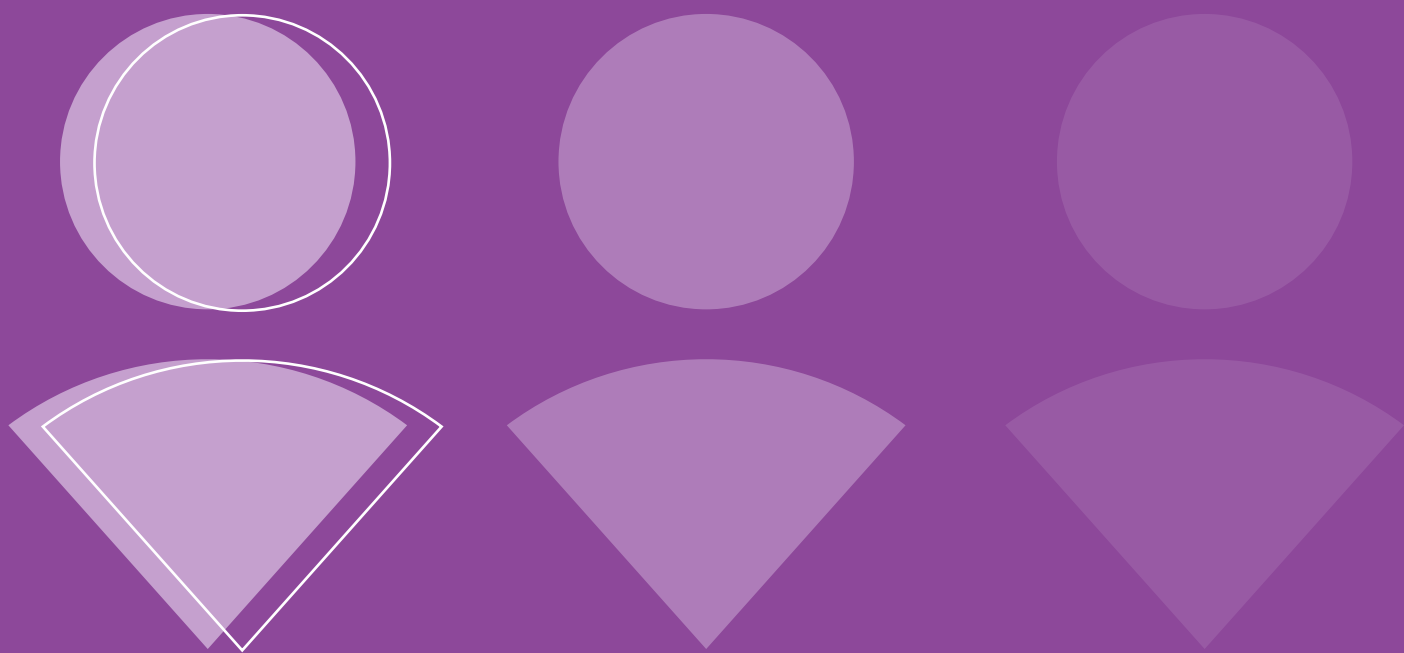


**Policy and  
Procedures**  
2021 Edition

# Domestic Abuse



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# Introduction

This introduction was written in November 2020, at the start of the UK's second 'lockdown' in response to the Covid-19 pandemic. In the first seven weeks of the initial lockdown, one call relating to domestic abuse was made to police every 30 seconds.<sup>1</sup> This shocking statistic was revealed by the BBC's *Panorama* programme, in its joint investigation with Women's Aid. The programme highlighted the emotional and physical dangers that exist for people in situations where 'escaping' and seeking help are difficult.

Domestic abuse is widespread. It continues to affect people from all walks of life, including churchgoers and those with whom we come into contact through our activities.

In 2002, the Methodist Conference received the report called *Domestic Violence and the Methodist Church – The Way Forward*. This was followed, in 2005, by the *Domestic Abuse* report, which was received and commended by the Conference to all members and parts of the Church for study, prayer and action. The change of language (from 'violence' to 'abuse') recognised a wider definition of domestic abuse; one that is reflected in this Policy and Procedures. This document forms part of the Methodist Church's commitment to safeguarding, with its unequivocal determination to create safer spaces for all.

The policy and procedures here are intended to help us understand the nature and complexity of domestic abuse. They also underline that there have been some serious misunderstandings about the nature of personal and family relationships, and indicates how these are linked to distorted theological thinking.

This document seeks to answer more than "What to do if...?" It offers to help us:

- understand more about domestic abuse and its (often) lasting impact
- consider how we respond when we encounter situations within and outside our church communities
- think about how we relate to people in the context of Church, so that worship and fellowship are experienced as safer spaces, rooted in the belief "that God wants human beings to flourish and grow in loving relationship with one another and God".<sup>2</sup>

We are very grateful to those who felt able to share their personal experiences, as well as to those who listened and have spoken out when necessary – not least in the Church. Our thanks to those who have produced this policy and contributed to making it accessible to every church within the Methodist Connexion. We commend it not only to be read, but also to influence all our relationships, so that Methodists become known as people who will not tolerate abuse by anyone, anywhere.

## **The Revd Henry Lewis and the Revd Anne Brown**

Chair and Deputy, Methodist Church Safeguarding Committee

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1 'Escaping my Abuse', *Panorama*, BBC, 17 August 2020. [www.bbc.co.uk/programmes/m000lwz](http://www.bbc.co.uk/programmes/m000lwz)

2 *Domestic Abuse* report, The Methodist Conference 2005. [www.methodist.org.uk/about-us/the-methodist-conference/conference-reports/conference-reports-2005/](http://www.methodist.org.uk/about-us/the-methodist-conference/conference-reports/conference-reports-2005/)

# Objectives, Different Legislatures and Acknowledgements

## Objectives

The Methodist Church seeks to offer a safe place for all people in its worship and community life. This requires clear boundaries, around acceptable behaviour, that are respected. Inappropriate or harmful behaviours and attitudes have to be addressed.

The objectives of the *Policy and Procedures* are:

1. To raise awareness and understanding of domestic abuse in districts, circuits, local church communities and at Connexional level.
2. To increase awareness of, and access to, support services for victims of domestic abuse and, where appropriate, for perpetrators.
3. To enable those within leadership or safeguarding roles within the Church to provide a caring and appropriate professional response, in cases of domestic abuse.
4. To enable all within churches to know how to give a caring and responsible initial response to cases of domestic abuse.
5. To help make churches safer places.
6. To encourage collaborative working with other denominations and agencies.

## Adopting the policy in different legislatures

Churches must follow the Methodist Church *Safeguarding Policy, Procedures and Guidance*,<sup>3</sup> of which these procedures are part. It is recommended that churches also adopt the 'Model Policy for a Local Church/Circuit' (Appendix 1). This will enable churches to think through how the policy can be applied in their own context.

The procedures cover the Methodist Church in Britain, which includes England, Scotland, Wales, Northern Ireland, Isle of Man, Jersey, Guernsey, Malta and Gibraltar. Legal arrangements and requirements vary in these areas. Please see Appendix 2: 'The Legal Context' or check with your District Safeguarding Officer for more detailed information about the differences in your legislature.

## Acknowledgements

We are grateful to the Domestic Abuse Working Group: Mandy Marshall, co-founder of Restored (now Director for Gender Justice at the Anglican Communion); the Revd Eleanor Hancock, coordinator of the Churches Together in Cumbria Domestic Abuse Steering Group; Brec Seaton, Learning and Development Officer, Maureen Hudd, Chair of District Safeguarding Group for Southampton and Channel Islands' Districts, and all those who have contributed to the drafting and production of these procedures.

