



June 14th, 2023

Notice Of Meeting

You are requested to attend the meeting to be held on Thursday, 15th June 2023 at 6:00 pm in Microsoft Teams & Downshire Civic Centre.

Committee Membership 2023 - 2024

Councillor L McEvoy **Chairperson**

Councillor C Enright **Deputy Chairperson**

Councillor J Brennan

Councillor P Byrne

Councillor O Hanlon

Councillor R Howell

Councillor T Kelly

Councillor A Lewis

Councillor D McAteer

Councillor A Mathers

Councillor S O'Hare

Councillor A Quinn

Councillor H Reilly

Councillor G Sharvin

Councillor D Taylor

Agenda


1.0 Apologies

Mrs Marie Ward

Mr Conor Mallon


2.0 Declarations of Interest

3.0 Action Sheet arising from SPR Committee Meeting held on 16 March 2023

 *Draft SPR-Action Sheet arising from 16 March 2023_ (002) (002).pdf* *Not included*

4.0 SPR Committee Terms of Reference.

 *SPR Report - SPR Committee Terms of Reference 2023 - 2027.pdf* *Not included*

 *ToR SPR Committee (Final approved SPR June 2023).pdf* *Not included*

5.0 To agree start times for SPR Committee Meetings 2023-2024.

 *To agree start times for SPR Committee Meetings 2023-2024..pdf* *Not included*

Notices of Motion

6.0 Notice of Motion: Mourne Gateway Project




The following Notice of Motion submitted by Cllr McMurray was referred to SPR committee at the Council Meeting on 3rd April 2023

“This Council notes with concern the continued lack of clarity, as well as increasing public opposition, regarding the Visitor Centre located at Thomas’ Mountain and ‘Gondola’ elements of the Mourne Gateway Project. Stakeholder events and information sessions fall short of a full public consultation for a project of this financial, environmental and economic magnitude. Council will; pause the progression of this project until explicit consent from the landowner is acquired, commission a full public consultation on the project open to all residents within the district including open and transparent stakeholder engagement, actively investigate and develop alternatives to the Gondola and Thomas’ Mountain Visitor Centre elements – alternatives which will both meet the funding criteria while enhancing this Area of Outstanding Natural Beauty.”

 *SPR June 2023 - NoM - MMGP - vf.pdf* *Not included*

For Consideration and/or Decision





7.0 Revised Access to Information Policy and Procedure

- | | |
|---|---------------------|
|  <i>SPRC ATIPP Report.pdf</i> | <i>Not included</i> |
|  <i>DRAFT Access to Info Policy.pdf</i> | <i>Not included</i> |
|  <i>DRAFT Access to Info Procedure.pdf</i> | <i>Not included</i> |






8.0 Revised Conflicts of Interest Policy and Procedure

- | | |
|--|---------------------|
|  <i>SPRC COI Report.pdf</i> | <i>Not included</i> |
|  <i>DRAFT Conflict of Interest Policy and Procedures V0.7.pdf</i> | <i>Not included</i> |

9.0 Performance Improvement Plan 2023-24

- | | |
|---|---------------------|
|  <i>SPR Cover Report PIP 2023-24.pdf</i> | <i>Not included</i> |
|  <i>Appendix 1 - Performance Improvement Plan 2023-24.pdf</i> | <i>Not included</i> |
|  <i>Appendix 2 - Consultation and Engagement Report 2023-24_.pdf</i> | <i>Not included</i> |
|  <i>Appendix 3 - Objective Delivery Plans 2023-24.pdf</i> | <i>Not included</i> |

10.0 Directorate Business Plans

- | | |
|--|---------------------|
|  <i>SPR Cover Report Directorate Business Plans.pdf</i> | <i>Not included</i> |
|  <i>Appendix 1 - Chief Executive's Annual Assessment Business Plan 2022-23.pdf</i> | <i>Not included</i> |
|  <i>Appendix 2 - Corporate Services Directorate Annual Assessment Business Plan 2022-23.pdf</i> | <i>Not included</i> |
|  <i>Appendix 3 - Chief Executive's Business Plan 2023-24.pdf</i> | <i>Not included</i> |
|  <i>Appendix 4 - Corporate Services Directorate Business Plan 2023-24.pdf</i> | <i>Not included</i> |


Items deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014

11.0 Renewal of Lease of Office at Down Arts Centre

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person

and the public may, by resolution, be excluded during this item of business.

 ***SPR Report - 15 June 23 -Lease at Down Arts Centre.pdf*** ***Not included***

 ***Map for Lease at Down Arts Centre (DDC048-B-1-10).pdf*** ***Not included***

12.0 Extension to area leased at Dungormley Estate, Newtownhamilton

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

 ***SPR Report - 15 June 23 -Lands at Dungormley Estate Newtownhamilton.pdf*** ***Not included***

 ***Footpath at Dungormley Estate Newtownhamilton.pdf*** ***Not included***

13.0 Request to lease lands at Bunkers Hill, Castlewellan

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

 ***SPR Report - 15 June 2023 - Lands at Bunkers Hill.pdf*** ***Not included***

 ***Map Of Lands at Bunker's Hill (DDC031-G-1-00).pdf*** ***Not included***

14.0 Surrender of Lease of pitch at Carrigenagh Road Playing Fields, Kilkeel


This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

 ***Report SPR 15 June 23 - Surrender of Lease at Carrigenagh Road Playing Fields Kilkeel.pdf*** ***Not included***

 ***Map SPR Valley Rangers FC.pdf*** ***Not included***

15.0 Proposed Lease of Saintfield Community Centre


This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

 ***Report SPR - Saintfield Community Association - 15 June 23.pdf*** ***Not included***

16.0 Request to dispose of strip of land at Saintfield Community Centre

This item is deemed to be exempt under paragraph one of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to any individual and the public may, by resolution, be excluded during this item of business.

 ***SPR Report - Proposed sale of lands at Saintfield CC 15 June 23.pdf*** ***Not included***

 ***Map of Lands at Saintfield Community Centre.pdf*** ***Not included***

17.0 Request to lease lands at Killough Playing Fields, Killough

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

 ***SPR Report - 15 June 2023 - Killough Playing Fields.pdf*** ***Not included***

 ***Map for Report SPR -15 June 2023- Killough Playing Fields.pdf*** ***Not included***

18.0 Request for Wayleave at Slieve Gullion Forest Park

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

 ***SPR Report - 15 June 23 - Wayleave at Slieve Gullion.pdf*** ***Not included***

 ***Wayleave and Maps Slieve Gullion - SPR 15June 2023.pdf*** ***Not included***

19.0 Lease of The Old Gasworks Site, Newry

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

 ***Report SPR 15 June 23 - Unit known as former Gasworks Site Newry.pdf*** ***Not included***

 ***Map of Old Gasworks Site Newry (NM419-G-1-00).pdf*** ***Not included***

20.0 Renewal of Licence for portacabin at Shandon Park, Newry

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

 ***SPR Report - 15 June 23 -Licence for Portacabin at Shandon Park.pdf*** ***Not included***

21.0 Lease of Ballynahinch Market House

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

22.0 Renewal of Licences at Crossmaglen Community Centre

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

23.0 Civil Engineering Minor Works Framework Procurement

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.



24.0 NCCR – BRCD Approval of Public Realm Design Fees

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person and the public may, by resolution, be excluded during this item of business.

25.0 Provision of Internal Audit Services 2023-2027

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this






item of business.

| | |
|--|---------------------|
|  <i>Provision of Internal Audit Services 2023-2027 new.pdf</i> | <i>Not included</i> |
|  <i>Appendix 1 - Approved Business Case - IA Provsion 2023-2027.pdf</i> | <i>Not included</i> |

FOR NOTING Items deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014






26.0 DfC Budget 2023/24 – Consultation Responses

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business

| | |
|---|---------------------|
|  <i>DfC Consultation new.pdf</i> | <i>Not included</i> |
|  <i>Appendix 1 - 2023 Draft Budget - Letter from Perm Sec to SOLACE Chair - Rates Support Grant - 9 May 2023.pdf</i> | <i>Not included</i> |
|  <i>Appendix 2 - LMP - Proposed pause of funding.pdf</i> | <i>Not included</i> |
|  <i>Appendix 3 - NMDDC EQIA Response - RSG.pdf</i> | <i>Not included</i> |
|  <i>Appendix 4 - NMDDC EQIA Response - LMP.pdf</i> | <i>Not included</i> |

27.0 Year End Management Accounts – 2022/23

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

| | |
|---|---------------------|
|  <i>Management Accounts 202223 final.pdf</i> | <i>Not included</i> |
|  <i>Appendix 1 - Mgt Accs by Directorate for period ending 31 March 2023.pdf</i> | <i>Not included</i> |
|  <i>Appendix 2 - Mgt Acs by Assistant Directorate for period ending 31 March 2023.pdf</i> | <i>Not included</i> |
|  <i>Appendix 3 - Management Accounts By Expense Code for Period Ending 31 March 2023.pdf</i> | <i>Not included</i> |
|  <i>Appendix 4 - Payroll Report at 31 March 2023.pdf</i> | <i>Not included</i> |

28.0 2022/23 FOI/EIR/DP/RM monitoring statistics

- [!\[\]\(9063468a59e93f469b71000ac5796bc3_img.jpg\) *Compliance Team 2022-23 Year End Report.pdf*](#) *Page 1*

- [!\[\]\(1db6320223680ab4bd04b0d269ab6c8a_img.jpg\) *FOI-EIR- DP 2022-23 Stats.pdf*](#) *Page 4*

- [!\[\]\(cd69309a3e813d8c682e56d54a0f4a01_img.jpg\) *RM 2022-23.pdf*](#) *Page 5*

29.0 Annual report for the period 1 April 2022 – 31 March 2023 on requests related to naming Council facilities, planting trees and to locate artworks/sculptures on Council property.

- [!\[\]\(48a7667d09d5a06397e047ee4537bb6f_img.jpg\) *Annual report for the period 1 April 2022 31 March 2023 on requests related to naming Council facilities planting trees and to locate artworks sculptures on C.pdf*](#) *Page 6*

30.0 Statutory reporting – Rural Needs Annual Monitoring Report for period 1 April 2022 – 31 March 2023

- [!\[\]\(750841ae7100dc832cb0a4b3af4492f3_img.jpg\) *Statutory reporting - Rural Needs Annual Monitoring Report for period 1 April 2022-31 March 2023.pdf*](#) *Page 10*

- [!\[\]\(78e449f8a1164b81ecbd00cd97498e27_img.jpg\) *Appendix I - NMDDC Rural Needs Annual Monitoring Report for period 1 April 2022 to 31 March 2023.pdf*](#) *Page 13*

31.0 Statutory reporting - Section 75 Policy Screening Report – Quarterly Report for period January – March 2023

- [!\[\]\(0f48f43ebd21f231a458c96216dbf4d1_img.jpg\) *Statutory reporting - Section 75 Policy Screening Report Quarterly Report for period January March 2023.pdf*](#) *Page 19*

- [!\[\]\(ba0878532603d6e0b20c60ffb7475d12_img.jpg\) *Appendix I - Section 75 Policy Screening Report Quarterly Report for period January March 2023.pdf*](#) *Page 22*

32.0 Digital Communications and Marketing Activity Report – Local Council Elections Count, 19 & 20 May 2023

- [!\[\]\(4decd7f4d36b8b21e9f05326cc7983ef_img.jpg\) *31 15.06.23 Digital Communications and Marketing Activity Report LC Elections 2023 agenda item.pdf*](#) *Page 24*

- [!\[\]\(c3e0af516d5b5e8e8267fd350d6c692b_img.jpg\) *31 15.06.23 Appendix I LC Elections 2023 Facebook Analytics Report.pdf*](#) *Page 27*

- [!\[\]\(ad3940efc458c16a00757f90b2b0f20a_img.jpg\) *31 15.06.23 Appendix II LCElections 2023 Twitter Analytics Report.pdf*](#) *Page 28*

33.0 The Department of Health and Department of Justice draft

Domestic and Sexual Abuse Strategy 2023 – 2030 and associated Equality and Human Rights Screening


 *SPRC Report Consultation Draft Domestic Sexual Abuse Strategy 2023-30.pdf* *Page 29*

 *Appendix 1 Consultation Response Draft Domestic Sexual Abuse Strategy 2023-30.pdf* *Page 32*

 *Appendix 2 Draft Domestic Sexual Abuse Strategy 2023-30.pdf* *Page 44*

34.0 The Department of Justice consultation on Forms of Evidence of Domestic Abuse that should Trigger an Automatic Prohibition on cross-examination in person in family proceedings and associated Equality and Human Rights Screening.

 *SPRC Report Consultation Reponse -Evidence of Domestic Abuse in Family Courts.pdf* *Page 82*

 *Appendix 1 Draft Consultation Response- Evidence of Domestic Abuse for Family Courts.pdf* *Page 85*

 *Appendix 2 Consultation on Evidence of Domestic Abuse for Family Courts.pdf* *Page 96*

 *Appendix 3 Specified Evidence Equality Screening Form (2).pdf* *Page 112*

 *Appendix 4 Rural Needs Impact Assessment Screening Form.pdf* *Page 133*

35.0 Minutes of Mournes Gateway Project - Project Board Meeting held on Friday 3rd March 2023,

 *Minutes of Mournes Gateway Project - Project Board Mtg 03.03.2023 (Final).pdf* *Page 142*

36.0 Minutes of Newry City Centre Regeneration Programme Board Meeting held on Thursday 23rd March 2023

 *Minutes of Newry City Centre Regeneration Programme Board Mtg 23.03.2023.pdf* *Page 147*

Invitees

- Cllr Terry Andrews
-
- Cllr Callum Bowsie
-
- Mr Caolain Boyd
-
- Cllr Jim Brennan
-
- Cllr Pete Byrne
-
- Mr Gerard Byrne
-
- Cllr Philip Campbell
-
- Mr Andrew Cassells
-
- Cllr William Clarke
-
- Mrs Linda Cummins
-
- Cllr Laura Devlin
-
- Ms Louise Dillon
-
- Cllr Cadogan Enright
-
- Cllr Doire Finn
-
- Cllr Aoife Finnegan
-
- Ms Joanne Fleming
-
- Cllr Conor Galbraith
-
- Cllr Mark Gibbons
-
- Cllr Oonagh Hanlon
-
- Cllr Glyn Hanna
-
- Cllr Valerie Harte
-
- Cllr Roisin Howell
-
- Cllr Jonathan Jackson
-
- Cllr Geraldine Kearns
-
- Mrs Josephine Kelly
-
- Cllr Tierna Kelly
-
- Mrs Sheila Kieran
-
- Cllr Cathal King
-
- Cllr Mickey Larkin
-
- Cllr David Lee-Surginor
-
- Cllr Alan Lewis
-
- Cllr Oonagh Magennis
-
- Mr Conor Mallon
-
- Cllr Aidan Mathers
-
- Cllr Declan McAteer
-
- Cllr Leeanne McEvoy
-
- Cllr Andrew McMurray
-
- Catrina Miskelly
-
- Mr Colin Moffett
-
- Cllr Declan Murphy
-
- Cllr Kate Murphy
-
- Cllr Selina Murphy
-

Cllr Siobhan O'Hare
.....
Mr Andy Patterson
.....
Cllr Áine Quinn
.....
Cllr Henry Reilly
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Cllr Michael Rice
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Ms Alison Robb
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Mr Peter Rooney
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Cllr Michael Ruane
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Cllr Michael Savage
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Cllr Gareth Sharvin
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Donna Starkey
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Sarah Taggart
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Cllr David Taylor
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Cllr Jarlath Tinnelly
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Cllr Jill Truesdale
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Mrs Marie Ward
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| | |
|---|---|
| Report to: | Strategy, Policy and Resources Committee |
| Date of Meeting: | 15 June 2023 |
| Subject: | 2022/23 FOI/EIR/DP/RM monitoring statistics |
| Reporting Officer (Including Job Title): | Edel Cosgrove Head of Compliance |
| Contact Officer (Including Job Title): | Alison Robb Assistant Director Corporate Services (Administration) |

Confirm how this Report should be treated by placing an x in either:-

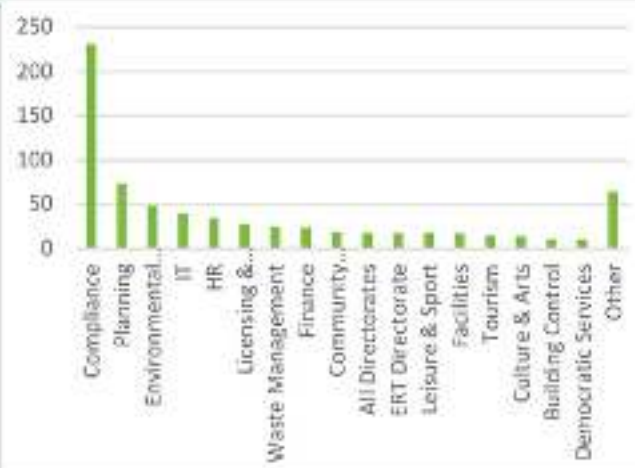
| | For decision | For noting only | X |
|------------|--|-----------------|---|
| 1.0 | Purpose and Background | | |
| 1.1 | The purpose of this paper is to present the monitoring statistics for the period 1 April 2022 – 31 March 2023 in relation to the: <ul style="list-style-type: none"> 709 requests for information (RFI) received to Council and processed under either the Freedom of Information Act (FOIA) 2000, Environmental Information Regulations (EIR) 2004, Data Protection Act (DPA) 2018 and General Data Protection Regulation (GDPR) 2018; and Internal Records Management project. | | |
| 1.2 | 22 Breach Reviews are also included within the 709 count for FOI/EIR/DP RFI. Breach reviews are conducted in line with Council's Breach Management Plan. They ascertain if there has been a breach in Data Protection, capture learning to enhance compliance of the legislation and whether Council needs to inform the Information Commissioner's Office (ICO). Details of each individual breach are reported in the Corporate Services Quarterly Assurance Statement under the section risks realised. | | |
| 1.3 | Analysis for FOI/EIR/DP RFI commenced in the 2018/19 financial year. 2020/21 was the first year we reported progress on our Records Management work. See section 8 for background information. | | |
| 2.0 | Key issues | | |
| 2.1 | The collection and reporting of this information will enable Council to establish trends in requests for information and records management, allocate resource and determine staff training needs. | | |
| 3.0 | Recommendations | | |
| 3.1 | Councillors are asked to note the monitoring statistics. | | |
| 4.0 | Resource implications | | |
| 4.1 | None. | | |
| 5.0 | Due regard to equality of opportunity and regard to good relations (complete the relevant sections) | | |
| 5.1 | <i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i> | | |

| | |
|-----|---|
| | It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/> |
| 5.2 | <p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p> |
| 5.3 | <p><i>Proposal initiating consultation</i></p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i></p> |
| 6.0 | Due regard to Rural Needs (please tick all that apply) |
| 6.1 | <p>Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input type="checkbox"/></p> |
| | N/A |
| 7.0 | Appendices |
| | FOI/EIR/DP and Records Management monitoring statistics. |
| 8.0 | Background Documents |

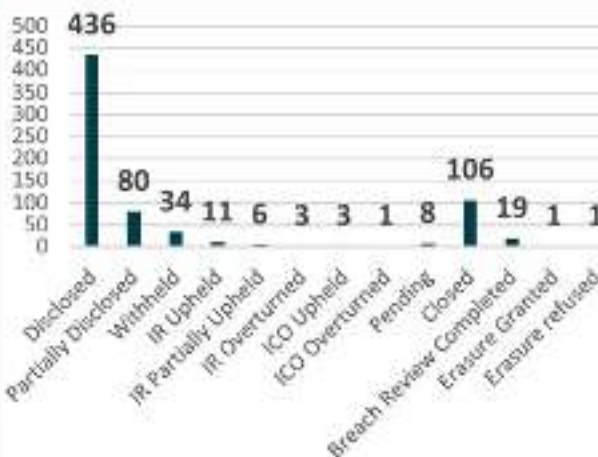
| | |
|--|--|
| | <p>Access to Information Policy and Procedure (presented to the Committee on 13 June 2019, pages 220 – 252).</p> <p>A copy of the 2018/19 statistics was presented to the Committee on 13 June 2019 (page 219)</p> <p>2019/20 statistics on 11 June 2020 (page 234).</p> <p>2020/21 statistics on 13 May 2021 (page 45), commencing collecting Records Management statistics.</p> <p>2021/22 statistics on 12 May 2022 (page 65)</p> |
|--|--|



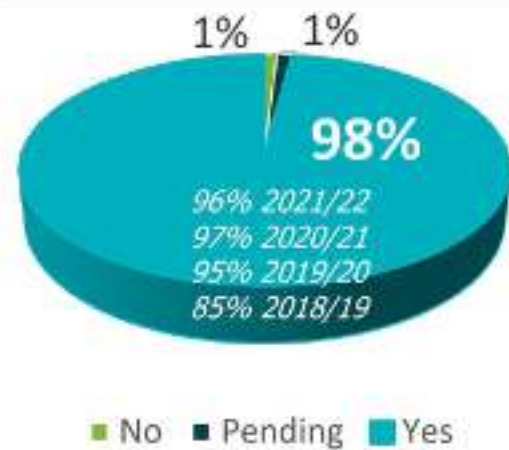
Number of annual requests for information from 1 April – 31 March 2023 per quarter.



Number of requests for information from 1 April – 31 March 2023 per lead Department.



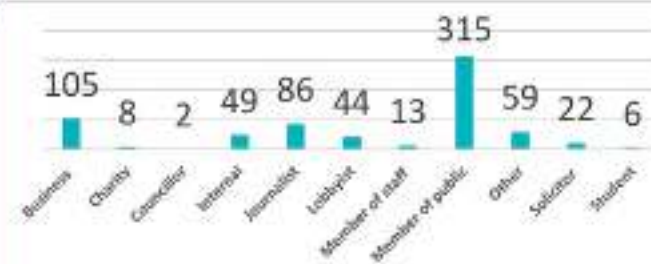
Decisions on the number of requests for information from 1 April – 31 March 2023.



Percentage of requests for information from 1 April – 31 March 2023 responded within the deadline.

Most common reasons for withholding information:

- Personal information of a third party
- Information already publicly available
- Manifestly unreasonable



Type of Requester from 1 April 2020 – 31 March 2023

280
FOI

280
EIR

123
DP

Number of requests for information from 1 April – 31 March 2023 per regime.

Number of Data Breach reviews conducted from 1 April – 31 March 2023.

