range of disability issues to people with disabilities, their carers and professionals.

www.dialuk.org.uk

email: enquiries@DIALuk.org.uk

<http://www.edfwomen.org.uk/abuse.htm>

This section of the UK Disability Forum website gives Information for disabled women about getting help to tackle violence and abuse.

RNIB 08457 669000 Monday to Friday 9. a.m. - 5 p.m.

Information and support for anyone with visual impairment and sight problems.

www.rnib.org.uk or www.rnib.co.uk

Email: helpline@rnib.org.uk

RNID helpline: 0808 808 0123 Monday to Friday 9 a.m. - 5 p.m.

Information service for deaf and hard of hearing people, their carers, families and professionals.

www.rnid.org.uk

Email: informationline@rnid.org.uk



People First

www.peoplefirstltd.com provides a voice for those with learning difficulties.

Independent Living Alternatives

Promotes the right of disabled people to live independently. Has information on support services, employing personal assistants, advocacy and rights.

www.i-l-a.fsnet.co.uk/ILA%20WEB%20SITE/



Lesbians and bisexual women

The majority of domestic violence is perpetrated by men against women, and certainly men are responsible for the most severe and repeated assaults, and for the vast majority of sexual assaults (Walby, 2004). However, domestic violence also takes place within same gender relationships. It is difficult to know the full extent of domestic violence in lesbian, gay, bisexual and transgender (LGBT) communities, since statistical data are not yet available in the UK.

If you are lesbian or bisexual, you may have experienced abuse from another woman; or you may have been abused by a male partner or former partner, or by other family members. If you are from a black or minority ethnic community, you may - as a lesbian or a bisexual woman - face particular hostility due to cultural reasons. Some religious communities are also very hostile to homosexuality, and may ostracise or abuse you if you form a close relationship with another woman.

As well as all the forms of domestic violence and abuse experienced by heterosexual women, if you are a lesbian or a bisexual woman, your abuser might also do some of the following:

- Undermine your sexuality.
- Threaten to “out” you to family members, colleagues, employers, or others.
- Prevent or try to prevent you from coming out, if you want to.
- Force you to “act straight”.
- Threaten to use the issue of your sexuality against you in court, when issues relating to your children (for example, residence or contact) are being decided.
- Force you to look for a “cure” for your sexuality from a religious or medical practitioner.

Perhaps you have found it hard to recognise that you are being abused. Relatively little attention has been given to abuse within same-sex relationships, and it does not fit the usual stereotype of domestic violence. If you are experiencing violence from a partner or former partner of the same sex as yourself, or from other family members (perhaps because of your sexuality) you may be particularly reluctant to contact anyone for help, for any or all of the following reasons:



- You may fear you will not be believed.
- You may anticipate hostility and homophobia from agencies.
- You may be reluctant to say anything because you know that it may be used to criticise or condemn all lesbian or bisexual relationships.
- You may be frightened your children will be taken away.
- You may want to protect your abusive partner from possible homophobia.
- You may fear condemnation and even ostracism from within the LGBT community for speaking out about the violence.
- You may think the law does not apply to you.
- You may think there is nowhere you can go.
- You may feel uncomfortable going to a refuge.

Following recent changes to the Family Law Act (as a result of the implementation of the Domestic Violence, Crime and Victims Act 2004) those who are experiencing violence or abuse from partners or former partners of the same sex as themselves are entitled to the same rights as people who are being abused within heterosexual relationships. You are also entitled to protection from other "related persons" which includes family members. See the sections on ***Your legal rights, Getting an injunction and The police and the criminal prosecution process***, and consult a sympathetic solicitor. If you are worried about your children, then you could look at the section on ***Children***.

It is particularly important to have a good and sympathetic solicitor if you have children, and are concerned that your ex-partner may use the issue of your sexuality to get residence of the children, or - if they are staying with him or her - to challenge your contact with them. **Rights of Women (ROW)** may be able to help you. Telephone **0207 251 6577** www.rightsofwomen.org.uk. ROW also produce a free information leaflet on lesbian parenting.

There are very few services specifically for lesbian and bisexual women, and even fewer for transgender women. Most refuge organisations will, however, offer accommodation to women experiencing abuse from a woman partner, and some projects have specialist services for lesbian and bisexual women or lesbian couples. These are listed in **The UK Gold Book** (produced by Women's Aid) or you can contact the **Freephone 24 hour National Domestic Helpline** (run in partnership between Women's Aid and Refuge) on **0808 2000 247**.



Broken Rainbow is a charity dedicated to supporting lesbian, gay, bisexual and transgender people who are experiencing domestic violence. The service manages a helpline, and also advises mainstream organisations, and offers training on LGBT issues. The Broken Rainbow National Helpline offers a UK - wide confidential service giving information, support and advice on legal and housing options, safety and home security, and will make referrals to other services as appropriate.

