



Third National Domestic Violence Strategy

Introduction

Barnardos welcomes the opportunity to respond to the Government's public consultation process on the development of a new national domestic violence strategy.

Barnardos expertise in childhood domestic violence and abuse:

Barnardos has been delivering quality, evidenced based services, providing practical and emotional supports to children, parents and families for almost 60 years. In 2020 we worked with more than 18,000 children and families across our 41 centres.

Approximately 40% of the families we work with have experience of domestic violence and abuse. Often it is not mentioned when a family is referred to Barnardos for support, but emerges during the course of our work when a child, young person or parent is comfortable enough to tell us what is happening in their family.

We see first-hand the harmful impact domestic violence and abuse can have on all domains of a child's life. However, through our work, children and families are supported to keep safe and to heal from their experiences and we see the positive outcomes that can be achieved..

Barnardos works across prevention, early intervention, crisis and recovery through our work in family support, targeted early intervention services and the TLC Kidz domestic violence and abuse recovery programmes. Additionally, Barnardos hosts the Childhood Domestic Violence and Abuse project in partnership with Tusla DSGBV. It aims to increase the visibility of childhood domestic violence and abuse and supports a collective and collaborative approach to identifying the needs of children and deliver effective services in response. Central to this is clearly naming children and young people's experience, and developing a common understanding of this.

Our submission is structured around the four pillars of the Council of Europe Istanbul Convention, setting out what we believe has been missing from previous strategies and what we recommend be included in the governments third strategy. Many of our points cross all strands of the pillars, in particular children seen as victims of domestic violence and abuse in their own right.

1. Prevention

Children as victims

Children are centrally involved in domestic violence and abuse and experience it as victims in their own right. Article 19 of the United Nations Convention on the Rights of the Child, which came into force in September 1990, guarantees every child the right to live free from the threat of violence, and obliges States to respond appropriately to protect children and young people from all forms of violence.

The current domestic violence strategy does not recognise children as victims of domestic violence and abuse in their own right. It does not protect, acknowledge the pain and difficulty that thousands of vulnerable children experience every year in this country in relation to domestic violence and abuse.

When domestic violence and abuse occurs in adult relationships, this is a lived experience for children in the family. As children have told us:

'It's a really bad feeling in our heart, and it feels like it's broken. We feel very very angry, afraid, frustrated, worried, scared, confused, nervous and sad. Sometimes we feel it in our bodies too, we might get weak, our eyes might go black, we get a pain in our belly, our bones start to hurt and sometimes we don't feel like eating a lot. Sometimes we feel like hurting ourselves to make all our problems go away.'

Domestic violence and abuse affects every aspect of a child's life, including their health, wellbeing and development from conception through to adulthood. Children are not passive bystanders. Living in an abusive environment generally hinders a child's developmental progress and can lead to a range of social, emotional, physical and behavioural problems.

- (i) **Recommendation:** The new national government strategy on domestic violence and abuse must acknowledge children as victims, adopt policies that promote the right of these children to live free from violence and seek to address any issues and needs they face through the provision of adequate support.

Gender equality

Research on population and individual level risks factors for domestic violence and abuse has found that violence-tolerant attitudes and gender inequality are underlying causes of violence against women. This includes inappropriate stereotypes and social norms that can lead to sections of society believing certain behaviour to be acceptable between men and women. Children can be particularly susceptible. They need to appreciate and be informed of gender inequality, the need to break down inappropriate and challenge stereotypical gender roles and the importance of positive relationships and communication between genders.

Perpetrators actions are based on their attitudes and beliefs, which can be reinforced by these inappropriate broader social norms. Domestic violence is deeply gendered, addressing gender inequality is a vital mechanism in tackling domestic violence and abuse domestic violence and abuse.

- (ii) **Recommendation:** Children and young people need to be supported to challenge stereotypes and understand inappropriate behaviour and attitudes from a young age. Barnardos recommends the strategy seeks to improve education in school on gender equality as well as through national campaigns.

Increasing awareness

Progressive work and campaigns have been carried during the existing national domestic violence strategy to increase awareness among young people and the public more generally about domestic violence and abuse. However, creating awareness of and informing the public of the impact of domestic violence and abuse on children and young people as victims in their own right, would raise the profile of the issue nationally. It will give more individuals confidence to come forward to seek support and inform others around themselves of what is happening, whilst also demonstrating to young people what constitutes healthy/unhealthy relationships.