22



Number of ICO decisions from 1 April – 31 March 2023:

4

See decisions results above

Annual comparison on Confidential Waste Disposal:

| Year | Collections | Cost | Weight (approx.) | Trees Saved |
|---------|-------------|------------|------------------|-------------|
| 2019/20 | 35 | £10,500.43 | 7200 kg | 119* |
| 2020/21 | 8 | £40.00 | 13000 kg | 221 |
| 2021/22 | 7 | £518.06 | 7200 kg | 122.75* |
| 2022/23 | 12 | £,1467.50 | 25345 kg | 436 |

**Although the same weight, the difference in figures is due to different calculations applied*

The percentage saving based on the estimated cost of the ShredIt by the KG weight disposed:

| | |
|-------------------------|--|
| Great White Destruction | £1,467.50 |
| ShredIt | £39,962.97 (estimate based on 2019/20 charges) |
| % saving | 96% |

Recycling 25,345kg of paper saves around 35.5 million litres of oil and 672 million litres of water¹

25,345kg of paper waste is the equivalent of 5 billion sheets of A4 paper – that’s as tall as a 40 story building²

Retention and Disposal

New Retention and Disposal Schedule approved by:

Council on 10 January 2022;

Department for Communities (DFC) 23 March 2022;

Laid before the NI Assembly 24 March 2022 and awaiting ratification;

Revised Planning R&DS approved by Council on 5 December 2022 and awaiting DFC approval



Red, Amber, Green (RAG) status on the number of Teams who have completed a records management task

¹ Esben Larsen and Karsten Bjerring Olsen - The World Counts

² University of California, Berkeley

| | |
|---------------------------|---|
| Report to: | Strategy, Policy and Resources Committee |
| Date of Meeting: | 15 June 2023 |
| Subject: | Annual report for the period 1 April 2022 – 31 March 2023 on requests related to naming Council facilities, planting trees and to locate artworks/sculptures on Council property. |
| Reporting Officer: | Colin Moffett, Assistant Director Corporate Planning and Policy (Acting) |
| Contact Officers: | Suzanne Rice, Corporate Policy & Equality Officer |

Confirm how this Report should be treated by placing an x in either:-

| | | |
|---------------------|------------------------|----------|
| For decision | For noting only | X |
|---------------------|------------------------|----------|

| 1.0 | Purpose and Background | | | | | | | | | | | | | | | | |
|------------|---|--|-----------------|-------------------|----------|---|--|--|----------|---|--|---|----------|---|--|-----------------------------------|----------|
| 1.1 | <p>Requests related to naming Council facilities, planting trees and to locate artworks/sculptures on Council property fall within the scope of the following Council policies:</p> <ul style="list-style-type: none"> • Policy on naming Council facilities • Policy on requests to plant a tree on Council property • Policy on new Artworks/Sculptures on Council property <p>Applications are administered as per each policy's specific agreed guidelines and associated procedure.</p> | | | | | | | | | | | | | | | | |
| 1.2 | During the reporting period Council received fourteen applications; eight related to the policy on naming Council facilities, three related to the policy on requests to plant a tree on Council property and three related to the policy on new Artworks/Sculptures on Council property. | | | | | | | | | | | | | | | | |
| 1.3 | <p>The following table sets out details related to the applications received during the period 1 April 2022 to 31 March 2023:</p> <table border="1"> <thead> <tr> <th>Applicant</th> <th>Relevant Policy</th> <th>Detail of request</th> <th>Decision</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Policy on requests to plant a tree on Council property</td> <td>To provide 2000 trees to be planted across the council district.</td> <td>Approved</td> </tr> <tr> <td>2</td> <td>Policy on requests to plant a tree on Council property</td> <td>Request to plant trees at Norman Brown Park</td> <td>Approved</td> </tr> <tr> <td>3</td> <td>Policy on requests to plant a tree on Council property</td> <td>To plant a tree in Kilbroney Park</td> <td>Approved</td> </tr> </tbody> </table> | Applicant | Relevant Policy | Detail of request | Decision | 1 | Policy on requests to plant a tree on Council property | To provide 2000 trees to be planted across the council district. | Approved | 2 | Policy on requests to plant a tree on Council property | Request to plant trees at Norman Brown Park | Approved | 3 | Policy on requests to plant a tree on Council property | To plant a tree in Kilbroney Park | Approved |
| Applicant | Relevant Policy | Detail of request | Decision | | | | | | | | | | | | | | |
| 1 | Policy on requests to plant a tree on Council property | To provide 2000 trees to be planted across the council district. | Approved | | | | | | | | | | | | | | |
| 2 | Policy on requests to plant a tree on Council property | Request to plant trees at Norman Brown Park | Approved | | | | | | | | | | | | | | |
| 3 | Policy on requests to plant a tree on Council property | To plant a tree in Kilbroney Park | Approved | | | | | | | | | | | | | | |

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| 4 | Policy on naming Council facilities | To name walking trail An Chraobh Forest Community Trail | Approved |
| 5 | Policy on naming Council facilities | To locate a bench at the entrance to Fair Green Ballynahinch | Approved |
| 6 | Policy on naming Council facilities | To inscribe two granite benches in The Square, Rostrevor | Approved |
| 7 | Policy on naming Council facilities | To locate a 'chatty bench' at Market Square, Ballynahinch | Approved |
| 8 | Policy on naming Council facilities | To locate Chatty Benches across the district | Approved |
| 9 | Policy on naming Council facilities | To place an information panel acknowledging Charlie Smyth's significant contribution to the arts within the upgraded Newry Town Hall. | Approved |
| 10 | Policy on naming Council facilities | To locate a bench and plaque at the Greenway, Newry. | Request was refused. <ul style="list-style-type: none"> Section 4.2 of the Council's Policy on Naming Facilities, Council does not accept requests to memorialise a deceased person (or family) on Council property. |
| 11 | Policy on naming Council facilities | To rename Marine Parade, Warrenpoint as Biden Place/Boulevard | Applicant was advised that this request falls under Council's Development Naming, Postal Numbering and Erection of Nameplates Policy and was redirected to relevant department. |
| 12 | Policy on new Artworks/Sculptures on Council property | To locate a statue to Pat Jennings on Council property | Approved. However, applicant has since identified a preferred site for the statute which is not Council property. |
| 13 | Policy on new Artworks/Sculptures on Council property | To locate an artwork on Killean bus shelter | Approved |
| 14 | Policy on new Artworks/Sculptures on Council property | To place an artwork of Tom Dunn in The Square, Rostrevor | Approved |

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| 2.0 | Key issues |
| 2.1 | No issues have been identified. |
| 3.0 | Recommendations |
| 3.1 | Members are asked to note Annual report for the 1 April 2022 – 31 March 2023 period on requests related to naming Council facilities, plant trees and locate artworks/sculptures on Council property. |
| 4.0 | Resource implications |
| 4.1 | No financial or resources implications. |
| 5.0 | Due regard to equality of opportunity and regard to good relations (complete the relevant sections) |
| 5.1 | <p><i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i></p> <p>It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/></p> |
| 5.2 | <p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p> |
| 5.3 | <p><i>Proposal initiating consultation</i></p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i></p> |
| 6.0 | Due regard to Rural Needs (please tick all that apply) |

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| 6.1 | <p>Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input type="checkbox"/></p> |
| 7.0 | Appendices |
| | N/A |
| 8.0 | Background Documents |
| | N/A |

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|---------------------------|--|
| Report to: | Strategy, Policy and Resources Committee |
| Date of Meeting: | 15 June 2023 |
| Subject: | Statutory reporting – Rural Needs Annual Monitoring Report for period 1 April 2022 – 31 March 2023 |
| Reporting Officer: | Colin Moffett, Assistant Director Corporate Planning and Policy (Acting) |
| Contact Officers: | Suzanne Rice, Corporate Policy and Equality Officer |

Confirm how this Report should be treated by placing an x in either:-

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| For decision | For noting only | X |
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| 1.0 | Purpose and Background |
| 1.1 | <p>The Rural Needs Act (NI) 2016 (the Act) became operational for government departments and district councils on 1 June 2017 and for the remaining public authorities listed on the schedule to the Act on 1 June 2018.</p> <p>In order to fulfil its statutory duty under the Act, the Department of Agriculture, Environment and Rural Affairs (DAERA) must publish a Rural Needs Annual Monitoring Report detailing the information compiled by public authorities on how they have exercised the due regard duty under section 1 (1) of the Act.</p> <p>DAERA has forwarded a note commissioning the annual returns for the period 1 April 2022 – 31 March 2023.</p> <p>DAERA have requested that completed returns be sent to rural.needs@daera-ni.gov.uk by Tuesday 20 June 2023.</p> |
| 1.2 | <p>The appendix accompanying this report, providing information related to twenty-eight rural needs impact assessments, submitted to DAERA on 30 May 2023 to meet DAERA's return deadline i.e. Annex I - Newry, Mourne and Down District Council Rural Needs Annual Monitoring Report for period 1 April 2022 – 31 March 2023.</p> <p>In advance, a draft copy of the annual return was submitted to DEARA for comment and has been returned to Council.</p> |
| 2.0 | Key issues |
| 2.1 | <p>There is a duty on public authorities to monitor and report. Under section 3(1) of the Rural Needs Act, Council must, in such manner as may be directed by the Department of Agriculture, Environment and Rural Affairs (DAERA):</p> <ul style="list-style-type: none"> • compile information on the exercise of its functions under section 1 of the Act, • include that information in the public authority's own annual report; and • send a copy of that information to DAERA. |

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| 3.0 | Recommendation |
| 3.1 | To note the completed annual return prepared and submitted to DAERA on 30 May 2023 to meet their requested deadline of 20 June 2023: <ul style="list-style-type: none"> Appendix 1 - Newry, Mourne and Down District Council Rural Needs Annual Monitoring Report for period 1 April 2022 – 31 March 2023 |
| 4.0 | Resource implications |
| 4.1 | No financial or resources implications are anticipated. |
| 5.0 | Due regard to equality of opportunity and regard to good relations (complete the relevant sections) |
| 5.1 | <p><i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i></p> <p>It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/></p> |
| 5.2 | <p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p> |
| 5.3 | <p><i>Proposal initiating consultation</i></p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i></p> |
| 6.0 | Due regard to Rural Needs (please tick all that apply) |
| 6.1 | Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service |

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| | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please complete the following: Rural Needs Impact Assessment completed <input type="checkbox"/> |
| 7.0 | Appendices |
| | Appendix I: Newry, Mourne and Down District Council Rural Needs Annual Monitoring Report for period 1 April 2022 – 31 March 2023 |
| 8.0 | Background Documents |
| | <ul style="list-style-type: none">• The Rural Needs Act (NI) 2016 |

Appendix 2 - Template for Information to be Compiled

Information to be compiled by Public Authorities under Section 3(1)(a) of the Rural Needs Act (NI) 2016.

(To be completed and included in public authorities' own annual reports and submitted to DAERA for inclusion in the Rural Needs Annual Monitoring Report).

Name of Public Authority: Newry, Mourne and Down District Council

Reporting Period: April 20 22 to March 20 23

The following information should be compiled in respect of each policy, strategy and plan which has been developed, adopted, implemented or revised and each public service which has been designed or delivered by the public authority during the reporting period.

| | | |
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| <p>Description of the activity undertaken by the public authority which is subject to section 1(1) of the Rural Needs Act (NI) 2016¹.</p> <p>Developing an agile working policy.</p> | <p>The rural policy area(s) which the activity relates to².</p> <p>Internal</p> | <p>Describe how the public authority has had due regard to rural needs when developing, adopting, implementing or revising the policy, strategy or plan or when designing or delivering the public service³.</p> <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Developing the Active and Healthy Communities Directorate Business Plan 2022-2023.</p> | <p>Cross cutting</p> | <p>When developing the Active and Healthy Business Plan consideration has been given to information provided by the Council's Evidence and Research Team in relation to the social and economic needs of people within the district. This sets out information including that related to population, multiple deprivation, access to services, economy, income and transport, housing, crime, and health and wellbeing.</p> <p>While the Active and Healthy Communities Business</p> |

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| <p>Plan details positive actions for all the community, there are some specific actions which will directly positively impact on people living in the rural areas. An example of this is the Home to Hospital volunteer driver schemes in the Slieve Gullion and The Mourne District Electoral Areas.</p> | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Developing a bulky collection service.</p> | <p>Internal</p> <p>The actions and objectives detailed with the Chief Executive's Business Plan are corporate objectives which will benefit all residents of the district regardless of where they live.</p> <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Developing the Chief Executive Directorate Business Plan 2022-2023.</p> | <p>Cross cutting</p> <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Revising the policy on complaints, comment and compliment.</p> | <p>Internal</p> <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Revising and reviewing the conflict of interest policy and associated conflict of interest procedures.</p> | <p>Internal</p> <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Developing the Corporate Services Directorate Business Plan 2022-2023.</p> | <p>Cross cutting</p> <p>The Corporate Services Business Plan details positive actions for all the community through the delivery of internal structures. However, there are some specific actions which will directly positively impact on people living in the rural areas. Capital project delivery is an objective with the Corporate Services Directorate and some of the proposed projects identified as needed will be delivered within rural areas.</p> |
| <p>Revising and reviewing the Council's Disability Action Plan 2023-2027.</p> | <p>Cross cutting</p> <p>The Council's Evidence and Research Team have provided information in relation to the social and economic needs of people within the Newry, Mourne and Down District. This sets out information including</p> |

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| | | <p>that related to population, multiple deprivation, access to services, economy, income and transport, housing, crime and health wellbeing.</p> <p>Having considered this information, there is nothing to suggest that the implementation of the Disability Action Plan will have adverse impact upon people in rural areas differently from people in urban areas. The actions detailed within the Council's Disability Action Plan 2023-2027 will have a positive impact of all residents of the district, regardless of where they live.</p> |
| Revising and reviewing the Council's Equality Action Plan 2023-2027. | Cross cutting | <p>The Action Plan recommends key areas of activity and details positive actions, positive action measures have been set out under the five principles of the Equality and Diversity in Local Councils Framework.</p> <p>There is nothing to suggest that the implementation of the Equality Action Plan 2023-2027 will have an adverse impact upon people in rural areas differently from people in urban areas.</p> |
| Developing the Irish Language Strategy 2023-2027. | Cross cutting | <p>There is nothing to suggest that the implementation of the Irish Language Strategy will have an adverse impact upon people in rural areas differently from people in urban areas.</p> |
| Developing the Digital Transformation Flexible Fund | Cross cutting | <p>Successful applicants to the fund are likely to be advantaged by it but it is an open and competitive process to which rural businesses are equally eligible to apply.</p> |
| Developing the Enterprise Regeneration and Tourism Directorate Business Plan 2022-2023. | Cross cutting | <p>The Enterprise, Regeneration and Tourism Directorate Business Plan details positive actions for all the community. However there are some specific actions which will directly positively impact on people living in the rural areas such as the delivery of the Rural Development Programme.</p> |
| Developing the fleet renewal policy. | Internal | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |

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| <p>Developing the fleet telemetry system policy.</p> | <p>Internal</p> | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Revising guidelines and associated procedure in relation to the offer and acceptance of gifts to Council.</p> | <p>Internal</p> | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Developing an ill health retirement policy.</p> | <p>Internal</p> | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Developing an interim policy on the issue/collection of wheeled bins.</p> | <p>Cross cutting</p> | <p>It is not anticipated the policy will impact on people in rural areas differently than people from urban areas.</p> |
| <p>Developing the Neighbourhood Services Directorate Business Plan 2022-2023.</p> | <p>Cross cutting</p> | <p>The Neighbourhood Services Directorate Business Plan details positive actions for all the community of the Newry, Mourne and Down District Council area regardless of where they live within the district.</p> |
| <p>Reviewing the regeneration of Newry City through investment in a theatre/conference facility.</p> | <p>Cross cutting</p> | <p>The 2021 OBC Public Consultation Survey for the Newry City Centre Regeneration programme included an opportunity to respond on rural needs. These responses related to access to parking and rural to city accessibility (access to services and transport), and balance between rural and city investment (economy).</p> |
| <p>Developing nonstandard pay provision for staff.</p> | <p>Internal</p> | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Revising and updating Council's Performance Improvement Plan 2022-2023.</p> | <p>Cross cutting</p> | <p>Progress in delivering the Performance Improvement Plan 2021-22 has informed the 'supporting actions' and 'measures of success' which underpin the 2022-23 objectives and seek to have a positive impact across all areas of the district. 'Supporting actions' have been developed to address the needs and issues which have been identified, in order to deliver positive outcomes for rural areas:</p> |

Performance Improvement Objectives 1 and 3.

- Support for community clean ups.
- Slieve Gullion Forest Park to renew 'Green Flag' status.

Some objectives are underpinned by 'supporting actions' and 'measures of success' which will have indirect positive outcomes for rural areas. For example:

- The Council has parks, open spaces and community trails in rural areas.
- Economic development programmes can be accessed by businesses and individuals in rural areas.
- Community clean ups are supported across the district, in urban and rural areas.
- The Financial Assistance Scheme can be accessed by all communities, including those from rural areas.
- The Planning Service is open to all stakeholders and customers across both urban and rural areas.

Revising and reviewing Council's performance improvement policy.

Cross cutting

Effectively mainstreaming the Performance Improvement Policy will support the implementation of key plans and strategies across the organisation, including the Corporate Plan, Performance Improvement Plan and Directorate Business Plans.

These plans are the front facing documents of the organisation and have been developed using a robust and reliable evidence base which will have considered the social and economic needs of local communities across the district, including rural areas. The Performance Improvement Policy should therefore be regarded as an enabler to support the delivery of key plans and strategies and deliver services which improve the quality of life for all residents in urban and rural areas across the district.

Revising policy and associated procedure in

Internal

No social and economic needs specific to people in rural

| | | |
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| <p>Developing and managing car parks.</p> | <p>Cross cutting</p> | <p>The Council's Evidence and Research Team have provided information in relation to the social and economic needs of people within the Newry, Mourne and Down district. This sets out information including that related to population, multiple deprivation, access to services, economy, income and transport, housing, crime, and health and wellbeing.</p> <p>Having considered this information, there is nothing to suggest that the implementation of the proposal to increase the number of car parks at which there is a parking tariff and/or a time restriction will have an adverse impact upon people in rural areas differently from people in urban areas.</p> |
| <p>Revising and reviewing the collections development policy 2022-2025.</p> | <p>Internal</p> | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Revising and reviewing Council's museum loans policy and procedures.</p> | <p>Internal</p> | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Revising the smoke free policy.</p> | <p>Internal</p> | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |
| <p>Developing a special leave policy.</p> | <p>Internal</p> | <p>No social and economic needs specific to people in rural areas were identified by the Council in relation to the policy.</p> |

NOTES

1. This information should normally be contained in section 1B of the RNIA Template completed in respect of the activity.
2. This information should normally be contained in section 2D of the RNIA Template completed in respect of the activity.
3. The information contained in sections 3D, 4A & 5B of the RNIA Template should be considered when completing this section.

| | |
|---------------------------|---|
| Report to: | Strategy, Policy and Resources Committee |
| Date of Meeting: | 15 June 2023 |
| Subject: | Statutory reporting - Section 75 Policy Screening Report – Quarterly Report for period January – March 2023 |
| Reporting Officer: | Colin Moffett, Assistant Director Corporate Planning & Policy (Acting) |
| Contact Officers: | Suzanne Rice, Corporate Policy and Equality Officer |

Confirm how this Report should be treated by placing an x in either:-

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| For decision | For noting only | X |
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| 1.0 | Purpose and Background |
| 1.1 | In line with Council's Section 75 statutory duties and commitments within our approved Equality Scheme, policy screening reports are published quarterly. The Quarterly Report for the period January – March 2023, including screening reports, is available on Council's website www.newrymouredown.org . This information has also been forwarded to all equality consultees. |
| 2.0 | Key issues |
| 2.1 | As per the Council's approved Equality Scheme: <ul style="list-style-type: none"> • All policies Council proposes to adopt must be equality screened, prior to implementation, to assess the likely impact of the policy on the promotion of equality of opportunity and/or good relations. • Council must publish quarterly reports on equality screening which are available on Council's website and forwarded to equality scheme consultees. |
| 3.0 | Recommendations |
| 3.1 | To note the Section 75 Policy Screening Report – Quarterly Report for period January – March 2023. |
| 4.0 | Resource implications |
| 4.1 | No financial or resources implications are anticipated. |
| 5.0 | Due regard to equality of opportunity and regard to good relations (complete the relevant sections) |
| 5.1 | <i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i> |

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| | It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/> |
| 5.2 | <p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p> |
| 5.3 | <p><i>Proposal initiating consultation</i></p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i></p> |
| 6.0 | Due regard to Rural Needs (please tick all that apply) |
| 6.1 | <p>Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input type="checkbox"/></p> |
| 7.0 | Appendices |
| | Appendix I: Section 75 Policy Screening Report – Quarterly Report for period January – March 2023. |
| 8.0 | Background Documents |

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| | Newry, Mourne and Down District Council Equality Scheme. |

Newry, Mourne and Down District Council Section 75 Policy Screening Report Quarterly Report January – March 2023

| Policy | Details of policy | Screening Outcome |
|--|--|------------------------------|
| Newry, Mourne and Down District Council's draft Performance Improvement Objectives 2023-24 | <p>The following five performance improvement objectives have been developed, all of which are clearly linked to the Community Plan and Corporate Plan 2021-23.</p> <ol style="list-style-type: none"> 1. We will support the health and wellbeing of local people by improving our leisure facilities and services 2. We will grow the economy by supporting local businesses and creating new jobs 3. We will improve the cleanliness of our District by addressing littering, fly tipping and dog fouling incidents 4. We will improve our sustainability and reduce our impacts in relation to climate change 5. We will improve the processing times of planning applications and enforcement cases by implementing the Planning Service Improvement Programme | No EQIA considered necessary |
| Proposal to increase the number of car parks with tariffs and / or time restriction | Following a review of car parking, in response to increased costs and matters regarding traffic management, including those related to enforcement, consideration is being given to increasing the number of car parks at which there is a parking tariff and / or a time restriction. | No EQIA considered necessary |
| Review of car parking tariffs | Following a review of car parking tariffs, in response to increased costs including those related to enforcement, consideration is being given to a proposal that the tariff be increased from 40p/hour to either 50p or 60p per hour. | No EQIA considered necessary |

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| <p>Menopause within the workplace</p> | <p>This guidance is aimed to support all employees working for the Council who may experience menopause-type symptoms.</p> <p>It is intended to raise awareness of menopause while also providing guidance for line managers and employees on how to access support/resources and reasonable adjustments.</p> | <p>No EQIA considered necessary</p> |
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| Report to: | Strategy, Policy and Resources Committee |
| Date of Meeting: | 15 June 2023 |
| Subject: | Digital Communications and Marketing Activity Report – Local Council Elections Count, 19 & 20 May 2023 |
| Reporting Officer (Including Job Title): | Veronica Keegan Assistant Director Corporate Planning and Policy (Acting) |
| Contact Officer (Including Job Title): | Patricia Murtagh Communications and Marketing Officer |

Confirm how this Report should be treated by placing an x in either:

| | | | |
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| For decision | <input type="checkbox"/> | For noting only | <input checked="" type="checkbox"/> |
|---------------------|--------------------------|------------------------|-------------------------------------|

Members are asked to note the contents of this report.

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| 1.0 | Purpose and Background |
| 1.1 | This report provides a summary of the digital communications developed and delivered during the Local Council Elections Count, 19 & 20 May 2023. |
| 2.0 | Key Issues |
| 2.1 | The Council's Communications and Marketing team brought the results live to followers on the corporate digital communications platforms via Facebook and Twitter. |
| 2.2 | With over 30,000 followers on Facebook and almost 9,500 followers on Twitter, social media provided a vital platform for all audiences to receive real-time updates from the Local Election Count Centre. |
| 2.3 | 82 posts were delivered to both Facebook and Twitter across the two-day period. |
| 2.4 | The digital insights* reported that the 164 posts reached 1.1 million users , achieving an engagement of 96,999 . (*see Appendix I and II). |
| 2.5 | The team provided continuous support to all accredited media who attended the Count Centre. A media hub was provided with a live audio feed from the Declaration Stage and PR opportunities with elected candidates were facilitated as requested. |
| 2.6 | It can be noted that BBC NI Journalists were on Industrial Action (Strike) on Friday 19 May resulting in no coverage of council election results on the first day of the Count. However, the Communications and Marketing team provided immediate updates to the BBC Digital team at each stage of the Count for reporting on their digital channels. BBC attended the Count Centre on Saturday 20 May and reported on the election results. |
| 2.7 | UTV attended on Friday 19 May and broadcast live for a short period of time. |
| 2.8 | The final results for each of the 7 District Electoral Areas (DEAs) were uploaded to the Council's website upon completion of the Count. |

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| 3.0 | Recommendations |
| | Members are asked to note the contents of the report. |
| 4.0 | Resource implications |
| 4.1 | None. Digital communications and marketing activities were developed and delivered by the Council's Communications and Marketing team. |
| 5.0 | Due regard to equality of opportunity and regard to good relations (complete the relevant sections) |
| 5.1 | <p><i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i></p> <p>It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/></p> |
| 5.2 | <p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p> |
| 5.3 | <p><i>Proposal initiating consultation</i></p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i></p> |
| 6.0 | Due regard to Rural Needs (please tick all that apply) |
| 6.1 | <p>Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input type="checkbox"/></p> |

| | |
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| 7.0 | Appendices |
| | I - Data Insights – Facebook II - Data Insights - Twitter |
| 8.0 | Background Documents |
| | N/A |

| | |
|---|--|
| Report to: | Strategy, Policy and Resources Committee |
| Date of Meeting: | 15 June 2023 |
| Subject: | The Department of Health and Department of Justice draft Domestic and Sexual Abuse Strategy 2023 – 2030 and associated Equality and Human Rights Screening |
| Reporting Officer (Including Job Title): | Gary Scott (Safeguarding Coordinator) |
| Contact Officer (Including Job Title): | Gary Scott (Safeguarding Coordinator) |

Confirm how this Report should be treated by placing an x in either:-

| | | |
|---------------------|------------------------|----------|
| For decision | For noting only | x |
|---------------------|------------------------|----------|

| | |
|------------|--|
| 1.0 | Purpose and Background |
| 1.1 | The Department of Health and the Department of Justice were consulting on the proposed regional Domestic and Sexual Abuse Strategy to cover the seven-year period from 2023 until 2030 (Appendix 2). This proposed strategy will replace the current 'Stopping Domestic and Sexual Violence and Abuse in Northern Ireland: A Seven Year Strategy March 2016' which is now in its final year. |
| 1.2 | The consultation response was due on 02 May 2023 and was an online response. |
| 1.3 | Due to the Council elections and the period of purdah, Council response was submitted directly to the Department of Justice and is therefore presented to committee for noting only. |
| 1.4 | Council response to this consultation is attached at Appendix 1. |
| 2.0 | Key issues |
| 2.1 | Council is committed to the principle that Domestic Abuse and Sexual Violence is unacceptable behaviour and everyone has the right to live free from fear and abuse. |
| 2.2 | Domestic and sexual abuse continues to have a damaging and lasting impact on the lives of adults and children right across Northern Ireland. It is prevalent in every community and affects all people regardless of age, socioeconomic status, sexual orientation, gender identity, race or religion and yet it continues to be a crime that many feel they cannot report. Tackling domestic and sexual abuse is a cross departmental priority. |
| 2.3 | This strategy sets out the strategic direction and context of departmental work of tackling Domestic and Sexual Abuse in Northern Ireland. |
| 2.4 | The vision of the draft strategy is that domestic and sexual abuse is unacceptable within our homes and across all of society so that everyone can live without fear. |
| 2.5 | <p>The overall strategic aim is to work together as partners, agencies and communities to make real, sustainable progress in tackling domestic and sexual abuse by addressing the root causes; ensuring those affected get the right support; and holding individuals who are abusive to account.</p> <p>To achieve this aim, the strategy is designed around four pillars:</p> <ul style="list-style-type: none"> • Partnership: driving change together through joint commitment, leadership and partnership working. • Prevention: preventing domestic and sexual abuse from happening by challenging the attitudes and behaviours that foster it and intervening early where possible to prevent it. |

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| | <ul style="list-style-type: none"> Support: ensuring that all victims of domestic and sexual abuse including children can access services supporting them to recover and rebuild their lives. Justice: holding individuals who are abusive to account and ensuring justice responses are effective. <p>Eight outcomes have been identified across the four pillars and key priority areas of work to deliver these outcomes are set out within the draft strategy and will be expanded on in further detail in a series of action plans that will be developed annually</p> |
| 2.6 | Council supported the strategy with no significant comment |
| 3.0 | Recommendations |
| 3.1 | Members are recommended to note the consultation response on the draft Domestic and Sexual Abuse Strategy 2023 – 2030 and Equality and Rural Needs Screening (Appendix 1) |
| 4.0 | Resource implications |
| 4.1 | There are no resource implications |
| 4.2 | Members should note responses to this consultation were submitted on-line therefore this typed word document response provided at Appendix 1 are for the purposes of this report, however, the actual response was submitted through the Department of Justice's website. |
| 5.0 | Due regard to equality of opportunity and regard to good relations (complete the relevant sections) |
| 5.1 | <p><i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i></p> <p>It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/></p> |
| 5.2 | <p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p> |
| 5.3 | <p><i>Proposal initiating consultation</i></p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input checked="" type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i></p> |

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| | Equality Impact Assessment and Rural Impact Assessment have both been completed by the Department of Health and Department of Justice and are accessible through links provided in the background documents. |
| 6.0 | Due regard to Rural Needs (please tick all that apply) |
| 6.1 | <p>Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Not Applicable to Council - completed by the Department of Health and Justice as below at 8 – links in Background Documents – Equality Impact Assessment and Rural Impact Assessment If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input type="checkbox"/></p> |
| 7.0 | Appendices |
| 7.1 | <ol style="list-style-type: none"> 1. Newry Mourne & Down District Council consultation response - The Department of Health and Department of Justice proposed Domestic and Sexual Abuse Strategy 2023 – 2030. 2. The Department of Health and Department of Justice proposed Domestic and Sexual Abuse Strategy 2023 – 2030 |
| 8.0 | Background Documents |
| | <p>The following link provides access to the following supporting documents Impact Screening Outcomes</p> <p>Full impact assessment documents for both Equality Impact Assessment and Rural Impact Assessment are available as part of the full suite of consultation documents, and can be accessed via the following links:</p> <p>DoH Domestic and Sexual Abuse Strategy consultation DoJ Domestic and Sexual Abuse Strategy consultation</p> |

Draft
Domestic and Sexual Abuse Strategy
2023-2030

Consultation Document

7 February 2023



Consultation Questions – Written Response Form

Your views are being sought on the new draft Domestic and Sexual Abuse Strategy.

