



CHEVIN HOUSING GROUP

**Statement of Domestic Violence Policy and
Procedures.**

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Introduction and Scale of Domestic Violence

Chevin Housing Group recognises that domestic violence is an extremely serious matter. Domestic violence is a crime and generally committed in private, behind closed doors, without witnesses and as such is grossly under reported.

Domestic violence causes considerable stress, pain and suffering to women, men, children and other family members sometimes over a long period of time.

Chevin Housing Group recognises that it cannot work in isolation; instead it uses a multi-agency approach to providing the best possible services for those at risk of or suffering from domestic violence and to reduce repeat offending.

The majority of domestic violence incidents and the most serious and repeated acts are committed by men against women. A high proportion of those incidents go unreported. British Crime Survey found that there were an estimated 12.9 million incidents of domestic violence acts (that constituted non-sexual threats or force) against women and 2.5 million against men in England and Wales in the year preceding interview. ¹ Statistically 1 in 6 men are in abusive relationships.

It is, however, important to recognise that domestic violence occurs in other circumstances, for example, in same sex relationships, from other family members, by women against men, and in transgender relationships. Statistically 1 in 4 lesbian, gay, bisexual and transgender people are in an abusive relationship.

The issue of forced marriage has been highlighted recently. Official figures from the Home Office show that 300 cases a year are formally reported, often but not exclusively involving people from Britain's South Asian community. Another form of gender based violence (GBV) includes the trafficking of young women and girls for sexual exploitation, and Europe's first dedicated centre for victims of people trafficking opened in Sheffield in 2006.

We recognise that elderly and other vulnerable adults are too very often victims of domestic violence. We will rigorously follow the Group's Protection Policy for Vulnerable Adults when and where necessary.

We recognise that children are too often directly or indirectly affected by domestic violence and that this can have a very negative impact on their lives. Half of all reported incidents of domestic violence involve families with children. ² Children in households where a family member is experiencing domestic violence are at risk of abuse themselves. Evidence shows that half of male perpetrators of domestic violence had also been physically abusive to children in the family. ³

¹ Walby & Allen, 2004

² Mirrlees-Black, 1999

³ Metropolitan Police Service, 2001

Policy Statement

Chevin Housing Group believes that no one should live in fear of violence or harassment from spouse or partner or other member of their household. We are committed to a victim centred approach to reports of domestic violence and will support any customer suffering from or threatened with domestic violence.

Chevin Housing Group will take the most appropriate action against perpetrators of domestic violence where evidence is available and where it has the power to do so. The victim's wishes and any health and safety issues will be fundamental in deciding the appropriate action to be taken by the investigating officers. Our investigations will be carried out with due regard to race, religion, culture, gender, age, disability and sexual orientation.

We will work closely with community safety partners and forge strong links with other support agencies in the Local Authority areas in which we operate. This will ensure that our customers who are victims of or at risk of being victims of domestic violence are offered the support and assistance required to reduce incidents and repeat offending.

Definition of Domestic Violence

The Housing Act 1996 as amended defines domestic violence as:

'Violence or threats of violence from a person who is associated with the person under threat.'

The Government (2005) defines domestic violence as:

'Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality.' This includes issues of concern to black and minority ethnic (BME) communities such as so called 'honour killings'.

(An adult is defined as any person aged 18 years or over. Family members are defined as mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in laws or stepfamily).

Chevin Housing Group adopts the 2005 Government definition of domestic violence for this policy, however will continue to uphold the 1996 Housing Act as amended, when enforcing a tenancy agreement.

Chevin Housing Group recognises that we must have an effective method of communicating and gaining the confidence of BME groups and their communities and will rigorously adhere to the Group's Equality and Diversity Framework (March 2007). In addition, our Gender Equality Scheme and action plan (March 2008) addresses domestic violence and other forms of gender based violence.

Examples of Domestic Violence

Domestic violence may be physical, sexual, emotional, psychological and financial abuse. Some examples of domestic violence include:

Physical - slapping, kicking, pushing, and punching or stabbing etc. attempted murder and murder.

Sexual abuse - e.g. rape and non-consensual sex acts

Emotional or psychological abuse - e.g. intimidation, isolation, verbal abuse, humiliation, degradation etc

Financial - denial of rights or restriction of personal freedom, withholding money or financial help, etc.

Forced marriage and 'honour' crimes.

