

## WILLOW PARK HOUSING TRUST

## DOMESTIC ABUSE POLICY

<b>Date of Issue</b>	<b>March 2010</b>
<b>Version</b>	<b>3</b>
<b>Date of Review</b>	<b>March 2013</b>
<b>Officer Responsible</b>	<b>Housing Services Manager</b>
<b>Reference</b>	<ul style="list-style-type: none"> <li>• Housing Act 1996</li> <li>• Antisocial Behaviour Act 2003</li> <li>• Family Law Act 1996</li> <li>• Protection from Harassment Act 1997</li> <li>• Domestic Violence, Crime and Victims Act 2004</li> <li>• Housing Corporation Regulatory Code and Guidance 2002</li> <li>• Community Safety Strategy</li> <li>• Equalities and Diversity Policy</li> <li>• Customer Involvement Strategy</li> <li>• Forced Marriage (Civil Protection) Act 2007</li> </ul>

**I. KEY POLICY OBJECTIVES****I.1 Willow Park :**

- I.1.1** Endorses the right of members of our community to be treated with respect and dignity and takes a zero tolerance approach to domestic abuse.
- I.1.2** Is committed to contributing towards the safety, stability and sustainability of our community by treating domestic abuse as a crime which is not acceptable and is detrimental to the physical and mental well being of victims, their families and communities.

- 1.1.3 Recognises that not all cases of domestic abuse are reported and that there are a number of reasons for this. We will work with other partner agencies to ensure all sections of the community feel confident in reporting issues to us.

## 2. DEFINITION

### 2.1 Willow Park :

- 2.1.1 Adopts the Manchester Multi Agency Crime and Disorder Domestic Abuse Management Group definition of Domestic Abuse as :

**“Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or who have been intimate partners or family members, regardless of gender.”**

- 2.1.2 Acknowledges that whilst men will sometimes be the victims of domestic abuse, in the majority of cases, violence is perpetrated by men against women and children.

- 2.1.3 Recognises that violence can take place in same sex partnerships and includes lesbians and gay men within the scope of this policy.

- 2.1.4 Recognises that domestic abuse can be perpetrated in different types of relationship e.g. elderly relatives.

- 2.1.5 Recognises that direct and indirect harm is suffered by the children connected to relationships where domestic abuse occurs.

- 2.1.6 Recognises that domestic abuse includes “Honour Based Violence”, which is a crime or incident which has or may have been committed to protect or defend the honour of the family and/or community.

- 2.1.7 Recognises that honour based violence can include forced marriages, where a marriage is conducted without the valid consent of one or both parties and where duress is a factor.

- 2.1.8 Recognises that domestic abuse occurs in all ages, classes and communities and that some victims face additional barriers and discrimination when trying to access services. These groups include:

- Women with children;
- Women with disabilities or mothers of children with disabilities;
- Lesbians;

## APPENDIX 3

- Women who are black or from other minority groups;
- Women
- People undergoing gender transition
- People with insecure immigration status

### 3. LEGAL DUTIES

#### 3.1 Regulatory Code

- Section 3.5 includes an expectation that associations' services should be responsive to the individual characteristics and circumstances of residents;
- Audit Commission Inspection in respect of Equality & Diversity issues.

#### 3.2 Housing Act 1996

- The Act allows landlords to apply for a possession order if a tenant has committed or threatened violence to their partner, or their partners family which forces them to leave the property. This provision is included in section 4.7 of Willow Park's tenancy conditions.

### 4. KEY POLICY STANDARDS

#### 4.1 Willow Park will adopt a victim centred approach and treat victims courteously, sensitively and respectfully at all times. This will be reflected in its procedures which will ensure that:

- The overriding concern is for the safety of victims;
- Victims are consulted before any action is taken;
- Victims should be supported to remain in their homes where appropriate;

#### 4.2 Victims of domestic abuse are particularly vulnerable and need support. Willow Park will offer a range of measures to support victims which include

- Out of hours support
- Victim and witness support
- Home link alarms
- Target hardening and security measures
- CCTV cameras