As far as possible responses should be **made online through the NI Direct Citizen Space website** where the [consultation document and response form](#) can be found. This will assist for analysis purposes. Electronic or hard copy responses, using this template, should only be in exceptional circumstances.

Please submit your response online, **no later than Tuesday 2 May 2023**.

Alternatively, you can:

Phone: 028 9052 3713

E-mail: DSAStrategyConsultation@justice-ni.gov.uk

Write to: Victims Support Division

Department of Justice

Room A4.03

Castle Buildings

Stormont Estate

BELFAST

BT4 3SG

A summary of the responses to the consultation exercise will be made available on the Departmental websites in due course. This will not contain any information that would identify individual respondents.

[DoH Domestic and Sexual Abuse Strategy consultation](#)

[DoJ Domestic and Sexual Abuse Strategy consultation](#)

SECTION 1: ABOUT YOU

Question (a):

I am responding as... (Please tick one option only)

A member of the public (Do not provide your name or email address)

On behalf of an organisation – Please specify below and include your organisation's email address.

Newry Mourne and Down District Council

Gary.Scott@nmandd.org

SECTION 2: RESPONSE TO QUESTIONS ON A DOMESTIC AND SEXUAL ABUSE STRATEGY

Question 1: Is the vision of the draft strategy reflective of what we want to achieve?

Agree
(delete as applicable)

Please add any comments you wish to make in the box below

Question 2: Does the definition of domestic abuse, as outlined in the draft strategy, reflect what you understand this to mean?

Agree
(delete as applicable)

Please add any comments you wish to make in the box below

Question 3: Does the definition of sexual abuse, as outlined in the draft strategy, reflect what you understand this to mean?

Agree
(delete as applicable)

Please add any comments you wish to make in the box below

Question 4: Do you agree with the use of the four pillars in the draft strategy (Partnership, Prevention, Support and Justice) as levers for change?
During the Call for Views we proposed a fifth pillar (or workstream) to take account of the needs of different groups of victims. Having taken on board the input and

views of a wide range of stakeholders, we have concluded that the needs of different groups should not be a stand-alone or separate agenda but rather it should be a fundamental part of all of the work that we do under each pillar: Partnership, Prevention, Support and Justice.

Agree
(delete as applicable)

Please add any comments you wish to make in the box below

Question 5: Do you agree with the outcome and key priority areas identified under Pillar 1 (Partnership) and how we will know we are making a difference?

| <u>Outcome</u> | Agree | Disagree | Don't know |
|--|--|--------------------------|--------------------------|
| A coordinated response to domestic and sexual abuse informed by victims' voices and community engagement. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Key Priority areas: Working collaboratively across all government Departments and with statutory, voluntary and community and faith organisations to tackle domestic and sexual abuse. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Having effective governance structures underpinning the strategy's delivery with a performance framework to monitor outcomes and impact. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Informing policy, legislation and service development with better quality data, research and shared learning. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Having increased opportunities for victims' voices to be heard and ensuring the strategy's delivery is underpinned by intersectionality recognising that many people have multiple needs and face multiple barriers. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| How will we know we are making a difference? | | | |
| Listening to views of victims, including children. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ensuring joined up working on cross cutting projects. | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|-------------------------------------|--------------------------|--------------------------|
| Engaging regularly with key stakeholders at both a regional and local level. | | <input type="checkbox"/> | <input type="checkbox"/> |
| Data from key stakeholders is shared, ensuring that as a system we understand and can respond to trends and emerging issues. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Review of action plans and performance indicators on a regular basis by all partners to ensure progress is made. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Please add any comments you wish to make in the box below

Question 6: Do you agree with the outcomes and key priority areas identified under Pillar 2 (Prevention) and how we will know we are making a difference?

| <u>Outcome:</u> | Agree | Disagree | Don't know |
|--|-------------------------------------|--------------------------|--------------------------|
| <p>The public is informed about the different types of domestic and sexual abuse and its impact on victims including children.</p> <p>Key Priority areas:</p> <p>Raising awareness, so that those experiencing, or at risk of experiencing domestic and sexual abuse, recognise it and know that help is available.</p> <p>Empowering people to safely challenge attitudes, beliefs and behaviours that foster domestic and sexual abuse.</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Outcome:</p> <p>An increase in the knowledge and skills of children, young people and adults about forming healthy relationships.</p> <p>Key Priority area:</p> <p>Supporting the education sector to build capacity, knowledge and skills to promote understanding about consent and healthy relationships and to teach about sensitive subjects such as domestic and sexual abuse, in an age appropriate and inclusive way, across schools and other youth</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
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| <p>settings, training facilities, Further Education Colleges and Universities.</p> <p>Outcome:</p> <p>Domestic and sexual abuse is identified and responded to earlier.</p> <p>Key Priority areas:</p> <p>Enabling people working in frontline and public-facing roles to identify and respond effectively to domestic and sexual abuse at the earliest opportunity.</p> <p>Supporting employers in the public, private and other sectors to make workplaces safer by raising awareness of domestic and sexual abuse and promoting workplace policies with effective measures to support staff.</p> <p>How will we know we are making a difference?</p> <p>Public awareness of domestic and sexual abuse.</p> <p>Increased reporting of domestic and sexual abuse.</p> <p>Prevention initiatives supporting individuals to develop healthy relationships.</p> <p>Referrals from a wider range of agencies to MARAC and domestic and sexual abuse services.</p> <p>Domestic abuse is recognised as a workplace issue.</p> | <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |
| <p>Please add any comments you wish to make in the box below</p> | | | |
| <p>Question 7: Do you agree with the outcomes and key priority areas identified under Pillar 3 (Support) and how we will know we are making a difference?</p> | | | |
| <p>Outcome:</p> <p>Victims including children are supported and feel safe regardless of diversity of need.</p> | <p>Agree</p> <p><input checked="" type="checkbox"/></p> | <p>Disagree</p> <p><input type="checkbox"/></p> | <p>Don't know</p> <p><input type="checkbox"/></p> |

| | | | |
|---|---|---|---|
| <p>Key Priority areas:</p> <p>Providing support for victims, including children, as well as wider family, to reduce the risk and impact of abuse; recover from trauma and improve their health and well-being; and engage in the justice system in a way that ensures they feel protected and safe.</p> <p>Ensuring there is a focus on tackling sexual abuse, including the sexual abuse of children and young people, and providing specialist support for victims.</p> <p>Enabling services to better understand intersectional needs of individuals to ensure victims get the responses and support they need.</p> <p>Outcome:</p> <p>All victims of domestic abuse including children can access safe accommodation-based services.</p> <p>Key Priority areas:</p> <p>Ensuring all victims and their children can access accommodation that is safe and appropriate to their needs and circumstances.</p> <p>Supporting victims of domestic abuse to remain safely in their home if they want to and it is safe to do so.</p> <p>How will we know we are making a difference?</p> <p>Victims of domestic and sexual abuse access support.</p> <p>Learning from the experience of victims to inform best practice.</p> <p>Provision of services.</p> <p>Fewer victims of domestic and sexual abuse withdraw from the criminal justice process.</p> | <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |
| <p>Please add any comments you wish to make in the box below</p> | | | |

Question 8: Do you agree with the outcomes and key priority areas identified under Pillar 4 (Justice) and how we will know we are making a difference?

| ADDRESSING ABUSIVE BEHAVIOURS | Agree | Disagree | Don't know |
|---|-------------------------------------|--------------------------|--------------------------|
| Outcome: | | | |
| Individuals are responsible for their abusive behaviour, are held to account and supported to change, with the risk of harm reduced and victim safety enhanced. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Key Priority areas: | | | |
| Supporting individuals to address and manage their abusive behaviours and sustain positive change. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Encouraging individuals to change their abusive behaviour by removing barriers to participation. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Working collaboratively to target the most prolific offenders, improving risk assessment and management. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Providing integrated safety and support structures for victims where programmes to address abusive behaviours are undertaken. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Improving protections for those at risk of abuse. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| How will we know we are making a difference? | | | |
| A reduction in repeat incidents of domestic and sexual abuse. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Increase in levels of convictions for domestic and sexual abuse offences. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Engagement in behavioural change programmes and associated reoffending levels. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Increase in protection orders granted and reduction in associated breaches. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| JUSTICE SYSTEM | | | |
| Outcome: | | | |
| Victims feel confident to report domestic and sexual abuse, barriers to participating in the justice system are reduced and justice responses are effective. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|---|---|---|
| <p>Key Priority areas:</p> <p>Understanding better the factors contributing to high attrition levels (drop out of cases) and under-reporting in domestic and sexual abuse cases in order to improve these.</p> <p>Providing victims of domestic and sexual abuse with information and services to support them through the criminal justice process.</p> <p>Key Priority areas:</p> <p>Improving the efficiency of the justice system and how domestic and sexual abuse cases are dealt with in criminal, civil and family courts.</p> <p>Strengthening the police and criminal justice response to domestic and sexual abuse.</p> <p>How will we know we are making a difference?</p> <p>Increased reporting of domestic and sexual abuse.</p> <p>Fewer victims of domestic and sexual abuse withdraw from the criminal justice process.</p> <p>Time taken for domestic and sexual abuse cases to be completed.</p> <p>Satisfaction with criminal justice system support.</p> | <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |
| <p>Please add any comments you wish to make in the box below</p> | | | |
| <p>Question 9: Do you have any further comments that you wish to make about the draft Domestic and Sexual Abuse Strategy? If so, it would be helpful if you reference which part of the document you are commenting on.</p> | | | |
| <p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> | | | |

| |
|---|
| <p>If yes, please add any comments you wish to make in the box below</p> |
| <p>Question 10: Do you agree with the outcome of the Rural Impact Assessment and Equality Impact Assessment?</p> |
| <p>Agree (delete as applicable)</p> |
| <p>Please add any comments you wish to make in the box below</p> |

February 2023

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Draft

Domestic and Sexual Abuse Strategy

2023 – 2030



Department of
Health

An Roinn Sláinte

Máinnystríe O Poustle

www.health-ni.gov.uk



Department of
Justice

An Roinn Díl agus Cirt

Máinnystríe O tha Lao

www.justice-ni.gov.uk

Accessing support

If you have been affected by domestic or sexual abuse, you are not alone. Help and support is available.

The **Domestic and Sexual Abuse Helpline** can be contacted free of charge, 24 hours a day, 365 days a year on **0808 802 1414** or help@dsahelpline.org.

This is a confidential service available to both women and men. Web chat and a telephone translation service is also available. Trained helpline workers can talk about the help and support that you could get. You can also contact the Helpline if you are worried about a friend or relative and you want support on how to help them.

For more information visit www.dsahelpline.org.

Anyone who feels in immediate danger should dial 999.

If it is difficult to talk, use the '**silent solution**' by pressing **55** when prompted (if phoning from a mobile phone). This allows police to know it is a genuine emergency.

Alternative formats

Hard copies of this document and copies in other formats (including Braille, audio, large print etc.), can be made available on request. If it would assist you to access the document in an alternative format, or language other than English, please let us know and we will do our best to assist you.

Please email DSAStrategyConsultation@justice-ni.gov.uk or phone 028 9052 3713.

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Foreword by DoH and DoJ Permanent Secretaries

We are pleased to share with you a new draft Domestic and Sexual Abuse Strategy for 2023 – 2030.

Domestic and sexual abuse continues to have a damaging and lasting impact on the lives of adults and children right across Northern Ireland. It is prevalent in every community and affects all people regardless of age, socioeconomic status, sexual orientation, gender identity, race or religion and yet sadly it continues to be a crime that many feel they cannot report. Tackling it remains a priority for Executive Departments.

This new draft strategy is an ambitious seven-year programme which sets out a renewed focus on tackling domestic and sexual abuse. It follows the direction of travel set by the former Health and Justice Ministers and has been informed by detailed consultation and analysis which began with a Call for Views in January 2022. We would like to take this opportunity to extend our gratitude to all the individuals and organisations who have been part of that process and in particular to those victims and survivors who have shared their experiences with such courage in order to inform our strategic response.

We have designed the strategy around four key pillars of Partnership, Prevention, Support and Justice. Each pillar has its own expected outcomes and key priority areas which will be expanded on in further detail in a series of action plans with timelines for implementation.

We are committed to fully implementing this strategy over the next seven years and believe that the outcomes delivered can make meaningful and sustainable progress in tackling domestic and sexual abuse; addressing its root causes; ensuring that those affected are able to access effective support; and in holding those who abuse to account. However it is important that we also acknowledge the difficult financial context in which this strategy is being issued. At the time of publication, full implementation of the strategy is subject to confirmation of additional funding. Subject to receiving this funding, it will be important to recognise that the scale and pace of our delivery will be informed by available resources, and that it will be important that we focus resources on those priorities which will have the most significant impact in tackling domestic and sexual abuse and supporting those affected by it. In parallel, we will continue to seek opportunities to secure additional resources to support ongoing implementation of the strategy.

The strategy will be implemented by way of annual delivery plans. The Year One Action Plan will focus on laying the foundations and progressing the enabling actions to support future delivery. Importantly, this preparatory work will include the development of a Performance Framework to ensure we can monitor and report on the delivery of key strategy objectives and the outcomes being achieved.

We want to be clear, domestic and sexual abuse has absolutely no place in our society and we remain committed to working together to realise our ambitions under the strategy over the coming years.



PETER MAY
Permanent Secretary
Department of Health



RICHARD PENGELLY
Permanent Secretary
Department of Justice

Strategy at a glance

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

Our overall strategic aim is to work together as partners, agencies and communities to make real, sustainable progress in tackling domestic and sexual abuse by addressing the root causes; ensuring those affected get the right support; and holding individuals who are abusive to account. The strategy is designed around four pillars:

| Pillar 1: Partnership | |
|--|--|
| <i>Driving change together through joint commitment, leadership and partnership working.</i> | |
| OUTCOME | KEY PRIORITY AREAS |
| A coordinated response to domestic and sexual abuse informed by victims' voices and community engagement. | Working collaboratively across all government Departments and with statutory, voluntary and community and faith organisations to tackle domestic and sexual abuse. |
| | Having effective governance structures underpinning the strategy's delivery with a performance framework to monitor outcomes and impact. |
| | Informing policy, legislation and service development with better quality data, research and shared learning. |
| | Having increased opportunities for victims' voices to be heard and ensuring the strategy's delivery is underpinned by intersectionality recognising that many people have multiple needs and face multiple barriers. |

| Pillar 2: Prevention | |
|---|---|
| <i>Preventing domestic and sexual abuse from happening by challenging the attitudes and behaviours that foster it and intervening early where possible to prevent it.</i> | |
| OUTCOMES | KEY PRIORITY AREAS |
| The public is informed about the different types of domestic and sexual abuse and its impact on victims including children. | Raising awareness, so that those experiencing, or at risk of experiencing domestic and sexual abuse, recognise it and know that help is available. |
| | Empowering people to safely challenge attitudes, beliefs and behaviours that foster domestic and sexual abuse. |
| An increase in the knowledge and skills of children, young people and adults about forming healthy relationships. | Supporting the education sector to build capacity, knowledge and skills to promote understanding about consent and healthy relationships and to teach about sensitive subjects such as domestic and sexual abuse, in an age appropriate and inclusive way, across schools and other youth settings, training facilities, Further Education Colleges and Universities. |
| Domestic and sexual abuse is identified and responded to earlier. | Enabling people working in frontline and public-facing roles to identify and respond effectively to domestic and sexual abuse at the earliest opportunity. |
| | Supporting employers in the public, private and other sectors to make workplaces safer by raising awareness of domestic and sexual abuse and promoting workplace policies with effective measures to support staff. |

| Pillar 3: Support | |
|--|--|
| <i>Ensuring that all victims of domestic and sexual abuse, including children, can access services supporting them to recover and rebuild their lives.</i> | |
| OUTCOMES | KEY PRIORITY AREAS |
| Victims including children are supported and feel safe regardless of diversity of need. | Providing support for victims including children, as well as wider family, to reduce the risk and impact of abuse; recover from trauma and improve their health and well-being; and engage in the justice system in a way that ensures they feel protected and safe. |
| | Ensuring there is a focus on tackling sexual abuse, including the sexual abuse of children and young people, and providing specialist support for victims. |
| | Enabling services to better understand intersectional needs of individuals to ensure victims get the responses and support they need. |
| All victims of domestic abuse including children can access safe accommodation-based services. | Ensuring all victims and their children can access accommodation that is safe and appropriate to their needs and circumstances. |
| | Supporting victims of domestic abuse to remain safely in their home if they want to and it is safe to do so. |

| Pillar 4: Justice | |
|--|--|
| <i>Holding individuals who are abusive to account and ensuring justice responses are effective.</i> | |
| OUTCOMES | KEY PRIORITY AREAS |
| <i>Addressing abusive behaviours</i> | |
| Individuals are responsible for their abusive behaviour, are held to account and supported to change, with the risk of harm reduced and victim safety enhanced. | Supporting individuals to address and manage their abusive behaviours and sustain positive change. |
| | Encouraging individuals to change their abusive behaviour by removing barriers to participation. |
| | Working collaboratively to target the most prolific offenders, improving risk assessment and management. |
| | Providing integrated safety and support structures for victims where programmes to address abusive behaviours are undertaken. Improving protections for those at risk of abuse. |
| <i>Justice system</i> | |
| Victims feel confident to report domestic and sexual abuse, barriers to participating in the justice system are reduced and justice responses are effective. | Understanding better the factors contributing to high attrition levels (drop out of cases) and under-reporting in domestic and sexual abuse cases in order to improve these. |
| | Providing victims of domestic and sexual abuse with information and services to support them through the criminal justice process. |
| | Improving the efficiency of the justice system and how domestic and sexual abuse cases are dealt with in criminal, civil and family courts. |
| | Strengthening the police and criminal justice response to domestic and sexual abuse. |

The outcomes and key priority areas identified will inform future action plans that will outline clear responsibilities and timelines for implementation. Similar to the previous strategy, this strategy covers a seven-year period, from 2023 – 2030.

1. Introduction

Purpose and vision

This is a seven-year, cross-departmental strategy for tackling domestic and sexual abuse from 2023 – 2030. The strategy has been developed by, and its delivery will be overseen by, the Department of Health and the Department of Justice. It has been informed by extensive stakeholder engagement with advice from across the statutory, voluntary and community sectors as well as by public feedback but, most importantly, it has been informed by the voices and experiences of victims including children.

Our Vision:

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

This vision is ambitious and cannot be achieved by one agency alone. To be successful, tackling domestic and sexual abuse must become everyone's business.

Our Aim:

To work together as partners, agencies and communities to make real, sustainable progress in tackling domestic and sexual abuse by addressing the root causes; ensuring those affected get the right support; and holding individuals who are abusive to account.

To achieve this aim, the strategy is designed around **four pillars**:

1. PARTNERSHIP

Driving change together through joint commitment, leadership and partnership working.



2. PREVENTION

Preventing domestic and sexual abuse from happening by challenging the attitudes and behaviours that foster it and intervening early where possible to prevent it.



3. SUPPORT

Ensuring that all victims of domestic and sexual abuse, including children, can access services supporting them to recover and rebuild their lives.



4. JUSTICE

Holding individuals who are abusive to account and ensuring justice responses are effective.



Within each pillar, outcomes and key priority areas are identified (see **Section 3**). These will be expanded on in further detail in a series of action plans that will outline clear responsibilities and timelines for implementation over the next seven years. This will allow our framework to evolve and to respond to new opportunities and challenges in order to deliver meaningful change over the long term.

Through this strategy we want to send a clear message that domestic and sexual abuse in all its forms, both physical and non-physical, is wrong. We want to challenge misconceptions and change the conversation around domestic and sexual abuse, so that people become more familiar with what it looks like and those that are affected feel empowered to reach out for help and support without fear of judgement.

What this strategy covers

Scope

It is important to be clear about what this strategy covers and what it does not cover. Our focus will be on tackling **domestic abuse and sexual abuse**, as defined in **Section 2**. Whilst we recognise the overlap with other crimes (for example, such as child sexual exploitation, 'honour-based' abuse including female genital mutilation, modern slavery and human trafficking as well wider violence against women and girls) these crime types are being addressed separately and as such, this strategy does not make specific provision to address them. However, we recognise the importance of sharing information around actions arising from the strategy with other cross-departmental groups to promote collaboration and to avoid duplication. This includes the cross-departmental Child Protection Senior Officials Group (CPSOG) which provides strategic oversight of work related to child protection. Links with wider areas of work, including CPSOG, are considered in **Section 5**.

An inclusive approach

This strategy recognises that **anyone can be a victim** of domestic and sexual abuse regardless of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability. It is for this reason that the strategy adopts an inclusive approach. Women, men, people from the LGBTQIA+ community, disabled people, young people, older people and people from ethnic minority communities, for example, can all experience domestic and sexual abuse. The strategy also recognises that abuse can take place in family relationships and between generations.

Terminology

Within this strategy we refer to those affected by domestic or sexual abuse as a 'victim'

(typically of a crime but not always), while acknowledging that some prefer the term 'survivor' or 'person with lived experience'.