Ring the Helpline on 0300 999 5428 (this is LGBT on a mobile phone)

Monday 2pm-8pm, Wednesday 10am-1pm, Thursday 2pm-8pm.

<http://www.broken-rainbow.org.uk/>

References

Walby, Sylvia and Allen, Jonathan (2004) "Domestic violence, sexual assault and stalking: Findings from the British Crime Survey" (London: Home Office Research, Development and Statistics Directorate)

See also **Additional Information: Further Reading** for books on lesbians and domestic violence.



Domestic violence and your physical health

The effects of domestic violence on your health

Domestic violence has a considerable impact on your health and well-being, and that of your children. The direct and immediate physical effects of domestic violence include injuries such as bruises, cuts, broken bones, lost teeth and hair, miscarriage, stillbirth and other complications of pregnancy. The results of domestic violence can also be long-term and may cause or worsen, chronic health problems of various kinds, including asthma, epilepsy, digestive problems, migraine, hypertension, and skin disorders. Domestic violence also has an enormous effect on your mental health, and may lead to increased use of alcohol, drugs and other substances. (See ***Your mental health; Alcohol; Drugs.***) The health of your children is also likely to have been seriously affected from witnessing abuse directed at you, and also in many cases from abuse which they themselves may have suffered. (See ***Children and domestic violence.***)

Getting treatment

As a result of domestic violence, you may need medical treatment both immediately and in the long-term. If you have been injured, you should try to have it treated straight away. You could go to your GP or to an NHS Walk-in Centre, or to an Accident and Emergency Department or Minor Injuries Unit at your local hospital. Do tell them how the injury occurred and ask them to record it – you may need this evidence later, if you are involved in court proceedings; for example, if you make an application for an injunction, if there is a contact or residence dispute over your children, or if your abuser is prosecuted for a criminal offence. Some health services will photograph injuries, with your permission, and if they are signed and dated, they are often very useful additional evidence in court.

Tell the doctor or nurse if you think you may be pregnant. In this case, you may need to be examined by a midwife, to ensure that the baby has not been affected by the violence. Domestic violence often starts or gets worse during pregnancy, and it has been identified as a prime cause of miscarriage and still-birth, and of maternal deaths during or after childbirth.

The response that you get from your GP, health visitor or midwife may not always be very helpful. It often depends on the individual, and whether she or he has had appropriate training, and is backed up by managers and colleagues all of whom take a consistent and sympathetic approach. In the past, health professionals have not always responded as well as they should



have done to women experiencing domestic violence. In recent years, however, following lobbying by Women's Aid both at national level (with the Department of Health) and at local level, with health care providers, many health workers have become more involved in this issue, with midwives and health visitors being in the forefront of the change. This involvement has been supported by the publication of government publications and guidelines (see section on ***Additional information: Recent government initiatives: Health***).

Further information

If you are living with domestic violence, or if you have recently left a violent relationship, it is important that you look after yourself and your health. See the section on ***Looking after yourself*** for some ideas which may help you.

If you are worried about your health, and don't want to go to your GP, you could ring NHS Direct: **0845 4647** (24 hours). NHS online provides information on health services and links to other agencies and self-help organisations: www.nhsdirect.nhs.uk

For information on women's health issues, you could contact **Women's Health**, which is a national voluntary organisation, independent of the NHS and private companies, and provides health information on gynaecological health issues. They produce a range of leaflets (available on-line or to order) and provide a helpline for enquiries about women's health issues, a reference library and a self help support network. The **Health Enquiry Helpline** number takes calls from throughout the U.K Monday-Friday: 9.30am - 1.30pm: **0845 125 5254**; minicom: 020 7490 5489.
Website: www.womenshealthlondon.org.uk

For information on mental health issues, see the section on ***Your mental health***.



Domestic violence and mental health

Domestic violence can have an enormous effect on your mental health. It is now well accepted that abuse - both in childhood and in adult life - is often the main factor in the development of depression, anxiety, and other mental health disorders, and may lead to sleep disturbances, self harm, suicide and attempted suicide, eating disorders and substance misuse⁹.

Some statistics

- Abused women are at least three times more likely to experience depression or anxiety disorders than other women.
- One third of all female suicide attempts and half of those by black and ethnic minority women can be attributed to past or current experiences of domestic violence.
- Women who use mental health services are much more likely to have experienced domestic violence than women in the general population.
- 70% women psychiatric in-patients and 80% of those in secure settings have histories of physical or sexual abuse.
- Children who live with domestic violence are at increased risk of behavioural problems and emotional trauma, and mental health difficulties in adult life. (See the section on **Children** for more information.)

