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Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”: implementation of strategic objectives and action in critical areas of concern and further actions and initiatives

Statement submitted by Northern Ireland Women’s European Platform, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



Statement

Introduction

Northern Ireland is emerging from a 40-year conflict and while it continues to move forward politically, the commitment made to women in the Belfast/Good Friday Agreement of 1988 has seen little or no progress.

The adoption and implementation of any actions in the peace process to reflect commitment to the ethos of Security Council resolution 1325 (2000) has been ignored, and the work of women before and during the peace process has been passed over.

While women in Northern Ireland continue to struggle to have an equal place in any of the new decision-making structures being created, there is a further need to recognize and address the areas where the violence perpetrated during the conflict is now manifesting.

Northern Ireland Women's European Platform is an umbrella organization representing women's groups and other interested organizations across Northern Ireland. This statement has been prepared with the expertise provided by its member organization, Women's Aid Federation Northern Ireland. Women's Aid is the lead voluntary organization in Northern Ireland addressing domestic violence and providing services for women and children.

Domestic violence

At present there are enough refuge spaces for women who are victims of domestic violence; however, many of the refuges are in need of complete refurbishment. Government funding to undertake this work is not currently available and is proving difficult to access.

Outreach services to allow women to remain in their own home are underfunded, with some areas experiencing waiting lists for women seeking to access Women's Aid services. This is a serious gap in service provision in Northern Ireland, as some of these women may be at high risk of domestic and sexual violence.

Under the "no recourse to public funds" stipulation for legal migrants, the exception for domestic violence is extremely narrowly construed and only applies to those in the country on a spousal visa. Women's Aid believes that no one should be put in a position where she are forced to remain in an abusive or violent situation against her will because of their financial situation.

Local interpretation services are not readily accessible in Northern Ireland and with the increasing number of black and minority ethnicity women, this situation impacts on their access to services.

Welfare reform could create the very real danger that changes to welfare provision by the Government will leave many victims of domestic violence in the position of being unable to leave an abusive relationship for financial reasons.

Multi-agency risk assessment conferences for high-risk victims of domestic violence have now been in place across Northern Ireland for nearly three years. These conferences are chaired by police and attended by all key agencies, including

Women's Aid, to provide safety planning for high-risk victims. We are still waiting for the introduction of independent domestic violence advisers, who are deemed to be an integral part of multi-agency risk assessment conferences and essential support for victims.

Northern Ireland does not have specialist domestic violence courts that act as a "one stop shop" to address all issues arising from a domestic violence situation. A pilot "listings arrangement" is taking place in the Derry Court; however, this court is not a full domestic violence specialist court. Under the current system, cases are heard by the criminal courts and family courts separately. As a consequence, there are considerable delays, and victims of domestic violence may be forced to enter into mediation, or allow perpetrators to have contact with their children, by a court that is not sufficiently aware of the domestic violence situation within the family. This not only endangers victims and forces them to undergo the unnecessary trauma of engaging with their abusers, but also raises concerns about the welfare of children in the court system.

Issues remain about the inconsistency and leniency of sentences passed in respect of domestic violence offences in different courts, under different judges.

Preventative education for girls and boys to help build resilience and understanding of healthy, unhealthy and abusive relationships is not mandatory in all schools.

Sexual violence

Prosecution rates for sexual violence remain disgracefully low.

The new Sexual Abuse Referral Centre, due to open in April 2013, will be a welcome step towards helping victims of sexual violence and improving prosecution rates; however, there are concerns that pathways into it and support for victims afterwards have not been adequately addressed..

It is very unlikely that independent domestic violence advisers will be in place before the Sexual Abuse Referral Centre opens. There are also issues about access to the Sexual Abuse Referral Centre for women who have to travel considerable distances to reach it, e.g., from Fermanagh.

There is still an unacceptable culture of victim-blaming. Police campaigns on how to stay safe may be useful as part of a larger campaign to lower the level of sexual violence in our society, but they must not be a replacement for targeting the perpetrators of sexual violence.

The adversarial nature of the court system in Northern Ireland does not help protect the victim and can often lead to revictimization.

There is no active and funded rape crisis centre operating in Northern Ireland, which reduces the independent support available for women and girls who are victims of sexual violence and abuse.

Trafficking

A service level agreement now exists between the Department of Justice, and Migrant Help and Women's Aid to provide support services to victims of human trafficking. However, it is essential that agencies continue to work together to

deliver a victim-centred, multi-agency response, based on best practice and human rights.

In particular, victims of trafficking from outside the European Economic Area (EEA) must be treated as victims, first and foremost, regardless of their immigration status. That they have no recourse to public funds should not be an influencing factor in how a recognized victim of trafficking is treated and supported.

Regarding the discretionary power of the United Kingdom Border Agency to rule on whether an applicant is or is not a victim of trafficking, there should be more transparency in this process and a right of appeal beyond the expensive and time-consuming judicial review route.

Counselling is only provided until the end of the 45-day period of reflection. This should be extended to at least one year, in line with the needs of victims. The 45-day period of reflection should be extended to allow the victim more time to process her ordeal.

There is currently no clear pathway to health and social care / benefits for victims of trafficking.

Merger of domestic and sexual violence strategies

Women's Aid supports the merger of the Tackling Domestic Violence Strategy and the Sexual Violence Strategy. Domestic and sexual violence are intrinsically linked, often occur side by side, and are types of violence against women and girls that can be said to result in part from gender inequality and misogyny in society.

The strategic partnership work underpinning the strategies between Government departments and agencies, e.g., the Police Service for Northern Ireland, the Probation Board Northern Ireland and voluntary organizations, is embedded and producing good results. As the full merger of the strategies will not take place until 2013, it remains to be seen how well this will work in practice and how effectively it will be delivered. A major concern remains over the lack of dedicated resources required to deliver on the combined strategy, with no ring-fenced budget attached to it by Government.

The combined strategy is gender-neutral, with no acknowledgement of the underpinning equality issues that cause violence against women. In some instances, this can create gender blindness, with a focus on increasing numbers of male victims and an insistence on treating women victims and male victims in the same manner.

Although positive action points are outlined in the strategies, their practical implementation remains incomplete in many cases. For example, although there are special measures in place for victims to give evidence in court, in reality these are not used to their full potential.

Women's Aid will be monitoring the merger of the two strategies to ensure that no key domestic violence priorities are lost or deprioritized and that the sexual violence priorities recognize the linkage to domestic violence.

Links to the conflict

It is essential that both the British and Northern Irish authorities recognize the unique position of women in Northern Ireland in a post-conflict context. For the

many years of the conflict, life in Northern Ireland and the criminal justice system were dominated by sectarian and political crime, which served to conceal hidden crimes like domestic and sexual violence even more. This was compounded by suspicion of police in certain communities and the inability to report crimes to the police.

What would help deal with this legacy?

- Continued building of rapport between police and hard-to-reach communities;
 - Inclusion of Northern Ireland in the United Kingdom commitments to Security Council resolution 1325 (2000) through its National Action Plan;
 - Dedicated research to explore the interconnection and links between the violence of the Northern Ireland conflict and violence against women.
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