<sup>3</sup> *Safeguarding Policy, Procedures and Guidance*, as amended July 2020. [www.methodist.org.uk/media/18740/safeguarding\\_policy\\_procedures\\_and\\_guidance\\_for\\_the\\_methodist\\_church\\_sept\\_2020.pdf](http://www.methodist.org.uk/media/18740/safeguarding_policy_procedures_and_guidance_for_the_methodist_church_sept_2020.pdf)

# Domestic Abuse Policy Statement and Definitions

## Policy statement

The Methodist Church holds that domestic abuse in all its forms is unacceptable and incompatible with the Christian faith and a Christian way of living. It is committed to being a safer space for all. This means ensuring that members of the Methodist Church have an awareness and understanding of domestic abuse, and know how to respond appropriately and effectively. When victims disclose abuse, they can expect to be listened to, taken seriously, supported and referred to local professional services, as appropriate. Local churches should receive advice and support from their Church/Circuit Safeguarding Officer and the District Safeguarding Officer.

This *Domestic Abuse Policy and Procedures* document includes recent legislative changes, contained in the Domestic Abuse Act, England (2021)<sup>4</sup> and legislation in other jurisdictions. It also highlights useful resources available to local churches, victims and survivors.

## Definitions

### Victim/survivor

A person who experiences domestic abuse has historically been referred to as a 'victim' and this term is still used primarily in legal documents. Some people who have experienced abuse prefer to define themselves by the term 'survivor', since this implies that they have moved beyond the situation of abuse and are no longer defined by it. They may feel 'victim' portrays them as passive and powerless. However, others continue to choose to identify as a 'victim'. To be respectful, it is best to check which term the person prefers. In this document, we will use 'survivor', apart from when describing someone still in the situation of abuse when we will use 'victim'.

### Domestic abuse

Domestic abuse is defined in the UK Government's *Draft Statutory Guidance Framework*<sup>5</sup> as the abusive behaviour of one person towards another, if the persons involved are 16 years of age or over and personally connected.<sup>6</sup> Behaviour is considered to be abusive if it consists of any of the following:

- Physical or sexual abuse
- Violent or threatening behaviour
- Controlling or coercive behaviour
- Economic abuse
- Psychological, emotional or other abuse.

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4 Domestic Abuse Act, Home Office, 2021 [www.legislation.gov.uk/ukpga/2021/17/contents/enacted](http://www.legislation.gov.uk/ukpga/2021/17/contents/enacted)

5 *Delivery of Support to Victims of Domestic Abuse, including Children, in Domestic Abuse Safe Accommodation Services: Statutory guidance for local authorities across England – Draft for consultation*, Home Office, June 2021. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/993825/Domestic\\_Abuse\\_Act\\_-\\_draft\\_statutory\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/993825/Domestic_Abuse_Act_-_draft_statutory_guidance.pdf)

6 Ibid. Two people are "personally connected" to each other if any of the following applies: (a) They are, or have been, married to each other; (b) They are, or have been, civil partners of each other; (c) They have agreed to marry one another (whether or not the agreement has been terminated); (d) They have entered into a civil partnership agreement (whether or not the agreement has been terminated); (e) They are, or have been, in an intimate personal relationship with each other; (f) They each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2)); (g) They are relatives.

It is important to note that domestic abuse can also occur in relationships between young people under 16 years of age, but neither this policy nor the Domestic Abuse Act address these situations, which would be dealt with according to child protection laws.

Domestic abuse includes forced marriage and honour crimes. It may include a range of abusive behaviours, not all of which are in themselves inherently violent. Whatever its form, domestic abuse is rarely a one-off incident; rather it is usually a pattern of incidents that build up in severity and frequency over time. The abuser seeks to hold power over another person and control them.

Domestic abuse results from unequal power within relationships and the control of one individual by another. Male-on-female abuse and violence can be rooted in a sense of privilege, historically reinforced by a patriarchal culture. If we are to see an end to domestic abuse, this attitude must be addressed, which may have implications for the theological beliefs of some individuals and for the Church's interpretation of Scripture.

Although women are more likely to be victims of domestic abuse than men and are less likely to leave an abusive relationship at an earlier stage, it is important to acknowledge that men can also be domestically abused. Indeed, domestic abuse occurs across all of society, regardless of age, gender, ethnicity, sexuality, wealth or geography. It is important that the specific circumstances of the victim are taken into account. Factors such as disability, ethnicity, sexuality and culture can impact on how domestic abuse is experienced and perceived. Each situation needs to be addressed with sensitivity.

### Controlling or coercive behaviour

The cross-UK Government definitions of controlling or coercive behaviour are:

- Controlling behaviour: a range of acts designed to make a person subordinate and/or dependent, by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape, and regulating their everyday behaviour
- Coercive behaviour: a continuing act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.<sup>7</sup>

Controlling or coercive control is now a specific criminal offence under Section 76 of the Serious Crime Act 2015. The perpetrator intentionally works to regulate their victim's behaviour, which can result in the victim having low self-esteem and resilience, making it difficult for them to leave the relationship. Coercive and controlling behaviour makes it easier for an abuser to hide their abuse behind closed doors. This may make it hard to identify, so clues and signs need to be recognised.

<sup>7</sup> *Controlling or Coercive Behaviour in an Intimate or Family Relationship: Statutory Guidance Framework*, Home Office, December 2015. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/482528/Controlling\\_or\\_coercive\\_behaviour\\_-\\_statutory\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/482528/Controlling_or_coercive_behaviour_-_statutory_guidance.pdf)

# Theological Understanding

The Methodist Church's theological reflections begin with the belief that God wants human beings to flourish and grow in loving relationship with one another and with God. God does not intend people to perpetrate or suffer from domestic abuse and God works with us to end the damage and harm it does. As the Methodist Church continues to develop its theological thinking, not least through listening to those who have experienced abuse, its members are encouraged to reflect on how theological resources may be used for the sake of those caught up in domestic abuse.

## Misappropriation of theology

The Methodist Church recognises that sometimes theology has been used as a tool to justify domestic abuse. This is an abhorrence and contrary to God's love and grace. Members of the Methodist Church are encouraged to be aware of the tactics that abusers use to justify their behaviour, and the ways in which theological thinking has been misappropriated.

Survivors have spoken of various aspects of theology where distorted thinking has contributed to domestic abuse, especially the abuse of women. These include:

**Submission:** The idea that wives should submit to their husbands is often drawn from a narrow, literal interpretation of Ephesians 5:22 ("Wives, be subject to your husbands as you are to the Lord", NRSV), without reference to the context in which the verse was written or to the preceding verse (which speaks of being 'subject' to one another). This verse is part of other material in the New Testament, the 'household codes' (Ephesians 5:22-6:9, Colossians 3:18-4:1 and 1 Peter 3:1-7), which closely resemble codes for social behaviour from non-Christian philosophies of the period when these texts were written. The standards referred to were part of the culture in which the New Testament writers lived. It can be argued, however, that this material is used in the New Testament to enshrine a standard that demands a greater responsibility for care by the powerful in society than would have been demanded outside the Church. They can therefore be interpreted as requiring more of Christians in terms of love and respect, responsibility and care, than is expected by wider society. The idea of 'submission', in this context, is something that is freely chosen within mutual, equal relationships of care. In contrast, if submission is demanded then there is control and abuse.