An audit in Greenwich found that 60% of mental health service users had experienced domestic violence. Another survey of women using mental health services in Leeds, found that half of them had experienced domestic violence and a further quarter had suffered sexual abuse.

How your mental health can be used to abuse you further

If you have a mental health diagnosis, your partner may have used this to abuse you even more. For example:

- Saying you couldn't cope without him.

⁹ See references at the end for sources of the following statistics.



- Saying you're "mad".
- Not allowing you to go anywhere alone - because he is your "carer".
- Speaking for you: "You know you get confused/you're not very confident/you don't understand the issues".
- Telling you you're a bad mother, and cannot look after the children properly.
- Forcing you to have an abortion because "you couldn't cope".
- Threatening to take the children away.
- Threatening to "tell Social Services" - the implication being they will take the children away.
- Telling the children "Mummy can't look after you".
- Deliberately misleading or confusing you.
- Withholding your medication.
- Withholding, or coercing you into using, alcohol or drugs.
- Undermining you when you disclose the abuse, or ask for help: "You can't believe her - she's mad."

These tactics will almost certainly add to your emotional distress and exacerbate any existing mental health issues.

Seeking help

If you have been diagnosed with a mental health disorder, you will be in a particularly vulnerable position, and are likely to find it even harder to report domestic violence than other women. You are likely to suffer from a sense of shame because of the stigma attached in our society to having mental illness of any kind, and you may feel even more powerless. Furthermore, the response of the service providers is also likely to be more problematic, due to the stigma of being "mentally ill":

- They may not believe you when you disclose abuse.
- They may see you only when your partner is present.
- They may accept your partner's account at face value.
- They may feel sympathy for your partner - "After all he has had to put up with" - or blame you for the abuse.
- They may judge you (particularly if you are self harming or have attempted suicide, or if you use alcohol or drugs).

Don't blame yourself! Your mental health difficulties are **not** your fault, and you are not responsible for the abuse: the abuser is. You are entitled to help,



as much as any other abused woman, and if you have additional support needs, you should get help with them, too.

Some refuge organisations are unable offer accommodation to women with severe mental health needs, because they have insufficient resources to provide suitable support. However, other refuges **will** be able to accommodate you - and all refuge organisations should be able to find you somewhere else to go. If you have decided to leave your abuser, you could ring the **Freephone 24 Hour National Domestic Violence Helpline** (run in partnership between Women's Aid and Refuge), which will be able to put you in touch with a refuge organisation which can provide accommodation which meets your support needs: telephone **0808 2000 247**.

Mental health services

Despite the frequent overlap between domestic violence and mental ill health, mental health professionals seem generally to ignore the issue of abuse. They are unlikely to ask you about it - and may therefore be unaware of it; and you yourself may feel unable to disclose the abuse to your GP, or - if you have one - to your community psychiatric nurse (CPN) or your psychiatrist.

So you may find that the reasons for your depression or other difficulties are ignored. You may feel blamed for the abuse. And you are very likely simply to be offered medication - such as tranquillisers, anti-depressants or sleeping pills - instead of being given an opportunity to talk about what is happening or has happened to you.

When mental health professionals do take domestic violence into account, they may still disagree about the causes of your condition, and how to treat it. For example, some psychologists believe that the diagnosis of post-traumatic stress disorder (PTSD) - most often associated with wars or natural disasters such as fire or earthquake, or experiences such as torture or being held hostage - can be appropriately applied to survivors of domestic violence. Other people argue that anxiety and depression, and even self harm or suicide attempts may be the normal response to the experience of long-term abuse.

While depression tends to ease when women are no longer being abused this will not happen immediately. It may take a long time for you to come to terms with what has happened. You may suffer continued abuse and harassment long after the relationship itself has ended - and you are likely to live in fear of



it for much longer. You may also experience flashbacks long after the violence has ceased.

See ***Looking after yourself*** within the section on ***Surviving after abuse*** for some suggestions on how to deal with this.

Counselling

All women who are experiencing or have experienced domestic violence will need emotional support of some kind - but their needs will vary. All women need to be listened to with respect and without being judged, when they choose to talk about their experiences. They want to be believed - and to feel they have been understood. Mutual support from other women who have had similarly abusive experiences can be very valuable: it will help you to feel less isolated and to recognise that none of the abuse you experienced was your fault. You will get this kind of support if you go into a refuge, or if you use a Women's Aid outreach service, or join a support group.

Some women may benefit from more formal counselling or psychotherapy - though not usually while they are still living with their abuser or immediately after escaping from the violence, when physical safety and practical issues are likely to be of greater concern. If you decide you would like some counselling, the following information may help you.