Statement of Approach

Chevin Housing Group is committed to providing an appropriate, sensitive service to all its customers who are suffering from or are threatened with domestic violence by ensuring that:

- All investigations will be carried out with due regard to race, religion, culture, gender, age, disability and sexual orientation.
- We take a victim centred approach in responding to cases of domestic violence and recognising that evidence of domestic violence may not always be available. The Group will accept the customer(s) account and not insist on the customer(s) providing evidence to the group, except where some form of legal action is to be taken.
- We help the victim remain in their current home if that is their wish.
- We take effective steps to prevent domestic violence and highlight its negative and devastating effect on individuals, families and communities through our day to day activities e.g., Tenants' handbook, newsletters, website and tenancy agreements.
- We will engage with the community, our residents and stakeholders to provide services and activities in order to deal with and prevent domestic violence.
- We will take the most appropriate action against perpetrators of domestic violence where evidence is available and where it has the power to do so. This may include the use of legal remedies under the Housing Act 1996 as amended, the Anti Social Behaviour Act 2003 and other relevant legislation. The victim's wishes and any health and safety issues will be fundamental in deciding the appropriate action.
- We take a flexible and sensitive approach to responding to incidents of domestic violence. Taking account of the varying circumstances of the customer whilst considering all possible appropriate solutions available e.g. advice and guidance, referrals to other appropriate agencies and partners etc.
- The Group's policies and procedures are robust, fluent, sensitive and up to date enough to meet the needs and requirements of the customer e.g. Lettings and Allocation Policies, Floating Tenancy Support and Health and Safety Policies.
- The Group's tenancy agreement is as strong and up to date as possible to help prevent and deal with domestic violence cases.

- Staff are adequately trained and have the knowledge and resources available to effectively deal with customers who are suffering from or are threatened with domestic violence.
- We create and forge links with community safety partners and other support agencies working in the Local Authority areas that we operate in.
- We work within a partnership setting to deal effectively with domestic violence issues and reduce repeat offending.
- We comply with all relevant legislation, regulatory guidance and codes of practice and learn from examples of good practice.

A multi-agency partnership approach is vital to be able to deal effectively with the varying causes and impacts of domestic violence. This approach can provide specialist help, advice and support individually tailored to the victim which the Group alone may not be able to provide, e.g., medical treatment and advice, rape and trauma counselling, emergency accommodation, specialist civil and criminal law advice, policing and protection, benefit advice, religion, immigration and child welfare needs. The multi-agency partnership approach can also play a large part in reducing repeat offending. Specialist help, support and enforcement can be targeted at the alleged perpetrator in order to reduce and remove the risk to the victim e.g. publicity, perpetrator programmes, mediation, curfews and tagging.

Dealing with a Domestic Violence Complaint

Chevin Housing Group will endeavour to approach all cases of domestic violence in a sensitive, non-judgemental and confidential manner. We will at all times try and find a safe quiet/private place to talk (away from the perpetrator) so as to minimise risk to customers and staff. Staff will advise customers of the services they can expect from us and also advise them of what we are not able to do.

To access help or advice regarding domestic violence contact should be made to the Association who will then pass details on to the relevant Housing Officer or Anti-social Behaviour Officer.

Options available to people affected by violence

- attempt to stop the violence and stay with the perpetrator of the violence
- leave home temporarily
- leave home permanently
- stay in the present home and get the perpetrator of the violence to leave
- Take legal action.

In all instances, we will make the processes involved in providing services clear to the customer. We will endeavour to refer customers to the appropriate services where we are not able to assist in-house.

We will;

- Accept a reported incident as domestic abuse if a victim, the perpetrator, a witness or employee or contractor perceives the incident to be domestic abuse.
- Record the report of domestic abuse immediately on the Chevin Housing Association ASB IT system and ensure we have asked for a safe contact telephone number or address for further communications.
- Treat all reported cases of domestic violence as a serious incident and to commence dealing with them in line with the Group's Anti-social Behaviour Strategy, Policy and Procedure (one working day).
- Upon receiving a report of domestic violence immediately liaise with the Anti-social Behaviour Team or Area Manager before next communicating with the complainant, witness, or victim and agreeing an action plan.
- Obtain, if agreeable, the victim's consent to refer them and disclose their personal details to external agencies for support, help and advice.
- Keep an up to date database of partner agencies and support agencies in the local authority areas in which we operate. This information will be readily available for all front staff to access and as such should provide quick and specialised help to the victim. Information is also available to customers via the Chevin website, or in written format.
- Take the most appropriate action against perpetrators of domestic violence where evidence is available and where it has the power to do so. The victim's wishes and any health and safety issues will be fundamental in deciding the appropriate action to be taken by the investigating officers.
- Keep the victim/complainant informed of the progress of the investigation/action in line with the Groups Anti-social Behaviour Strategy, Policy and Procedure.
- At all times keep accurate records of the incidents/investigation carried out, taking care to respect confidentiality at all times.
- Provide clear feedback at the closure of the case.
- Carry out a satisfaction survey with the victim/complainant to help us improve our services.