**Head or 'headship':** Particular passages in the New Testament (including, for example, Ephesians 5:23 – "For the husband is the head of the wife, just as Christ is the head of the Church, the body of which he is the Saviour", NRSV) have shaped notions of male 'headship' in relationships, which have sometimes then been misused to justify domination, control and abuse by a husband/male partner over a wife/female partner. Christ's 'headship', however, is from his self-emptying of all but love, and the model is one of loving service. Significantly, the Methodist Church has not required, or perhaps even deemed it appropriate, for women to promise to 'obey' their husbands in the marriage services it has produced since 1932.

**Divorce and marriage vows:** Marriage is a gift of God. The Methodist Church's understanding of marriage emphasises mutuality, self-giving and commitment to growth for oneself and the other, in the image of the self-giving, desire and delight of God. The marriage vows include a promise of life-long commitment, but the insistence that permanence, rather than mutual delight and joy, is the foremost aim of marriage, has caused much damage.

The marriage promises can be broken in many ways, but an insistence on permanence over the safety and wellbeing of one of the partners cannot be right within a Christian theology of marriage. An abusive, controlling partner, who does not love and cherish, is actually the one who breaks the marriage vows. A survivor who is divorced from their abusive partner is not responsible for the breaking of a marriage covenant. Abuse within a marriage is an act of will, a choice. The Church has significant work to do to support survivors of domestic abuse, including when they feel the deep hurt and guilt of a broken marriage.

**Self-sacrifice, suffering and guilt:** The idea of bearing suffering as Jesus did, even to death on the cross, is deeply embedded in Christian thinking and patterns of discipleship, but it has sometimes been misused by perpetrators, compounding the trauma experienced by survivors. Christ's suffering and human suffering are radically different. It is not healthy or life-giving Christian theology to say that people must suffer because Christ suffered, or to imply that suffering is good in and of itself. In contexts of abuse, coercion and control, suffering can never be understood as redemptive. This is very different from contexts where there is proper self-affirmation, self-esteem and alternative choices, when someone may be willing to accept, and have the resources to bear, the suffering that can be a part of challenging violence and injustice and working for peace. Suffering should never be used as a justification for abuse. Survivors should be encouraged to see themselves as valuable to God and loved, and not to feel guilty for leaving an abusive partner.

**Repentance and forgiveness:** Forgiveness, repentance and new life in Christ are central to the gospel, but some simplistic understandings, or misunderstandings, of forgiveness have prompted actions and statements that have caused further harm and damage to those who have experienced abuse. For example, the idea that forgiveness involves forgetting persists, but a new start does not mean that the past is forgotten and there are no consequences. Indeed, forgiveness may well mean that offenders have a greater sense of obligation than before, as they are encouraged to recognise and take responsibility for the damage, profound harm and trauma that resulted from their actions. Repentance does not mean that someone is wholly reformed, previous patterns of behaviour have been left behind, or there is no risk of reoffending. Through God's grace there is the possibility of change for all, but for trust to be re-established, change has to be demonstrated in the context of a community that exercises discipline and demands accountability. Safeguarding processes are part of this.



**I believe forgiveness is a process by which it is possible to break the bonds of abuse and find the strength within that helps us to become transformed ... in which we can slowly and painstakingly find ourselves.”**

The Revd Dr Barbara Glasson (*A Spirituality of Survival – Enabling a Response to Trauma and Abuse*, 2009)

Forgiveness is also sometimes spoken of in terms that give inappropriate emphasis to the relationship between two individuals. Forgiveness is a gift of God. It is not a right and cannot be earned. We cannot, therefore, expect another to forgive. When survivors have been told to forgive the person who abused them, further damage has been caused. Forgiveness is primarily about God's mercy and not human action. Whether or not someone is able to forgive is secondary to the willingness to trust in the healing and liberating process of God's love at work in their lives.



# Procedures

## Recognise → Respond → Record → Refer

### Recognising signs of domestic abuse

Domestic abuse is often unseen. It is perpetrated in multiple ways and may not be obvious or easily identifiable. Some victims try to hide the abuse they are suffering and protect their abuser because of fear and/or embarrassment. However, those who know the victim well are most likely to notice that something is wrong and are often best placed to do something to help. It is vital that we learn to identify possible warning signs that domestic abuse may be taking place. These can include any of the following:

**The victim is never alone and is always accompanied by their partner**

**The victim seems very isolated from friends and family**

**The victim does not have any friends or gradually withdraws**

**The victim stops attending church**

**The perpetrator may talk for or over the victim**

**The victim may look or act nervous or anxious in front of their partner**

**The victim may have bruises or injuries with no plausible explanation**

**The victim may justify the perpetrator's behaviour**

**The victim may be reluctant to give their home address and may discourage visitors**

**The victim does not have access to money or other necessities**

**The perpetrator is always checking up on the victim**

**The victim becomes withdrawn, loses confidence, and changes their appearance**

## Recognise → Respond → Record → Refer

### Barriers to disclosing domestic abuse

It is also important that we learn to recognise the barriers that may prevent people who experience abuse from speaking out about what is happening to them.

The person may:

- have tried to disclose before, but not been believed
- be dependent upon the perpetrator
- be prevented from speaking to others without the perpetrator present
- be fearful of the consequences, including involvement of police or child protection services
- feel ashamed/embarrassed/guilty
- fear not being listened to/understood/taken seriously/believed
- not realise their experience is abusive
- have problems communicating with others
- believe (or hope) that the abuse will not be repeated
- not know who to tell
- never have been asked the right questions to lead them to open up.

### Being bold and checking it out

You may be worried about someone at church who you fear may be a victim of domestic abuse. Alternatively, someone may come to you to raise their concerns about someone else. It is important (except in cases of immediate risk) to try to speak to the person who may be the victim before taking action. Try to create opportunities for individuals to speak, without the suspected abuser present. Be bold and ask direct questions like, “Has anyone close to you made you frightened?” or “Has anyone prevented you from getting the things you need, such as food or medicine?”<sup>8</sup> However, be careful not to ask leading questions giving details about what may have been done and by whom. Should the situation ever come to court, there must be no grounds for claiming the evidence has been contaminated.

Be aware that domestic abuse can occur between people of any race, ethnicity, age, sexuality, class, gender or disability. Do not let perceived differences between you and the person at risk, or fear of offending due to cultural misunderstanding, put you off speaking to them.

It is important to note that people with care and support needs (such as people with physical disabilities, learning disabilities, mental health problems or some older people) are at higher risk of domestic abuse, though it can often be wrongfully assumed that they are less affected.<sup>9</sup> Domestic abuse can be missed where there is a caring relationship. Carers may be seen as ‘long-suffering saints’ and may not be recognised as abusers. People with disabilities can also abuse others.

8 L Pike and N Norman, ‘Domestic Abuse and Adult Safeguarding’, *Safeguarding Adults Under the Care Act 2014: Understanding Good Practice*, A Cooper and E White (eds), Jessica Kingsley Publishers, London, 2017.

9 Ibid.

## Recognise → Respond → Record → Refer

Older people could be hugely underrepresented in domestic abuse services.<sup>10</sup> Older people are more likely to experience domestic abuse from a perpetrator they are still in an intimate relationship with or from an adult family member (such as their adult child). Statistics are unclear since, until recently, the Crime Survey of England and Wales had only collected information on victims and survivors of domestic abuse aged 74 and under. Due to the campaigning of Age UK, the Office for National Statistics has now agreed to change this and include over 74s in their data.<sup>11</sup> If you are concerned about a situation or not sure what to do, speak to your Church/Circuit/District Safeguarding Officer.