What we have done so far

There is a great deal of activity already underway across the statutory, voluntary and community sectors to drive real improvements in tackling domestic and sexual abuse. There have also been a number of notable achievements across government over the lifetime of our previous strategy¹ which are outlined below. However, much work remains to be done. We must continue to build on our approach, connect with and learn from each other and find new ways to energise collective action.

| Legislation | Schools |
|--|--|
| <ul style="list-style-type: none"> • A new domestic abuse offence was introduced in 2022, criminalising a pattern of non-physically abusive behaviour. • Protection from stalking legislation was brought forward (which may also be outside a domestic or family context) as well as the Justice Act (NI) 2022 which provides for new offences of up-skirting, down-blousing, non-fatal strangulation and preventing the so called 'rough sex' defence. • Preparatory work progressed to introduce Domestic Abuse Protection Notices and Orders. | <ul style="list-style-type: none"> • I-matter resources for schools have been updated and new subjects added including healthy relationships, consent and sexual harassment. • Operation Encompass was rolled out so that police can share information with schools where there has been domestic abuse involving a child. • Development of the CCEA Wellbeing Hub providing a repository for wellbeing, resources, information and guidance for schools, teachers and pupils. The hub promotes understanding of the place and importance of wellbeing within the curriculum and enables effective delivery and consolidation of wellbeing in schools. |
| Training and awareness raising | Services |
| <ul style="list-style-type: none"> • A new e-learning package bolstered the introduction of the new domestic abuse offence. This continues to be available across the public sector, developed in partnership with our voluntary sector experts. • Raising awareness of the new domestic abuse offence through a multi-media campaign 'Still Abuse', along with other campaigns delivered by PSNI (Police Service of Northern Ireland) including 'No Grey Zone', 'Behind Closed Doors' and 'Walking on Egg Shells'. Sexual Abuse and Sexual Violence Awareness Week and 16 Days of Action have also raised awareness. • A Domestic and Sexual Abuse Workplace Policy and Gold Workplace Charter Award for the NI Civil Service, with additional training for staff. Guidance for employers was also developed. | <ul style="list-style-type: none"> • Piloting Identification and Referral to Improve Safety ('IRIS') to train and support GPs to recognise and respond to domestic and sexual abuse and refer patients to specialist advocacy support. • Free public transport for those going to refuge or temporary accommodation as a result of domestic abuse. • Ask for Ani Code Word scheme was introduced to allow those at risk or suffering from domestic abuse to discreetly signal to pharmacy staff that they need help to access support. |

¹ [Stopping Domestic and Sexual Violence and Abuse Strategy](#), published by DoH and DoJ in 2016.

| Funding | Services |
|--|--|
| <ul style="list-style-type: none"> • Funding key services including the Domestic and Sexual Abuse Helpline; emergency refuge provision; other accommodation-based services; floating support; advocacy; and Multi-Agency Risk Assessment Conferences. | <ul style="list-style-type: none"> • A new advocacy support service for victims of domestic and sexual abuse who are engaging with the criminal justice system, ASSIST NI, was established in 2021. Advocates provide a central point of contact for those affected by abuse, by providing support, risk assessment, safety planning, information and signposting services. |
| Learning and Review | |
| <ul style="list-style-type: none"> • Domestic Homicide Reviews were introduced in 2020 to learn lessons from those tragic deaths arising from domestic violence. • The Gillen Review into the law and procedures in serious sexual offences in NI was undertaken and made recommendations for systemic reform which are now being progressed. • Establishment of a Commissioner Designate for Victims of Crime who, as well as representing the interests of all victims of crime, has specific functions in respect of victims of domestic and sexual abuse. • Learning from the challenges presented during the COVID-19 pandemic and adapting to new ways of working. | <ul style="list-style-type: none"> • Provision of behavioural change programmes across NI for men showing concerning behaviour, who have not yet reached the criminal justice system and where children are at risk. This builds knowledge and skills to develop healthy, non-abusive relationships. • A domestic violence perpetrator programme was tested at Derry / Londonderry magistrate's court, a Problem-Solving Justice initiative, aimed at breaking patterns of concerning behaviour in its early stages. • Piloting Sexual Offences Legal Advisers – offering free objective legal advice to complainants in serious sexual offence cases. |
| Governance | |
| <ul style="list-style-type: none"> • Improvements in how we work. Including enhanced governance structures with six monthly progress reports to Executive Ministers; expanded Strategic Delivery Board membership; problem solving workshops held with stakeholders; and expanding the work of Local Partnerships to include sexual violence. • A MARAC Operational Board was established and a MARAC review undertaken. • A mid-term review of the previous strategy and a ten week Call for Views was undertaken to help inform the strategic direction of this strategy. | <ul style="list-style-type: none"> • The Domestic Violence and Abuse Disclosure Scheme was established in 2018 to enable individuals to ascertain whether there is a risk posed by a partner/ former partner and make informed decisions about the relationship. • The Sanctuary Scheme is operational across all Housing Executive properties, where appropriate. The scheme is voluntary and provides enhancements such as the installation of grills, cameras etc. to a designated room in tenants' properties. |

Why change is needed

We want to provide a future where everyone can live safe lives, without the threat or experience of domestic and sexual abuse. While levels of domestic and sexual abuse continue to increase, in part due to increased confidence in reporting, we want to do all that we can to help and support those that are affected, taking account of their particular needs. We know that many live their lives in fear and are significantly impacted by the abuse they have suffered, be that domestic or sexual abuse. It can have an enormous impact on all aspects of a person's life: their physical and mental health; their identity and relationships with friends and family; housing and their finances. The issues involved are complex, needing a multi-faceted response.

For many there is also a stigma associated with being subject to domestic or sexual abuse, which can be more significant for certain groups, particularly those who already face additional barriers to reporting and seeking support, as outlined later in this section.

Victims may often internalise what has happened; they may fear the blame and judgement of others and as a result, they may be reluctant to tell anyone, report the abuse to the police or seek support. This is despite the fact that the only person who has done anything wrong is the person who has abused them.

We also know that children's experience of domestic and sexual abuse can result in lifelong trauma and may in some cases lead to abusive relationships in adult life. Too often those experiencing domestic and sexual abuse grow up not recognising abusive or unhealthy relationships, meaning that the cycle of abuse may be repeated.

In taking this new strategy forward we recognise that there are a number of areas that it will be important to focus on. These are:

- increased co-operation and more effective collaboration across government, working in partnership with others;
- addressing social attitudes, while promoting awareness and knowledge of healthy relationships;
- providing support for those affected by domestic and sexual abuse, informed by their experience and the needs of particular groups;
- working to prevent domestic and sexual abuse taking place, identifying and disrupting abusive behaviour while holding offenders to account; and
- providing a more robust and effective justice response, increasing protection and safety for those affected.

Going forward we want a stronger system: improving how we respond to domestic and sexual abuse and working together to support those affected with a trauma informed approach. We also want to harness every opportunity for positive intervention, so that

abusive behaviour can be called out and addressed, with improved outcomes for all.

A Call for Views

This strategy has been informed by a Call for Views, which ran from 10 January to 21 March 2022. The Call for Views asked a number of questions to gather ideas and experiences, a summary of which was published in July 2022.¹

The Departments received 91 written responses and 661 surveys were completed online. Views were also shared at 22 stakeholder engagement events and five public events. We listened to and spoke with victims, frontline services including those working to support victims and other interested groups. These, as well as the many research reports submitted,² have helped us to identify the outcomes we want to achieve. We now need to translate what you have told us into positive action.

What you have told us



Other quotes from the Call for Views have been included throughout the strategy.

Another piece of work that has informed the strategy's development was the mid-term review of the previous *Stopping Domestic and Sexual Violence and Abuse Strategy*, which was undertaken by the Strategic Investment Board in 2020. The findings of that review have also helped us to consider where energy should be focused over the next seven years and importantly how we will measure our success to ensure that actions taken forward are impactful.

We would like to extend our gratitude to every individual person and organisation that has contributed to the development of this strategy.

¹ [Call for Views – Domestic and Sexual Abuse Strategy and Violence Against Women and Girls Strategy | Department of Justice \[justice-ni.gov.uk\]](#)

² An overview of the research referenced can be found at [Call for Views – Domestic and Sexual Abuse Strategy and Violence Against Women and Girls Strategy | Department of Justice \[justice-ni.gov.uk\]](#)

Other linked areas of work, strategies and action plans

We acknowledge that there are many cross-cutting issues and work areas that link closely with this Domestic and Sexual Abuse Strategy, that are being taken forward and reported on separately and which may have some connected actions to help deliver the vision of this strategy.

Some of these areas at the time of drafting are highlighted below (this is not an exhaustive list).

The Executive Office is taking forward work on a new **Ending Violence Against Women and Girls Strategy** that will identify actions to tackle violent and abusive behaviour directed at women and girls, precisely because they are women and girls. This includes crimes and unwanted behaviour in the physical and online world. PSNI has also published its first Violence Against Women and Girls Action Plan.

While violence against women and girls can include domestic and sexual abuse, we believe that tackling this issue warrants a dedicated approach, an identifiable strategy with specific commitments. Nonetheless, it will be important that actions taken forward under the Domestic and Sexual Abuse Strategy align with the key messages and wider actions of the Ending Violence Against Women and Girls agenda. The Domestic and Sexual Abuse Strategy will, however, continue to adopt an inclusive approach applying to all regardless of gender or gender identity.

The Domestic and Sexual Abuse Strategy also has close linkages with the work being taken forward under the **Gillen Review** into the law and procedures in serious sexual offences, which contains 16 key priority areas including work in relation to remote evidence centres, Sexual Offence Legal Advisors, support for child victims (including consideration of a Child House 'Barnahus' type model) and addressing delay in the criminal justice system. While much of the work to tackle these issues will be undertaken outside this strategy there will be cross over with actions under this strategy dealing with these work areas.

The Domestic and Sexual Abuse Strategy will also have links with the suite of **Social Inclusion Strategies** in development by the Department for Communities: **Anti-Poverty, Disability, Gender Equality and Sexual Orientation**.

There are also other existing strategies and programmes of work that are also relevant to the Domestic and Sexual Abuse Strategy at the time of drafting. This is not an exhaustive list but some examples include:

- [Digital Justice Strategy 2020](#);
- [Keeping Children and Young People Safe: An Online Safety Strategy for Northern Ireland 2020–2025](#);
- [Independent Review of Children's Social Care Services](#);

- [Modern Slavery and Human Trafficking Strategy 2021–2022](#);
- the Department of Justice's programme of legislation to deal with [stalking](#) and [sexual offences](#) as well as action plans to implement Criminal Justice Inspections;
- [Mental Health Strategy 2021–2031](#);
- [Victims and Witnesses Strategy 2021–24](#);
- Safeguarding arrangements for children and adults at risk of harm including the development of new adult protection legislation; and
- Ending Homelessness Together – [Homelessness Strategy 2022–2027](#) and Interdepartmental Homelessness Action Plans.
- The Child Protection Senior Officials Group (CPSOG) is a cross-departmental strategic forum which provides direction on existing or emerging child protection issues which require cross-departmental consideration and co-ordination. Its current work programme includes actions to address Child Sexual Exploitation as well as consideration of the Barnahus model, Female Genital Mutilation, Child Criminal Exploitation, the Executive's Online Safety Strategy, Information Sharing Guidance and consideration of Joint Child Protection Inspections.
- Safeguarding Board for Northern Ireland work on harmful sexual behaviour and domestic and sexual abuse, including developing a Domestic Violence and Abuse Learning and Development Framework.

In progressing the work of this strategy, it will also be important that we take account of a number of international conventions and obligations. This includes the transposition of the [EU Victims Directive](#) (and associated [Victim](#) and [Witness Charters](#) that placed this on a statutory footing); UK ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the [Istanbul Convention](#)); the [European Convention of Human Rights](#); the [UN Convention on Elimination and Discrimination against Women](#); the [UN Convention on the Rights of the Child](#); the [Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse](#) (the Lanzarote Convention); and the [UN Convention on the Rights of People with Disabilities](#).

Going forward, given that this strategy is to apply over a seven-year period, we will also want to consider any future developments or changes which may be of relevance to its implementation and associated action plans.

2. Understanding Domestic and Sexual Abuse

What is domestic abuse?

Within this strategy, 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

Domestic abuse can take many forms, which may involve physical violence. However, often it will not involve physical violence but may involve a wide range of non-physically abusive behaviour including what is often referred to as coercive control.

Domestic abuse can occur in an intimate or family relationship. It most commonly takes place in intimate partner relationships including same sex relationships. The victim and the abuser do not have to be living together. Teenagers can experience domestic abuse in their relationships and familial abuse may be perpetrated by children (child to parent abuse), grandchildren, parents, siblings or extended families. An area of increasing concern is familial abuse of parents by a young or adult child.

What does domestic abuse look like?

Domestic abuse can take many forms. It can include, but is not limited to:

- **controlling or coercive behaviour**, which may make a person dependant on the individual abusing them by isolating them, exploiting them, and/or regulating their everyday behaviour;
- **psychological/emotional abuse**, that can include verbal abuse (yelling, swearing and insults), gaslighting (making the victim doubt themselves by manipulating the truth), put downs, publicly embarrassing them or blaming them for everything;
- **physical abuse** (including violent – physical and sexual – or threatening behaviour) and/or indirect physically harmful behaviour. This may include hitting, kicking, slapping, choking, threatening with a weapon or physical assault;
- **sexual abuse**, when a person is forced (without consent) to participate in unwanted, unsafe or degrading sexual activity. It does not matter that there may previously have been consensual sex. Sexual abuse – through, for example, grooming and sharing of sexual images – can also occur online;
- **economic and financial abuse**, where one person deprives their partner or

- family member of financial resources or ability to make money. This creates financial dependency and control, preventing them from leaving the relationship;
- **online and technological abuse**, where technology, social media or other online means are used to control or coerce victims; or
 - **abusive behaviour** (which may encapsulate the above):
 - making the victim dependent on the individual abusing them;
 - isolating them from friends, family members or social interaction or support;
 - controlling, regulating or monitoring their day-to-day activities;
 - depriving or restricting their freedom of action; or
 - making them feel frightened, humiliated, degraded, punished or intimidated.

Other forms of abuse such as **stalking and non-fatal strangulation** may also occur alongside domestic or sexual abuse. Much of the work to tackle these issues is being undertaken separately to this strategy however there will, at times, be some cross over with actions under this strategy dealing with these specific areas.

Domestic abuse is a crime

Until 2022, domestic abuse as a crime was largely limited to physically abusive or violent behaviour in Northern Ireland. A domestic abuse offence was introduced in February 2022. This closed a gap in the law by criminalising a course of abusive behaviour (such as that set out above) that occurs on two or more occasions, against an intimate partner, former partner or close family member. The offence applies both to adults and to those under 18. Abuse against a child under 16 by a parent or guardian is dealt with under child protection provisions. However, the domestic abuse offence may be committed where a person makes use of a third party (including their child) to abuse another person.

The legislation also includes sentencing aggravators which can enable harsher penalties. Sentencing for the domestic abuse offence may be increased where a young person was involved (the child saw, heard or was present; they were used to abuse the other person; or the behaviour would likely adversely impact on a child). In addition, where there is a single incident involving domestic abuse, any other offence (for example criminal damage) may be aggravated by domestic abuse, meaning again that sentencing may be higher than what it would otherwise have been had the offence not involved domestic abuse.

Some facts and figures

An overview of the context of domestic abuse in Northern Ireland, as reported to the police, is set out below. However, the true figure is likely to be much higher due to underreporting by those who cannot or do not feel able to report to police. **In the 12 months to the end of September 2022 domestic abuse crime accounted for 20% of all police recorded crime.**



68% of victims of domestic abuse crimes were **female**
32% were **male**

83% of offenders were **male** **15%** were **female**

34% of relationships involved a former partner
24% a current partner
1 in 4 cases involved a **parent child relationship**

1 in 4 lesbian and bisexual women and
4 in 10 gay and bisexual men
experienced domestic abuse

94% of offenders were **aged 18 or over**

What is sexual abuse?

Within this strategy, sexual abuse is defined as: any behaviour (physical, psychological, verbal, virtual/online) perceived to be of a sexual nature which is controlling, coercive, exploitative, harmful, or unwanted that is inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability).

Sexual abuse can occur in intimate partner relationships, within families, between colleagues and friends or may be carried out by strangers. The majority of sexual abuse is committed by someone who the victim knows or trusts, rather than by a stranger. As with domestic abuse, sexual abuse can take many forms, which can be both physical and non-physical. Any behaviour of a sexual nature that occurs without consent is considered to constitute a form of sexual abuse. It may also include harmful sexual behaviour.

What does sexual abuse look like?

Sexual abuse can take many forms. It can include, but is not limited to:

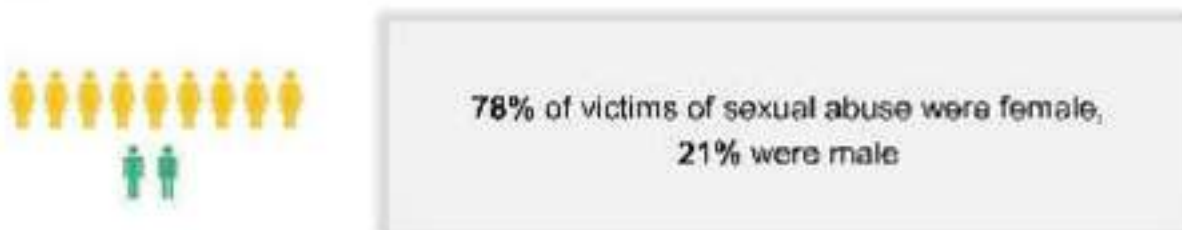
- penetrative sexual activities such as rape (vaginal, anal or oral);
- sexual assault such as intentional touching, rubbing or groping;
- being made to perform masturbation on someone;
- sexual threats or harassment including unwanted sexual advances;
- indecent exposure;
- stalking (both physically and digitally);
- grooming (including via the internet);
- being made to look at/be involved in the production of sexual images and abusive material;
- virtual abuse including use of any technological mediums;
- being made to watch sexual activities (including pornography); and
- sexually exploiting someone for personal, commercial or financial gain.

Sexual abuse is trauma and as such it initiates a traumatic response like a fight, freeze or flop response. Everyone's response will be different, and there is no predictable textbook response, nor is any response more right or wrong or acceptable than any other. For many people it can be a number of years before they report sexual abuse; for some people, they may never tell anyone.

Some facts and figures

As is the case with domestic abuse, anyone can be affected by sexual abuse whatever their age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability. Similarly, while anyone can be a victim or an abuser, statistics show us that victims of sexual abuse are more likely to be women and abusers are more likely to be men. In relation to sexual abuse children and young people are also more likely to be affected.

An overview of the context of sexual abuse in Northern Ireland, as reported to the police, is set out below. Given the nature of these crimes, and the impact on those affected, we know that the true figure is likely to be much higher due to underreporting. **In the 12 months to the end of October 2022 sexual abuse crime accounted for 4% of all police recorded crime.**



57% of sexual abuse victims were under the age of 18
14% were aged between 18 and 24

Additional barriers for different groups

Domestic and sexual abuse can, and does, happen to anyone. The impact is personal to each individual affected and many people have multiple needs and face multiple barriers: to reporting (such as fear of not being believed, concerns about access to private information and delays in the system); to accessing support; and to engaging with the criminal justice system. We are committed to working together to help break down these barriers.

"Speaking directly with these groups and ensuring they have a voice is important."

What you've told us

During the Call for Views we heard from a wide range of people across Northern Ireland, from different ethnicities, ages, genders, sexual orientations and backgrounds who highlighted the particular issues that are faced by some groups. Many highlighted the barriers that are faced by those victims who present with a range of protected characteristics. There was a particular focus on the following groups and communities:

Women:

Women are disproportionately affected and more likely to experience multiple incidents and different types of domestic and sexual abuse. Women also face barriers to disclosing abuse and finding help. They can feel that they are reliant on the person abusing them in many ways, such as finance and housing, or they may fear that their children will be taken away should they leave. Many also fear not being taken seriously when they disclose abuse and are worried that they'll face comments like "why doesn't she just leave" if they are in a relationship together. Victims are at the highest risk when they leave a relationship or are thinking/planning to leave and for about 12 months after they have left. Domestic abuse can also get worse during pregnancy.

"We need to start looking at policy and strategy through a gendered lens rather than a one size fits all."

Men:

Men also suffer from domestic and sexual abuse. One of the main reasons men don't seek help is embarrassment and feeling "less of a man". There is also a fear of not being believed, fear of being accused as the perpetrator and losing contact with any children they may have with their abuser. Not knowing that support is available and believing services are for women only is another significant barrier for male victims.

"Men do not recognise they are victims in the first place. Even if they do, they feel ashamed."

LGBTQIA+ community:

Domestic and sexual abuse can happen to anyone but LGBTQIA+ people face additional challenges and barriers which are different to those experienced by heterosexual people. We know that some LGBTQIA+ people are afraid to report incidents of abuse and seek help due to fear of discrimination. They could also be facing coercive control, where they are in a relationship with their abuser, with threats to be 'outed'. Another significant barrier is not recognising that what they are experiencing is abuse, due to a lack of awareness and open conversation on what constitutes a healthy relationship. This can increase isolation of individuals who already lack family support or safety nets.

"The first barrier an individual has to face is having to disclose their sexual orientation or gender identity to someone from a mainstream organisation."

Children and young people:

While children's experience of domestic abuse is usually connected to their parents, they can also be victims in their own right. The impact of seeing, hearing or experiencing the effects of abuse is significant and the long-term consequences of this trauma can stretch into adulthood. Adverse childhood experiences can have lasting, negative effects on a child's development, health and well-being which can lead to behavioural problems, difficulties at school and increased risk of difficulties in future relationships.

"Children and young people... need to be recognised as equal victims in their own right."

Ethnic minority communities:

Domestic and sexual abuse is commonly under-reported in ethnic minority communities. People may be at particular risk because of language barriers and a lack of local connections or understanding of how to navigate local services. Cultural values can also prevent disclosures of abuse out of fear of dishonouring family or their community. An individual may also be dependent on the person abusing them for immigration status, lack financial independence and have no recourse to public funds.

"Migrant and ethnic minority victims of domestic abuse may be uniquely or particularly vulnerable to certain forms of coercive control."

Older people:

Domestic and sexual abuse can happen at any age and older people face a number of additional barriers to seeking support including generational views about faith, loyalty, shame and guilt. In many cases older people may wish to protect family members. They may find it difficult to report if the person abusing them is also their carer or they are financially dependent on them. They may also have normalised abuse that has been going on for a long period of time.

"The challenge is making people aware that it is okay to talk about domestic abuse, and that it is never acceptable."

People with a disability:

Disabled people are often in particularly vulnerable circumstances and may not recognise abuse or know how to report domestic and sexual abuse. They can be socially isolated; reliant on assistance with healthcare, housing or financial security; and may also face physical inaccessibility.

"Many people with a disability are unaware that domestic abuse services exist."

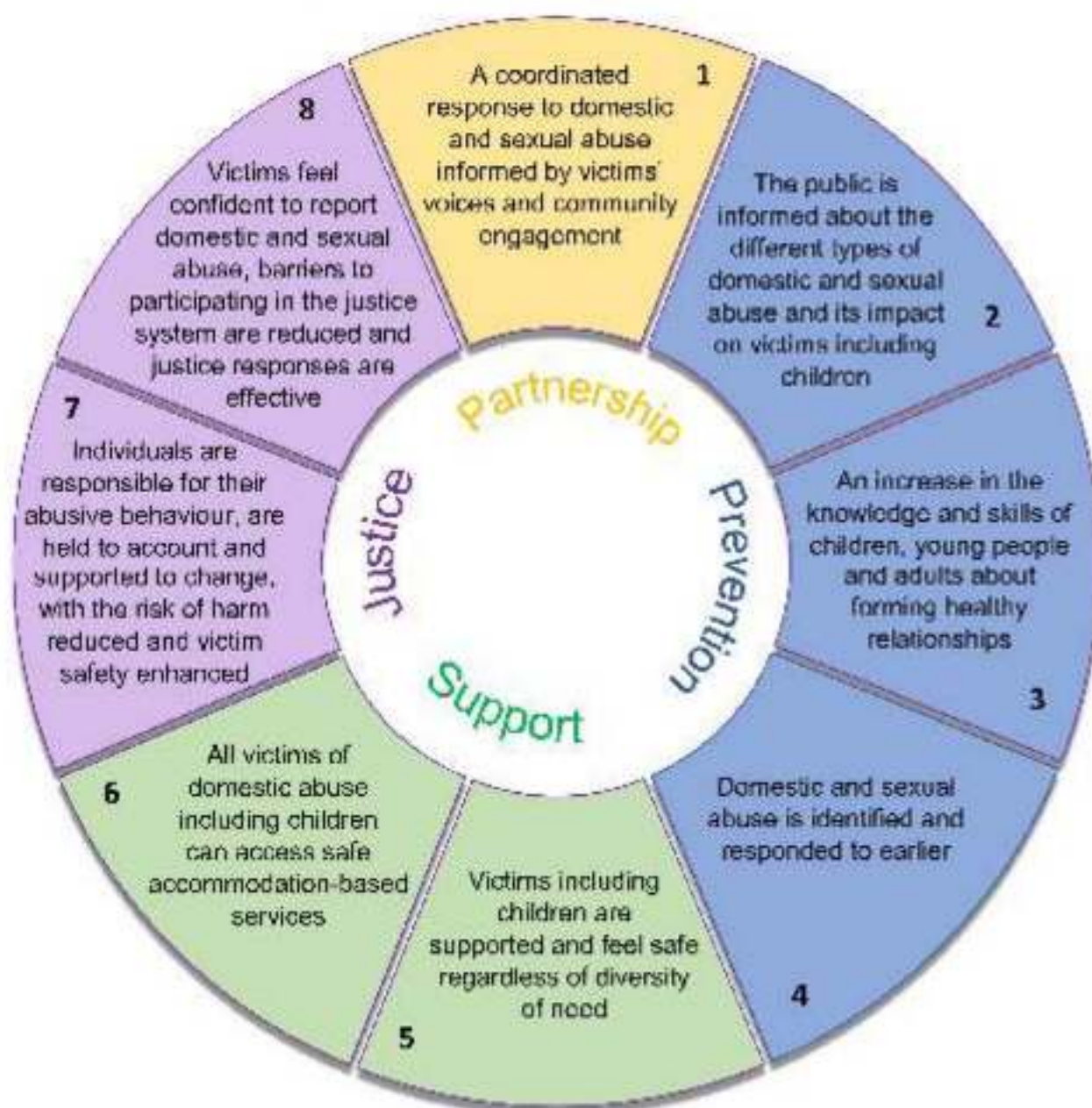
Rural communities:

Domestic and sexual abuse is no less prevalent in rural communities but can be less visible. People living in rural communities may also face additional challenges in accessing services or may have concerns about their information being shared with others if they live in a close-knit community. Isolation can also be used to further abuse someone, making it harder to escape.

"Abuse can manifest differently in a rural setting (isolation, infrastructure, rural economies, means of escape), and solutions that work in an urban context may not translate for rural victims."

3. Framework for action

The first step in moving forward with this strategy will be to develop a performance framework, in year one, with key performance indicators so that we can assess how far our work contributes to achieving the **eight outcomes which are built around four pillars** within this strategy:



Preliminary measures of success have been identified within each of the four pillars. These will inform plans to collect data once appropriate indicators have been finalised in partnership with delivery partners and key stakeholders.