Confidentiality and Information Sharing

Chevin Housing Group will encourage victims/complainants to allow us to share their information with other agencies, including the police, community safety partners and other appropriate agencies. This will enable us to offer the widest available help and support to the victim and to ensure that all possible civil and criminal remedies can be pursued against those responsible for domestic violence.

Chevin Housing Group will advise all victims/complainants of their rights to confidentiality as detailed in the Groups Access to Personal Information Policy and the under the Data Protection Act 1998. We will explain the limitation of confidentiality where we have a duty to disclose information e.g. in instances where a concern for a child's safety has been raised. Police/Social Services must be informed as detailed in the Children's Act 1989, or if there is a high risk of serious harm to anyone.

In areas where the (MARAC) Multi Agency Risk Assessment Conference operates, we will utilise and refer to this forum. This will pull together various

agencies to provide a victim centred, focused service for those experiencing domestic violence and offers further support to reduce repeat victimisation. The MARAC process enables agencies to communicate and share information regarding both victims and perpetrators and raises awareness amongst agencies of high risk, or potential high risk of domestic violence cases.

Safety and Risk Assessment

The safety of the Group's staff is paramount and as such all staff dealing with domestic violence cases will adhere to the groups Staff Personal Safety Policy.

The primary aim will be to ensure the welfare of the victim **and** staff by ensuring that we will:

- Assess the risks of violence to the victim and themselves.
- Take the appropriate steps to ensure meetings with the victim are held in a safe environment.
- Regularly check that the victim is safe and if required make referrals to the appropriate agencies.
- Check if it is appropriate to use written information.
- Ask the victim which is the safest and preferred method for the Group or referred agency to contact them. We will ensure that this information is then immediately logged on the IBS Housing system and indicated by using the Red Flagged option to alert other users and noting the appropriate details on the IBS case management file.

Support for Victims and Witnesses

Chevin Housing Group will offer support to its customers who are victims of, or at risk of domestic violence. This support may be directly from the group, or through other agencies that are able to give more specialised support and recourses; or a combination of both.

All investigations will be carried out with due regard to race, religion, culture, gender, age, disability and sexual orientation.

The victim will be offered the choice of having an officer present who is of the same gender as him/herself during interviews.

All the Group's public offices have private interview rooms, Language Line translation facility and either fixed or portable hearing loops. All our public offices have disabled facilities and baby changing facilities, except our Selby area office which has the use of Selby Council's Civic Centre facilities. Our visiting officers have the facility and training to utilise the Language Line translator service out of the office and during home visits.

Where practical and safe for the victim to remain in their home, every effort will be made to provide additional security and support to ensure this happens. This will often comprise of partnership work with the Police, Community Safety agencies and other specialist support agencies. Where

additional security measures to the victim's home are identified as required, we will aim to carry them out within a timescale of one working day.

Where it is considered that the victim would be in acute danger if they remained in the home, we will aim to provide temporary or permanent alternative accommodation, in accordance with the Group's Lettings Policy.

Where urgent re-housing is necessary either on a temporary or permanent basis and the Group does not have a suitable property available, we will liaise with other housing providers and the Local Authority in an attempt to provide temporary or permanent accommodation. (Homelessness Act 2002, Section 10 places a duty on local authorities to house victims of domestic abuse who have left their home).

Where appropriate and safe to do so we will help locate emergency transport for the victim to a safe location and arrange for safe storage of personal belongings for an agreed period. This is at the discretion of the investigating officers.

If it is applicable we will refer the victim to our in-house Floating Tenancy Support team. They can help the victim liaise with external agencies as well as specific departments of the group which may be able to provide a tailored service to help and support them.

Additional security measure to the victim's home may include:

- Installing security lights.
- Installing extra security locks to doors and windows.
- Installing security glass or grills in vulnerable areas.
- Installing CCTV.
- Installing panic alarms.
- Installing a fireproof letterbox.
- Installing a safe room.
- Replacing broken windows and damaged doors as an emergency repair as a result of domestic violence (usually within 24 hours).
- Carry out external improvements such as increasing the homes defensible space such as improved fencing, removing and cutting back of trees, bushes and shrubs.

Chevin Housing Group will take the most appropriate action against perpetrators of domestic violence where evidence is available and where it has the power to do so. The victim's wishes and any health and safety issues will be fundamental in deciding the appropriate action to be taken by the investigating officers.