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10 Spotlights report #Hidden Victims, *Safe Later Lives: Older people and domestic abuse*, Safelives, October 2016. <https://safelives.org.uk/sites/default/files/resources/Safe%20Later%20Lives%20-%20Older%20people%20and%20domestic%20abuse.pdf>

11 'No age limit: older people and domestic abuse', Age UK, January 2021. [www.ageuk.org.uk/our-impact/campaigning/no-age-limit/](http://www.ageuk.org.uk/our-impact/campaigning/no-age-limit/)

## Recognise → Respond → Record → Refer



**It is not always easy to recognise abuse or harm. Therefore, it is important to act if you suspect abuse - don't wait until you are absolutely sure or have solid proof. It is not your role to investigate and get evidence... Everyone has a responsibility for safeguarding and therefore we all need to be noticing and recognising if something isn't quite right - trust your gut instinct.”<sup>12</sup>**

The first step should be to seek advice from the District Safeguarding Officer. Unless you believe there is an immediate risk to life, or that children are at risk of harm, you should seek the victim's consent to name them within this conversation. You may be the first person that the victim has ever confided in and it can be a long, slow process for them to decide they want to act, if at all. If the person does not give consent for you to name them to the DSO, you can still have the discussion but anonymously.

### Responding well to an initial disclosure of domestic abuse

“The ideal response to a disclosure is one that empowers the victim, through the provision of non-judgemental support and information, to explore the options available to them, and assists them to take appropriate action”.<sup>13</sup> If someone tells you they are experiencing domestic abuse:

- Ensure you find a private place to speak to them where you cannot be overheard. Ask them whether they would like a third party to be present.
- Listen to them carefully without interrupting.
- Avoid making comments or judgements. If appropriate, reassure them they are not to blame.
- Prompt with open questions (eg “tell me, explain, describe to me...”)
- Take what the person is saying seriously and clearly convey this message to them. Reassure them they have done the right thing by speaking out to you.
- Remain calm, even if you feel worried or shocked by what the person tells you. Be mindful of your non-verbal communication.
- In conversation and agreement with the victim, where appropriate, discuss what will happen next – who you are going to tell (see the ‘Refer’ section below) and give them a timescale.

### Safety and wellbeing of the survivor and any children

Ensuring the safety of the survivor and any involved children is paramount. Consider your actions carefully, so that they are not placed in a dangerous situation. Ask the person how it would be safest to contact them. Check whether the perpetrator is monitoring calls or texts to their mobile phone or their email account. Always consult your District Safeguarding Officer (and the Church/Circuit SO where appropriate) about any current domestic abuse concerns. If the victim does not want to be identified, where possible this should be respected.

<sup>12</sup> *Safeguarding: Creating Safer Space, Foundation Module Handbook, 2020 Edition, p.22.*

[www.methodist.org.uk/media/21112/3348-safeguarding-css-foundation-module-2020-handbook-final.pdf](http://www.methodist.org.uk/media/21112/3348-safeguarding-css-foundation-module-2020-handbook-final.pdf)

<sup>13</sup> L Pike and N Norman, ‘Domestic Abuse and Adult Safeguarding’, *Safeguarding Adults Under the Care Act 2014: Understanding Good Practice*, A Cooper and E White (eds), Jessica Kingsley Publishers, London, 2017, p.208.

## Recognise → Respond → Record → Refer

Be aware that the greatest time of risk for a victim of domestic violence is at, or immediately after, the time of separation from their abuser. Of the 888 women killed by partners or former partners in the UK in the decade from 2009 to the end of 2018, at least 43% were known to have separated, or taken steps to separate, from the perpetrator.<sup>14</sup>

### Disclosures made online, and supporting survivors online

During the Covid-19 pandemic, people have spent far more time online. Due to this and the general trend towards more online meetings, you may find yourself responding to a disclosure of domestic abuse made online. If someone tells you in an email or social media message that they are experiencing domestic abuse, you should still follow the measures listed on page 12. You should also be mindful of checking whether they are physically safe and whether they have any source of support other than you.

### Confidentiality

It is very important that those who listen to a disclosure of abuse understand principles of confidentiality. They must also recognise when specialist help may be required and when to speak with other authorities. In pastoral conversations, you should maintain confidentiality unless:

- The person disclosing gives you their consent to share specific information (clarify with whom).
- You believe the person or someone else, especially a child, is at risk of serious harm.
- The person indicates that they have been involved in or are likely to become involved in a criminal offence.<sup>15</sup>

Do not put a survivor under pressure to involve the police (unless children or others are at risk). If they decide they do not want to report abuse to the police, they should receive a response that respects their right to privacy. However, if you are concerned that they or someone else is at serious risk of harm or at risk to life, explain that you must discuss this with your District Safeguarding Officer (DSO), though they can be kept anonymous. If the perpetrator attends a Methodist Church, you must always inform the DSO.

**The person who discloses abuse should be issued with a Privacy Notice, explaining how the Church will use and store their data. The District Safeguarding Officer will be able to advise you on this.**

Continued confidentiality is vital to ensure the safety of the survivor and their family. Keep addresses, information about children, where they attend school and where it is safe to contact the survivor, confidential. Trust and confidentiality are crucial for the safety and wellbeing of the survivor. The role of the Church is to walk alongside the survivor on the journey to safety and to stay alongside those who, for the present, remain within an abusive relationship. Once a supportive relationship has been established between survivor and

14 10-year Femicide Census, released Nov 2020. [www.femicidecensus.org/reports/](http://www.femicidecensus.org/reports/)

15 *Guidelines for Good Practice in Confidentiality and Pastoral Care*, in *With Integrity and Skill*, 2008, Methodist Church. [www.methodist.org.uk/downloads/Conf08\\_18\\_With\\_Integrity\\_and\\_Skill.pdf](http://www.methodist.org.uk/downloads/Conf08_18_With_Integrity_and_Skill.pdf)

## Recognise → Respond → Record → Refer

listener, with the survivor's consent other agencies should be contacted for more specific advice and help.

### Children under 18

If children under 18 are under the care of the victim or perpetrator of alleged domestic violence, a referral will need to be made to Children's (Social) Services/the Local Authority Designated Officer (LADO). In most situations, this should occur within one working day. Your DSO must be informed and will be able to support you to action this. It is preferable for the DSO to do this but, if the DSO is not available, anyone can do it. If there is an immediate risk, you will need to make a 999 call. However, in most cases there will be time and opportunity to seek advice from, or pass the case on to the DSO.

### Mental capacity

If you think the person making the disclosure of abuse may lack mental capacity to make decisions affecting their safety, then it is very important you speak to your District Safeguarding Officer, who will inform Adult Safeguarding (Social Services). It is not your job to make an assessment about whether or not the person lacks capacity in this situation.

### Creating an emergency plan

If the victim is still in the abusive relationship, enquire if they have formulated an emergency plan to ensure they can escape safely if they decide to leave their abuser. You can access further information about making a Safety Plan on the website of Restored, a charity offering a Christian response to the issue of violence against women.<sup>16</sup> A safety plan includes how the victim keeps safe while still living at home. The key points for emergency planning are as follows:

1. Plan an emergency escape and ensure the support of a trusted person living nearby.
2. Remind the person to keep their mobile phone charged and enough credit for emergency phone calls. Ensure they keep money safe for taxis, buses or other emergency payments.
3. Make sure they have their own key to the house or that a trusted person nearby has one.
4. Ensure the survivor has a 'quick run bag', with clothes etc, should they need to leave quickly.
5. Give the survivor the telephone numbers for their nearest Women's Aid group, the police, Samaritans, social care and their GP. There may be other relevant local services in their area.
6. Encourage the survivor to have as many as possible of the following documents to hand, should they need to leave the house quickly: child benefit documents, rent book, bank cards, marriage and birth certificates, passport, driving licence and mobile phone (if unlikely the perpetrator will track this). If not, encourage them to have a list of five key numbers to call in an emergency.