Pillar 1: Partnership

Driving change together through joint commitment, leadership and partnership working.

What we know

No single agency can tackle domestic and sexual abuse alone. It is everyone's business and it is only by working together that we can develop our understanding, approach and services to make a real difference to people's lives. We are committed to doing everything we can to prevent, protect and support victims of domestic and sexual abuse and to ensure there is a focus across the whole of government to deliver this strategy.

"Ensure a joined-up approach"

We know that more can be done to promote integrated working across all sectors. We need robust and effective oversight structures with measurable outcomes that will create a central focal point for domestic and sexual abuse and ensure greater clarity and accountability for the delivery of key actions, as well as making clear connections with other related strategies.

This is an area in which every person should have an interest and all organisations have a role to play whether it be criminal justice agencies, housing, health and social care, education, our employment sector or local support services, to name but a few.

We also know that we need to bring together more comprehensive statistics on the prevalence of domestic and sexual abuse, on our service provision and on gap analysis. It is clear from the Call for Views that data and research specific to Northern Ireland is insufficient, with limited potential to consider the characteristics of those affected and yet we know that an effective response can only be achieved if we truly understand the nature and scale of domestic and sexual abuse in Northern Ireland. This is an issue that we will want to consider further going forward.

"Effective solutions must be informed by data."

Tackling domestic and sexual abuse is not something that government can achieve alone. It requires all partners and agencies to work together and to actively share local data and statistics to better understand domestic and sexual abuse. Some of the most successful interventions that we've seen so far have been multi-agency based and it is important that we continue to build on our collaborative approach sharing information, knowledge and experience. We are stronger working together in partnership.

What more we will do

Our focus in this pillar will be to have robust and effective governance processes and to improve the way that we work together as a region to tackle domestic and sexual abuse. Partnership working will be a critical enabler for the overall strategy.

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| <p>Pillar 1: Partnership</p> | |
| <p>Outcome 1: A coordinated response to domestic and sexual abuse informed by victims' voices and community engagement.</p> <p>KEY PRIORITY AREAS:</p> <ul style="list-style-type: none"> • Working collaboratively across all government Departments and with statutory, voluntary and community and faith organisations to tackle domestic and sexual abuse. • Having effective governance structures underpinning the strategy's delivery with a performance framework to monitor outcomes and impact. • Informing policy, legislation and service development with better quality data, research and shared learning. • Having increased opportunities for victims' voices to be heard and ensuring the strategy's delivery is underpinned by intersectionality recognising that many people have multiple needs and face multiple barriers. | <p><u>How will we know we are making a difference?</u></p> <p><i>Listening to views of victims, including children.</i></p> <p><i>Ensuring joined up working on cross cutting projects.</i></p> <p><i>Engaging regularly with key stakeholders at both a regional and local level.</i></p> <p><i>Data from key stakeholders is shared, ensuring that as a system we understand and can respond to trends and emerging issues.</i></p> <p><i>Review of action plans and performance indicators on a regular basis by all partners to ensure progress is made.</i></p> |

Pillar 2: Prevention

Preventing domestic and sexual abuse from happening by challenging the attitudes and behaviours that foster it and intervening early where possible to prevent it.

What we know

Sadly, many people feel that they cannot report domestic or sexual abuse. They may live with it for a long period of time and suffer a sustained series of incidents before asking for help. We want to encourage a culture of openness where victims are confident that they will be listened to, believed and not blamed. We must increase public awareness so that people, including those who are affected, understand what domestic and sexual abuse is, the different forms it can take and importantly how to get help.

"The challenge is making people aware that it is okay to talk about domestic abuse, and that it is never acceptable."

It is clear from the results of the Call for Views that we need to change attitudes that reinforce harmful stereotypes. People of all ages, ethnicities, religions, genders, gender identities, sexual orientation or disabilities can be a victim of domestic and sexual abuse. It can and does happen to anyone and having little knowledge, or negative attitudes, can be a real barrier to people speaking out and seeking support.

"Victims are not to blame and should not be made to feel ashamed."

We know that many victims are likely to be in contact with frontline services and may ask for help from someone they trust. That could include GPs, nurses, midwives, teachers, housing officers or community centres. Some may also call the police or may even approach their employer. That first response is crucial and likely to be a key factor in whether or not the individual ultimately goes on to access support services. A lack of knowledge and awareness can, however, lead to missed chances to help people. Together, we need to identify more opportunities to intervene early and equip people working in public facing roles so that they are able to respond appropriately.

Responses to the Call for Views also made it clear that there is much more to be done in schools and youth groups to help children and young people understand issues such as consent and respect from an early age.

"Education is the cornerstone of prevention."

We must continue to teach children and young people about healthy relationships and to understand what consent looks like to tackle the root causes of domestic and sexual abuse and nurture future generations. However, we know that this is not just about schools. It is also about how Further Education Colleges; training facilities and Universities deal with these important issues. Equally important is the need to build awareness amongst staff in those places so that they can learn practical skills to

respond to any disclosures. The Executive's Online Safety Strategy will also play an important role in the prevention of, and education about, sexual abuse in the online sphere. Preventing and reducing incidents of domestic and sexual abuse is everyone's business.

What more we will do

Our focus in this pillar will be to increase understanding of domestic and sexual abuse, what consent looks like and what constitutes healthy relationships, as well as effectively responding to abusive behaviour.

| Pillar 2: Prevention | |
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| <p>Outcome 2: The public is informed about the different types of domestic and sexual abuse and its impact on victims including children. KEY PRIORITY AREAS:</p> <ul style="list-style-type: none"> • Raising awareness, so that those experiencing, or at risk of experiencing domestic and sexual abuse, recognise it and know that help is available. • Empowering people to safely challenge attitudes, beliefs and behaviours that foster domestic and sexual abuse. | <p>How will we know we are making a difference?</p> <p><i>Public awareness of domestic and sexual abuse.</i></p> <p><i>Increased reporting of domestic and sexual abuse.</i></p> <p><i>Prevention initiatives supporting individuals to develop healthy relationships.</i></p> <p><i>Referrals from a wider range of agencies to MARAC and domestic and sexual abuse services.</i></p> <p><i>Domestic abuse is recognised as a workplace issue.</i></p> |
| <p>Outcome 3: An increase in the knowledge and skills of children, young people and adults about forming healthy relationships. KEY PRIORITY AREA:</p> <ul style="list-style-type: none"> • Supporting the education sector to build capacity, knowledge and skills to promote understanding about consent and healthy relationships and to teach about sensitive subjects such as domestic and sexual abuse, in an age appropriate and inclusive way, across schools and other youth settings, training facilities, Further Education Colleges and Universities. | |
| <p>Outcome 4: Domestic and sexual abuse is identified and responded to earlier. KEY PRIORITY AREAS:</p> <ul style="list-style-type: none"> • Enabling people working in frontline and public-facing roles to identify and respond effectively to domestic and sexual abuse at the earliest opportunity. • Supporting employers in the public, private and other sectors to make workplaces safer by raising awareness of domestic and sexual abuse and promoting workplace policies with effective measures to support staff. | |

Pillar 3: Support

Ensuring that all victims of domestic and sexual abuse, including children, can access services supporting them to recover and rebuild their lives.

What we know

Support for individuals affected by domestic and sexual abuse comes from many sources and is provided in different settings. It can often be part of the provision of other services such as education, welfare and housing, children's services and mental health service provision.

The statutory, voluntary and community sector also plays an important role in the provision of specialist domestic and sexual abuse services, including crisis response, outreach, advocacy and counselling services to help victims overcome trauma, recover and rebuild their lives. This also includes providing support to family and friends of someone experiencing domestic or sexual abuse.

A concern for many is that, when they are able to reach out and ask for help, they will have access to appropriate services in a timely manner.

"There must be clear pathways to help and support victims. It is vitally important that this is provided in the right way and at the right time so that victims are not put off taking action about their situation."

Victims of domestic and sexual abuse are often faced with numerous barriers to leaving an abusive relationship and seeking support (these have been considered in more detail in **Section 2** in terms of different groups). To ensure effective, accessible support, it is important that support providers fully understand these barriers.

We also know that victims and their children often need to leave their homes because of the dangers of further or repeated abuse and that economic barriers to leaving can make it more difficult. Refuges and other forms of temporary accommodation can provide a safe and supportive environment. Some victims may want to remain in their homes, as they miss the support of family and friends, and may also wish to maintain regular routines such as school attendance for their children, which requires a wider package of support.

"[We] need to tackle homelessness as a result of domestic abuse."

There is also a call for improved and expanded services during the criminal justice process, particularly to take account of the specific needs of children and the impact of abuse on them. Through this we can provide additional support and assistance to those affected by abuse, on their journey through the criminal justice system, during what can be a daunting time for victims.

What more we will do

Our focus in this pillar will be to support those affected by domestic and sexual abuse while also recognising the wider impact on family and friends. The outcomes and key priorities under this pillar are:

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| <p>Pillar 3: Support</p> | |
| <p>Outcome 5: Victims including children are supported and feel safe regardless of diversity of need.</p> <p>KEY PRIORITY AREAS:</p> <ul style="list-style-type: none"> • Providing support for victims including children, as well as wider family, to reduce the risk and impact of abuse; recover from trauma and improve their health and well-being; and engage in the justice system in a way that ensures they feel protected and safe. • Ensuring there is a focus on tackling sexual abuse, including the sexual abuse of children and young people, and providing specialist support for victims. • Enabling services to better understand intersectional needs of individuals to ensure victims get the responses and support they need. | <p>How will we know we are making a difference?</p> <p><i>Victims of domestic and sexual abuse access support.</i></p> <p><i>Learning from the experience of victims to inform best practice.</i></p> <p><i>Provision of services.</i></p> <p><i>Fewer victims of domestic and sexual abuse withdraw from the criminal justice process.</i></p> |
| <p>Outcome 6: All victims of domestic abuse including children can access safe accommodation-based services.</p> <p>KEY PRIORITY AREAS:</p> <ul style="list-style-type: none"> • Ensuring all victims and their children can access accommodation that is safe and appropriate to their needs and circumstances. • Supporting victims of domestic abuse to remain safely in their home if they want to and it is safe to do so. | |

Pillar 4: Justice

Holding individuals who are abusive to account and ensuring justice responses are effective.

What we know

Addressing Abusive Behaviours

While anyone can be a victim of domestic or sexual abuse, we know that those carrying out abusive behaviours tend to be predominantly male, while the majority of victims are female. We also know that many domestic and sexual abuse offenders are repeat offenders and that many victims unfortunately will also be repeat victims. We will want to take account of this both under this pillar and in terms of wider service provision under the strategy.

Effective and early risk assessment can help to reduce offending, prevent re-offending and reduce the number of people who become victims or have to suffer further abuse. The earlier we can identify, address and stop abusive and offending behaviour and its impact the better. Only by taking action to address domestic and sexual abuse, and associated concerning behaviour, can we reduce the risk of abuse occurring, reoffending and revictimisation. We also need more information and evidence on the causes and drivers of abusive behaviour plus what works well to address it.

"An opportunity to seek early intervention before offending behaviour takes place ... when behaviours of concern would first be identified before this would ever reach the criminal justice arena."

We know that effective management of those with a history of abusive behaviour is needed, including through ongoing engagement with statutory, voluntary and community sector partners. We also need to consider the use of multi-agency arrangements to best manage risk, address abusive behaviour and provide support. Protection of victims and feeling safe is also important, with further measures needed to secure this, including ensuring that where protective measures are in place, we can enable people to remain in their home rather than necessarily having to leave. Importantly, in this context, we want to bring forward measures that strengthen restrictions on individuals that are abusive in terms of contact with and proximity to their victims.

"The protections available need to be strengthened."

The Strategic Investment Board's mid-term review of the 2016 – 2023 strategy identified the need for an ongoing assessment of the capacity of the justice system to respond to current, new and emerging offences. It also stressed the need to continue to develop and deliver initiatives and interventions, based on best practice, to effectively address harmful and abusive behaviours. There was considered a need to focus on offending behaviour, with mainstreaming of current programmes. We also recognise that there are intrinsic links between this Justice pillar and that relating to Prevention, in terms of raising awareness around healthy and unhealthy behaviours. Tackling these together will help address levels of concerning and abusive behaviours.

Justice System

For many victims of domestic and sexual abuse, going through the criminal justice system will be a daunting experience that they may never have encountered before. This, combined with a range of factors (including, for example the trauma response to the domestic and sexual abuse they have been subjected to or concerns about the impact on their family) can result in disengagement from the criminal justice process. While domestic and sexual abuse recorded crime levels are just under 26,000 annually, we know that this is lower than the true picture, due to underreporting and victims disengaging with the criminal justice system. Not all domestic and sexual abuse incidents will be reported to police and even then, not all will result in a crime being recorded due to the level of the severity of the incident.

The Call for Views highlighted that reporting could be improved by increased awareness of abuse, increased understanding of the system, speedier progression of cases and better legal protections. Both underreporting and drop out of cases (attrition) are higher than we would want them to be.

"Survivors do not believe that the outcome of their report will be worth the trauma of reporting and reliving their experience."

The Call for Views highlighted the need to support victims on their criminal justice journey, both by informing victims of what they could expect and providing information about the criminal justice process itself, as well as ensuring access to timely and accurate case updates.

In looking at the experience of criminal justice, the Call for Views' victim survey reflected the need for clearer information, including on outcomes, and pressed for consideration of how domestic abuse cases could be fast-tracked, with many responses commenting on the time taken for cases to proceed through the criminal justice system and the level of delay encountered. However it should be also noted that reducing delay in the criminal justice system is a key priority for the Department of Justice and a significant programme of work is already underway, separate to this strategy, to address this issue.

Responses to the Call for Views also felt that improved and extended services are required as part of the criminal justice journey. In considering how we respond to these issues, we also need to further explore how best to meet the needs of particular groups of victims as part of the criminal justice journey.

"More must be done to ensure that the process of reporting is streamlined."

A number of responses to the Call for Views also set out proposals for improved linkages across the justice system, particularly in relation to the use of information across court types. The Call for Views also highlighted that there is currently limited knowledge and awareness amongst victims and wider society, of the range of criminal justice supports that are available to victims of domestic and sexual abuse, for example, the Domestic Violence and Abuse Disclosure Scheme, the existence of a legal aid waiver for non-molestation orders, etc.

Tragically we know that in some cases domestic violence can result in death. Provision is already in place for a Domestic Homicide Review (DHR) to be held where a person is killed as a result of domestic violence, so that as a system, we are able to learn lessons and put in place improved practices to prevent future deaths. We recognise the need to ensure continued learning from DHRs and to keep the operation of DHRs under consideration to ensure that they are robust and effective. We are committed to improving our understanding of what may lead to fatalities as well as monitoring and effectively implementing systemic learning from these reviews in order to identify and put in place best practice and to reduce any missed opportunities to deal with abusive and potentially fatal behaviour.

What more we will do

Our focus in this pillar will be two-fold: to address abusive behaviours, reduce the associated risk of harm and improve protections for those affected; and to encourage victims to report domestic and sexual abuse, remain engaged in the justice process and provide an effective justice system response. The outcomes and key priorities under this pillar are:

Pillar 4: Justice

Addressing Abusive Behaviours

Outcome 7:

Individuals are responsible for their abusive behaviour, are held to account and supported to change, with the risk of harm reduced and victim safety enhanced.

KEY PRIORITY AREAS:

- Supporting individuals to address and manage their abusive behaviours and sustain positive change.
- Encouraging individuals to change their abusive behaviour by removing barriers to participation.
- Working collaboratively to target the most prolific offenders, improving risk assessment and management.
- Providing integrated safety and support structures for victims where programmes to address abusive behaviours are undertaken.
- Improving protections for those at risk of abuse.

How will we know we are making a difference:

A reduction in repeat incidents of domestic and sexual abuse.

Increase in levels of convictions for domestic and sexual abuse offences.

Engagement in behavioural change programmes and associated reoffending levels.

Increase in protection orders granted and reduction in associated breaches.

Justice System

Outcome 8:

Victims feel confident to report domestic and sexual abuse, barriers to participating in the justice system are reduced and justice responses are effective.

KEY PRIORITY AREAS:

- Understanding better the factors contributing to high attrition levels (drop out of cases) and under-reporting in domestic and sexual abuse cases in order to improve these.
- Providing victims of domestic and sexual abuse with information and services to support them through the criminal justice process.
- Improving the efficiency of the justice system and how domestic and sexual abuse cases are dealt with in criminal, civil and family courts.
- Strengthening the police and criminal justice response to domestic and sexual abuse.

How will we know we are making a difference?

Increased reporting of domestic and sexual abuse.

Fewer victims of domestic and sexual abuse withdraw from the criminal justice process.

Time taken for domestic and sexual abuse cases to be completed.

Satisfaction with criminal justice system support.

4. Delivering the Strategy

Governance structures for co-ordination and delivery

The strategy is led jointly by the Department of Health and the Department of Justice but cuts across the work of other Departments, primarily the Department for Communities, the Department of Education and the Executive Office.

It is envisaged that the strategy could be monitored through the following governance structure, which is largely similar to the previous strategy. Given the ongoing development of an Ending Violence Against Women and Girls Strategy it will be important to keep this under review, in order that structures between the two strategies can best align.



Leadership and oversight

The **Northern Ireland Executive** will set the strategic direction, providing political leadership and visibility. It will receive progress reports from the Strategic Delivery Board every six months.

The **Strategic Delivery Board** will report and be accountable to the Executive. It will meet quarterly and will be comprised of senior officials across the Health, Justice,

Communities, Education and Finance Departments; the Executive Office; and Police Service of Northern Ireland. Additional representatives from the local Domestic and Sexual Violence Partnerships and voluntary sector will also be invited to attend on a rotational basis. The Board's role will be to ensure delivery against targets and oversee accountability mechanisms with appropriate challenge and scrutiny. Links will also be established with other relevant strategic oversight groups including CPSOG to share information, promote collaboration and avoid duplication in relation to action plans.

Expertise and advice

A multi-agency **Expert Reference Group** comprised of partners from the statutory, voluntary and community sectors will provide advice to the Strategic Delivery Board from a cross-sectoral, frontline perspective. It will meet quarterly to share local data and best practice to inform and drive continued improvement in tackling domestic and sexual abuse.

Victims of domestic and sexual abuse will also be key to the strategy's delivery to ensure their lived experience and insight continues to inform our response. We are, however, mindful of the impact that this can have on individuals and the need to ensure there are structures available for support.

Initial stakeholder engagement has indicated that a number of lived experience groups are already in place across Northern Ireland, supported by key organisations across the voluntary and community sector. The Departments will continue to engage with those organisations with a view to identifying how best we can support victims to share their experiences in a safe space.

Delivery and implementation

Multi-agency Task and Finish groups will be established, as required, to inform policy development and take forward specific actions under the strategy (including how best we meet the needs of those with protected characteristics).

There will also be collaboration opportunities with the local Domestic and Sexual Violence Partnerships to ensure regional priorities are interpreted and delivered at a local level. To inform this, the Departments have asked the Innovation Lab within the Department of Finance to bring together key stakeholders to take a fresh look at how we can best work together at a local and regional level.

The existing Multi-Agency Risk Assessment Conference (MARAC) Operational Board will also continue to feed into the implementation of the strategy. The Board provides strategic operational governance across all MARACS in Northern Ireland to ensure they operate effectively and have a measurable impact.

Annual action plans

"We recommend that the strategies clearly set out the roles and responsibilities of each Department so that there are clear lines of accountability."

The strategy will be delivered through annual action plans the detail of which will be delivered over the lifetime of the strategy. They will be developed in conjunction with our Expert Reference Group and will outline how each of the key priority areas within the four pillars will be driven forward, who will be responsible, and the timescales by which they will be completed.

Annual reports will also be published, at the start of each financial year, highlighting the work that has been delivered in the previous 12 months as well as performance against the strategy's outcomes. The Strategic Delivery Board will monitor and review the actions plans on a quarterly basis and ensure any corrective action or barriers to implementation are addressed.

Monitoring progress and measuring success

From the Call for Views, we know that it is important that there are effective arrangements in place to monitor and measure the delivery of the strategy. Therefore, a key action for year one will be to develop a Strategic Performance Framework with the position and progress of each outcome measured using a range of indicators. We want to ensure that there is a continuous review process with accountable and transparent monitoring and reporting against the work that is being undertaken and how this is delivering against the strategy's vision.

It is also intended that for significant new pieces of work that are being progressed we will develop scorecards to demonstrate delivery under the strategy. These will provide an overview of the service being delivered, partners involved in the project and provide a number of performance measures that will consider how much did we do, how well did we do it and is anyone better off as a result. This will also feed into the annual delivery reports.

Funding

"Money and resources must be ring fenced."

Many responses to the Call for Views stressed the importance of longer-term sustainable funding and a costed delivery plan in order to fully implement the strategy

and its action plans. In recognition of this, a cross-departmental bid was submitted as part of the Executive's draft 2022-25 budget which was issued for consultation in December 2021. In the absence of an Executive, that draft budget was not agreed and the future funding picture is uncertain. The Secretary of State announced a one-year budget for 2022-23 at the end of November 2022. However, there is currently no certainty around funding in future years.

Within this context, it is anticipated that Departments will seek to continue the implementation of priority objectives, including delivery of programmes of work, and the development of services commissioned by Departments that will allow us to deliver under the key pillars of the strategy, subject to available funding. The allocation of funding and work to be progressed will be considered as part of the development of annual delivery plans, which will be developed in partnership with key stakeholders and agreed by the Strategic Delivery Board.

Mid-term review and evaluation

A mid-term review and evaluation of projects will form a key element of the Strategic Performance Framework for the new strategy and how we can effectively deliver under this.

In addition to annual reporting, we will conduct an interim review of the strategy at the mid-way point of delivery (likely to be during 2026/27) to assess how far our work has contributed to achieving the strategy's eight outcomes. We will also use this as an opportunity to gather feedback from key delivery partners and stakeholders on what aspects of the strategy they think are working well and what could be improved. The findings of this evaluation will be made available and will be used to inform the remainder of the strategy's seven-year implementation.

As part of the policy development and implementation process, evaluations will also typically be undertaken on significant new projects. The purpose of this is to assess their effectiveness, determine what changes may be needed and identify areas for improvement. As part of an ongoing review process this will allow us to demonstrate the success of progress that has been made through the measures that have been introduced.