Similarly, more can be done to support, educate and train staff working in services engaging with children to know how to identify, become attuned to and recognise the signs of domestic violence and abuse and coercive control. The more aware professionals become of the issue and better equipped to identify the signs of it, the greater chance children and families have of getting support to address the violence and abuse and the help needed to recover.

- (iii) **Recommendation:** Raising awareness of childhood domestic violence and abuse across society as well as within universal and targeted services, and among policy makers should be a priority in the government's new strategy.

Engaging with parents who choose to abuse

Services around the country engaged with our CDVA project, repeatedly inform us that training and support is needed for organisations that work with parents who choose to abuse, in order to promote positive outcomes for their children. Services and organisations must feel equipped to intervene so that perpetrators are held accountable as parents.

This should take place alongside partnering with the non-abusing parent, using a strengths based approach that promotes the safety and welfare of children, instead of a failure to protect model. Supporting services to safely intervene with the perpetrator, and supporting parents who choose to abuse to be the best parents they can be, will improve the safety and well being for children and young people.

As part of our Childhood Domestic Violence National Advisory Group we are exploring the Safe and Together Model with Túsla and domestic violence services. The model aims to keep a child safe and living with the non-abusive parent where possible. The starting point is to move away from a narrative in which non-abusive parents are seen as failing to protect their children and saying perpetrators are the people responsible for their domestic abuse, their parenting choices and the impact on the child, not the survivor's actions. In doing so, it's vital to look at a pattern of behaviour, not just singular incidents of physical violence. The approach has three principles: 1) keeping the child safe and together with the non-abusing parent is usually the most effective way to promote their safety and stability; 2) professionals should look to develop a "strengths-based partnership" with non-abusing parents; 3) workers should aim to engage perpetrators and hold them accountable for their behaviour and its impact on their child.

- (iv) **Recommendation:** The government should consider the Safe and Together Model as a potential framework for all services, in particular child protection social work, working with children experiencing domestic violence and abuse.

2. Protection

Voice and rights of the child

Children and young people have a clear understanding what happens to them, know how they experience it and have opinions on what needs to happen in the future. Our CDVA project has developed a shared understanding of childhood domestic violence and abuse in collaboration with our National Advisory Group, Community of Practice and Children's Participation Group. This is currently being developed into a document which is in the latter stages of development and we will submit to the consultation in early July.

We are concerned that too often, the views and wishes of child and young people are not given appropriate consideration, particularly in court when parents are separating

acrimoniously and there is domestic violence and abuse present. Children have a right to be heard in decisions that affect them.

Post-separation contact is a potentially abusive experience for children, and post separation contact may be used to continue to exert further power and control on the victim survivor. Frequently, children are forced to spend time in the custody of the parent who chooses to abuse, despite this going against their wishes and not being in their best interests. In our experience and in our work with services around the country, it is reported to us that the abusing parent's right to access supersedes the rights of the child, and in some circumstances the safety of the victim parent and child. At present our court system is very adversarial and not child or family friendly, which can compound the stress and trauma of abuse.

The voice of the child report outlined in the recent Domestic Violence Act allows a child to give their view to the court and have an expert appointed to them to hear their wishes. Unfortunately, the appointment of experts does not appear to have been implemented in a lot of cases since the commencement of Act in 2019.

- (v) **Recommendation:** The next strategy must recognise the voice of children and young people and ensure any actions planned are informed and influenced by children's needs and rights.
- (vi) **Recommendation:** The new strategy should inform and work together with the Family Justice Oversight Group on future reforms to the family law court. The national strategy must make sure to defend the right of children to protection, recovery and family, to be able to stay safe and together with the non-abusive parent. It is vital that in order to achieve this that the child protection system and court process are more aligned. A parent's right to access should never supersede a child's right to safety, protecting children from harm must always have priority over right to access/custody.

Scale of harm and level of need

Research on domestic violence and abuse demonstrates children experience negative affects both when they are present for incidents of physical violence and when they experience coercive control behaviours. Living in an abusive environment hinders a child's developmental progress and can lead to a range of social, emotional, physical and behavioural problems. Any form of abuse occurring in the home or within the family unit is abuse of the child. Unfortunately, the true scale of harm to children in Ireland due to domestic abuse is currently unknown.

The new strategy should commit to developing a more accurate understanding of the true level and scale of need of children experiencing domestic violence and abuse in this country. Without knowing this, it is impossible to determine the level, type and breadth of support required to protect and help children recover, nor the most effective ways of preventing future domestic violence and abuse.

