

Nexus Response to the Draft Domestic and Sexual Abuse Strategy

Executive Summary

Nexus welcomes the opportunity to respond to the Department of Health and Justice Draft Domestic and Sexual Abuse Strategy for 2023-2030. This Draft Strategy has been developed following a Call for Views on a Domestic and Sexual Abuse Strategy and a Violence Against Women and Girls Strategy, which ran from January to March 2022, these gathered information and recommendations from a range of public sector organisations, frontline services, individuals, and other stakeholder engagement groups. Nexus submitted a response to the original Call for Views, recommending to the Department of Health and Justice to:

1. Commission Northern Ireland-specific research to better understand regional data.
2. Invest in new technologies to deliver training and resources, especially for expanding services to include early intervention and workplace training.
3. Commit to tackling the lack of funding for organisations to run vital services.
4. Mandate Relationship and Sexuality Education (RSE) in all Northern Ireland's schools that promotes healthy relationships and learner-centred content.
5. Invest in translation and sign language services for frontline services.
6. Create and facilitate stakeholder engagement groups of industry partners, public sector groups, charities, advocacy organisations, and other departmental services such as the PSNI, NHS, PPS, universities and colleges, GP Federation, etc. to feedback on strategies and policy decisions.
7. Commit to reforming the criminal justice system to meet the needs of victims and their support groups by implementing person-centred, trauma-informed, and intersectional practises at an institutional level to address barriers to reporting and pursuing justice.

We are concerned that the resulting Draft Domestic and Sexual Abuse Strategy lacks detail and clarity, with no stated government capacity to meet the Key Priorities and no plan for implementation of the stated objectives. We are disappointed with the Draft Strategy's absence of trauma-informed, person-centred recommendations and acknowledgement of the institutional barriers to reporting for people with lived experiences of sexual abuse and abusive relationships. There is also a lack of commitment to instituting change at all levels of Northern Ireland's government, society, and culture.

Our Response

Strategy Vision

Domestic and sexual abuse is unacceptable within our homes and across all of society so that everyone can live without fear.

Given strengthened legislation on coercive control and stalking alongside the length of time that government has been working to address domestic and sexual abuse we believe it is time to more publicly recognise that abusive relationships happen both inside and outside of domestic circumstances and therefore would recommend that terminology is broadened to 'sexual abuse and abusive relationships'. In doing so the strategy will become more relevant and its supports and protection more accessible to many impacted by the forms of abusive behaviours noted. We would also like to recommend strengthening the message to say that abuse is unacceptable "and will not be tolerated" to better reflect the strengthening of services and the criminal justice system.

Definition of Domestic Abuse

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

As noted above, we recommend that the term 'domestic abuse' should be updated to reflect that the forms of abuse detailed can occur outside of a domestic setting. In addition, we would suggest adding the word harmful alongside threatening and controlling. We would also recommend that children and young people are detailed in the description to reflect new Domestic Abuse Bill.

Pillar 1: Partnership

Partnership is key to implementing a strategy that inherently requires multi-agency coordination and the exchange of knowledge, expertise, and resources. The Draft Strategy highlights the importance of a central focal point for domestic and sexual abuse work, however, there is no commitment to the implementation of such forums, committees, working groups, etc. It is vital to advertise these opportunities and better facilitate their operation as part of creating a multi-pronged approach to tackling sexual abuse and abusive relationships. This also includes a commitment to facilitating fact-finding groups to establish a dedicated research team with the focus on establishing the trends, outcomes, and objectives for Northern Ireland-based research and programmes. Most importantly, lived experience and professional expertise of support agencies must be central to the development of the Sexual Abuse and Abusive Relationships Strategy as well as any further action plans to ensure a truly informed and co-produced approach. The current Draft Strategy does not commit to forming an advocacy forum or stakeholder group of people with lived experience, which is a concerning oversight given the nature of the work that support organisations undertake, where the experiences and voices of those impacted by sexual abuse and abusive relationships are paramount.

A significant problem that was raised by ourselves and other organisations is the lack of available and continuous funding opportunities to facilitate outreach programmes, education projects, and vital services such as counselling, and other forms of therapeutic care. Whilst there was an acknowledgement in the Draft Strategy that there is a widespread lack of funding, the strategy document does not highlight the strain on services as they are forced to compete for the same small pot of money year on year. Without a functioning Executive, there is absolutely a limit to the budgetary decisions that can be made. However, the Strategy does not make a commitment to sourcing additional funding streams in order to combat not only the loss of vital services but also to facilitate greater partnership between organisations.