## APPENDIX 3

- 4.3 Willow Park will also fit a sanctuary room to a property where appropriate to protect victims and make them feel safe in their own home.
- 4.4 In dealing with perpetrators the full range of options will be considered including the use of Injunctions, Demotions , ASBO's, Possession Proceedings, and placing perpetrators on the Manchester Review List.
- 4.5 Willow Park will use “without notice” application for Injunctions and Anti-Social Behaviour Orders to protect victims and witnesses in every situation where threats of violence are made by identifiable perpetrators.
- 4.6 Willow Park will also support and assist victims where necessary when making applications for Occupation Orders and Non-molestation Orders under the Family Law Act 1996.
- 4.7 Willow Park will also consider funding such applications should the victim have no recourse to public funding.
- 4.8 Willow Park will fully support victims who wish to be rehoused away from the property and/or require temporary accommodation.
- 4.9 Willow Park will share information about domestic abuse with the police and other agencies through its data exchange protocol in order to identify perpetrators, offer support and assistance and monitor incidents.
- 4.10 Customer feedback will be requested from victims, and also perpetrators, of domestic abuse to enable the operation of services to be reviewed and continuously improved.
- 4.11 Willow Park will, in accordance with its Customer Involvement Strategy, work with residents and Residents Groups to reduce domestic abuse by increasing awareness.
- 4.12 Willow Park will encourage the reporting of domestic abuse by publicising the support available to victims and the actions Willow Park will take against perpetrators.
- 4.13 Willow Park will include information on the non housing legal remedies available to victims, including:
  - Occupation Orders and Non-molestation Orders which can be obtained under the Family Law Act 1996 - Part IV
  - The Protection from Harassment Act 1997 which makes civil and criminal provisions to protect victims who have not been in a family relationship and/or cohabited. Civil actions include the use of injunctions for restraint

## APPENDIX 3

and the award of damages. Convictions can be made under the criminal sections of the act and prosecutions can result in the use of restraining orders and powers of arrest.

- The Children Act 1989 which enables the court to remove a suspected child abuser from the home.

- 4.14 Willow Park will develop and maintain effective partnerships with local stakeholders, including the police and Manchester City Council, to tackle domestic abuse and support victims and witnesses.
- 4.15 Willow Park will continue to work with other RSLs across the City in the Domestic Abuse Partnership Group in order to share experiences and develop good practice.
- 4.16 Willow Park will work with support groups, resident forums and external agencies to ensure they contribute to policy and service development.
- 4.17 Willow Park will provide published information to residents and stakeholders on key outcomes, actions and successes in relation to domestic abuse.

### 5. TRAINING

- 5.1 Willow Park employees will be trained, resourced and supported to enable them to deal effectively with incidents of domestic abuse and all front line staff will receive training on;
- Domestic abuse awareness
  - Cultural issues
  - Current legislation
  - Tenancy issues
  - Homelessness issues
  - Willow Park's policy and procedure.

### 6. MONITOR AND REVIEW

- 6.1 Standards and targets will be set which enable domestic abuse to be effectively monitored and managed and preventative strategies to be developed. These will include:
- Number of new cases and location
  - The type of action taken on cases closed
  - Levels of repeat incidents
  - Number of cases where support is provided
  - Level of satisfaction with the handling of the case

## **APPENDIX 3**

- Number of reports responded to within specified service standards and target times
- 6.2 Monitoring information will be included in Quarterly Reviews and reported to Housing Committee and Board.
- 6.3 Monitoring information will include a breakdown by age, gender, ethnicity, sexuality, disability and religion in relation to the complainant, victim and perpetrator

### **7. EQUALITY AND DIVERSITY**

- 7.1 It is essential to recognise that customers of all races, ages, religions, gender, sexual orientation, literacy levels and disability should be treated equally and fairly.
- 7.2 The Trust recognises that domestic abuse cases may be complicated by virtue of a person's individual need and that we will provide a tailored response to reports of domestic abuse according to individual circumstances
- 7.3 All customers will have access to this document upon request or from our website [www.willow-park.co.uk](http://www.willow-park.co.uk)
- 7.4 This document and accompanying leaflet can be translated or provided in alternative formats (E.g. large print, Braille, audio) upon request.
- 7.5 Equality and Diversity awareness training is mandatory for all staff