- (vii) **Recommendation:** The government should commission state funded research to get a more accurate picture of the scale and prevalence of children experiencing domestic violence and abuse within Ireland. As a starting point, the government should look to compile existing data from existing collection points such as Garda statistics, social work figures and service numbers.

Family support

The quality of parenting and the ability of both parents to meet children's needs are compromised in households experiencing domestic violence. Its presence creates an inconsistent, unpredictable environment for children and undermines their need for safety and security. Through the perpetrating of DVA the parenting capacity of the non-offending parent can be undermined.

However, the most protective factor for children experiencing domestic violence in terms of future outcomes is a strong positive relationship with the non-abusing parents. Family support services can help parents to strengthen relationships and repair and promote these positive attachments. These services can work both separately and together with children and parents depending on their needs, can be delivered inside and outside the home and, as they are not specific to domestic abuse, they are non-stigmatising. They seek to strengthen the relationship between child and the non-violent parent providing children with much needed parental consistency and attachment, helping the parent to support the child.

By working with children individually, family support work can help them make sense of their experiences of domestic abuse, to develop resilience and coping strategies, and ultimately help them heal and develop positively. Family support also facilitates children developing positive social relationships outside of the home with their peers (particularly those who have similar experiences), reducing feelings of isolation and self-blame.

- (viii) **Recommendation:** The next Government strategy must ensure more children and families experiencing domestic violence and abuse can access family support services. It should recognise the vital role that family support services in the community and voluntary sector play and are considered as part of a national action plan for responding to domestic violence and abuse.

Consent for support

Children's right to access therapeutic services should be prioritised over an abusive parent's coercive and controlling behaviour. Unfortunately, we have experienced situations in which abusive parents have attempted to block access to support for children and young people. Children's access to therapeutic services, at times has been seriously compromised by the requirement to have consent from a parent who has been abusive in their relationship. The process of seeking their consent often leads to further abuse of power and control and threatens the safety and wellbeing of children

- (ix) **Recommendation:** A clear pathway to navigate consent for children is needed.

3. Prosecution

When individuals are prosecuted for domestic violence and abuse it is important that children are taken into account to reflect the true extent of the harm that is caused and ensure the offending individual is held to account for their parenting choice. For example, section five of the Domestic Abuse Act 2018 in Scotland sets out a statutory sentencing aggravation to reflect the harm that can be caused to children growing up in an environment where domestic abuse takes place.

We are concerned about the low level of prosecutions for domestic violence and abuse, and the impact this might have on non-offending parents and children's confidence to come forward to report the issue to professional bodies or support services. Children should be kept safe and together at home with the non-offending parent where there is an issue of domestic violence. It is unacceptable that in modern society non-abusing parents are continually forced to flee their homes with their children in order to protect their safety. It causes extensive disruption to all aspects of a child's life.

4. Co-ordinated Policies

Support services - National response framework for childhood domestic violence and abuse

Children who experience domestic violence and abuse should have seamless access to support across prevention, early intervention, crisis and recovery through local co-ordinated community responses across the country. This should be underpinned by keeping children safe with the non-abusing parent and holding the perpetrator to account as a partner and a parent.

Training professionals to promote a shared understanding of childhood domestic and abuse and increasing skills for professional to be more attuned to its presence and how to appropriately respond to it within their respective roles, would help this programme of support to be more successful.

- (x) **Recommendation:** The new strategy must commit to building a collaborative and coordinated approach to providing direct support to children across the statutory and voluntary services.

Information sharing

In our experience, GDPR continues to be confusing for professionals and agencies working in this area and at times has prevented them from sharing information in order to promote safety and wellbeing for children. It is rarely possible to separate the impact of the domestic violence and abuse on the child from the impact on the victim survivor or the behaviour of the abusive parent/adult.

- (xi) **Recommendation:** Generate greater links and collaboration between adult and children services, at both a statutory and community level.

Risk Assessment

The current national strategy suggested the development of a Risk Assessment Matrix for the Gardaí for all victims of domestic violence and abuse. The Gardaí are in the process of piloting this recommendation and carrying out an evaluation of any outcomes as part of the pilot.

- (xii) **Recommendation:** Pending the conclusion of the evaluation the learning from the Gardaí's risk assessment matrix should be widened to involve the community and voluntary sector to promote shared learning, the safety and welfare of families who live with domestic violence and abuse. It would help to ensure a coordinated response to protect women and children and contribute to a system-wide shared understanding of domestic violence and abuse.

If you would like any further information or detail about our submission or wish to contact us about our work on childhood experience of domestic violence and abuse please contact our National Policy Manager Stephen Moffatt.

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