Pillar 2: Prevention

The Prevention pillar is vague in its commitments to education and awareness. Raising awareness of the impact of sexual abuse and abusive relationships, promoting healthy relationships, and consent can only be implemented in conjunction with a bold education strategy. The Strategy does not make a commitment to devising a plan of action for mandatory RSE (Relationships and Sexuality Education) curriculum in schools. For example, they do not discuss researching the benefits of mandatory comprehensive RSE or engaging with

young people and schools to facilitate RSE on a regular basis. In our original Calls for Views Submission, for this draft strategy, we provided both quantitative and qualitative data in support of our call for instituting mandatory and comprehensive Relationship and Sexuality Education in all schools.

From our public research survey of 108 respondents:

- 90% of respondents said that “Relationship and sex education is a core part of a young person’s education and growth”.
- 77% of respondents to our public research survey said that “Current relationship and sex education programmes are not appropriately suited for use”.
- 99% of respondents believe that “Relationship and sex education should first be taught from under the age of 16”.

And while the Strategy acknowledges the need for education around healthy relationships and consent, the Pillar 2 Objectives do not go into detail about comprehensive RSE- the focus is instead on forming healthy relationships in order to tackle the roots of sexual abuse and abusive relationships. There is no further detail on what a healthy relationship looks like, nor an emphasis on including sexuality education and what healthy LGBTQIA+ relationships look like.

Our research shows that RSE should be a safe space for young people to ask questions and learn about relationships and sexuality in a healthy environment:

- 97% of respondents said that safe sex should be included in RSE - 96% said that contraception should be included RSE.
- 83% said that abortion should be included in RSE.
- 78% said that gender identity should be included in RSE.
- 87% said that sexual identity should be included in RSE.
- 99% said that consent should be included in RSE - 99% said that STDs should be included in RSE.

Regarding training for workplaces, agencies, and government departments, this Draft Strategy has identified training as a key priority, however there is no further development on the facilitation of training, the funding for organisations to take part in the training, nor the mandatory nature of the training that would be necessary to ensure that departments, agencies, and statutory bodies are fulfilling their requirements. We would also like to note that under the ‘How will we know we are making a difference?’ section, one of the measurables is ‘Domestic abuse is recognised as a workplace issue’, but there is no mention of sexual abuse. We would strongly recommend the inclusion of sexual abuse as a workplace issue, as evidenced by the following statistics:

- Trades Union Congress research 'Still just a bit of banter? Sexual harassment in the workplace in 2016' found that more than half of all women polled have experienced some form of sexual harassment, including jokes or comments of a sexual nature, unwanted touching (such as a hand on the knee or lower back), unwanted sexual advances, sexual touching or attempts to kiss them¹.
- The Scottish Trades Union Congress published a survey in 2022 that showed 45% of women have experienced sexual harassment at work, 1/3 of women have experienced sexual harassment at work within the last year, and 85% of women said that their report and experience was not taken seriously and dealt with appropriately².

Pillar 3: Support

The Draft Strategy document fails to address the needs of several marginalized groups, as highlighted below:

Children and Young People

This Strategy fails to recognise the significant impact of sexual abuse and abusive relationships on children, both as the witness and as the victim. The PSNI released crime figures for 2021-2022 showing that³:

- 56% of sexual offences reported were against children under the age of 18.
- Sexual offences committed against children under 18 have more than doubled between 2012-2013 and 2012-2022.

As this evidence demonstrates, children and young people are directly affected by sexual abuse and abusive relationships, and as such should be treated with equal importance in the draft Strategy. In order to meet the needs of children and young people and to provide the most effective support, the Strategy must commit to a) acknowledging children and young people as a group directly impacted b) engaging with children and young people as well as their advocates and the charities committed to their welfare c) implementing a Barnahaus model in

¹ TUC, 2016. <https://www.tuc.org.uk/research-analysis/reports/still-just-bit-banter>.

² Scottish Trade Union Congress, 2022. <https://stuc.org.uk/media-centre/news/1644/stuc-women-s-committee-releases-shocking-new-data-on-sexual-harassment-at-work#:~:text=o%2045%25%20of%20>.

³ Police Recorded Crime in Northern Ireland, 1998-1999 to 2021-2022. https://www.psnipolice.uk/sites/default/files/2022-12/Police_Recorded_Crime_in_Northern_Ireland_1998-99_to_2021-22.ods.