**Churches need to encourage reality of life, that they are there as 'hospitals for the broken' and not 'palaces for the perfect'. A place where the broken and insecure can feel safe and find healing, filled with real people and not perfect/plastic people."**

Words of a female survivor *In Churches Too*, Dr Kristin Aune and Dr Rebecca Barnes, 2018

<sup>16</sup> Restored UK. [www.restored-uk.org/i-need-help/making-safety-plan/](http://www.restored-uk.org/i-need-help/making-safety-plan/)

## Recognise → Respond → Record → Refer

### Responding to the needs of survivors of domestic abuse in the longer term

People who have experienced domestic abuse in the past may still be in need of additional support and pastoral care. They may still be suffering trauma related to their negative experiences. All survivors of abuse should be offered pastoral support from a minister or other member of their church. Furthermore, the Methodist Church has commissioned a service in order to be able to offer free, short-term counselling to survivors or others affected by abuse in the Church. This may be accessed via District Safeguarding Officers, who will liaise with the Connexional Safeguarding Team.<sup>17</sup>

### Responding to the needs of perpetrators of domestic abuse

If an allegation of domestic abuse is made about someone within the life of the Methodist Church, you need to seek advice and support from the District Safeguarding Officer, who may need to carry out a risk assessment.<sup>18</sup> Recommendations from this may result in a Safeguarding Contract. If the perpetrator is in a leadership or authorised role within the Methodist Church, their position will need to be reviewed as part of the risk assessment process, and suspension may be necessary.

It is not safe to 'check the story' with the perpetrator or to challenge them directly. Do not pass on messages or letters from the perpetrator – the survivor will know how to contact the perpetrator if they wish to do so.

Where it has already been established that the perpetrator is responsible for the abuse, and they attend the same church as the victim/survivor, both parties should not continue to attend and be supported by the same church, unless this is a clearly expressed wish by both parties. If someone has to leave the church, it should be the perpetrator and not the survivor. Perpetrators (and alleged perpetrators) of domestic abuse should also be offered pastoral support by a minister or other member of their church, especially when going through a risk assessment process. It is important that this is provided by a different person to the one offering support to the survivor.

If someone connected to the church discloses to you that they are currently, or have been, a perpetrator of domestic abuse, you should listen carefully and explain to the person that you will have to inform the District Safeguarding Officer. You should be respectfully uncertain in all interactions with the perpetrator. A profession of remorse and repentance does not mean all risk has gone. Remember that in-depth work with perpetrators of domestic abuse should only be done by those who have undergone appropriate training.

### Safety and wellbeing of the person offering support

It is important that those supporting survivors or perpetrators are mindful of their own and

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17 *Safeguarding Policy, Procedures and Guidance*, Methodist Church, p.39, as amended July 2020. [www.methodist.org.uk/media/18740/safeguarding\\_policy\\_procedures\\_and\\_guidance\\_for\\_the\\_methodist\\_church\\_sept\\_2020.pdf](http://www.methodist.org.uk/media/18740/safeguarding_policy_procedures_and_guidance_for_the_methodist_church_sept_2020.pdf)

18 For more details, see *Safeguarding Risk Assessment Policies and Procedures*, Methodist Church, April 2018. [www.methodist.org.uk/media/7869/methodist-safeguarding-risk-assessment-policy-and-procedures-may-2018.pdf](http://www.methodist.org.uk/media/7869/methodist-safeguarding-risk-assessment-policy-and-procedures-may-2018.pdf)

**Recognise → Respond → Record → Refer**

others' safety and wellbeing, and that they themselves receive supervision and support. Ensure a third person is available on the premises when you meet with a survivor, to provide a level of protection and support for both the listener and the person seeking help. Ensure, if possible, that someone else is aware of where you are. When offering long-term, ongoing support to a survivor of abuse, you should be mindful of the need to avoid the person becoming dependent on you.

**Know your own limitations**

It is important to make the survivor aware that while you care about them and want to help, you are not an expert. Be open and honest in explaining to the person the limitations of what you can do. Don't promise to keep their secret. Be clear that you will need to involve the District (and/or Church/Circuit) Safeguarding Officer, but that they can choose to remain anonymous (provided there is no immediate danger to their life and children are not involved).

Recognise the work of other agencies and work with them where appropriate. Signpost people to services that can help (see Appendix 3) and encourage them to use support that is available. Offer to accompany them to appointments if that will help them to seek professional support.



## Recognise → Respond → Record → Refer

A written record of the event or conversation should be made as soon as is practicable (always within 24 hours).

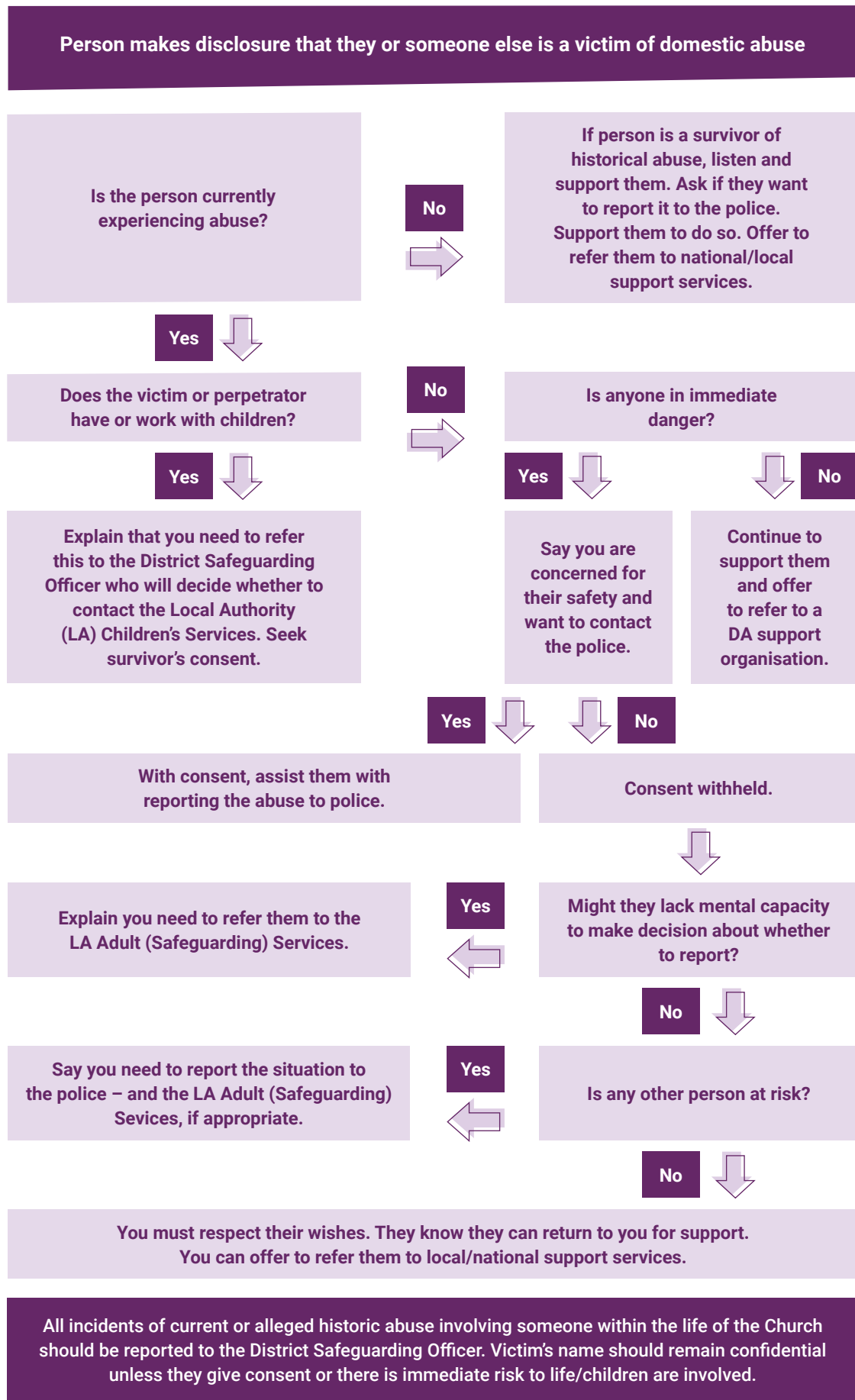
The following template can help you to make an appropriate record of a disclosure of domestic abuse. It is taken from the Joint Practice Guidance for Safeguarding Records.<sup>19</sup>

