

Introduction

Anyone can experience Domestic Abuse. Home Office research indicates that whilst the majority of abuse is against women it also occurs in Lesbian, Gay, Bi-sexual and Transgender relationships, in heterosexual relationships where men are abused by women and by grown up children against their parents.

Domestic Abuse is very common. It can affect anyone in their lifetimes, regardless of age, social class, race, disability or lifestyle. Certain characteristics may make someone more vulnerable to abuse, such as a physical disability, a language barrier, immigration status etc. West Lindsey District Council recognises the need to take these barriers into account when looking into Domestic Abuse and offering support services to victims and survivors.

Domestic Abuse accounts for around 1 in 10 of all reported violent crimes. In any one year there are around 2.3 million victims of Domestic Abuse in those aged 16-74, two-thirds of whom are women (Statistics taken from the Home Office, 2021).

The Domestic Abuse Act 2021 placed further duties on Local Authorities and other Partner agencies in order to protect and support victims and survivors of Domestic Abuse, it also recognised for the first time that children who witness Domestic Abuse are direct victims themselves and services must be put in place to protect them.

1. Scope

This policy aims to ensure that all residents understand Domestic Abuse and outlines West Lindsey District Council's response to Domestic Abuse for our residents.

The policy outlines how we will tackle Domestic Abuse by offering support and guidance to victims/survivors or dealing with perpetrators.

The policy relates to all West Lindsey residents.

2. Aim of the policy

West Lindsey District Council believes that Domestic Abuse is unacceptable and will not be tolerated.

The Domestic Abuse policy will help us to meet our corporate aims of improving wellbeing across the district, creating strong, resilient communities and promoting positive life choices for disadvantaged residents and putting our customers at the centre of everything we do.

West Lindsey District Council aims to:

- Increase awareness and understanding of Domestic Abuse amongst our residents and staff
- Improve the safety and well-being of adults and children who are affected
- Improve our response to Domestic Abuse
- Offer assistance to residents regardless of their background
- Hold perpetrators of abuse to account for their actions
- Encourage and maintain multi-agency working to ensure a seamless service to victims/ survivors and their children and families
- Ensure that staff have regular training relevant to their roles and that good practice is shared with staff and customers as part of ongoing learning
- Update processes to fall in line with any new legislation

- Monitor and review Domestic Abuse cases to ensure good practice is followed and positive outcomes are achieved.

3. Key terms and definitions

Domestic Abuse is a serious social and criminal problem that has significant human and financial consequences for individuals, families and communities.

"Definition of "Domestic Abuse" as per the 2021 Domestic Abuse Act

- (1) This section defines "Domestic Abuse" for the purposes of this Act.
- (2) Behaviour of a person ("A") towards another person ("B") is "Domestic Abuse" if—
 - (a) A and B are each aged 16 or over and are personally connected to each other, and
 - (b) the behaviour is abusive.
- (3) Behaviour is "abusive" if it consists of any of the following—
 - (a) physical or sexual abuse;
 - (b) violent or threatening behaviour
 - (c) controlling or coercive behaviour;
 - (d) economic abuse (see subsection (4));
 - (e) psychological, emotional or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.
- (4) **"Economic Abuse"** means any behaviour that has a substantial adverse effect on B's ability to—
 - (a) acquire, use or maintain money or other property, or
 - (b) obtain goods or services.
- (5) For the purposes of this Act A's behaviour may be behaviour "towards" B despite the fact that it consists of conduct directed at another person (for example, B's child)."

Definition of "personally connected"

- (1) For the purposes of this Act, two people are "personally connected" to each other if any of the following applies—
 - (a) they are, or have been, married to each other.
 - (b) they are, or have been, civil partners of each other.
 - (c) they have agreed to marry one another (whether or not the agreement has been terminated);
 - (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
 - (e) they are, or have been, in an intimate personal relationship with each other.

(f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));

(g) they are relatives.

Domestic Abuse includes but is not limited to:

- Physical violence – slapping, pushing, kicking, stabbing, damage to property or items of sentimental value, attempted murder or murder
- Sexual violence – any non-consensual sexual activity including: rape, sexual assault, coercive sexual activity or refusing safe sex
- Coercive control – using a pattern of behaviour over time to exert power and control, can be used to isolate and intimidate individuals (see below)
- Emotional/ psychological abuse – intimidation, social isolation, verbal abuse, humiliation, constant criticism or enforced trivial routines
- Economic abuse – controlling/ withholding access to money or resources, stealing, depriving or taking control of money, running up debts, withholding benefits books or bank cards.
- Female Genital Mutilation – also referred to as ‘cutting’ or ‘female circumcision’.
- Tech abuse – abusive behaviour via various forms of technology, demanding access to devices, controlling access, using technology to monitor an individual.