Northern Ireland to provide a safe child-friendly space for inter-disciplinary professionals to support children and young people impacted.

Another key point that was not included in the Draft Strategy is the need for family support. This is support for those supporting victims and survivors as well as those who are linked to the alleged perpetrator; there is a lack of funding and accessibility to practical, peer and counselling supports for these people who often feel isolated and are reluctant to show the pressure that they are experiencing as they do not want to detract from the lived experience of the person they are supporting. Sexual abuse and abusive relationships affect people with direct lived experience and their families and support communities, as well those supporting alleged perpetrators. This Strategy needs to include family support within the theme of 'Supporting different needs'.

Sex Workers

In Northern Ireland, it is not a crime to sell sexual services, and as such, there are people who engage in the sex work industry. However, this Strategy does not outline the special needs of sex workers who are affected by domestic and sexual abuse. National Ugly Mugs, a UK-wide charity working with sex workers, reported that in 2020, they received 603 reports, 41% of which were of physical and sexual violence including rape, attempted rape, sexual assault, and condom removal⁴. Violence against sex workers is vastly underreported due to a myriad of institutional barriers and stigma, including harassment and abuse perpetrated by the police⁵. The Strategy needs to include the experiences and recommendations of sex workers and advocacy organisations in order to develop services and anti-violence strategies.

Roma and Traveller Communities

Roma and Traveller communities face discrimination, stigma, and isolation from institutions and society alike. A report by The Traveller Movement UK found that 66% of domestic abuse service providers did not feel their service was aware of how to successfully engage and accommodate Gypsy, Roma, and Traveller (GRT) women, and 98% of domestic abuse service providers believe there is a need for more training about Gypsy, Roma, and Traveller women's experiences of domestic abuse⁶. From the same report, the Traveller Movement recommends the following

⁴ National Ugly Mugs. https://nationaluglymugs.org/wp-content/uploads/2021/06/Sex-Workers-Too_NUM_ECP_UL_VAWG_Consultation_Submitted_19022021.pdf.

⁵ Deering R, et.al. <https://doi.org/10.2105%2FAJPH.2014.301909>.

⁶ The Traveller Movement UK, 2022. <https://travellermovement.org.uk/policy-and-publications/a-good-practice-guide>.

as measures to combat domestic and sexual abuse experienced by Roma and Traveller people:

- Social workers, criminal justice system bodies, police, and other statutory and charitable organisations should receive cultural competency training.
- Larger mainstream domestic abuse services should consider partnerships with specialist services to develop Service Level Agreements and other initiatives of equal partnership work.
- Local Authorities and the charity sector should offer targeted and more holistic support for GRT survivors who are in contact with Children's Services.
- Mainstream service providers should undertake more direct 1 to 1 advocacy to address potential digital exclusion and literacy issues of GRT survivors.

Men

The section on the special needs of those who identify as male needs to be clarified and rewritten to better highlight the stigma that males with lived experience of sexual abuse and abusive relationships face. From our public research survey, 98% of respondents said that "There should be more safe spaces for men and boys to share their experiences of sexual trauma and seek help". This Draft Strategy must take account of the feelings of rejection, humiliation, and shame that is experienced by males and make a commitment to dispelling rape myths, gender stereotypes, and victim blaming attitudes directly affecting males. It is also important to highlight the lack of appropriate services, accommodation, and funding for male only services and support. This section also includes "fear of being accused as the perpetrator" and "losing contact with any children they may have with their abuser". We are aware that parental alienation is a controversial topic, and it might be necessary to include a statement about dispelling myths and clarifying that the loss of contact with children affects both parents.

LGBTQIA+

The section on LGBTQIA+ people does include the risk of being outed and lack of support systems, which is a positive, however this section is more focused on sexuality as opposed to being inclusive of transgender, non-binary, genderfluid and gender non-conforming people. This section would benefit from an additional paragraph on the barriers faced by LGBTQIA+ people. It is also important to highlight available provision of appropriate and safe services available to the community.

People with Disabilities

The Strategy does highlight the challenges faced by people with disabilities when accessing services, however there is no mention in Pillar 3 of a commitment to funding British Sign Language services and other measures such as online support, accessibility features for materials such as braille, etc.