- **Who** is it about? (Names of all key people, including any potential witnesses.)
- **What** happened? (Where possible, use exact quotes from the source of the information, using quotation marks.)
- **How** did it happen? (For example, if physical violence is alleged, was this done using an implement or with a kick or a hit?)
- **Where** did these events take place?
- **When** did this take place?
- **Why** did it happen? (This allows you to record any explanations offered to you by those involved. However, this is not the place for your own analysis. **Never ask a victim of abuse why they think the abuse occurred.** Quite apart from anything else, this could sound as if you are blaming them.)
- **What should happen next?** (What actions will follow? What will you do next? What is X going to do? Create a reminder to follow up in Y days' time.)
- Record **what did happen next** and the checks made to ensure effective follow up. (Did X do what they said they were going to do?)
- **Views/perspective of the person at risk** should be included.
- If you offer your **own analysis or opinion**, rather than fact, this should be made clear in the record.
- **Records must always be dated and the author identified.**

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<sup>19</sup> *Safeguarding Records: Joint Practice Guidance for the Church of England and the Methodist Church*, reviewed May 2016. [www.churchofengland.org/sites/default/files/2017-11/safeguarding%20joint%20practice%20guidance%20-%20safeguarding%20records.pdf](http://www.churchofengland.org/sites/default/files/2017-11/safeguarding%20joint%20practice%20guidance%20-%20safeguarding%20records.pdf)

## Recognise → Respond → Record → Refer



# How Can the Church Help to Prevent Domestic Abuse?

## Raising awareness through teaching and worship

- Leaders of worship can use the information in this policy to make clear statements that domestic abuse is wrong and to challenge the myths that allow domestic abuse to continue.
- Careful thought should be given to the way the Bible is used and how theological interpretations can affirm or damage those caught up in abusive relationships.
- The language used in worship and teaching should reflect the Church's affirmation that all are made in the image of God, and not marginalise those who may already feel unvalued.

## Work with children and young people

- Disclosures of domestic abuse by children and young people must be taken seriously. It is important to listen and make clear that what they have experienced is wrong and not their fault. You should let them know that to make sure they (and others) are safe you will have to tell someone else who can help. The Church/Circuit Safeguarding Officer or District Safeguarding Officer should be contacted for advice.
- Leaders should affirm and model positive relationships in their work with children and young people.
- Youth leaders should be encouraged to invite a guest speaker on domestic abuse (from the police, local domestic abuse agency/charity or Women's Aid) to inform and encourage discussion and awareness about the impact of domestic abuse and sources of support.
- Leaders can link discussions with healthy relationship education, which is now compulsory in primary schools, and Relationship and Sex Education (RSE), which is taught in secondary schools (England only).

## Sharing information about local agencies

- Churches should display posters and information about local and national support agencies (Appendix 3). This is a sign to a survivor that they can get support from their local church, and to a perpetrator that abusive behaviour will not be tolerated.

Links can be made with relevant ecumenical organisations such as Churches Together in England (CTE),<sup>20</sup> Action of Churches Together in Scotland (ACTS)<sup>21</sup> (soon to become the Scottish Christian Forum) and Churches Together in Wales (CYTUN),<sup>22</sup> and with Restored.<sup>23</sup>

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20 [www.cte.org.uk](http://www.cte.org.uk)

21 [www.acts-scotland.org](http://www.acts-scotland.org)

22 [www.cytun.co.uk](http://www.cytun.co.uk)

23 [www.restored-uk.org](http://www.restored-uk.org)

## Training people at all levels in the Church

- All those with leadership roles in the Methodist Church should undertake training to recognise and respond to domestic abuse. Training will help the Church respond appropriately, reinforce the seriousness and impact of domestic abuse, and help minimise any potential harm suffered by others. Domestic abuse training is now a part of the connexional safeguarding training strategy.
- The Creating Safer Space (Safeguarding training) Foundation Module includes a focus on domestic abuse, alongside information about other forms of abuse. Encourage not only those on the 'core list' for required attendance for the foundation module, but also attendance by those on the 'warmly invited list'.<sup>24</sup>
- It is important to recognise the value of joint working with statutory and voluntary agencies. This can involve the sharing of good practice and the provision of expertise. It also enhances the positive role that churches play in their communities.
- Circuits could consider setting up a study day on domestic abuse to help raise awareness in local church congregations. This should be planned in consultation with the District Safeguarding Officer and with input from specialist professionals. It is important to be aware that both survivors and perpetrators may be present at such an event. Careful consideration is needed to decide how this will be handled and what support should be in place.

### Further training

The Methodist Church has a Learning Network, which is a point of contact for all training. The network offers training in various specialisms and can facilitate training from outside agencies on how to recognise and respond to domestic abuse.

Many agencies, both statutory and voluntary, provide free training in this area. Participating in training with other organisations is an excellent way to find out how they work, and a good opportunity to network and develop positive working relationships. This can make it easier to work with them and access their support when it is required.

**Please note:** Specialist training is required for those addressing abuse and abusive behaviours with victims, survivors, children and perpetrators.

24 Who Should Attend? Safer Spaces Safeguarding Training Foundation Module. Methodist Church. Updated October 2021. [www.methodist.org.uk/media/23324/who\\_should\\_attend\\_fm-updated\\_october\\_2021.pdf](http://www.methodist.org.uk/media/23324/who_should_attend_fm-updated_october_2021.pdf)

# Appendix 1: A Charter for Churches and a Model Policy for a Local Church/Circuit



## Domestic Abuse: A Charter for Churches

### The Charter

Domestic abuse is extremely serious, and contrary to a Christian way of living. This church seeks to support those affected by domestic abuse, and their families.

This Church/Circuit:

- holds that domestic abuse, in all its forms, is unacceptable
- believes domestic abuse is inconsistent and incompatible with the Christian faith
- acknowledges that domestic abuse is a serious and widespread problem that occurs in church families as well as in wider society
- undertakes to listen to, support and care for those affected by domestic abuse
- prioritises the safety of survivors and children affected by domestic abuse
- works with specialist agencies, learning from and supporting them in appropriate ways, and publicising their work
- will play its part in teaching that domestic abuse is unacceptable and contrary to God's purposes and the teachings of the Bible.

### Contact numbers:

**National Domestic Abuse Helpline: 0808 2000 247**

This is a freephone, 24-hour service.