Counselling is a two-way relationship, in which the counsellor listens to whatever you want to say, in confidence and without making judgements. Counsellors are not supposed to give advice, but they may ask questions or challenge you in ways which may help you to look more carefully at some of the assumptions you may have taken for granted. Usually you will have regular sessions, for an hour or slightly less, each week or every two weeks. Psychotherapy tends to be more intensive than counselling, and may continue for a longer period of time, as issues are explored in more depth. Some people, however, use these terms interchangeably.

The aim of counselling is to help you understand yourself better and come to terms with what has happened to you. Good counselling will help you to break away from past abusive relationships and work towards living in a way which is more satisfactory and fulfilling for you. It can also help you to build up your self esteem. However counselling is not for everyone - and **you** have to decide whether it is right for you, and whether this is the right time for it.

It is important - if you decide you want some counselling - that the counsellor or therapist you choose is right for you, and that she is appropriately qualified



and experienced. She should also have a good understanding of domestic violence and its effects, and should take care not to appear to blame you or make you feel guilty in **any** way for the abuse you experienced. Styles of counselling differ a lot - depending in part on the theoretical approach of the counsellor or therapist - and you may find some approaches more helpful than others.

In some parts of the country, there are counselling services specifically set up by women for women, and many of these have a particular focus on issues of violence and abuse. Some also offer support groups for survivors of domestic violence. Some of these are listed at the end of this section. If you contact your local Women's Aid organisation, they may be able to put you in touch with a counselling service or support group in your area. Some counselling organisations offer sessions which are free of charge; others charge a fee dependent on your income.

Your GP surgery may have a counsellor to which your doctor could refer you, or he or she might refer you to an NHS psychologist - though there could be a long waiting list. NHS services will be free of charge, but may be time-limited. Alternatively, you could contact an organisation such as the British Association for Counselling and Psychotherapy (BACP) which can give you a list of trained and accredited counsellors in your area. These will charge an hourly fee, though some may have concessionary rates for those on low incomes. In each case, it is important that you feel happy with your counsellor, and are able to build up a rapport and a sense of trust in the relationship.

Further information

Freephone 24 hour National Domestic Violence Helpline run in partnership between Women's Aid and Refuge: **0808 2000 247**. They will be able to put you in touch with your local Women's Aid organisation or other domestic violence service.

Saneline for anyone concerned about their own mental health or that of someone else. Local rate helpline: **08457 678 000** 12 noon to 11pm Monday to Friday and 12 noon to 6pm on Saturday and Sunday.
www.sane.org.uk



Samaritans provide a listening service for those in distress or considering suicide.

0845 790 9090 24 hour helpline.

Rethink: Provides a wide range of services, including supported housing, helplines, employment projects and support groups.

Helpline freephone: **0808 800 0025**

www.rethink.org

Mind offers information and support on mental health issues and where to get help, and can put you in touch with local Mind groups.

08457 660 163 is the Mindinfoline, open 9.15 a.m. – 5.15 p.m. Mondays to Fridays (not Bank Holidays). Typetalk for callers with hearing or speech problems who have access to minicom: **0800 959 598**.

Email: contact@mind.org.uk

www.mind.org.uk

Threshold Women's Mental Health Infoline: 0808 808 6000

Mondays and Wednesdays 10 a.m. – 12 noon, 2 p.m. – 4.30 p.m.; Tuesdays and Thursdays 2 p.m. – 4.30 p.m.. Answerphone at other times.

Helpline provides information and emotional support on mental health issues, and can refer to local and national services throughout the U.K. They also produce a range of fact-sheets on mental health issues.

www.thresholdwomen.org.uk

No Panic: 0808 808 0545 freephone for those suffering from anxiety disorders and panic attacks. Provides advice, counselling, befriending and refers to local services when available.

National self-harm network: www.nshn.co.uk

For those who self-harm or for those supporting them. Gives information (and debunks myths) about self-harm and lists organisations which provide support.

Bristol Crisis Service for Women, PO Box 654, Bristol, BS99 1XH

Helpline: **0117 9251119** Friday and Saturday evenings 9 p.m. - 12.30 a.m. and on Sunday evenings from 6 p.m. - 9 p.m.

This service is for women in emotional distress, particularly those who injure themselves. They provide a range of booklets on topics such as self-help for self-injury. Although Bristol-based, they serve the whole of the UK, and can refer to local services if needed.



Rape and Sexual Abuse Support Centre (RASASC) P.O.Box 383, Croydon, CR9 2AW. Helpline: **0845 122 1331**, Open weekdays 12 noon – 2.30 p.m. and 7.00 p.m. – 9.30 p.m.; weekends and bank holidays 2.30 p.m. – 5 p.m. Minicom: **020 8239 1124**

email: info@rasasc.org.uk Website: www.rasasc.org.uk

Helpline will take calls from women nationwide, and refer to local services if appropriate. Also offers face to face counselling and group counselling for women who have been raped or sexually abused, and can travel to Croydon.