People who live outside of Belfast

There is no specific provision for people in Northern Ireland who live outside of Belfast city, meaning there is little in the way of support, connection, etc. Rural communities are included in this strategy, but that does not adequately cover the needs of people outside of the Belfast city area. This includes the location of different charities, outreach programmes, awareness days, etc. that primarily take place in Belfast.

People at Risk of Perpetrating Sexual Abuse and Abusive Relationships

The draft strategy does not acknowledge the importance of prevention initiatives for those at risk of perpetrating abuse. The DSA Helpline regularly receives contact from individuals seeking support with their potentially abusive behaviours. These individuals are generally not subject to criminal proceedings but recognise that their behaviours are problematic. Currently, there are no services or support agencies within Northern Ireland offering interventions to signpost these individuals to. Therefore, signposting is limited to a number of UK based helplines such as Respect UK. We recommend that the strategy recognises the need for this preventive support at a local level and commits resources to providing it.

Any other Special Considerations

We would like to also once again highlight the urgent need for translation services. There are virtually no funds to support the costs of translators, which leaves our counsellors and admin staff without any means of communicating with clients. As we mentioned in our original submission, this includes the need for BSL and hard of hearing services to ensure that our clients have the most accessible care and support possible. Along with this, we wish to highlight the importance of providing therapeutic support for translators who sit in on counselling sessions, as their mental and emotional wellbeing can be compromised vicariously by listening to the content of therapeutic sessions.

Pillar 4: Justice

In our Calls for Views submission, we stressed the importance of a lived experience approach to legal and judicial system that is accessible and free from stigma or

shame. The current Draft Strategy does not mention institutional barriers within the criminal justice system that create an unwelcoming, and at times hostile, environment for people directly impacted by sexual abusive and abusive relationships and their advocates. The strategy mentions society's lack of awareness of abuse, rape myths, etc., but does not mention the institutional blind spots nor the culture of misogyny in criminal justice and policing circles as evidenced by the following news stories:

- BBC News: More than 20 PSNI officers belonged to a WhatsApp group chat that exchanged racist, sexist, and pornographic messages about female officers⁷.
- Belfast Telegraph: Judge Brian Sherrard remarked to a convicted sex offender that there was nothing stopping him from "finding a wife"⁸.
- BBC News: Northern Ireland judges given training and guidance after 'find a wife' remark⁹.

The Draft Strategy mentions some barriers to reporting, such as unfamiliarity with the criminal justice system as well as lengthy wait times for case progression. This is an important acknowledgement however, there is no accountability on the part of the criminal justice system itself for these barriers and the potential re-traumatisation caused by the experience of a judicial process and system that is not trauma-informed and lacks compassion for victims. The strategy does not mention that there are failures in the system that perpetuate victim blaming and drop off in cases making it to court. In our original submission we highlighted the culture of exclusion and re-traumatisation of people who go through the court system: From our Client Feedback forum our members said:

"You're given less to nothing when it is so personal. It's about me, and I can't get information about me. The length of time it takes, such as; to get as far as giving evidence is awful".

"The information given to the victims before they go to court is limited, and the services that are meant to be helping are hard to get a hold of. There should be more support around the black and white about the legal stuff. There is a clinical attitude that does not take into account the emotions of victims and the re-traumatisation aspect of court".

⁷ BBC News, 2022. <https://www.bbc.co.uk/news/uk-northern-ireland-61650204>.

⁸ Belfast Telegraph, 2022. <https://www.belfasttelegraph.co.uk/news/courts/nis-lady-chief-justice-confirms-judiciary-to-receive-further-training-after-judges-suggestion-sex-offender-finds-a-wife/42067242.html>.

⁹ BBC News, 2022. <https://www.bbc.co.uk/news/uk-northern-ireland-63255542>.

Additionally, a member noted, "the notes, the files are about you, but they are not for you".

The apparent lack of sensitivity on behalf of public services such as the PSNI, PPS, the NHS, social services, and the judicial system leave many victims and survivors deterred from seeking legal justice. As one client said to us, "My case has been passed around, like a piece of paper. I can't remember people's names. Getting raped is not something you can prepare for. The Doctor at the Rowan said to me "think about whether you want to take this further. Think very carefully". From what I've been through, if I could go back, I would not have reported. My life has been ruined. The police are treating this like it is just another case. As the chain of events have gone on, the people have changed, and I haven't heard from anyone. It's gotten to the point that I don't care anymore".