**Local number:** (Please fill in the details of organisations in your local area.)

# Appendix 1: A Charter for Churches and a Model Policy for a Local Church/Circuit

The **Methodist** Church 

## Model Policy for a Local Church/Circuit

### Aims and intentions

This policy aims to ensure that domestic abuse is acknowledged and responded to appropriately within the Methodist Church. To do this we will:

- 1 raise awareness about domestic abuse and its impact on individuals, children, the wider family and community
- 2 ensure that the safety of individuals suffering abuse or seeking help is the first priority, and be aware of the need for confidentiality (unless there are safeguarding concerns)
- 3 consider how best to provide support and information for anyone seeking help, including working with specialist agencies
- 4 encourage discussion of how our church can be a safer space for victims and survivors of domestic abuse
- 5 regularly discuss the Domestic Abuse policy, procedures, theology and principles that underpin it
- 6 adopt the Domestic Abuse Charter and display this in our churches and on social media
- 7 discuss domestic abuse with church leaders, including at the Church Council and Circuit Meetings
- 8 review this policy annually and monitor it continually.

**This policy was adopted by:**

**on:**

**Next review date is:**

## Appendix 2: The Legal Context

Across England, Wales, Northern Ireland and Scotland, comprehensive provisions for responding to domestic abuse are available through the courts and through protection orders and notices. These cover matters dealt with in the criminal, civil and family courts. Advice about any of these matters should be without charge from solicitors, using public funding.

### Domestic abuse and the law (England)

#### Criminal law

Many acts that are commonly perpetrated by an abuser, such as physical violence, sexual abuse and threats of violence towards a victim, are criminal acts. If enough evidence can be gathered, the police may be able to build a case and the Crown Prosecution Service (CPS) proceed to prosecute an abuser for criminal actions, even if the victim withdraws their consent or does not want to press charges.

There is a high standard of proof in most criminal cases, and although the police and CPS work hard to investigate reported incidents, they are subject to limited resources and therefore cannot pursue every case. If there is an element of domestic abuse in a criminal case, a criminal court can impose a 'restraining order' on an offender, which makes it an automatic offence for them to contact or visit their victim and/or children for a specified period of up to five years.

#### Civil law

Some types of abuse are not crimes in themselves: If, for example, an abuser tries to control a survivor by continuously contacting them and communicating with them in ways that cause emotional or psychological damage, or by refusing to leave the property. However, repeated unwanted contact can amount to harassment or malicious communications, which are both criminal offences. Where such issues are present, or where there is stronger evidence of abuse, but it has not led to criminal prosecution, the family court can grant a 'non-molestation order'. This order can be phrased to forbid an abuser from contacting, abusing or visiting a survivor or a child of the family, or from approaching the family home. Once the order is served on an abuser, it is then an automatic criminal offence for them to breach it. This means that actions such as repeatedly calling the survivor, which would not normally be considered criminal, could become sufficient for the police to bring a criminal prosecution. If the abuser was subject to the order and is found guilty, acts that were already criminal, such as violence towards the survivor, can also be punished more severely.

If a perpetrator is still living with their victim, the civil courts have the power to order the abuser out of the family home. The civil courts have to balance the housing options available to both parties and be satisfied that the level of risk to the victim justifies the risk of making the perpetrator homeless.

**MARAC (Multi-Agency Risk Assessment Conferences)** operate across the UK in the highest risk cases of domestic abuse. Key agencies, including the police, probation, social care, health, housing and voluntary sector organisations, attend these meetings. The primary focus of the MARAC is to safeguard the adult victim. The victim does not attend, but is represented by an Independent Domestic Violence Adviser (IDVA). Representatives share all known information

about a victim and an action plan is then developed to help manage the risk and keep the victim safe. The action plan is monitored and reviewed.

Churches cannot refer directly to ask for a MARAC. Therefore, contact your District Safeguarding Officer who may decide to carry out a Domestic Abuse, Stalking and Honour Based Violence (DASH) risk assessment, prior to liaising with the statutory authorities who then decide if a MARAC is warranted.

#### **National Centre for Domestic Violence (0800 970 2070)**

Survivors of domestic abuse can call this organisation for free, confidential advice. The organisation can make referrals to numerous organisations across the country that offer support and guidance. They can also refer survivors to a panel of solicitors who specialise in dealing with emergency cases to obtain civil non-molestation orders or occupation orders at short notice. An occupation order allows the court to decide who should live, or not live, in the home or any part of it. The order can also exclude the other person from an area around the home. They can advise on whether or not a survivor is eligible to have their legal costs, for obtaining the protection of the courts, paid for by the state.

**Independent Domestic Violence Advisors (IDVA)** are advocates who focus on high-risk clients by providing support to people who have been assaulted or abused by their partner or a family member. The IDVA can explain the criminal justice process, attend court, and provide support on a range of things such as the emotional impacts of domestic abuse, housing and legal matters. The IDVA service is central to a Multi-Agency Risk Assessment Conference (MARAC) (see page 23.)

**Independent Sexual Violence Advisors (ISVA)** are trained to provide emotional and practical support to survivors of rape, sexual abuse and sexual assault, who have reported to the police or are considering reporting to the police.

**Sexual Assault Referral Centre (SARC)** is a special facility where victims of rape or sexual assault can receive immediate help and support. This includes access to a forensic medical examination, which is carried out by an experienced and qualified doctor, and the opportunity to speak to the police about what has happened.

#### **Clare's Law or the Domestic Abuse Disclosure Scheme**

Under this scheme, launched in March 2014, parties have the right to ask the police whether a new or existing partner has a violent past. If police checks show that a person may be at risk of domestic abuse from their partner, the police will consider disclosing the information. Clare's law has two functions:

1. The 'right to ask' – This enables someone to ask the police about a partner's previous history of domestic violence or violent acts. A precedent for such a scheme exists with the Child Sex Offender Disclosure Scheme.
2. The 'right to know' – Police can proactively disclose information, in agreed circumstances.

NB It is important to note that the police do not know most perpetrators of abuse, because the abuse has not been reported or they have not been prosecuted.



### **Protection orders and notices**

If someone has suffered from, or been threatened with, domestic abuse, the police can issue a Domestic Violence Protection Notice and then apply to the magistrates' court for a Domestic Violence Protection Order. This can protect the survivor from further abuse and, if they live with the perpetrator, ban the abuser from returning home and contacting them. If the perpetrator does not keep to the order, they can be arrested and brought before the court. A Domestic Abuse Protection Order lasts for up to 28 days and can give the survivor time to explore their options and obtain further support.

### **Third party reporting centres**

There are many barriers to reporting domestic abuse. Third Party Reporting Centres (TPRC) aim to overcome these barriers. They are based in community locations where the survivor can make a report of domestic abuse without having to visit a police station. Staff at the centres are trained to deal sensitively with survivors and, if survivors request it, the report they complete will be forwarded to the police and/or council on the victim's behalf.

### **Stalking and harassment**

There is no strict legal definition of stalking, but it includes following a person, watching/spying on them, or forcing contact on them through any means, such as social media. The effect of the behaviour is to curtail a survivor's freedom, leaving them feeling that they constantly have to be careful. In many cases, the conduct may appear innocent (particularly if taken in isolation), but when carried out repeatedly it may cause significant harm, harassment or distress to the survivor.

Harassment of an individual can also occur when a person is harassing others connected with the individual, knowing that this behaviour will affect the survivor as well as the others involved. This is known by the CPS as 'stalking by proxy'. Family members, friends and employees of the survivor may be subjected to this.