Domestic Abuse and Disabled People

Disabled people can be abused by partners, family members and paid carers.

If you are disabled and experiencing abuse, it is common for abusers to use your impairments to control and hurt you through:

- a) Physical Abuse – deliberately ignoring your care needs, pushing you onto the floor when you are unable to get back up, hitting you when you are unable to get away or defend yourself
- b) Emotional Abuse – saying you couldn’t cope without them, saying that no one else would want you because of impairments, humiliating you because you need help to use the toilet or other basic care and failing to provide it, removing aids which help you to be independent
- c) Sexual Abuse – disabled women in particular are twice as likely to be raped or assaulted
- d) Financial Abuse – controlling your finances, taking your money without you knowing or agreeing, spending your disability benefits on themselves

Domestic Abuse and The Law

Many forms of abuse are a crime, such as, harassment, assault, criminal damage, attempted murder, rape, false imprisonment, threats to kill and more recently, controlling and coercive

behaviour and so called 'revenge porn'. Not all Domestic Abuse is criminal, but there is recourse through civil law, via injunctions and non-molestation orders, for example.

What is Coercion and Controlling Behaviour?

Coercion uses a pattern of acts like threats, intimidation, or humiliation to frighten a victim.

Controlling behaviour is a range of acts designed to make someone subordinate and dependent by isolating them, exploiting their resources, and regulating their daily life.

Controlling behaviour is often what enables coercion to be successful and makes a person subordinate and dependent.

The following types of behaviour are examples of coercive and controlling behaviour:

- isolating you from your friends and family
- controlling how much money you have and how you spend it
- monitoring your activities and your movements
- repeatedly putting you down, calling you names or telling you that you are worthless
- threatening to harm or kill you or your child
- threatening to publish information about you or to report you to the police or the authorities
- damaging your property or household goods
- forcing you to take part in criminal activity or child abuse

4. West Lindsey District Council's Policy on Domestic Abuse

West Lindsey District Council will:

- Pledge its commitment to take claims of Domestic Abuse seriously and handle any disclosures in a way that is non-judgemental and does not place the victim/ survivor at greater risk.
- Whilst recognising that Domestic Abuse disproportionately affects women and girls, assist victims/ survivors irrespective of gender, sexuality, age, disability, ethnicity, religion, social background and any other protected characteristic defined within the Equality Act 2010, responding in an anti discriminatory manner.
- Ensure those affected by Domestic Abuse are provided with assistance and protection, including temporary accommodation if it is appropriate.
- Refer victims/ survivors to our in-house teams who are able to work with partners to manage their safety and accommodation needs.
- Ensure that customers are made aware of how to report Domestic Abuse by regularly updating our website and sending out messages on our social media

- Work with Partners to ensure the best outcome for those suffering Domestic Abuse.
- Provide a supportive and enabling environment, which encourages people to report Domestic Abuse.
- Hold perpetrators accountable for their actions and take action against them where we have the power to do so
- Be victim/ survivor led, trying where possible to enable a person's choices whilst ensuring the safety of themselves and their children.
- Be open and honest around confidentiality, ensuring that victims/ survivors understand the basis on which we will be required to share relevant information with partners.
- Explore possible options for victims/ survivors of Domestic Abuse, such as added security to their homes if they wish to stay, or rehousing if they do not, ensuring that the victim/ survivor is awarded with the relevant needs to aid their move.
- Provide assistance to victims/ survivors regardless of the level of risk, understanding the importance of preventative work.
- Recognise that when people refuse support or struggle to engage with support that there are a number of reasons this may happen.