Young Minds www.youngminds.org.uk

The Young Minds parents' information service provides support, information and help for parents concerned about a young person's mental health: **0800 018 2138**. They also have a variety of leaflets and booklets, including one which explores how divorce and separation affect children and young people.

Counselling services for women include:

The Maya Centre for women living with violence.

Eastgate Building, 131B, St. John's Way. London N19 3RQ.

Services are provided free for women on benefits or low incomes who have not had the opportunity to use other counselling services and have not had the benefit of degree level education. Telephone **020 7281 2673**.

Email mayacentre@virgin.net

Women's Therapy Centre, 10 Manor Gardens, London N7 6JS

Phone: **020 7263 6200** 12 noon – 2 p.m. Monday and Thursday, 2 p.m. to 4 p.m. on Tuesday and Wednesday. For psychotherapy by women, in the London area.

e-mail appointments@womenstherapycentre.co.uk

The Woman's Trust, Woman's Trust is an independent and confidential service providing mental health and support services for women who have been or are affected by domestic violence. All our services are free and are aimed at women who cannot afford to pay for this kind of support themselves. We are a women-only organisation and offer one-to-one counselling, personal development workshops and support groups as well as support to front line services.

Phone: 020 7034 0303/0304 Email: admin:@womanstrust.org.uk

Web: www.womanstrust.org.uk

Address: Lighthouse West London, 111-117 Lancaster Road, London, W11 1QT



Womankind: For counselling support in the Bristol area: **0845 458 2914**

British Association for Counselling and Psychotherapy: This is the professional body for general counselling services, and can give you names of qualified and BACP accredited counsellors in your area.

www.bacp.co.uk; email: bacp@bacp.co.uk, Tel.: **0870 443 5252**

References

Barron, J. (2004) "Struggle to survive: Challenges for delivering services on mental health, substance misuse and domestic violence" (Bristol: Women's Aid Federation of England)

Bowstead, Janet (2000) "Mental health and domestic violence: Audit 1999" (Greenwich Multi-agency Domestic Violence Forum Mental Health Working Group).

Department of Health (2002) "Women's Mental health: Into the Mainstream: Strategic Development of Mental Health Care for women"

Department of Health (2003) "Mainstreaming Gender and Women's Mental health: Implementation Guidance"

Golding, Jacqueline (1999) "Intimate partner violence as a risk factor for mental disorders: A meta-analysis" *Journal of Family Violence* Vol.14 (2) pp.99-132

Herman, Judith (1994) "Trauma and recovery: From domestic abuse to political terror" (London: Pandora)

Humphreys, Cathy and Thiara, Ravi (2003) "Mental Health and Domestic Violence: 'I call it symptoms of abuse'", *British Journal of Social Work* 33, pp.209-226

Mullender, A. and Morley, R. (1994) "Children living with domestic violence" (London: Whiting and Birch).

ReSisters (2002) "Women speak out" (Leeds: ReSisters)

Stark, Evan, Flitcraft, Anne (1996) "Women at risk: Domestic violence & women's health" Thousand Oaks, California: Sage



Alcohol and other drugs

Women experiencing domestic violence sometimes turn to alcohol or drugs as a response to and a form of escape from the violence. These are some statistics from recent research¹⁰:

- Women experiencing domestic violence are up to fifteen times more likely to misuse alcohol than women generally.
- Women who report domestic violence are up to nine times more likely to misuse drugs (including prescription drugs) than other women.
- 42% of Asian women who seek treatment for alcohol misuse are experiencing domestic violence.
- Between 50% and 90% of women attending substance misuse services may have experienced abuse, either in childhood or adult life, or both.

If you have found that you are using alcohol and/or drugs (including prescription drugs such as tranquillisers) to help you cope with the abuse, it is even more important that you receive the support you need. Your ability to plan for your safety may be affected, and you are likely to feel very isolated. Sometimes the violence will have been so much a part of your life and for so long that you regard it as "normal" or believe that nothing can be done about it.

Some women are introduced to substances by their abusive partners as a way of increasing control over them. If this is how it is for you, or if your abuser is also your supplier, then you will find it even harder to get away.

Sometimes abusers will use their partner's addiction or misuse of substances as an excuse for violent behaviour, saying they have been "provoked" into using violence. Excuses such as these are used by the perpetrator to deflect responsibility from themselves and put the focus or blame for the violence onto the victim. Your abuser must be held accountable for his actions and should not be excused because of things you might have done.

Seeking help

If you use or misuse alcohol or drugs, you will be in a particularly vulnerable position, and are likely to find it even harder to report domestic violence than

¹⁰ See references at the end of this section.



other women. You are likely to suffer from a sense of shame because of the stigma of being an "alcoholic" or a "drug addict" and you may feel even more powerless. If you have children, you might also be afraid of your children being taken away – and your partner might hold this as threat over you, to prevent your approaching anyone for help.