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| Report to: | Strategy, Policy and Resources Committee |
| Date of Meeting: | 15 June 2023 |
| Subject: | The Department of Justice consultation on Forms of Evidence of Domestic Abuse that should Trigger an Automatic Prohibition on cross-examination in person in family proceedings and associated Equality and Human Rights Screening. |
| Reporting Officer (Including Job Title): | Gary Scott (Safeguarding Coordinator) |
| Contact Officer (Including Job Title): | Gary Scott (Safeguarding Coordinator) |

Confirm how this Report should be treated by placing an x in either:-

| | | | |
|---------------------|--------------------------|------------------------|-------------------------------------|
| For decision | <input type="checkbox"/> | For noting only | <input checked="" type="checkbox"/> |
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| 1.0 | Purpose and Background |
| 1.1 | The Department of Justice consultation on Forms Of Evidence of Domestic Abuse that Should Trigger an Automatic Prohibition on Cross-Examination in Person in Family Proceedings (Appendix 2) is seeking views on circumstances where prohibition of cross examination by an accused would apply. |
| 1.2 | The consultation response was due on 21 April 2023 and was an online response. |
| 1.3 | Due to the Council elections and the period of purdah, Council response was submitted directly to the Department of Justice and is therefore presented to committee for noting only. |
| 1.4 | Council response to this consultation is attached at Appendix 1. |
| 2.0 | Key issues |
| 2.1 | Council is committed to the principle that Domestic Abuse and Sexual Violence is unacceptable behaviour and everyone has the right to live free from fear and abuse. |
| 2.2 | Domestic and sexual abuse continues to have a damaging and lasting impact on the lives of adults and children right across Northern Ireland. It is prevalent in every community and affects all people regardless of age, socioeconomic status, sexual orientation, gender identity, race or religion and yet it continues to be a crime that many feel they cannot report. Tackling domestic and sexual abuse is a cross departmental priority. |
| 2.3 | The Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 ("the 2021 Act") makes provision (still to be commenced), to protect a victim of domestic abuse from being cross-examined by the perpetrator in person and vice-versa. An automatic prohibition on cross-examination in person will apply in specified circumstances and this consultation seeks views on what forms of evidence of domestic abuse, in addition to those already provided for in the legislation, should trigger the automatic prohibition. |
| 2.4 | The consultation seeks views on specified types of evidence which should be specified in regulations as evidence that will trigger an automatic prohibition on cross-examination in person in family proceedings. These include: <ul style="list-style-type: none"> • Binding over order • Undertaking • Fact-finding hearing • Expert report for court/tribunal • Letter or report from an appropriate health professional • Appropriate health professional referral to a domestic abuse support service |

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| | <ul style="list-style-type: none"> • Multi agency risk assessment conference (MARAC) or other suitable local safeguarding forum • Letter from an independent advocacy service providing support to victims of domestic abuse • Letter from the Housing Executive • Letter from organisation providing domestic abuse support services • Domestic abuse support organisation refusal of admission to a refuge • Letter from a public authority • Economic abuse |
| 2.5 | Council supported the consultation that the prohibition from cross examination should apply where there is an underlying element of domestic abuse and this is reflected in the proposed draft consultation response contained within Appendix 1. |
| 2.6 | Council supported with no significant comment or contentious issue |
| 3.0 | Recommendations |
| 3.1 | Members are recommended to note the Department of Justice consultation on Forms of Evidence of Domestic Abuse that should Trigger an Automatic Prohibition on cross-examination in person in family proceedings and associated Equality and Human Rights Screening (as at Appendix1) |
| 4.0 | Resource implications |
| 4.1 | There are no resource implications |
| 4.2 | Members should note responses to this consultation were submitted on-line therefore this typed word document response provided at Appendix 1 are for the purposes of this report, however, the actual response was submitted through the Department of Justice's website. |
| 5.0 | Due regard to equality of opportunity and regard to good relations (complete the relevant sections) |
| 5.1 | <p><i>General proposal with no clearly defined impact upon, or connection to, specific equality and good relations outcomes</i></p> <p>It is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations <input checked="" type="checkbox"/></p> |
| 5.2 | <p><i>Proposal relates to the introduction of a strategy, policy initiative or practice and / or sensitive or contentious decision</i></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please complete the following:</p> <p>The policy (strategy, policy initiative or practice and / or decision) has been equality screened <input type="checkbox"/></p> <p>The policy (strategy, policy initiative or practice and / or decision) will be subject to equality screening prior to implementation <input type="checkbox"/></p> |

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| 5.3 | <p>Proposal initiating consultation</p> <p>Consultation will seek the views of those directly affected by the proposal, address barriers for particular Section 75 equality categories to participate and allow adequate time for groups to consult amongst themselves <input checked="" type="checkbox"/></p> <p>Consultation period will be 12 weeks <input type="checkbox"/></p> <p>Consultation period will be less than 12 weeks (rationale to be provided) <input type="checkbox"/></p> <p><i>Rationale:</i> Equality screening and a Rural Needs Impact Assessment have both been completed by the Department of Justice and are provided in the Appendices 3 and 4.</p> |
| 6.0 | <p>Due regard to Rural Needs (please tick all that apply)</p> |
| 6.1 | <p>Proposal relates to developing, adopting, implementing or revising a policy / strategy / plan / designing and/or delivering a public service</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Equality screening and a Rural Needs Impact Assessment have both been completed by the Department of Justice and are provided in the background documents Appendices 3 and 4.</p> <p>If yes, please complete the following:</p> <p>Rural Needs Impact Assessment completed <input type="checkbox"/></p> |
| 7.0 | <p>Appendices</p> |
| 7.1 | <ol style="list-style-type: none"> 1. Newry Mourne & Down District Council consultation response – The Department of Justice consultation on Forms of Evidence of Domestic Abuse that should Trigger an Automatic Prohibition on Cross-examination in Person in Family Proceedings. 2. The Department of Justice consultation On Forms Of Evidence Of Domestic Abuse That Should Trigger an Automatic Prohibition on Cross-Examination in Person in Family Proceedings and Equality and Human Rights Screening |
| 8.0 | <p>Background Documents</p> <ol style="list-style-type: none"> 3. Department of Justice Impact Screening Outcomes - Full impact assessment document Equality Impact Assessment 4. The Department of Justice Impact Screening Outcomes - Full impact assessment document Rural Impact Assessment |



Department of
Justice

An Roinn Dlí agus Cirt
Máinnystrie O tha Laa

Evidence of Domestic Abuse Consultation Questionnaire

Consultation on forms of evidence of domestic abuse that should trigger an automatic prohibition on cross-examination in person in family proceedings

Responding to the Consultation

Please use this questionnaire to tell us your views on the options.

The closing date for receipt of responses is **5pm on Friday 21 April 2023**.

Please note that it is unlikely that responses to the consultation will be accepted after this date.

Please indicate clearly if you are responding as an individual or on behalf of an organisation.

Please send your response by email to: **AToJ.Consultation@justice-ni.gov.uk**

Privacy Notice

We intend to publish a summary of responses on our website on completion of the consultation process. Any contact details, which will identify a respondent as a private individual, will be removed prior to publication.

All information will be handled in accordance with the Data Protection Act 2018. Respondents should also be aware that the Department's obligations under the Freedom of Information Act 2000 may require that any responses, not subject to specific exemptions under that Act, be disclosed to other parties on request.

Consultee Details

Please indicate if you are responding as: *(please tick only one option)*

- A member of the public
- On behalf of an organisation
- Other.....*(please specify)*

Please enter your details below:

| | |
|---|--|
| Full Name: | Gary Scott |
| Title: | <input checked="" type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Dr <i>(please tick as appropriate)</i> |
| Organisation: <i>(if applicable)</i> | Newry Mourne and Down District Council |
| Job Title: <i>(if applicable)</i> | Safeguarding Coordinator |
| Address, including Postcode: | Downpatrick Office Downshire Civic Centre Downshire Estate, Ardglass Road Downpatrick BT30 6GQ |
| Email Address: | gary.scott@nmandd.org |

Appendix 2

Question 1.

Please consider each type of evidence listed below and indicate if you think that it should be specified in regulations as evidence that will trigger an automatic prohibition on cross-examination in person in family proceedings. Note that P and V referred to below must be a party or witness in the same family proceedings and there must be a personal connection between them.

Please explain the reason for your answer.

| Form of evidence | Response |
|---|---|
| <p>1(a) Binding over order Evidence of a court order binding over P in connection with a specified offence against V.</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/> Reason: This would be an indication of intimidating behaviour by P which may prevent V giving evidence</p> |
| <p>1(b) Undertaking An undertaking given in Northern Ireland or Scotland in place of a protective injunction or given in England and Wales under sections 46 or 63E of the Family Law Act 1996 by P for the protection of V (provided that no cross-undertaking relating to domestic abuse was given).</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/> Reason: Any form of protective injunction would indicate previous use of intimidating/aggressive or coercive/controlling behaviour by P making it difficult and intimidating for V to give evidence without support</p> |
| <p>1(c) Fact-finding hearing A copy of a finding of fact, made in previous legal proceedings,</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/> Reason:</p> |

| | |
|--|--|
| <p>including in a tribunal, in the United Kingdom, that there has been domestic abuse between P and V.</p> | <p>Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined by the alleged perpetrator</p> |
| <p>1(d) Expert report for court/tribunal An expert report produced as evidence in previous proceedings in the United Kingdom for the benefit of a court or tribunal, confirming that V was assessed as having suffered domestic abuse by P.</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/> Reason: Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined by the alleged perpetrator</p> |
| <p>1(e) Letter or report from an appropriate health professional A letter or report from an appropriate health professional (e.g. doctor, nurse, dentist, psychologist, social worker) confirming that: a) the professional or another appropriate health professional has examined V, following a report of abusive behaviour by P; and b) in the reasonable professional judgement of the author, or the examining appropriate health professional, V has, or has had, injuries or a condition consistent with being a victim of domestic</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/> Reason: Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined by the alleged perpetrator</p> |

| | |
|---|--|
| <p>abuse.</p> <p>1(f) Appropriate health professional referral to a domestic abuse support service</p> <p>A letter or report from:</p> <ul style="list-style-type: none"> a) the appropriate health professional who made the referral; b) an appropriate health professional who has access to the medical records of V; or c) the person to whom the referral was made, <p>confirming there was a referral by an appropriate health professional of V following a report of domestic abuse by P, to a person who provides specialist support or assistance for victims of, or those at risk of, domestic abuse.</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/></p> <p>Reason:</p> <p>Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined on the report/letter outlining surrounding detail by the alleged perpetrator P</p> |
| <p>1(g) Multi agency risk assessment conference (MARAC) or other suitable local safeguarding forum</p> <p>A letter from any person who is a member of a multi-agency risk assessment conference (or other suitable local safeguarding forum) confirming that V has experienced domestic abuse by P.</p> <p><u>Note that:</u> a local safeguarding forum would consist of more than one organisation/agency. Examples of bodies that might be part of other suitable local safeguarding forums are: police, probation service, prison service, health, housing, education, social services, domestic abuse adviser/advocate, victim support services, women and male support services, etc.</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/></p> <p>Reason:</p> <p>Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined on the report or any report outlining surrounding detail about the alleged perpetrator P's behaviour including information provided by V about P's behaviour</p> |

| | |
|---|---|
| <p>1(h) Letter from an independent advocacy service providing support to victims of domestic abuse</p> <p>A letter from an independent advocacy service in Northern Ireland providing support to victims of abuse, or an independent domestic or sexual violence advocate in England and Wales, confirming that they are providing, or have provided, support to V, following a report of domestic abuse by P.</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/></p> <p>Reason:</p> <p>Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined on the report/letter outlining surrounding detail of the alleged perpetrator Ps behaviour</p> |
| <p>1(i) Letter from the Housing Executive</p> <p>A letter from an officer employed by the Northern Ireland Housing Executive or its equivalent in England and Wales or Scotland containing:</p> <p>a) a statement to the effect that, in their reasonable professional judgement, V is a victim of domestic abuse by P;</p> <p>b) a description of the matters relied upon to support that judgement; and</p> <p>c) a description of the support they provided to V.</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/></p> <p>Reason:</p> <p>Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined on the report/letter outlining surrounding detail of the alleged perpetrator Ps behaviour</p> |
| <p>1(j) Letter from organisation providing domestic abuse support services</p> <p>A letter from an organisation providing domestic abuse support services confirming that:</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/></p> <p>Reason:</p> <p>Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined on the</p> |

| | |
|---|--|
| <p>a) in the reasonable professional judgement of the author of the letter, V is a victim of domestic abuse by P;</p> <p>b) a description of the matters relied upon to support that judgement;</p> <p>c) a description of the support provided to V; and</p> <p>d) a statement of the reasons why V needed that support.</p> | <p>surrounding detail of the alleged perpetrator Ps behaviour</p> |
| <p>1(k) Domestic abuse support organisation refusal of admission to a refuge</p> <p>A letter or report from an organisation providing domestic abuse support services in the United Kingdom confirming:</p> <p>a) that V was refused admission to a refuge;</p> <p>b) the date on which V was refused admission to the refuge; and</p> <p>c) that V sought admission to the refuge because of allegations of abuse by a party/witness to the proceedings.</p> <p><u>Note that:</u> a refuge will be either a refuge established for the purpose of providing accommodation for victims of, or those at risk of, domestic abuse or a residential home established and maintained by a public body for any other purpose that also provides accommodation to the victims of, or those at risk of, domestic abuse. A reason for refusal could be on the grounds</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/></p> <p>Reason:</p> <p>Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined on the surrounding detail of the alleged perpetrator Ps behaviour</p> |

| | |
|--|--|
| <p>that the refuge was full.</p> <p>1(l) Letter from a public authority A letter from a public authority confirming that V was assessed as being a victim of domestic abuse by P (or a copy of that assessment). <u>Note that:</u> "public authority" would have the same meaning as in section 6 of the Human Rights Act 1998.</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/> Reason: Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined on the report/letter outlining surrounding detail of the alleged perpetrator Ps behaviour</p> |
| <p>1(m) Economic abuse Evidence which the court is satisfied demonstrates that V has been the victim of domestic abuse by P in the form of abuse which relates to economic matters. <u>Note that:</u> relevant types of evidence might include copies of bank statements, cancelled cheques and/or relevant letters from banks, credit card accounts, emails, text messages, etc.</p> | <p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / Don't know <input type="checkbox"/> Reason: Domestic Abuse would be intimidating in nature and prevent V giving evidence when being cross examined on the evidence provided in court outlining surrounding detail of the alleged perpetrator Ps behaviour</p> |

Appendix 2

Question 2.

Is there other evidence of domestic abuse that ought to be specified in the regulations (bearing in mind that the (alleged) victim and (alleged) perpetrator must both be parties to the proceedings and personally connected, and the evidence needs to be sufficiently objective and robust to justify an automatic prohibition)?

Please tell us what this evidence is and why you think it should be included.

Yes / No / Don't know

If "yes" -

Type of evidence:

Reason for inclusion:

Question 3.

Do you think that section 5 (Penalties for concealing offences, etc.) of the Criminal Law Act (Northern Ireland) 1967 has any implications for the forms of evidence that should be specified in the regulations (see paragraphs 3.8 - 3.10)?

If you think it does, please tell us why.

Yes / No / Don't know

If "yes", reason: If P can intimidate V not to report abuse in context of section 5 then P could equally intimidate V in any cross examination in context of V being the law breaker and further intimidate.

Question 4.

Do you agree with the outcome of the screening exercises?

If you disagree, please tell us why.

Yes / No / Don't know

If "no", reason:



Department of
Justice

An Roinn Dlí agus Cirt
Máinnystrie O tha Laa

**Consultation on forms of evidence
of domestic abuse that should
trigger an automatic prohibition on
cross-examination in person in
family proceedings**

February 2023

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1. Introduction

- 1.1 The Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 ("the 2021 Act") makes provision, still to be commenced, to protect a victim¹ of domestic abuse from being cross-examined by the perpetrator in person and vice-versa. An automatic prohibition on cross-examination in person will apply in specified circumstances and this consultation seeks views on what forms of evidence of domestic abuse, in addition to those already provided for in the legislation, should trigger the automatic prohibition.

- 1.2 The Department would particularly welcome the views of victims of domestic abuse who have been involved in family proceedings, people who have represented themselves in family proceedings, and professionals, organisations and others who may be asked to provide evidence on behalf of a victim of domestic abuse. However, views are invited from all court users, people working in the family justice system, community and voluntary sector organisations, and anyone else with an interest in this subject.

¹ For the purposes of this paper, references to "victim" encompasses both victims and alleged victims and references to "perpetrator" encompasses both perpetrators and alleged perpetrators.

2. Background

Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021

- 2.1 Section 36 of the 2021 Act inserts new provision in the Family Law (Northern Ireland) Order 1993 ("the 1993 Order") to prohibit perpetrators of domestic abuse from personally cross-examining their victims in family proceedings, and vice versa (for convenience, the provision is set out in **Annex A**).
- 2.2 An automatic prohibition on cross-examination in person applies in specified circumstances as set out below. Where none of the automatic prohibitions apply, the court has a discretionary power to prohibit cross-examination in person where it would affect the quality of the witness's evidence or cause the party or witness significant distress, and it would not be contrary to the interests of justice.
- 2.3 Prohibiting a party from conducting cross-examination in person has the potential to impact that party's ability to put their case effectively to the court and Articles 6 (right to a fair trial) and 8 (right to family life) of the ECHR must be observed. The legislative provision, therefore, includes a power for a court to appoint a legal representative funded by the Department to conduct the cross-examination on behalf of a party prohibited from doing so in person.
- 2.4 An automatic prohibition on cross-examination in person will apply as follows:
 - a party has been cautioned for, charged with or convicted of a specified offence, they cannot cross-examine the victim in person (and vice versa if the victim is a party);
 - an on-notice protective injunction is in force against a party, they cannot cross-examine in person, a witness who is protected by the injunction (and vice versa where the protected person is a party); or
 - specified evidence is adduced that a party has engaged in abusive behaviour against a witness to whom they are personally connected, they cannot cross-examine the witness in person (and vice versa if the victim is a party).

- 2.5 The lists of relevant offences, on-notice protective injunctions and other evidence of domestic abuse for this purpose will be specified in regulations made by the Department. This consultation is concerned with the forms of "other evidence" of domestic abuse that should be prescribed.

Background to the provision in the 2021 Act

- 2.6 Prior to the enactment of the 2021 Act, there was no specific statutory provision enabling family courts in Northern Ireland to prohibit perpetrators of domestic abuse from personally cross-examining the victim. Instead, family courts have relied on their general case management powers, although this would not extend to a power to appoint a legal representative to carry out cross-examination of a vulnerable witness on behalf of an unrepresented party.
- 2.7 A fundamental review of family justice in Northern Ireland was commissioned by the then Lord Chief Justice in 2015 and led by Lord Justice Gillen. The final report of the Review was published in 2017 and specifically considered the issue of protection of witnesses from cross-examination by personal litigants.² The report recommended that legislative powers, similar to those already available in criminal proceedings (i.e. Part III of the Criminal Evidence (Northern Ireland) Order 1999), should be introduced in family proceedings in Northern Ireland to prevent a situation in which perpetrators of abuse can continue to exercise control over their victims and cause them further distress by cross-examining them in person.

Consultation on protecting victims of domestic abuse from being cross-examined by perpetrators in person in family proceedings

- 2.8 In July 2019, the Department consulted on options for legislation to protect victims of domestic abuse from being cross-examined in person by the perpetrator in family proceedings.³

² Review of Civil and Family Justice in Northern Ireland Review Group (2017) *Review Group's Report on Family Justice*. Available at www.judiciaryni.uk/publications/review-groups-report-family-justice.

³ Department of Justice (2019), *Protecting Victims of Domestic Abuse from Being Cross-examined by Perpetrators in Person in Family Proceedings: A Consultation on Options for Legislation*. Available at <https://www.justice-ni.gov.uk/consultations/consultation-prohibition-cross-examination-family-proceedings>.

2.9 As well as proposing an automatic prohibition of cross-examination in person where there is a relevant conviction, caution, charge or on-notice injunction, the consultation paper asked if there were any other circumstances in which an absolute prohibition on cross-examination in person should apply.

2.10 Of the 20 responses received, half made a number of suggestions in relation to other circumstances in which an absolute prohibition on cross-examination should apply. These were where:

- the party has committed a specified offence against the children or relatives of the person to be cross-examined;
- the party has been convicted of a relevant offence in respect of another victim;
- there are allegations of domestic abuse, child abuse, sexual violence, coercive control, stalking or harassment;
- there is any indication in whatever form of a history of domestic abuse;
- police have been called out to a domestic abuse incident;
- a police officer attests that there is evidence of domestic abuse;
- a DASH (Domestic Abuse, Stalking and Honour Based Violence) risk checklist has been completed by the police and the abused party has been assessed to be high risk;
- a case has been referred to MARAC [Multi Agency Risk Assessment Conference];
- an application has been submitted to the Northern Ireland Domestic Violence and Abuse Disclosure Scheme;
- domestic abuse has been disclosed to court staff;
- the court proactively asks the party to be cross-examined if the litigant in person has been abusive;
- a statutory agency or a voluntary support organisation attests that domestic abuse has been disclosed to them or they have provided support to a victim of domestic abuse;
- staff in a child contact centre indicate that they have concerns about domestic abuse;
- there is a report of domestic abuse in medical records.

2.11 Taking the views expressed by consultees into account, the Department gave a commitment in its response to the consultation, which was published in February 2020, to include a power in the legislation for the Department to specify in regulations additional evidence of domestic abuse in respect of which an automatic prohibition on cross-examination in person in family proceedings would apply.⁴

Commitment to further consultation

2.12 When the Committee for Justice was scrutinising the Bill at Committee Stage, those who responded to its call for evidence broadly welcomed the provisions on the prohibition of cross-examination in person in family proceedings. Some, however, were of the view that the Bill should have included provision for an automatic prohibition of cross-examination in person where any allegation of domestic abuse is made. The Committee sought the Department's view on this.

2.13 The Department's response was that the protection of victims needs to be balanced with the need to ensure fairness in the proceedings for all parties, therefore, the forms of evidence of domestic abuse to be specified would need to be sufficiently objective and robust to justify an absolute bar. The Department stated, however, that it would consult on the forms of "other evidence" that should lead to an absolute prohibition before making any regulations under powers in the Bill. This consultation is being carried out further to that commitment.

⁴ Department of Justice (2020), *Protecting Victims of Domestic Abuse from Being Cross-examined by Perpetrators in Person in Family Proceedings – A Consultation on Options for Legislation: Summary of Consultation Responses and Next Steps*. Available at <https://www.justice-ni.gov.uk/consultations/consultation-prohibition-cross-examination-family-proceedings>.

3. Evidence of domestic abuse

- 3.1 As noted above, the Department is of the view that, in order to protect the right to a fair hearing of all parties, the forms of evidence to be specified should be sufficiently objective and robust to justify an automatic prohibition of cross-examination in person. Accordingly, it is considered that an automatic prohibition should not apply where a party simply makes a disclosure or allegation of domestic abuse to the court without further evidence to support this. It is also important to emphasise that production of any of the forms of evidence specified in regulations made under the 2021 Act will simply trigger an automatic prohibition on cross-examination in person, i.e. a procedural protection. The court will still have to determine the substantive issues in dispute between the parties (including any contested allegations of abuse) having regard to all of the evidence before the court.
- 3.2 In considering what forms of evidence might be specified in regulations, the Department has considered existing guidance and legislation which specifies items of evidence that can be provided as evidence of domestic abuse for a particular purpose.

Domestic abuse waiver in legal aid applications

- 3.3 In determining whether to apply the discretionary waiver of the financial eligibility test for access to civil legal services for victims of domestic abuse ('the domestic abuse waiver'), the Director of Legal Aid Casework has to be satisfied that the applicant for legal aid is, or appears to be, a victim of domestic abuse perpetrated by a party bringing proceedings under Article 8 (application for contact, residence etc.) of the Children (NI) Order 1995. Many of the items of evidence that may be considered for this purpose are already included in the provision to be inserted in the 1993 Order (as amended by the 2021 Act), i.e. a relevant conviction, caution, or on-notice injunction.⁵ However the legal aid guidance also refers to "evidence provided by the PSNI that the respondent in the children proceedings has been a reported victim of domestic abuse by the applicant in the

⁵ Department of Justice (2022), *Guidance on the Domestic Abuse Waiver in Legal Aid Applications*. Available at <https://www.justice-ni.gov.uk/publications/guidance-domestic-abuse-waiver-legal-aid-applications>.

proceedings” and “other evidence providing an equal level of assurance that the applicant is eligible for the waiver”.

Position in England and Wales

3.4 The Domestic Abuse Act 2021 makes provision in relation to the prohibition of cross-examination in person in family proceedings in England and Wales, corresponding to the provision for this jurisdiction in the [Northern Ireland] 2021 Act. Last year, the Ministry of Justice made regulations to specify the forms of evidence of domestic abuse which will trigger the automatic prohibition of cross-examination in person in the Family Court in England and Wales (see Schedule 3 to the Prohibition of Cross-Examination in Person (Civil and Family Proceedings) Regulations 2022).⁶ With the exception of references to convictions, cautions, charges or on-notice injunctions (which, as in Northern Ireland, are already provided for in the primary legislation), the regulations mirror the forms of evidence of domestic abuse that can be provided for the purpose of applying for civil legal services in private family law cases in England and Wales (see Schedule 1 to the Civil Legal Aid (Procedure) Regulations 2012, as amended). It is worth noting that specified evidence of domestic abuse that has occurred in Northern Ireland is included.

3.5 Statistics produced by the Legal Aid Agency (E&W) for 2020/21 show that, out of approximately 16,335 pieces of evidence supplied in support of applications, the most common were: letter from a domestic abuse support organisation (37%); protective injunction (28%); letter from a health professional (10%); and evidence from an Independent Domestic Violence Advisor (8%).⁷

Evidence of domestic abuse that should trigger a prohibition of cross-examination in person in Northern Ireland

3.6 Taking into consideration the responses to the Department’s 2019 consultation, the evidential requirements to support applications for the domestic abuse waiver in Northern Ireland and the forms of evidence that have been specified as triggering an automatic prohibition on cross-examination in person in family

⁶ www.legislation.gov.uk/ukxi/2022/568/contents/made

⁷ *Legal aid statistics: July to September 2022*. Available at www.gov.uk/government/statistics/legal-aid-statistics-july-to-september-2022.

proceedings in England and Wales, the Department would welcome the views of consultees on the forms of evidence set out in the table in section 5 being specified in regulations as evidence that would trigger an automatic prohibition of cross-examination in person in family proceedings in this jurisdiction.

3.7 It should be noted that new Article 11D to be inserted in the 1993 Order provides that the evidence submitted must be in respect of abusive behaviour towards a party/witness in the proceedings by another person, who is also involved in the family proceedings as a party or witness and that they must be 'personally connected' (as defined, respectively, by sections 2 and 5 of the 2021 Act - see **Annex B**). Therefore, the regulations cannot include evidence of a party/witness having committed domestic abuse against a person who is not involved in the proceedings or between persons who are not personally connected. Examples of this would be:

- evidence that a party has committed a domestic abuse-related offence against the children or relatives of the person to be cross-examined;
- evidence that a party has been convicted of a domestic abuse-related offence in respect of another victim ; and
- information about a party's history of domestic abuse towards a previous partner shared by the police under the Domestic Violence and Abuse Disclosure Scheme.

3.8 In relation to specifying evidence of domestic abuse that would require to be provided by professionals, individuals working for support organisations and others, we have considered the potential effect of section 5 (Penalties for concealing offences, etc.) of the Criminal Law Act (Northern Ireland) 1967. This provision places a duty on persons to report a serious offence to the police. However, an offence will not occur if there is a "reasonable excuse" not to report an offence to the police and any associated proceedings may only be instigated by or with the consent of the Attorney General for Northern Ireland.

3.9 The Attorney General has issued guidance to the PSNI and PPS on the application of s5 to victims of serious sexual offences and those to whom they

make disclosures.⁸ In regard to what constitutes a reasonable excuse not to report a crime, the guidance states that it is important to note that, in the vast majority of cases, a failure to report what has happened to police will not amount to an offence, as a victim, or someone in whom they have confided, will be considered to have a reasonable excuse for not disclosing the information to the PSNI. For example, health professionals will normally be able to rely on their professional duty of confidentiality owed to patients and clients as a reason for not reporting an offence. Others, for example those working for support organisations, may be able to rely on the position of trust they have with the victim or the victim not wishing the incident to be reported to the police. In regard to the question of whether it is likely to be considered in the public interest to prosecute for the failure to report a crime, the guidance states that it is highly unlikely that this would be the case unless the person to whom the disclosure was made had a specific professional duty to do so or the failure to do so put others at serious risk of harm.