This may include the use of legal remedies under the Housing Act 1996 as amended and the Anti Social Behaviour Act 2003.

We can:

- Utilise CCTV evidence where available
- Use Professional witnesses and or staff to present evidence including hearsay evidence.
- Offer a court familiarisation visit to the victim prior to the trial.
- Arrange and pay for if necessary transport to and from court.
- Accompany the victim throughout the trial.

- Pay for and help arrange childcare cover when attending court.
- Reimburse the victim for any loss of earnings for attending court.
- Alert the Police, Wardens and Neighbourhood Patrollers of the pending court case so they can consider increasing their patrols providing a high visibility presence before and after the trial.

The victim will be offered relevant legal advice to ascertain if he/she could take out civil remedies of their own to deal with the threat of domestic violence. (This subject is covered in detail in Action against Perpetrators)

Each area office will keep an updated database of useful contact details of such agencies that can offer the victim of domestic violence specialist help and advice.

To help keep this database up to date we will subscribe yearly to The Women's Aid Gold Book which provides details of services throughout the Country that would be appropriate to victims of domestic violence.

Action against Perpetrators

Chevin Housing Group will adopt a multi-agency approach (MARAC), where available in dealing with perpetrators of domestic violence against its tenants and residents. This will include working with the police, other community safety agencies and specialist organisations to ensure that the full range of civil and criminal remedies are considered and pursued where appropriate. The following legal considerations should be discussed and acted on if necessary -

Perpetrating domestic violence at the group's property is a breach of the tenancy agreement and where suitable evidence is available and it is deemed necessary we will enforce the terms of the tenancy agreement. From spring 2003, the County Court has been able to impose orders against tenants within possession proceedings.

Grounds 2A and 14A of the Housing Act 1985 as amended; (Domestic Violence Grounds) may apply. In particular, the court has the authority in domestic violence cases to end or amend the tenancy agreement in order to exclude a joint tenant.

Section 152 of the Housing Act 1996 as amended, enables the group to apply for an injunction against a tenant or a person who's behaviour affects the housing management function. The Court can attach a power of arrest to an injunction, if it is satisfied there is a significant risk of harm to the victim. Where suitable evidence is available and it is deemed necessary the group will utilise this Act to prohibit the use of domestic violence against the victim.

The Crime & Disorder Act 1998 introduced the Anti-social Behaviour Order (ASBO).

Police Reform Act 2002 allows Housing Associations/RSL's to apply for ASBO's, including interim ASBO's. From 30th June 2004, non parties can be added to proceedings and an ASBO obtained.

The Family Law Act 1996 replaces many of the provisions under the Matrimonial Homes Act 1983, the Domestic Violence and Matrimonial Proceedings Act 1976 and the Domestic Proceedings and Magistrates' Court Act 1978.

There are two main provisions under the Act:

- non molestation orders
- occupation orders

Non molestation orders is a court order to prevent a partner from using or threatening violence against a victim of domestic violence and their children, or from intimidating, harassing, or pestering them.

An occupation order is a court order that regulates who can live in the family home. It can be used in cases where a victim of domestic violence feels it is not safe to continue living with their partner, or have left the home because of violence but wish to return and exclude the abuse from the home or surrounding areas.

These orders can be applied for at the Magistrates Court or the County Court under Part 4 of The Family Law Act 1996.

Protection from Harassment Act 1997

The provisions in this Act can be used to stop the perpetrator from behaving in ways that are not actually criminal (such as visiting a property), yet which are still distressing and intimidating. The victim would need to inform the police of this harassing behaviour and a formal caution can be issued. If the harassment continues, the perpetrator can be arrested and could face up to 5 years in prison.

Domestic Violence, Crime and Victims Act 2004

This Act affords new powers for the police and the Courts to deal with offenders, and seeks to increase the level of support and protection a victim receives.

The provisions under this Act include:

- i common assault is an arrestable offence
- ii breach of a non-molestation order is a criminal offence, and is arrestable and punishable for up to five years in prison

Legal Costs

If the victim of domestic violence is entitled to income support, or on a very low income, or a small amount of savings, they can usually get help from the Community Legal Services Fund to pay for a solicitor's advice and for legal proceedings. This fund exists to help people who meet certain eligibility rules and who cannot afford to pay for legal services. This replaced the civil legal aid scheme.

Closure of Cases

We will close all cases of Domestic Violence in line with the Group's Anti-social Behaviour Strategy, Policy and Procedure.