If you do seek help, the response of the service providers may be unsatisfactory. They may blame you for the abuse you are experiencing. Some service providers will see your substance use as the main problem, and insist on your entering treatment first, without any consideration for your safety, or the likely ineffectiveness of treatment while you remain with your abuser. You may also be told that no suitable services are available. There is a widespread belief among those working in statutory services - such as the police, the health service, or social services - that Women's Aid and other domestic violence services do not help women who misuse substances.

It is true that some refuge organisations may be unable offer accommodation to women who use alcohol or drugs, or they may expect you to be in a recognised treatment programme before they will take you. However, other refuge organisations **will** be able to accommodate you - and all domestic violence services should be able to find you somewhere else to go, and offer you support and advice about other options available to you.

If you have decided to leave your abuser, you could ring the Freephone 24 Hour National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge), which will be able to put you in touch with a refuge organisation which can provide accommodation which meets your support needs. See **Further information** for details.

Seeking treatment for drug or alcohol issues

If you are unhappy about your use of alcohol or drugs, and want to stop using substances or cut back, it is often difficult to find appropriate treatment services.

Specialist drug and alcohol service providers tend to focus on detoxification and rehabilitation, without looking at the situation – including ongoing abuse - which might have led you to become dependent on substances. Their models of treatment have traditionally been based on the needs of male users, and they often use a "disease model" of addiction, which emphasises illness over strengths, and will tend to lower your self-esteem even further. Sometimes



you will be expected to join a mixed-sex counselling group, in which you are unlikely to feel safe talking about the abuse you have experienced.

If you are using substances to help you cope with domestic violence, it may not be helpful if you are expected to stop doing this straight away; and if you seek treatment for your substance misuse while you are still with your abusive partner, he may become even more abusive towards you. Because awareness of domestic violence issues is generally low among alcohol and drug treatment services, they may ignore or downplay safety issues of this kind.

In some areas, however, provision is gradually improving. Links are being made between drug and alcohol services and domestic violence services; and some drug and alcohol services have a Women's Worker or a Domestic Violence Worker. If you want to find a woman-friendly substance misuse treatment service, your local refuge organisation may be able to help; or see the **Further information** section below.

When the abuser uses alcohol or drugs

Use of alcohol and other substances is sometimes seen as the reason some men are violent. But many people who drink too much or take drugs do not abuse their partners or family members. Also, abusers who do use alcohol or drugs are not violent only when they are drunk or under the influence of drugs. Many others abuse their partners without using any substances at all. In other words, the use of alcohol or drugs is not the cause of domestic violence - though it may sometimes be an additional factor particularly in the most severe cases.

Abusers who use alcohol or drugs may use this as an excuse for their behaviour, saying "I was drunk" or "I don't remember". Even if they genuinely do not remember what they did, it does not remove responsibility for their behaviour. Sometimes abusers may deliberately become intoxicated in order to blunt their inhibitions against the use of violence. There is never an excuse for domestic violence and the causes of domestic violence are far more deep rooted than simply being an effect of intoxication or alcohol or drug dependency.

When treatment services work with abusers, they often ignore the violence, and focus solely on the substance use. If your abuser is alcohol or drug dependent, it is important that his violent behaviour is addressed at the same



time as his use of alcohol or drugs. Addressing only one issue without the other is unlikely to prove successful and could be very dangerous for you.

If your abusive partner seeks help for his alcohol or drug use, do **not** expect the abuse to stop straight away (or at all). And don't feel that you have to stay with him just because he is getting help, if you don't want to. His violence may even increase during detoxification and treatment, (particularly when abstinence is seen as the starting point). Do seek independent support for yourself and your children.

Further information

Alcohol Concern: their website contains a wide range of information about alcohol, and a number of Factsheets which can be downloaded free (including one on domestic violence written by Sarah Galvani of the University of Birmingham.) www.alcoholconcern.org.uk

Drinkline 0800 917 8282 24 hours including bank holidays .
Information for people with alcohol problems or anyone concerned about alcohol misuse.

Drugscope: their website has information and research on drugs and includes a directory of drug treatment services.
www.drugscope.org.uk

Frank (formerly the National Drugs Helpline) **0800 776600**; textphone **0800 917 8765**; email: frank@talktofrank.com
Offers information, support and counselling to drug users and their families, partners, friends and children, and will give local referrals where appropriate.
Website: www.talktofrank.com

Release: Legal helpline providing confidential information to drug users, their families, friends, professionals. Telephone: **0845 450 0215**
Website: www.release.org.uk; email ask@release.org.uk

For information on types of drugs and their effects, you could look at the Stella Project Toolkit, "Domestic violence, drugs and alcohol: Good Practice Guidelines" which is available elsewhere on the Women's Aid website:
http://www.womensaid.org.uk/landing_page.asp?section=000100010010000400020004

This publication is primarily directed at service providers to enable them to develop and improve service provision.