This Strategy needs to commit to reforming the criminal justice system to be more timely and victim-focused, necessitating innovative practises such as protecting people affected by abuse from being cross-examined by their alleged abuser in court, the protection of clinical and therapeutic notes, and committing to reviewing the duties of disclosure that can ultimately prejudice against the prosecution and therefore prejudice against the victim.

It is vital that the Strategy is fully people-centred and acknowledges the systematic barriers that create a hostile environment for pursuing justice and seeking support. We would propose that the Department commit to exploring the measures and policies of fellow departments and legislatures as a model for success, such as the Scottish Parliament's Victims, Witnesses, and Justice Reform (Scotland) Bill. This bill addresses the barriers to seeking justice that victim advocacy groups have long campaigned for, including¹⁰:

- End the not proven verdict;
- Introduce a specialist sexual offence court;
- Give ministers the power to begin a pilot of single judge led trials
- Introduce independent legal representation (ILR) for survivors in cases where the defence seeks to bring evidence on their sexual behaviour into court.

This is only one example of a trauma-informed action that the Northern Ireland government should strive to implement. The key points in the bill have been

¹⁰ Scottish Parliament, 2023. <https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/victims-witnesses-and-justice-reform-scotland-bill/introduced/bill-as-introduced.pdf> (Rape Crisis Scotland, 2023. <https://www.rapecrisisscotland.org.uk/news/news/our-initial-response-to-proposed-criminal-justice-reforms/>).

thoroughly researched by academics, practitioners, and victim's charities alike¹¹, and there is scope for a Northern Ireland- based project to do the same. While it seems a topical and popular theme, trauma informed practice within the justice system is chronically missing. More awareness, specialised training and access to trauma specialists should be mandatory to everyone working within the justice system.

Conclusion

The strategy document can be summarised as a very generalised vision briefing devoid of robust objectives and measurables that are necessary to a strategy and its accountable implementation. There is a lack of commitment to delivery of the key objectives, which in themselves are simultaneously too broad and yet exclude a myriad of important subjects, such as online abuse, sexual abuse and abusive relationships experienced by children and young people, and mandatory relationship and sexuality education. There is a lack of clear commitment to establishing monitoring bodies and defining the roles of each department, committee, and Commissioner offices, such as the role of the Victim's Commissioner and regional working groups on sexual abuse and abusive relationships to act as a scrutinising body. It is particularly concerning that this strategy failed to address the institutional barriers to reporting and seeking help that many who are affected by sexual abuse and abusive relationships are faced with and commit to ending the notably present culture of misogyny, discrimination, and rape culture that exists in the criminal justice system, as illustrated below:

- BBC News reported that 39 PSNI officers were investigated for sexual misconduct in the last 5 years¹².
- BBC News reported that, from 2017 to June 2022, 151 PSNI officers faced domestic abuse and sexual misconduct complaints¹³.
- BBC News reported that 9 PSNI officers were sacked in 2022 for sexual and domestic abuse. 74 cases were ongoing at this time, with 32 officers suspended on suspicion of sexual misconduct¹⁴.
- BBC Radio Foyle reported that more than 70 sexual offence cases have taken more than five years to come before a court, and that of the 2,000

¹¹ Rape Crisis Scotland, 2023. <https://www.rapecrisisscotland.org.uk/news/news/our-initial-response-to-proposed-criminal-justice-reforms/>

¹² BBC News, 2021. <https://www.bbc.co.uk/news/uk-northern-ireland-58799870>.

¹³ BBC News, 2023. <https://www.bbc.co.uk/news/uk-northern-ireland-64326647>.

¹⁴ BBC News, 2023. <https://www.bbc.co.uk/news/uk-northern-ireland-64326647>.

cases involving sexual offences that were making their way through the criminal justice system as of May 2022, more than 180 of them had still not come to court three years after they had become active¹⁵.

While it seems a topical and popular theme, trauma informed practice within the justice system is chronically missing. More awareness, specialised training and access to trauma specialists should be mandatory to everyone working within the justice system.

In sum, this Draft Strategy does not meet the needs of people with lived experience, their support systems, statutory organisations, and charities. The lack of substantial measurables pertaining to all 4 Pillars leaves this Draft Strategy severely lacking in effective action. There are recognitions of the existence of problems, but there are no commitments to tackling the problems that many people face in a person-centred way.

If you have any questions about our response to the Consultation or would like further information, please contact communications@nexusni.org.

¹⁵ BBC News, 2022. <https://www.bbc.co.uk/news/uk-northern-ireland-61870080>.