3.10 Having regard to this guidance and assuming a similar approach would be taken in relation to other types of serious offences, on the face of it, it seems unlikely that a criminal prosecution would be taken forward following the provision of evidence to a family court by a third party for the purpose of triggering an automatic prohibition on cross-examination under statutory provision. However, the Department would welcome consultees' views on the implications, if any, of s5 the 1967 Act.

3.11 Finally, it is also important to emphasise that, in any case where the absolute prohibition is not triggered, an application could still be made to the court to exercise its discretionary power (under new Article 11E of the 1993 Order) to prohibit cross-examination in person.

⁸ The Attorney General's Human Rights Guidance (The Application of Section 5 of the Criminal Law Act (Northern Ireland) 1967 to Victims of Serious Sexual Offences and those to whom they make Disclosures) Order (Northern Ireland) 2020 - Explanatory Memorandum. Available at: www.legislation.gov.uk/nisr/2020/113/memorandum/contents

4. Impact assessments

- 4.1 Options on evidence of domestic abuse to prohibit cross-examination in person in family proceedings have been screened for various impacts. The screening documents are available on the Department's website.
- 4.2 In relation to equality of opportunity, the proposed regulations would apply equally to all victims and perpetrators of domestic abuse, irrespective of whether they belong to a section 75 category. Statistical information, however, indicates that women are more likely than men to be victims of domestic abuse. It is, therefore, anticipated that the provision to protect victims of domestic abuse from being cross-examined by the perpetrator (and vice versa) would benefit a higher proportion of women than men. Whilst children affected by domestic violence would also be expected to benefit, as it is rare for children to give evidence as a witness of fact in family proceedings, the benefit for them is likely to be achieved indirectly through better outcomes as a result of adult witnesses being supported to give their best quality of evidence.
- 4.3 Conversely, men are more likely than women to be perpetrators of domestic abuse so a higher proportion of men than women are likely to be prevented from carrying out cross-examination in person under the regulations. This is mitigated by the court being able to appoint a legal representative to carry out the cross-examination instead and, accordingly, it is anticipated that any impact would be minimal and is unlikely to be negative.
- 4.4 Overall, we do not anticipate any adverse impact on any section 75 category and do not consider that an equality impact assessment is required.
- 4.5 The options on evidence of domestic abuse have also been screened in relation to the need to carry out a child rights impact assessment. Based on the findings of the screening, it was concluded that a full impact assessment is not required.

6. Next steps

- 6.1 You can respond to this consultation by emailing the consultation questionnaire, which is provided separately on the Department's website (see <https://www.justice-ni.gov.uk/consultations/consultation-evidence-domestic-abuse-family-courts>) to AToJ.Consultation@justice-ni.gov.uk. Alternatively, you can respond online via Citizen Space on the nidirect website at https://consultations.nidirect.gov.uk/doj/evidence-domestic-abuse-family-courts/consult_view
- 6.2 The consultation will be open for nine weeks. The closing date for receipt of responses is **5pm on Friday 21 April 2023**. Please note that it is unlikely that responses to the consultation will be accepted after this date.
- 6.3 Hard copies of this consultation document and copies in other formats, such as Braille, large print, etc., can be made available on request. If it would help you to have to this document in a different format or in a language other than English, please let us know and we will do our best to assist you. If you require any further information on this consultation, please contact us by email at: AtoJ.Consultation@justice-ni.gov.uk.
- 6.4 We will consider all contributions within the scope of this consultation and take them into account when drafting regulations in due course.

Privacy notice

- 6.5 We intend to publish a summary of responses on our website on completion of the consultation process. Any contact details, which will identify a respondent as a private individual, will be removed prior to publication. All information will be handled in accordance with the Data Protection Act 2018. Respondents should also be aware that the Department's obligations under the Freedom of Information Act 2000 may require that any responses, not subject to specific exemptions under that Act, be disclosed to other parties on request.

Complaints

- 6.6 If you have any concerns about the way that this consultation process has been handled, please contact us by email at: Governance.Unit@justice-ni.gov.uk.

**Article 11D of the Family Law (Northern Ireland) Order 1993, as
amended by the Domestic Abuse and Civil Proceedings Act
(Northern Ireland) 2021**

Prohibition of cross-examination in person: evidence of domestic abuse

11D—(1) In family proceedings, where specified evidence is adduced that a person who is a party to the proceedings has engaged in behaviour that was abusive of a witness to whom that party is personally connected, that party may not cross-examine the witness in person.

(2) In family proceedings, where specified evidence is adduced that a person who is a witness has engaged in behaviour that was abusive of a party to the proceedings to whom the witness is personally connected, that party to the proceedings may not cross-examine the witness in person.

(3) In this Article, "specified evidence" means evidence specified, or of a description specified, in regulations made by the Department of Justice.

(4) Regulations under paragraph (3) may provide that any evidence which satisfies the court that a person has engaged in abusive behaviour, or abusive behaviour of a specified description, is specified evidence for the purposes of this Article.

(5) The following apply for the purposes of this Article as they apply for the purposes of Chapter 1 of Part 1 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 (to give meanings to certain expressions)—

(a) section 2 (as read with section 3(2)) of that Act,

(b) sections 4 and 5 of that Act.

Sections 2 and 5 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021

What amounts to abusive behaviour

2.—(1) This section contains provision for determining for the purposes of this Chapter when behaviour of a person ("A") is abusive of another person ("B").

(2) Behaviour that is abusive of B includes (in particular)—

- (a) behaviour directed at B that is violent,
- (b) behaviour directed at B that is threatening,
- (c) behaviour directed at B, at a child of B or at someone else that—
 - (i) has as its purpose (or among its purposes) one or more of the relevant effects, or
 - (ii) would be considered by a reasonable person to be likely to have one or more of the relevant effects.

(3) The relevant effects are of—

- (a) making B dependent on, or subordinate to, A,
- (b) isolating B from friends, family members or other sources of social interaction or support,
- (c) controlling, regulating or monitoring B's day-to-day activities,
- (d) depriving B of, or restricting B's, freedom of action,
- (e) making B feel frightened, humiliated, degraded, punished or intimidated.

(4) In subsection (2)—

- (a) the reference in paragraph (a) to violent behaviour includes both sexual violence and physical violence,
- (b) in paragraph (c), "child" means a person under 18 years of age.

(5) None of the paragraphs of subsection (2) or (as the case may be) (3) is to be taken to limit the meaning of any of the other paragraphs of that subsection.

Meaning of personal connection

5—(1) This section has effect for the purposes of this Chapter.

(2) Two people ("A" and "B") are personally connected to each other if any of these applies—

- (a) they are, or have been, married to each other,
- (b) they are, or have been, civil partners of each other,
- (c) they are living together, or have lived together, as if spouses of each other,
- (d) they are, or have been, otherwise in an intimate personal relationship with each other, or
- (e) they are members of the same family.

(3) They are members of the same family—

- (a) if B is A's parent, grandparent, child, grandchild, brother or sister, or
- (b) if—
 - (i) one of them is in a relevant relationship with someone else ("C"), and
 - (ii) the other of them is C's parent, grandparent, child, grandchild, brother or sister.

(4) One person is in a relevant relationship with someone else if—

- (a) they are married to, or are civil partners of, each other, or
- (b) they are living together as if spouses of each other.

(5) In determining family membership—

- (a) a relationship of the half blood or by affinity is to be treated as a relationship of the whole blood, and
- (b) a stepchild of a person is to be treated as the person's child.



Department of
Justice

An Roinn Dlí agus Cirt
Máinnystrie O tha Laa

DOJ section 75 EQUALITY SCREENING FORM

Title of policy:

**Consultation on evidence of
domestic abuse that should trigger
an automatic prohibition on cross-
examination in person in family
proceedings**

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The legal background

Under section 75 of the Northern Ireland Act 1998, the Department is required to **have due regard to the need to promote equality of opportunity between:**

- person of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without¹,

Without prejudice to the obligations set out above, the Department is also required to:

- **have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group; and**
- **meet legislative obligations under the Disability Discrimination Order.**

Introduction

1. This form should be read in conjunction with the Equality Commission's revised Section 75 guidance, "Effective Section 75 Equality Assessments: Screening and Equality Assessments" which is available on the Equality Commission's website. <http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Public%20Authorities/S75Advice-ScreeningEQIA.pdf>

Section 75 statutory duties apply to **internal policies** (relating to people who work for department), as well as **external policies** (relating to those who are, or could be, served by the department).

2. The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations and so determine whether an Equality Impact Assessment (EQIA) is necessary. Screening should be introduced at an early stage when developing or reviewing a policy.

¹A list of the main groups identified as being relevant to each of the section 75 categories is at **Annex B** of the document.

3. The lead role in the screening of a policy should be taken by the policy decision-maker who has the authority to make changes to that policy and should involve, in the screening process:

- other relevant team members;
- those who implement the policy;
- staff members from other relevant work areas; and
- key stakeholders.

A flowchart which outlines the screening process is provided at **Annex A**.

4. The first step in the screening exercise is to gather evidence to inform the screening decisions. Relevant data may be either quantitative or qualitative or both (this helps to indicate whether or not there are likely equality of opportunity and/or good relations impacts associated with a policy). Relevant information will help to clearly demonstrate the reasons for a policy being either 'screened in' for an equality impact assessment or 'screened out' from an equality impact assessment.

5. The absence of evidence does not indicate that there is no likely impact but if none is available, it may be appropriate to consider subjecting the policy to an EQIA.

6. Where data/evidence gaps exist consider engaging with the main representative groups directly, for example Disability Action, Rainbow, and NICCY to find out what you need to know. Bring stakeholders together to discuss policy or link up with other UK bodies who may have similar policies.

7. Screening provides an assessment of the likely impact, whether 'minor' or 'major', of its policy on equality of opportunity and/or good relations for the relevant categories. In some instances, screening may identify the likely impact is none.

8. Contact EqualityandStaffSupportServices@justice-ni.x.gsi.gov.uk at any stage of the process for support or guidance.

Screening decisions

9. Completion of screening should lead to one of the following three outcomes. The policy has been:

- i. 'screened in' for equality impact assessment;
- ii. 'screened out' *with* mitigation or an alternative policy proposed to be adopted; or
- iii. 'screened out' *without* mitigation or an alternative policy proposed to be adopted.

Screening and good relations duty

10. The Commission recommends that a policy is 'screened in' for equality impact assessment if the likely impact on **good relations** is 'major'. While there is no legislative requirement to engage in an equality impact assessment in respect of good relations, this does not necessarily mean that equality impact assessments are inappropriate in this context.

Part 1

Definition of policy

There have been some difficulties in defining what constitutes a policy in the context of section 75. To be on the safe side it is recommended that you consider any new initiatives, proposals, schemes or programmes as policies or changes to those already in existence. It is important to remember that even if a full EQIA has been carried out in an "overarching" policy or strategy, it will still be necessary for the policy maker to consider if further screening or an EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

Overview of policy proposals

The aims and objectives of the policy must be clear and terms of reference well defined. You must take into account any available data that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the s75 categories.

Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Policy scoping

11. Information about the policy

Name of the policy/decision to be screened

This screening considers the implications for equality of opportunity of policy options being consulted on in relation to forms of evidence of domestic abuse that should trigger an automatic prohibition on cross-examination in person in family proceedings.

Is this an existing, revised or a new policy/decision?

New policy options.

What is it trying to achieve? (intended aims/outcomes)

The Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 makes provision to prohibit perpetrators (or alleged perpetrators) of domestic abuse from cross-examining their (alleged) victims in person in family proceedings and vice-versa. An automatic prohibition on cross-examination in person will apply in specified circumstances.

The consultation seeks views on what types of evidence of domestic abuse, in addition to those already provided for in the legislation, should be specified in new secondary legislation, to be made under a power in the 2021 Act, to trigger an automatic prohibition on cross-examination in person.

In order to protect all parties' right to a fair hearing, the types of evidence specified need to be sufficiently objective and robust to justify an automatic prohibition. However, where a party is prohibited from carrying out cross-examination in person, the court will have a power to appoint a legal representative to conduct the cross-examination instead.

Are there any section 75 categories which might be expected to benefit from the intended policy? If so, explain how.

The new Regulations would apply equally to all victims and perpetrators of domestic abuse, irrespective of whether they belong to a section 75 category.

Statistical information, however, indicates that women are more likely than men to be victims of domestic abuse. It is, therefore, anticipated that the provision to protect victims of domestic abuse from being cross-examined by the perpetrator would benefit a higher proportion of women than men.

Who initiated or wrote the policy?

The policy options were developed by the Department of Justice ("the Department").

Who owns and who implements the policy?

The policy is owned by the Department and it will primarily be responsible for the implementation of next steps following consultation, for example making secondary legislation.

12. Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

Yes.

If yes, are they

Tick Box

- financial
- legislative
- other, please specify:

13. Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

Tick Box

- staff (e.g. NICTS)
- service users (e.g. legal representatives)
- other public sector organisations (e.g. health & social care trusts, NIHE)
- voluntary/community/trade unions (e.g. Women's Aid and Men's Advisory Project)
- other, please specify

14. Other policies with a bearing on this policy

what are they?

The "domestic abuse waiver", i.e. evidence that can be provided when applying to the Legal Services Agency for a discretionary waiver of the financial eligibility test for access to civil legal services in certain family law cases for victims of domestic abuse.

who owns them?

Enabling Access to Justice Division

15. Available evidence

Evidence to help inform the screening process may take many forms. Set out all evidence/data (both *qualitative and quantitative) below along with details of the different groups you have met and / or consulted with to help inform your screening assessment. Specify details for each of the section 75 categories.

| Section 75 category | Details of evidence/data |
|---------------------|--|
| Religious belief | There is limited data available in Northern Ireland (NI) on domestic abuse in relation to religious belief. Evidence collated for the development of the Stopping Domestic & Sexual Violence & Abuse in NI Strategy, which was published in 2018, indicated that domestic abuse is not confined to any one religious belief. |
| Political opinion | There is limited data available in NI on domestic abuse in relation to political opinion. Evidence collated for the development of the Stopping Domestic & Sexual Violence & Abuse in NI Strategy indicated that domestic abuse is not confined to any one political opinion. |
| Racial group | PSNI statistics for 2020/21 show that nearly nine in ten victims were of white ethnicity. |
| Age | PSNI statistics for 2020/21 show that young adults (those in their 20s and 30s) are more likely to be victims of domestic abuse than those in other age groups. |
| Marital status | There is limited data available in NI in relation to domestic abuse and marital status. For example, PSNI statistics group spouse, partner, girlfriend, boyfriend, etc. together in one relationship category. However, the statistics suggest that there is no significant difference of experiencing domestic abuse whether in a marital/civil partnership or former marital/civil partnership. While 2020/21 statistics show that 59% of victims were abused by a partner/former partner, it is important to note that domestic abuse is not confined to marital/civil partnership status; it can occur in a number of different familial relationships, e.g. parent/child (24%) and siblings (8%). The MARAC [Multi-Agency Risk Assessment Conference] Dashboard for June 2022 shows that in half of the 132 cases considered that month, the alleged perpetrator was a former intimate partner and in 38.63% of cases, the alleged perpetrator is a current intimate partner. |
| Sexual orientation | There is limited data available in NI in relation to domestic abuse and sexual orientation. The MARAC Trends & Statistics 2016 management report ("the MARAC 2016 report") shows that, of the 10,752 high risk cases discussed since records began, 0.46% of victims were from the lesbian, gay, bisexual and transgender communities. The MARAC Dashboard for June 2022 shows that there were no LGBT victims that month. |

| | |
|--------------------------------|---|
| <p>Men and women generally</p> | <p>PSNI statistics for 2020/21 show that 69% of victims of domestic abuse were women. The options for specified evidence discussed in the consultation paper impact those persons who do not have legal representation (known as "litigants in person" (LIPs)) in family proceedings hearings. The UUJ Study, "Litigants in person in NI: barriers to legal participation, 2018", found that there were more male LIP participants whose cases were disposed of than female LIPs between 2012 -16. The proportion of male LIPs was around three-fifths of all LIPs across both family and civil business areas.</p> |
| <p>Disability</p> | <p>There is limited data available in NI in relation to domestic abuse and disability. The MARAC 2016 report shows that, of the 10,752 high risk cases discussed since records began, 1.5% of victims had a disability. The MARAC Dashboard for June 2022 recorded 9.85% of victims as having a disability.</p> |
| <p>Dependants</p> | <p>There is limited data available in NI in relation to domestic abuse and dependants. MARAC statistics for December 2017 show that, from January 2010, of the 12,181 cases discussed and the 2771 repeat cases, there were 15,709 children in the households.</p> |

***Qualitative data** – refers to the experience of individuals related in their own terms, and based on their own experience and attitudes.

***Quantitative data** – refers to numbers (that is quantities), typically derived from either a population in general or samples of that population.

16. Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the section 75 categories.

| Section 75 Category | Details of evidence/information |
|-------------------------|---|
| Religious belief | It is not considered that any of the options on the types of evidence of domestic abuse that should be specified in new Regulations to trigger an automatic prohibition on cross-examination in person would have a significant effect on the needs, experiences and priorities of this category. |
| Political opinion | As 'religious belief' above. |
| Racial group | As 'religious belief' above. |
| Age | As young adults are more likely to be victims of domestic abuse, they are, therefore, more likely to benefit from new Regulations which will further protect victims of domestic abuse giving evidence in family proceedings. |
| Marital status | Those in a current or former marital/civil partnership are more likely to be victims of domestic abuse and they are, therefore, more likely to benefit from new Regulations which will further protect victims of domestic abuse giving evidence in family proceedings. |
| Sexual orientation | As 'religious belief' above. |
| Men and women generally | Statistical information indicates that women are more likely than men to be victims of domestic abuse. It is, therefore, anticipated that they are more likely to benefit from new Regulations which will further protect victims of domestic abuse from being cross-examined by the perpetrator. Conversely, men are more likely than women to be perpetrators of domestic abuse so a higher proportion of men than women are likely to be prevented from carrying out cross-examination in person under the new Regulations. |
| Disability | As 'religious belief' above. |
| Dependants | Children affected by domestic abuse may be expected to benefit indirectly from new Regulations which will further protect victims of domestic abuse giving evidence in family proceedings. |

Part 2**Screening decisions****17. Decision - in favour of none**

If the conclusion is **none** in respect of all of the section 75 equality of opportunity and/or good relations categories, then the decision may be to screen the policy out. If a policy is '**screened out**' as having no relevance to equality of opportunity or good relations, give details of the reasons for the decision taken.

➤ **Considerations –**

- The policy has no relevance to equality of opportunity or good relations.
- The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

18. Decision - in favour of a 'major' impact

If the conclusion is **major** in respect of one or more of the section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure (EQIA).

➤ **Considerations -**

- Is the policy significant in terms of its strategic importance?
- The potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex and it would be appropriate to conduct an equality impact assessment in order to better assess them.
- The potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged.
- Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities.

19. Decision - in favour of 'minor' impact

If the conclusion is **minor** in respect of one or more of the section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

➤ **Considerations –**

- The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible.
- The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can easily be eliminated by making appropriate changes to the policy or by adopting mitigating measures.
- Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people.
- By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

Screening questions

| 2.1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the section 75 equality categories? | | |
|--|--|--|
| Section 75 category | Details of policy impact | Level of impact? Minor/Major/None |
| Religious belief | The new Regulations, specifying evidence of domestic abuse which would automatically prohibit cross-examination in person in family proceedings, would apply equally to all s75 categories, so it is not considered that there would be any adverse impact on equality of opportunity for this category. | None |
| Political opinion | As 'religious belief' above. | None |
| Racial group | As 'religious belief' above. | None |
| Age | While the new Regulations are more likely to benefit young adults, overall it is not anticipated that there would be any adverse impact on equality of opportunity for any particular age group. | Minor |
| Marital status | While the new Regulations are more likely to impact on those in a current or former marital/civil relationships, overall it is not anticipated that there would be any adverse impact on equality of opportunity for any particular marital status. | Minor |
| Sexual orientation | As 'religious belief' above. | None |
| Men and women generally | As statistical information indicates that women are more likely to be victims of domestic abuse, it is, therefore, anticipated that the new Regulations would benefit a higher proportion of women than men. Conversely, as men are more likely to be perpetrators, a higher proportion are likely to be prevented from carrying out cross-examination in person. This would be mitigated by the court appointing a legal representative to carry out the cross-examination instead and, therefore, any impact is unlikely to be negative. | Minor |
| Disability | As 'religious belief' above. | None |
| Dependants | As it is rare for children to give evidence in family proceedings, the benefit for them from the new Regulations is likely to be indirectly through better outcomes as a result of adult witnesses being supported to give their best possible evidence. | None |

| 2.2 Are there opportunities to better promote equality of opportunity for people within the section 75 equalities categories? | | |
|--|--------------------------------|--|
| Section 75 category | If Yes, provide details | If No, provide reasons |
| Religious belief | | No, as the new Regulations, specifying evidence of domestic abuse which would automatically prohibit cross-examination in person in family proceedings, would apply equally to all s75 categories. |
| Political opinion | | As 'religious belief' above. |
| Racial group | | As 'religious belief' above. |
| Age | | As 'religious belief' above. |
| Marital status | | As 'religious belief' above. |
| Sexual orientation | | As 'religious belief' above. |
| Men and Women generally | | As 'religious belief' above. |
| Disability | | As 'religious belief' above. |
| Dependants | | As 'religious belief' above. |

| 2.3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? | | |
|--|---|---|
| Good relations category | Details of policy impact | Level of impact Minor/Major/None |
| Religious belief | The options for evidence of domestic abuse, which would automatically prohibit cross-examination in person in family proceedings being consulted on are not likely to have any impact on good relations between people of different religious belief. | None. |
| Political opinion | As above. | As above. |
| Racial group | As above. | Above. |

| 2.4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group? | | |
|---|--------------------------------|--|
| Good relations category | If Yes, provide details | If No, provide reasons |
| Religious belief | | There are no opportunities for promoting good relations between specific categories as the new Regulations, specifying evidence of domestic abuse which will automatically lead to a prohibition on cross-examination in person, will apply equally to all s75 categories. |
| Political opinion | | As above. |
| Racial group | | As above. |

Additional considerations - multiple identity

20. Generally speaking, people can fall into more than one section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example, disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people.)

Multiple s75 identities may make an individual more likely to be a victim of domestic abuse. However, the new Regulations specifying evidence of domestic abuse which will automatically lead to a prohibition on cross-examination in person will apply equally to all s75 categories and any combination of these categories.

21. Provide details of data on the impact of the policy on people with multiple identities. Specify relevant section 75 categories concerned.

No data is available.

Part 3**Screening decision****3.1. Screened in –**

If the decision is to conduct an equality impact assessment, please provide details of the rationale and relevant evidence to support this decision.

3.2. Screened out – no EQIA necessary (no impact)

If the decision is not to conduct an equality impact assessment, please provide details of the rationale and relevant evidence to support this decision.

An EQIA is not necessary as we do not anticipate any adverse equality-related impacts on any s75 category.

Although minor impact was identified in respect of age, marital status and gender, it is unlikely that this will be a negative impact.

It is considered that the new Regulations, which will specify evidence of domestic abuse which will automatically lead to a prohibition on cross-examination in person and so will protect victims of domestic abuse giving evidence in family proceedings, would be a positive change for all victims affected by domestic abuse, regardless of s75 category, by helping to improve their experience of the justice system.

3.3. Screened out – mitigating actions (minor impacts)

When the decision is that the likely impact is 'minor' and an equality impact assessment is not to be conducted, you may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy. Explain how these actions will address the inequalities.

Timetabling and prioritising

22. Factors to be considered in timetabling and prioritising policies for equality impact assessment.

23. If the policy has been **'screened in'** for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

24. On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

| Priority criterion | Rating (1-3) |
|--|--------------|
| Effect on equality of opportunity and good relations | |
| Social need | |
| Effect on people's daily lives | |
| Relevance to a public authority's functions | |

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist in timetabling. Details of the Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

25. Is the policy affected by timetables established by other relevant public authorities?

➤ If yes, please provide details.

Part 4**Monitoring**

26. Section 75 places a requirement on the Department to have equality monitoring arrangements in place in order to assess the impact of policies and services, etc., and to help identify barriers to fair participation and to better promote equal opportunity.

27. Effective monitoring will help identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

28. Outline what data you will collect in the future in order to monitor the impact of this policy/ decision on equality, good relation and disability duties.

| | |
|--------------------------|--|
| Equality | This equality screening will be published alongside the consultation paper and comments on it invited. |
| Good relations | N/A. |
| Disability duties | N/A. |

Part 5

Formal record of screening decision

Title of proposed policy/decision being screened

Consultation on evidence of domestic abuse that should trigger an automatic prohibition on cross-examination in person in family proceedings.