Freephone 24 hour National Domestic Violence Helpline run in partnership between Women's Aid and Refuge **0808 2000 247**. The Helpline can put you in touch with your local refuge organisation or outreach service, or will help you to find accommodation or other services.

References

- Becker, Jane and Duffy, Clare (2002) "Women Drug Users and Drug Service Provision" (London: DPAS Paper 17)
- Ettorre, Elizabeth (1997) "Women and alcohol: A private pleasure or a public problem?" (London: The Women's Press.)
- Jacobs, John (December 1998) "The links between substance misuse and domestic violence: Current knowledge and debates" ed. by Mary-Ann McKibben and Fran Walker (Alcohol Concern and Institute for Study of Drug Dependence (ISDD))
- Shaikh, Zaibby and Nez, Farah (2000) "A cultural cocktail: Asian women and alcohol misuse" (Hounslow: EACH)
- Stark and Flitcraft (1996) "Women at risk: Domestic Violence and Women's Health" (London: Sage)
- The Stella Project (2004) "Domestic Violence, Drugs and Alcohol: Good Practice Guidelines"; written by Michelle Newcomb, (London: Greater London Domestic Violence Project)
- Taylor, Holly (2003) "Domestic violence and substance misuse: Making the links: An evaluation of the service provision in Tower Hamlets" (London Borough of Tower Hamlets: Tower Hamlets Partnership and Learning Design Ltd.)



Surviving after abuse: Looking after yourself and moving on

When the violence is finally over - you have arranged all the practical things like housing, money, schools for the children, and you feel reasonably sure that your abuser has stopped harassing you - you may be expecting to feel great. But that is unlikely to happen straight away. Recovering from abuse by someone who was close to you is a long process, and the damage may stay with you and your children for years.

Once you are away from the abuse, and it is safe to feel again, you may have a sense of anti-climax. You are likely to experience grief, pain and a deep sense of loss: your trust will have been betrayed, your self-esteem and confidence are shattered. In many ways it is like being bereaved - and as with a bereavement, healing will take time.

Looking after yourself

Treat yourself gently - don't rush the healing process; and don't expect to achieve everything you want straight away. Maybe you want to make huge changes - by changing your whole lifestyle, joining local organisations, returning to education, looking for a (different) job. This is all fine if that is how you are feeling - but if you don't want to change anything else at this point, that is fine, too. It's good to have hopes and ambitions for the future, but try to set realistic goals and move at your own pace, rather than being concerned about what others might be thinking.

You may feel lonely and isolated: sometimes when you come home to an empty house or flat, it might seem that even an abusive partner was better than no-one. Perhaps your partner cut you off from friends and family, so now you feel there is no-one you can talk to or go out with. It may not be too late to re-establish contact with past friends - and in any case, you can think about making new friends and acquaintances.

Some of the things you might like to do:

- take time and space for yourself each day;
- reward yourself;
- do something you enjoy, and are good at;
- take regular exercise – for example, try swimming, dancing, walking or climbing;
- learn a new skill - for example, yoga, meditation, self-defence;
- be creative: try drawing, painting, writing;



- practice relaxation exercises, for example breathing exercises, Tai Chi, self hypnosis or massage.

It's also important to eat well, and to get enough sleep, if you can.

Gaining confidence

Living with someone who is always putting you down, criticising you, controlling you and being abusive or violent towards you, will have sapped your self-confidence and your belief in yourself. You may find it hard (or impossible) to make decisions, even about small things - because your abuser did not allow you to make choices for yourself. You may find managing money very difficult: maybe your ex-partner controlled all the household finances; you are probably having to manage on a very limited income; and perhaps you had to leave behind many of your personal possessions.

You have already taken a huge step in leaving your abuser. Give yourself credit for that. Then think of all the other things you have achieved in your life, and build up a mental list that you can return to when you are feeling low.

You may find it helpful to talk about your experiences with other women who have also been in violent relationships. If you are not already in touch with your local Women's Aid refuge organisation or outreach service, you may find it helpful to contact them now, to see whether there is a support group you could join (or perhaps help to set one up). Contact the Freephone 24 Hour National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge) for your local contact numbers: **0808 2000 247**.

Products focusing on building self confidence - such as self help books, CDs and courses - are widely available. Some of these may be effective, at least in the short term, but none appears to have been fully evaluated (Emler, 2005). You may find the following websites helpful:

- www.thesite.org Although this site is primarily addressed to young people, the sections on self esteem, self harm, body image, and health generally are applicable to all age groups.
- The site www.ivillage.co.uk which is described as "the website for women" contains a number of pieces on building self confidence, both in personal life and at work.