Monitoring Evaluation and Review

In line with all Hate Crime reporting we will:

- Undertake surveys where possible to monitor the satisfaction of victims with the service provided and report the results to the appropriate Chevin section/board. Satisfaction surveys will be carried out independently and objectively by the service improvement team.
- Where relevant information is available, benchmark our performance against other organisations to ensure the highest standards of service delivery.
- Undertake a review of this policy whenever there are any relevant changes to legislation, case law or good practice that would impact on this policy or in the light of any required service improvements and value for money considerations with regard to the delivery of the service.

Complaints

All complaints will be investigated in line with the Group's Complaints Policy and Procedure.

Useful Contacts

**National 24 hours Domestic Violence Freephone Helpline 0808 2000 247
(this service is run in partnership with Women's Aid and Refuge).**

MALE (Men's Advice Line Enquiries) Helpline 0845 064 6800

**Broken Rainbow - Support for lesbian, gay, bisexual and transgender
(LGBT) people experiencing domestic violence 08452 60 44 60**

**Detailed Supplementary contacts local to each area office can be found
in the Women's Aid 'Gold Book' and on the Group internet and website.
Each Chevin Area Office will have a copy available.**

Local Authority	Telephone Number	Police Division	Telephone Number
Barnsley MBC	01226 770770	S Yorks Police	0114 220 2020
Bassetlaw DC	Worksop 01909 533533 Retford 01777 706741	Nottinghamshire Police	0115 967 0999
Chesterfield BC	01246 345345	Derbyshire Const	0845 123 33 33
Craven DC	01756 700600	N Yorks Police	0845 60 60 247
Doncaster MBC	01302 736000	South Yorkshire Police	0114 220 2020
East Riding of Yorkshire Council	01482 393939	Humberside Police	0845 60 60 222
Hambleton DC	0845 1211555	N Yorks Police	0845 60 60 247
Harrogate BC	01423 500600	N Yorks Police	0845 60 60 247
Kingston Upon Hull City Council	01482 300300	Humberside Police	0845 60 60 222
Kirklees MBC	01484 221000	W Yorks Police	0845 60 60 606
Leeds City Council	0113 2348080	W Yorks Police	0845 60 60 606
Richmondshire DC	01748 829100	N Yorks Police	0845 60 60 247
Rotherham MBC	01709 822740	S Yorks Police	0114 220 2020
Ryedale DC	01653 600666	N Yorks Police	0845 60 60 247
Scarborough BC	Scarborough 01723 232323 Filey 01723 518013	N Yorks Police	0845 60 60 247
Selby DC	01757 705101	N Yorks Police	0845 60 60 247
Sheffield City Council	0114 2726444	S Yorks Police	0114 220 2020
Wakefield MDC	0845 8 506506	W Yorks Police	0845 60 60 606
York City Council	01904 551550	N Yorks Police	0845 60 60 247

Relevant Legislation

Anti-social Behaviour Act 2003
Children's Act 1989
Crime and Disorder Act 1998
Data Protection Act 1998
Disability Discrimination Act 1995
Domestic Violence, Crime and Victims Act 2004
Family Law Act 1996
Housing Act 1985 & 1996
Human Rights Act 1998
Local Government Act 1972, 2000, 2003
Protection from Harassment Act 1997
Race Relations Act 1976, 2002

Good Practice Organisations/Web Sites

Audit Commission	www.auditcommission.gov.uk/reports
Broken Rainbow	www.broken-rainbow.org.uk
Chartered Institute of Housing	www.cih.org
Childline	www.childline.org.uk
Co-ordinated Action Against Domestic Abuse (CAADA)	www.caada.org.uk
Elder Abuse Response Line	www.elderabuse.org.uk
Good Practice	www.Respect.gov.uk
Home Office	www.crimereduction.gov.uk www.homeoffice.gov.uk
Housing Corporation	www.housingcorp.gov.uk
Jewish Women's Aid	www.jwa.org.uk
Joseph Rowntree Foundation	www.jrf.org.uk
Mankind Initiative	www.mankind.org.uk
National Federation of Housing Associations Communities and Local Government	www.housing.org.uk www.communities.gov.uk/corporate/
Race Action Net	www.Raceactionnet.co.uk
Race Equality Network	www.raceequalitynetwork.co.uk
Respect	www.respect.uk.net
Tenant Involvement	www.tpas.org.uk
The Hideout	www.thehideout.org.uk
The Refugee Council	www.refugeecouncil.org.uk
Refuge	www.refuge.org.uk/
Respect	www.respect.uk.net
Women's Aid	www.womensaid.org.uk/