These can include:

- Fear of the abuser and/or what they will do
- Lack of experience or knowledge of other victims who have successfully left an abusive partner
- Doubt about the impact of any action taken by Police or the courts, and fear of pressure to pursue a criminal case
- Lack of knowledge/access to support services
- Lack of resources, financial or otherwise
- Fear of not being believed
- Love, loyalty, attachment towards their partner and the hope that they will change
- Feelings of shame or failure
- Pressure from family/children/friends
- Religious or cultural expectations
- Long term effects of abuse e.g. self-neglect, depression, low self esteem
- Drug and/or alcohol addiction
- Anticipated impact on children, or fear of losing contact with children/other relatives/friends
- Fear of being stigmatized
- Fear of moving out of the area and changing the environment for any children within the family

Service Provision

Victims and Survivors of Domestic Abuse can expect:

- To speak to a member of staff in a private and safe environment and via an agreed safe contact method.
- An assessment of risk will be completed (DASH) where possible
- To be listened to and empowered to make their own decisions, whilst focussing on the safety of the person and their children.
- The option to receive assistance, where possible, from a member of staff of a specific gender.
- An independent signer or interpreter to be present at appointments if required.
- An agreed action plan to meet the needs of the victim/ survivor which will be reviewed with them at regular intervals.
- Signposting to an appropriate specialist Domestic Abuse support service if this is required.
- Help to improve security at home if the victim/ survivor wishes to remain in their property or assistance with moving.

Confidentiality and Data Protection

West Lindsey District Council will not divulge information, without the consent of the person experiencing Domestic Abuse, unless required to do so by law or unless the information is necessary to protect a child or an adult at risk.

West Lindsey District Council will ensure that it treats personal information lawfully and correctly. To this end West Lindsey District Council fully endorses and adheres to the Principles of Data Protection as set out in the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) and the Data Protection Act 2018 ('Data Protection Law').

Partnerships

Domestic Abuse is very complex. People involved may have disabilities, mental health problems, drug and alcohol dependency or additional needs. It is essential to work with other agencies who have the necessary expertise.

West Lindsey District Council is part of the Lincolnshire Domestic Abuse Partnership that includes representatives from Lincolnshire Police, Lincolnshire Community Health Services, the Probation Service, Public health, Victim Support and other local authorities and delivers the Lincolnshire Domestic Abuse Strategy

<https://professionals.lincolnshire.gov.uk/downloads/file/2140/lincolnshire-domestic-abuse-strategy-2021-2024>

Contacts

West Lindsey District Council will signpost external sources of help and support to employees and managers including information on:

- The Refuge Website <https://www.refuge.org.uk/>
- Respect <https://www.respect.uk.net/>, lead on the development of safe, effective work with perpetrators, male victims, and young people using violence in their close relationships.
- the National Domestic Abuse Helpline <https://www.nationaldahelpline.org.uk/> which provides advice for those experiencing Domestic Abuse
- The Lincolnshire Domestic Abuse Specialist Service - <https://ldass.org.uk/>

Domestic Abuse and Rehousing

West Lindsey District Council assists victims/ survivors of Domestic Abuse by awarding a priority need for rehousing through the Allocations Policy and will also take a homeless application from anyone suffering Domestic Abuse who is considered at risk in their home.

Under the Domestic Abuse Act 2021, a homeless or threatened with homeless applicant who has experienced Domestic Abuse will be in priority need under the homelessness legislation. Alternative temporary accommodation will be made available when needed to keep the applicant or their family members safe.

Victims/ survivors can approach any Local Authority for assistance without the need for a local connection if it is unsafe for the applicant or household member to remain in their home area. In these circumstances, under homelessness legislation, they will not be referred to an area where they or a member of their household would be at risk of harm.

Conversely, those who perpetrate Domestic Abuse may be deemed unsuitable for acceptance on to the housing register due to unacceptable behaviour towards others.

5. Equality and Diversity

The Council will take into account our statutory duty to promote equality and the Council's Corporate Equality Scheme when making decisions. When making any assessments or decisions on whether or not to recommend any particular course of action, the Council will

strive to ensure that no person experience discrimination or is disadvantaged because of disability, race or national origin, gender, religion or belief, sexual orientation or age.

6. Feedback on our service

The Council encourages and welcomes feedback on its services. If you wish to provide feedback you can do so by visiting: www.westlindsey.gov.uk/feedback

7. Review of the policy

This policy will be reviewed on a bi-annual basis or as required by any legislative changes.

8. Related Documents

Customer Charter – Homelessness and Housing advice - <https://www.westlindsey.gov.uk/sites/default/files/2024-04/West%20Lindsey%20Homelessness%20Customer%20charter%202024.pdf>

Lincolnshire Preventing Domestic Abuse Strategy - <https://professionals.lincolnshire.gov.uk/downloads/file/2140/lincolnshire-domestic-abuse-strategy-2021-2024>

Homelessness Reduction Act 2017 - <https://www.legislation.gov.uk/ukpga/2017/13/contents>

Domestic Abuse Act 2021 <https://www.legislation.gov.uk/ukpga/2021/17/contents>