There are many other websites which contain some free information but are primarily designed to encourage you to sign up to a course (which you have to pay for).



Moving on

While you were with your abuser, you may not have been free to decide for yourself what kind of work you did, whether you took on paid employment or not, what leisure activities you engaged in, whether to study for more qualifications or to join an evening class just for pleasure. Now you have only yourself and your children to consider - but you may find it frightening suddenly to be responsible for making your own choices.

You might have had to give up your job because you had to go into a refuge, or move away to a different area to get away from your abuser. If you are claiming benefits, it may not be financially worthwhile to look for paid work at the moment - particularly if you have childcare to consider. Maybe you would like to re-train for a different kind of work; or go back into education; or do some voluntary work for a while. Or perhaps you don't feel ready to take any of these steps just yet.

You might find it helpful to look at some of the information and support available for single parents. For example, the website www.singleparents.org.uk brings together information, advice and first-hand experiences to help you manage and enjoy life as a single parent. Information on welfare benefits, childcare, the pros and cons of paid work versus voluntary work, full-time parenting or going back into education, are all covered. The organisation One Parent Families runs a Lone Parent Helpline on 0800 018 5026 and their website provides a useful "helpdesk" with basic information on benefits, childcare and other issues. See www.oneparentfamilies.org.uk. They also produce a "Lone Parent Guide for caring for a child with additional needs" which is free to single parents.

Helping your children

Your children, too, will probably take some time to adjust to the new situation. They will almost certainly have been affected by the abuse they witnessed (or experienced themselves directly): see the chapter on **Children and domestic violence** for more on this. If you have moved to a different area, they will probably have to attend a new school and make new friends. They may be finding it really difficult to cope with all the changes in their lives - such as leaving their home and friends, and perhaps some of their possessions - and they will look to you to give them the answers they need.

You may find coping with your children's needs very difficult at a time when you are trying to deal with your own problems. On the other hand, you may



find it a helpful distraction, or even see it as a reason for carrying on. Be as honest with your children as possible; let them know how you are feeling and tell them that you love them. Try to establish a "normal" routine as soon as you can, and show them that you can be relied upon even though their father or step-father has let them down.

Listen to your children's concerns, and help them to find other sources of support; for example, from grandparents or other relatives; from teachers or youth workers; or from workers and volunteers at a Women's Aid or other domestic violence outreach service.

Although your children will undoubtedly be relieved that the abuse has stopped, they may still miss their father or step-father; and may blame you for taking them away from him. If they want to see him, that is fine **if you feel it is safe for them to do so**; but do look at the chapter on ***Making arrangements for children after separation*** if you are afraid that any contact will put you and your children in further danger.

You could encourage your children to look at the Women's Aid website for children and young people, **The Hideout**: see www.thehideout.org.uk. The **Young Minds** parents' information service provides help for parents concerned about a young person's mental health and also has a variety of leaflets and booklets, including one which explores how divorce and separation affect children and young people. Young Minds provides information and support for young people themselves. Phone **0800 018 2138**. www.youngminds.org.uk. Other organisations are listed in the sections on ***Children and domestic violence*** and ***Additional information***.

Further information

Ginny NiCarthy's handbook "Getting free" includes a number of suggestions and exercises for building confidence and coping when life feels hard. (Some of the practical information is out of date, however). This book also includes some ideas for meeting new people, making new contacts and friendships.

The website www.hiddenhurt.co.uk has a section on "How to survive after separation". There is also a short section on "Surviving violence" in the London Borough of Haringey's publication, "I shall survive: A practical guide", available from http://www.beh.nhs.uk/healthwise/pdf/IShallSurvive_DomViolence.pdf. The website www.singleparents.org.uk (mentioned above) also has a section on "healthy ideas", which covers – among other things – coping with stress, relaxation strategies and eating healthily.



You may find it helpful to read accounts of other women who have survived domestic violence. You could try "Breaking through: Women surviving male violence" (1989) (Bristol: Women's Aid Federation of England). This includes personal stories, poems and cartoons, and ends with a section on "What we can do for ourselves" which gives positive suggestions that might help you.

See also the section on ***Domestic violence and mental health*** which includes information and contact numbers for organisations which offer counselling or other support.

References

- Emler, Nicholas (2005) "Self esteem: the costs and causes of low self worth" York: Joseph Rowntree Foundation; summary available at <http://www.jrf.org.uk/knowledge/finding/socialpolicy/n71.asp>
- NiCarthy, G. (1990) "Getting free: A handbook for women in abusive situations" (edited and adapted from the original American edition by Jane Hutt) (London: Journeyman Press)

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August 2009