I can confirm that the proposed policy/decision has been screened for –

| | |
|-------------------------------------|-------------------------|
| <input checked="" type="checkbox"/> | Equality of opportunity |
| <input checked="" type="checkbox"/> | Good relations |
| <input checked="" type="checkbox"/> | Disability duties |

On the basis of the answer to the screening questions, I recommend that this policy/decision is –

| | |
|-------------------------------------|---|
| <input type="checkbox"/> | Screened in – necessary to conduct a full EQIA |
| <input checked="" type="checkbox"/> | Screened out – no EQIA necessary (no impacts) |
| <input type="checkbox"/> | Screened out – mitigating actions (minor impacts) |

Part 6

Approval and authorisation

(Have you sent this document to the Equality Unit prior to obtaining signature?)

| Screened/completed by: | Grade | Date |
|---------------------------------|-----------|----------|
| Name: Norma Dempster | DP | 31/01/23 |
| Approved by (Grade 7 or above): | | |
| Name: Jane Maguire | Acting G6 | 02/02/23 |

Quality Assurance

Prior to final approval the Screening Form should be forwarded to EqualityandStaffSupportServices@justice-ni.x.gsi.gov.uk for comment/quality assurance. Contact the branch should you require advice or have any queries prior to this stage.

When you receive a response and there are no further considerations required, the form should be 'signed off' and approved by a senior manager responsible for the policy, this would normally be at least Grade 7.

The completed Screening Form should be placed on the DoJ Website where it will be made easily accessible to the public and be available on request. In addition, it will be included in a quarterly listing of all screenings completed during each 3 month period and issued to consultees.

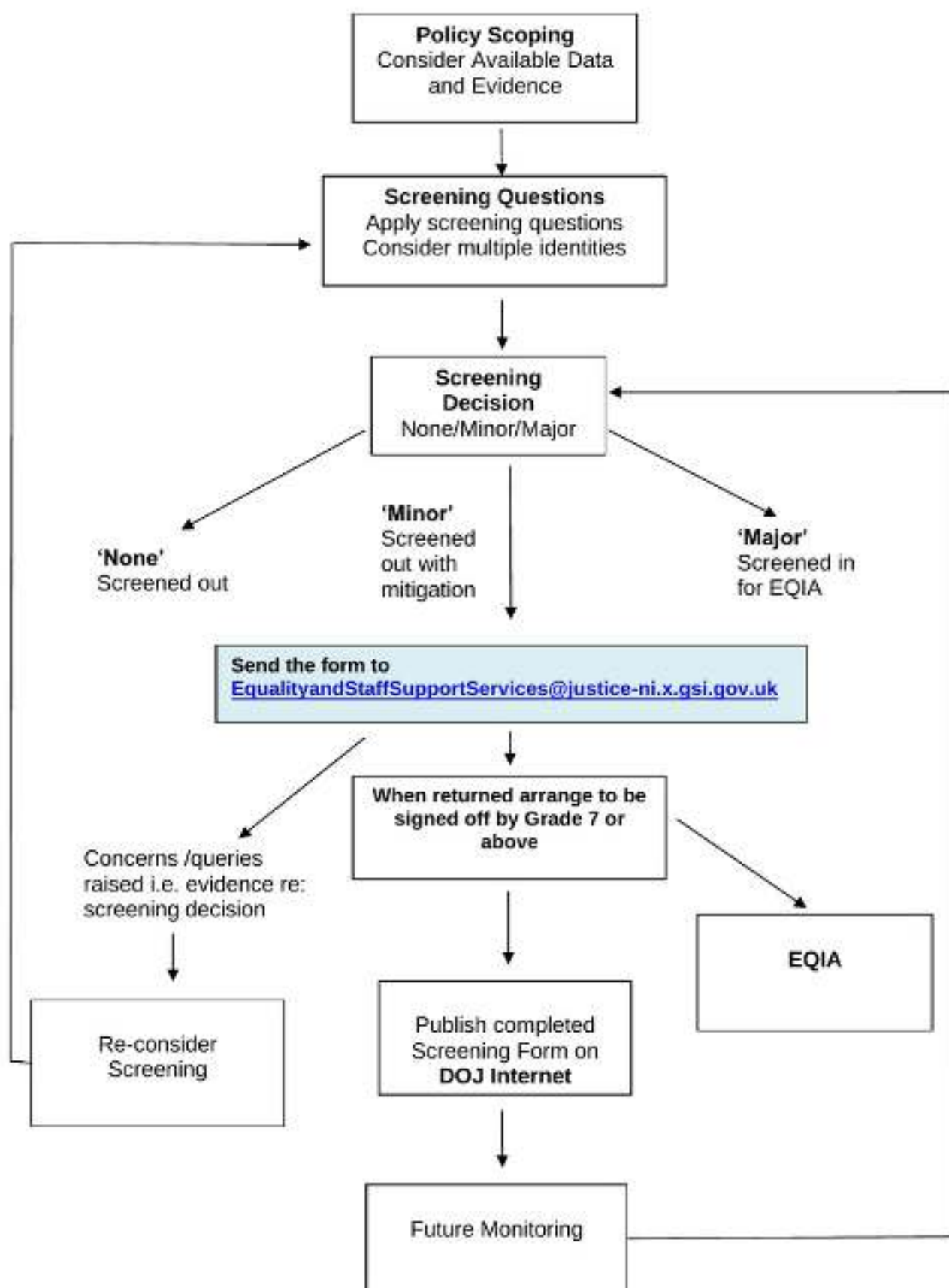
The screening exercise is now complete.

Please retain a record in your branch and send a copy for information to:-

Equality and Staff Support Services (ESSS)
Room 3.4, Castle Buildings
Stormont Estate
BELFAST
BT4 3SG
Tel: 02890 522611

or e-mail to EqualityandStaffSupportServices@justice-ni.x.gsi.gov.uk

SCREENING FLOWCHART



MAIN GROUPS IDENTIFIED AS RELEVANT TO THE SECTION 75 CATEGORIES

| Category | Main Groups |
|---|--|
| Religious Belief | Protestants; Catholics; people of other religious belief; people of no religious belief |
| Political Opinion | Unionists generally; Nationalists generally; members/supporters of any political party |
| Racial Group | White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Afro Caribbean people; people of mixed ethnic group, other groups |
| Age | For most purposes, the main categories are: children under 18; people aged between 18 and 65. However the definition of age groups will need to be sensitive to the policy under consideration. For example, for some employment policies, children under 16 could be distinguished from people of working age |
| Marital/Civil Partnership Status | Married people; unmarried people; divorced or separated people; widowed people; civil partnerships |
| Sexual Orientation | Heterosexuals; bisexual people; gay men; lesbians |
| Men and Women generally | Men (including boys); women (including girls); trans-gender and trans-sexual people |
| Persons with a disability and persons without | Persons with a physical, sensory or learning disability as defined in Schedules 1 and 2 of the Disability Discrimination Act 1995. |
| Persons with dependants and persons without | Persons with primary responsibility for the care of a child; persons with personal responsibility for the care of a person with a disability; persons with primary responsibility for a dependent elderly person. |

Rural Needs Impact Assessment (RNIA) Template

SECTION 1 - Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016

1A. Name of Public Authority.

The Department of Justice.

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016.

The Department is consulting on forms of evidence of domestic abuse that should trigger an automatic prohibition on cross-examination in person in family proceedings, in addition to those already provided for in the Domestic Abuse and Civil Proceedings Act (NI) 2021. The outcome of the consultation will inform the drafting of regulations to be made under a power in the 2021

1C. Please indicate which category the activity specified in Section 1B above relates to.

| | | | |
|-----------------------------|--|-----------------------------------|-------------------------------|
| Developing a | Policy <input checked="" type="checkbox"/> | Strategy <input type="checkbox"/> | Plan <input type="checkbox"/> |
| Adopting a | Policy <input type="checkbox"/> | Strategy <input type="checkbox"/> | Plan <input type="checkbox"/> |
| Implementing a | Policy <input type="checkbox"/> | Strategy <input type="checkbox"/> | Plan <input type="checkbox"/> |
| Revising a | Policy <input type="checkbox"/> | Strategy <input type="checkbox"/> | Plan <input type="checkbox"/> |
| Designing a Public Service | <input type="checkbox"/> | | |
| Delivering a Public Service | <input type="checkbox"/> | | |

1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above.

Consultation on evidence of domestic abuse that should trigger an automatic prohibition on cross-examination in person in family proceedings.

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service.

The overall aim of the policy is to specify in secondary legislation evidence of domestic abuse that would trigger an automatic prohibition of cross-examination in person in family proceedings. In order to protect all parties' right to a fair hearing, it is considered that the types of evidence to be specified need to be sufficiently objective and robust to justify an automatic prohibition.

1F. What definition of 'rural' is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service?

Population Settlements of less than 5,000 (Default definition).

Other Definition (Provide details and the rationale below).

A definition of 'rural' is not applicable.

Details of alternative definition of 'rural' used.

Not applicable

Rationale for using alternative definition of 'rural'.

Not applicable

Reasons why a definition of 'rural' is not applicable.

Not applicable

SECTION 2 - Understanding the impact of the Policy, Strategy, Plan or Public Service

2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas?

Yes No If the response is **NO** GO TO Section **2E**.

2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas.

Domestic abuse occurs across the whole of Northern Ireland and is not confined to rural or urban areas. Therefore, the types of evidence of domestic abuse, which would trigger an automatic prohibition of cross-examination in person in family proceedings that are discussed in the consultation paper would apply to victims and perpetrators of domestic abuse in rural areas, as well as urban areas. We do not consider that the forms of evidence specified in regulations will impact in a different way in rural areas compared to urban areas.

2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas *differently* from people in urban areas, please explain how it is likely to impact on people in rural areas differently.

Not applicable

2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is likely to primarily impact on.

| | |
|---|-------------------------------------|
| Rural Businesses | <input type="checkbox"/> |
| Rural Tourism | <input type="checkbox"/> |
| Rural Housing | <input type="checkbox"/> |
| Jobs or Employment in Rural Areas | <input type="checkbox"/> |
| Education or Training in Rural Areas | <input type="checkbox"/> |
| Broadband or Mobile Communications in Rural Areas | <input type="checkbox"/> |
| Transport Services or Infrastructure in Rural Areas | <input type="checkbox"/> |
| Health or Social Care Services in Rural Areas | <input type="checkbox"/> |
| Poverty in Rural Areas | <input type="checkbox"/> |
| Deprivation in Rural Areas | <input type="checkbox"/> |
| Rural Crime or Community Safety | <input checked="" type="checkbox"/> |
| Rural Development | <input type="checkbox"/> |
| Agri-Environment | <input type="checkbox"/> |
| Other (Please state) | <input type="text"/> |

If the response to Section 2A was YES GO TO Section 3A.

2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas.

SECTION 3 - Identifying the Social and Economic Needs of Persons in Rural Areas

3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?

Yes No If the response is **NO** GO TO Section **3E**.

3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas.

| | | | |
|--|--------------------------|----------------------|--------------------------|
| Consultation with Rural Stakeholders | <input type="checkbox"/> | Published Statistics | <input type="checkbox"/> |
| Consultation with Other Organisations | <input type="checkbox"/> | Research Papers | <input type="checkbox"/> |
| Surveys or Questionnaires | <input type="checkbox"/> | Other Publications | <input type="checkbox"/> |
| Other Methods or Information Sources (include details in Question 3C below). | | | <input type="checkbox"/> |

3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.

-

3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?

-

If the response to Section 3A was YES GO TO Section 4A.

3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas?

The Department has not identified any potential differential impact on the social or economic needs of people in rural areas. The forms of evidence of domestic abuse outlined in the consultation will apply equally to all victims and perpetrators of domestic abuse across Northern Ireland.

SECTION 4 - Considering the Social and Economic Needs of Persons in Rural Areas

4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas.

As the legislative options would not impact in a differential way in relation to rural areas, no social or economic needs were identified specific to persons in rural areas.

SECTION 5 - Influencing the Policy, Strategy, Plan or Public Service

5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?

Yes No If the response is **NO GO TO Section 5C.**

5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified.

If the response to Section **5A** was **YES GO TO Section 6A.**

5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified.

No specific rural needs were identified as the proposed options for evidence of domestic abuse will not impact on rural areas in a differential way.

SECTION 6 - Documenting and Recording

6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance.

I confirm that the RNIA Template will be retained and relevant information compiled.



| | |
|---|-------------------------------|
| Rural Needs Impact Assessment undertaken by: | Norma Dempster |
| Position/Grade: | DP |
| Division/Branch | Civil Justice Policy Division |
| Signature: | Signed: Norma Dempster |
| Date: | 31/01/23 |
| Rural Needs Impact Assessment approved by: | Jane Maguire |
| Position/Grade: | Acting G6 |
| Division/Branch: | Civil Justice Policy Division |
| Signature: | Signed: |
| Date: | 02/02/23 |

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

**Minutes of Mournes Gateway Project - Project Board Meeting
held on Friday 3rd March 2023, 10.30am
Hybrid: Council Chamber, Downpatrick & MS Teams**

In Attendance:**Programme Board Members**

Councillor Willie Clarke - Chair
Councillor Laura Devlin
Councillor Glyn Hanna
Councillor Andy McMurray

NMDDC Officials

Conor Mallon, Director of Enterprise Regeneration and Tourism
Josephine Kelly, Director of Corporate Services
Andy Patterson, Assistant Director, Tourism Culture & Events
Anthony McKay, Chief Planner
Conor Woods, Strategic Capital Projects Manager
Caolain Boyd Assistant Director: Capital Projects & Procurement
Michelle Boyle, Head of Tourism, Product Development and Visitor Experience
Tracie McLoughlin, PA

External Members

Ainsley McWilliams, Tourism NI
Theresa Slevin, BRCD Regional Programme Services
David Scullion, Construction and Procurement Delivery (CPD)

Apologies

Councillor Roisin Howell

MMGP/001: Conor Mallon welcomed everyone to the meeting and introductions were made from each Member of the Project Board.

MMGP/002: Nominate Chair of Mournes Gateway Project – Project Board

Agreed: On the proposal of Councillor L Devlin, seconded by Councillor G Hanna it was agreed to appoint Councillor Willie Clarke as Chair of the Mournes Gateway Project Board for the remainder of this Council Term

MMGP/003: Project Governance Arrangements

Mr Andy Patterson went through the Project Governance Arrangements as circulated and advised these would be updated and tabled at the next Project Board meeting.

Cllr Devlin proposed that National Trust be included on the Project Board. Mr Mallon advised that officials would approach National Trust inviting them to be represented on the Project Board.

Mr Patterson advised additional stakeholders would also be considered as the project progresses. Mr Mallon advised this can be discussed as per Item 7 on today's agenda.

Agreed: On the proposal of Councillor L Devlin, seconded by Cllr A McMurray it was agreed that officers contact National Trust inviting them to be represented on the Project Board.

MMGP/004: Update on Contract For Funding

Mr Patterson said officials continue to work with Tourism NI (TNI) and BRCD Programme Management Office (PMO) on City Deal. Ms Ainsley McWilliams said the Contract for Funding had been reviewed internally and a further update was expected soon.

Cllr McMurray asked what does the contract funding entail.

Ms McWilliams replied the contract was a standard template and a number of annexes tailored to be project specific with different modules and milestones that fit into the contract.

Cllr McMurray enquired how dependent are all facets of this project.

Mr Patterson responded the OBC was for the entire project.

Cllr Hanna said Donard Park had experienced issues with coaches parking and asked if byelaws are in place, if not, can this be considered. He also asked if parking or park & ride services be in place in advance of the gondola project.

Mr Caolain Boyd said Council were aware of the issue with coaches. Mr Mallon advised this will be considered going forward within the overall project and confirmed it was the intention that parking will be in place in advance.

MMGP/005: Update on Comms/Public Information Event

Mr Patterson advised an information event has been scheduled for 9th March 2023 to be hosted in Newcastle. He said communication will be out in the press and on social media platforms.

Cllr McMurray welcomed this engagement and asked how Council would process any concerns.

Mr Patterson clarified this was an information event, it will be an opportunity for officers to engage with the public and stakeholders, and all feedback would be recorded and considered going forward. He said comprehensive engagement and a number of workshops were held in 2017.

MMGP/006: Progress on Procurement

Mr Conor Woods provided an update on current procurement status:

- Stage 2 Design complete.
- Working on finalising the procurement documents which will issued to appoint a professional services team of multi skill consultants. Estimated Oct 2023.
- Stage 3 to commence when design team on board, expected to be end of 2023 through to 2024.
- NMDDC invited by BRCD PMO to attend event to profile City Deal on 23rd March – C Woods and C Boyd to attend.

Mr David Scullion said CPD would work with Council to produce and sign off the relevant procurement documents.

Cllr McMurray asked:

- a) What surveys had been carried out;
- b) Will there be a design of the gondola;
- c) What is the detailed cost of design, build and upkeep.

Mr Mallon confirmed that the details of all the report and surveys carried out to date had been included in the OBC which had been approved through Council Committee structures, Tourism NI / BRCD / Dept of Economy / Dept of Finance.

The Chairman asked if there where any planning considerations members should be aware of at this stage.

Mr Anthony McKay said it was early days but it would be dependant on the progression of the project and the legislative requirements at that time.

Mr Mallon said significant surveys and detailed reports will be carried out during design development and this will be more evident when design teams are in place.

Cllr Hanna asked if this project would be considered as a regionally significant development. Mr McKay said it would be difficult to determine at this early stage.

Agreed: **On the proposal of Councillor L Devlin, seconded by Councillor G Hanna it was agreed to take a paper to March Strategy Policy & Resources Committee to proceed with the procurement for the ICT on the Mournes Gateway Project up to appointment Stage.**

Cllr McMurray said he had concerns that this project would industrialise the Mourne and there could be issues with an increase in footfall over the grounds with visitors being 'dropped off' up the mountain.

Mr Mallon said a comprehensive visitor management plan is proposed as part of the project, and that more information would be made available at the information event on the 9th March.

Cllr McMurray said it could be hard to mitigate against this.

MMGP/007: Proposal for Stakeholder Forum

Mr Patterson said alongside this Project Board there would be Project Teams and a Stakeholder Forum.

Examples of members of the Project Team are NMDDC, BRCD PMO, CPD, Tourism NI, etc.

Examples of Stakeholder Forum members are NMDDC, NI Environment Agency, National Trust, local residents, schools, community groups, etc.

Cllr McMurray said it would be important to include Mountaineering Ireland, Sport NI, NIFRS and local outdoor centres on the stakeholders forum. He noted reference to the "wider Mourne area" and thought this might be too wide of a scope.

Cllr Devlin agreed with Cllr McMurray and also suggested Newcastle Chamber of Commerce and environmental groups should be considered.

The Chairman agreed with Cllr McMurray and Cllr Devlin's suggestions and asked the YMCA also be included.

Mr Mallon said its likely a stakeholder forum and a stakeholder group would be required.

Details of each would be presented to the board at the next meeting.

Cllr Hanna asked that Rivers Agency be included.

The Chairman asked that Mr Mallon compile the draft list of membership of each group for the next Project Board Meeting.

Action: Mr Mallon compile lists of Project Team, Stakeholder Forum and Stakeholder Groups for consideration at the next meeting of the Project Board.

MMGP/008: Date for Future Meetings

Mr Patterson advised it is expected the Project Board would meet every 2 months, therefore the next meeting to be scheduled for June 2023.

The Chairman suggested a meeting be convened after the information event scheduled for the 9th March to update members on feedback.

Mr Mallon confirmed a short meeting could be arranged for the end of March.

Agreed: It was agreed a brief meeting of the Project Board be arranged at the end of March 2023 to update members on feedback from the information event scheduled for 9th March.

The next full meeting of the Mournes Gateway Project – Project Board be arranged for every 2 months, therefore next meeting to take place in June 2023.

This concluded the business of the Meeting. The Meeting ended at 11.40am

**For Noting at
Strategy Policy and Resources Committee
Thursday 15th June 2023**

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

**Minutes of Newry City Centre Regeneration Programme Board Meeting
held on Thursday 23rd March 2023, 10.00am
Hybrid: Council Chamber, Newry & MS Teams**

In Attendance:**Programme Board Members**

Councillor Pete Byrne - Chair (Teams)
Councillor David Taylor (Teams)
Councillor Declan Murphy

NMDDC Officials

Conor Mallon, Director of Enterprise Regeneration and Tourism
Jonathan McGilly, Assistant Director, Enterprise, Employment & Regeneration
Anthony McKay, Chief Planner
Paul Tamati, Assistant Director, Leisure and Sport
Conor McGeown, Strategic Capital Projects Manager: Capital Projects & Procurement
Tracie McLoughlin PA

External Members

Damian Mulholland, DFC

The Chair welcomed everyone to the meeting and advised the rotation of Chair of Programme Board would take place at the next meeting when the new Council was in place.

NCCR/157: Project Board Action Sheets

- a) NMD & BRCD Project Board Mtg – 2nd March 2023
- b) Newry City Park Project Board Mtg – 9th March 2023

In relation to the NMD & BRCD Project Board Action Sheet, the Chairman enquired why the BREEAM target for the Civic Hub is excellent but the Theatre/Conference facility is 'very good'.

C Mallon advised the Civic Hub would be a new build and could achieve an 'excellent' rating but the Theatre/Conference involves the refurbishment of the older fabric of the listed Town Hall building and a rating of 'very good' is the best it can achieve.

The Chairman advised he had been contacted by an arts representative enquiring if there would be a dedicated gallery space to display art in the new facility. The Chairman asked if there would be engagement with the arts community to address this.

C McGeown advised he also received communication for an arts representative on this matter and confirmed spaces had been identified within the new Theatre and in addition to the atrium area, flexible spaces would also be available in the Town Hall and the new Conference facility. C Mallon advised that we can programme exhibitions in advance in areas throughout all the facilities in prior consultation with exhibitors. C McGeown said he was preparing a draft response to the communication.

In relation to Item NMD/BRCD/176 in the 2nd March Minutes, The Chairman asked for clarification where it states *"DM advised that they are putting £5m into Public Realm, he asked would they be able to split costs for building and Public Realm. AB advised that she will make a note to separate out the costs at the next meeting"* C Mallon said the minutes can be amended to provide clarity that the Public Realm funding could only be used on Public Realm and not on buildings. D Mulholland said CPD would be vouching invoices and will keep focus on public realm scheme.

In relation to Item No.6 in the 9th March Minutes of Newry City Park Project Board where it states *"C Haughey updated on Meanwhile Use project. Contractors to mobilise and commence work next week, equipment orders progressed"* the Chairman asked if this meant that work had commenced on 'Meanwhile Use'. P Tamati confirmed work would commence on 'meanwhile use' by w/c 27th March.

AGREED: On the proposal of Councillor D Taylor, seconded by Councillor P Byrne it was agreed to Note Action Sheets of NMD & BRCD Project Board Mtg 2nd March 2023 and Newry City Park Project Board Mtg 9th March 2023 and amend Item NMD/BRCD/176 in the NMD/BRCD Project Board Report 2nd March 2023 to reflect £5m costings for Public Realm.

NCCR/157: Newry City Park Stakeholder Update

P Tamati advised that all Expressions of Interests had been considered and approved and the first meeting scheduled for 30th March 2023. P Tamati said this will be the first engagement with the new stakeholder group. The Chairman said it was important that officials ensure the format and delivery of the meeting is considered in advance to maximise engagement with stakeholders. P Tamati advised Cllr Byrne would Chair the meeting. He said the consultants will be in attendance to present on works to date and DFC will provide an update on the OBC. He advised the meeting would be 'in person' and breakout discussions would also take place.

AGREED: On the proposal of Councillor D Murphy, seconded by Cllr D Taylor it was agreed to proceed with the proposed format of the first meeting of the Newry City Park Stakeholder Meeting scheduled for 30th March 2023 as detailed above.

AGREED: It was agreed that Members of the NCCR Programme Board be invited to attend the Newry City Park Stakeholder Group Meeting on 30th March 2023

RESTRICTED –

NCCR/158: NCCR Programme Dashboard and Graphics

- a) NCCR Programme Dashboard Report (Encl)
- b) Civic & Regional Hub and Theatre/Conference Dashboard Graphics (Encl)
- c) Newry City Park Dashboard Graphics (encl)

C McGeown went through the detail of the Dashboard Report and advised expected timelines for planning were:

- Theatre/Conference - August
- Office Accommodation – August
- Civic Hub - October

C Mallon said he would meet with D Mulholland post election regarding the Grade A Office process.

C Mallon asked members to note that if targets on planning and procurement etc are met, construction will begin on the Theatre/Conference facility early 2024. It is therefore necessary to not take any future bookings for Newry Town Hall or Arts Centre beyond December 2023. User groups will be advised in advance and alternative venue's will be offered.

The Chairman asked that officers monitor the planning process and advise users in advance if it appears that delays are likely which would enable users the opportunity to use the facilities in early 2024.

AGREED: On the proposal of Councillor D Murphy, seconded by Councillor D Taylor it was agreed to note the updates on the:

- Civic & Regional Hub
- Theatre/Conference Facility
- Public Realm
- Grade A Office Space
- Newry City Park.

Members also agreed to note the intention to cease bookings for Newry Town Hall from Jan 2024 due to anticipated commencement of construction and officials to notify user groups now. This will be monitored by officials and if any delays expected, this will be communicated at the earliest opportunity to Town Hall user groups.

NCCR/159: Client Accommodation at Civic & Regional Hub

Cllr Taylor asked if there was any update on client accommodation in the Civic & Regional Hub? C Mallon advised there was no update at present but he would be progressing a range of options in the coming months and will update members at the next Programme Board Meeting.

NCCR/160: Date for Next Meeting

Next meeting to be scheduled for June 2023.

This concluded the business of the Meeting.

**Approved by Newry City Centre Regeneration Programme Board.
For Noting at the Strategy Policy and Resources Committee 15th June 2023**