### **Revenge porn**

This is the umbrella term for the sharing of private sexual material, either photos or videos involving another person, without their consent and for the purpose of causing embarrassment or distress. It is now illegal to share such material without the consent of the person involved. They may have agreed to be filmed, but may not have consented to it being made public. If a person is concerned about an abuser threatening to release materials of this nature, a non-molestation order may be obtained from the courts that could include a condition forbidding an abuser from releasing material and making it an offence to do so. If such material is placed on any social media platform, this can also be reported directly to the provider, who should assist with removal of the images.

### **People with no recourse to public funds**

Many people come to the UK legally, in the hope of improving their lives. One of the conditions for permitting immigration into the UK can be that the person arriving is not permitted to use public funds, and this can be stamped on their passport on arrival, as part of their visa. This can deny them access to certain state benefits, including housing benefit and income support, even if the person marries a UK citizen. If the person is ever subject to violence, the lack of those benefits can deny them the ability to live independently should they be forced out of their home and in need of refuge.

Those on a UK partner visa, who entered the UK as a partner of a British citizen or person settled in the UK, can access the destitution domestic violence (DDV) concession.<sup>25</sup> This provides time-limited access to financial and housing support, while they apply for indefinite leave to remain under the domestic violence concession rule. This enables them to access a place at a refuge or other form of safe accommodation. These provisions are not, however, accessible to people on other types of visa, and it is important to understand the significant barriers to escaping and accessing safety that face people in this position.

### Legal aid

A victim of domestic abuse might be able to get legal aid if there is evidence that they or their children have been victims of domestic abuse or financial control (for example, if they are stopped from accessing a joint bank account). A survivor does not have to produce evidence before talking to a legal aid solicitor or getting Civil Legal Advice (CLA),<sup>26</sup> but it will need to be shown before they can be granted legal aid. Evidence could come from various sources, including the courts, police, a refuge, a health/social care professional or a church minister.

## England

### Domestic Abuse Act 2021<sup>27</sup> (England)

The Domestic Abuse Act 2021:

- enshrines the definition of domestic abuse in law and makes it a criminal offence
- establishes a Domestic Abuse Commissioner to drive the response to domestic abuse issues
- introduces new Domestic Abuse Protection Notices and Domestic Abuse Protection Orders
- prohibits the cross-examination of survivors by their abusers, in the family courts
- provides automatic eligibility for special measures to support more survivors to give evidence in the criminal courts
- ensures that a local authority grants a new secure tenancy to any social tenant who had or has a secure lifetime or assured tenancy
- extends the jurisdiction of the UK criminal courts so that, where appropriate, UK nationals and residents who commit certain violent and sexual offences outside the UK may be brought to trial in the UK.

The Government's response to the domestic abuse consultation set out 123 commitments to help tackle domestic abuse. The majority of these commitments do not require legislation.

The non-statutory commitments include:

- introducing regulations and statutory guidance on relationship education, relationship and sex education and health education
- investing in training for responding agencies and professionals
- developing national guidance for the police on serial and repeat perpetrators
- improving awareness and understanding of coercive control offences
- continuing to develop means to collect, report and track domestic abuse data.

25 [www.gov.uk/government/publications/application-for-benefits-for-visa-holder-domestic-violence](https://www.gov.uk/government/publications/application-for-benefits-for-visa-holder-domestic-violence)

26 [www.gov.uk/civil-legal-advice](https://www.gov.uk/civil-legal-advice)

27 Domestic Abuse Act, Home Office, 2021. [www.legislation.gov.uk/ukpga/2021/17/contents/enacted](https://www.legislation.gov.uk/ukpga/2021/17/contents/enacted)

Further detailed information can be found on the Women's Aid website.<sup>28</sup> The Rights of Women website<sup>29</sup> provides a detailed, downloadable *Domestic Violence Injunctions Handbook*.<sup>30</sup>

## Northern Ireland

### The Domestic Abuse and Family Proceedings Act 2021<sup>31</sup>

This bill creates a new domestic abuse offence for Northern Ireland that will make domestic abuse in all its forms a criminal offence. The bill legislates for controlling and coercive behaviour, as well as physical abuse, against a partner, former partner or family member.

Northern Ireland has a Domestic Violence and Abuse Disclosure Scheme. This provides a formal mechanism for a person to make enquiries about an individual with whom they are in a relationship, or who is in a relationship with someone they know, if there is a concern that the individual may be violent or abusive towards their partner.

## Scotland

### Domestic Abuse (Scotland) Act 2018

The Domestic Abuse (Scotland) Act 2018 came into force in 2019. It recognises the multiple ways in which people are affected by domestic abuse. It also expands the definition of domestic abuse in Scottish criminal law, and how the police and courts investigate and prosecute this crime.

The new law increases the opportunity to obtain protection and seek justice through the criminal justice system. For the first time, the law recognises domestic abuse as a specific crime. This means that a person who engages in a pattern of abusive behaviour towards a partner or ex-partner can be prosecuted and punished by the law.

Previously, the criminal law focused on physical violence. It now covers a range of psychological and emotional abuse, making coercive control a criminal offence.

To prove there was domestic abuse, the law must demonstrate that:

- the abuse was directed towards a partner or ex-partner
- there was a pattern of abusive behaviours (there were two or more incidents of abuse that a reasonable person would think would have caused the victim/survivor to suffer physical or psychological harm, including fear, alarm and distress)
- the abuse can be, but does not necessarily have to be, physical or sexual
- the perpetrator intended to cause physical or psychological harm, or was reckless as to whether the behaviour would cause such harm. This means that even if the perpetrator did not intend to hurt their partner or ex-partner, their behaviour could still be considered domestic abuse, and it is not necessary to show that harm was actually caused.

### Disclosure Scheme for Domestic Abuse Scotland (Clare's Law)

Police Scotland operate the Disclosure Scheme for Domestic Abuse Scotland. If someone has concerns about a partner's past, or concerns about another person's partner, they can apply to

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28 [www.womensaid.org.uk](http://www.womensaid.org.uk)

29 [www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk)

30 [www.lawworks.org.uk/sites/default/files/files/RoWHandbook-DVViolenceWebinarPresentation.pdf](http://www.lawworks.org.uk/sites/default/files/files/RoWHandbook-DVViolenceWebinarPresentation.pdf)

31 [www.legislation.gov.uk/niu/2021/2/enacted](http://www.legislation.gov.uk/niu/2021/2/enacted)

the scheme to ask if that person has a history of domestic abuse or other relevant behaviour.

Scotland also has Independent Domestic Violence Advisors (IDVA), Independent Sexual Violence Advisors (ISVA) and Sexual Assault Referral Centres (SARC) (see page 24).

## Wales

### **Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015**

This Act aims to improve the public sector response in Wales to domestic abuse and violence against women.

The purpose of the Act is to:

- (a) Promote awareness of, and to prevent, protect and support victims of, gender-based violence, domestic abuse and sexual violence.
- (b) Strengthen the strategic leadership and accountability for gender-based violence, domestic abuse and sexual violence.
- (c) Improve the consistency, quality and join-up of service provision in Wales.

The Act acknowledges that the prevalence and severity of gender-based violence, domestic abuse and sexual violence, disproportionately affects women and girls, and includes a specific provision relating to violence against women and girls. The Act also recognises that anyone can be affected by such violence and abuse.

This 2015 Act created the role of National Adviser to advise Welsh Government ministers and improve joint working among public bodies. It also requires that progress towards achieving the purpose of the Act is reported with reference to a set of national indicators (developed in consultation with the relevant organisations working in the sector).

The Act makes it a requirement for Government ministers to prepare, publish and review a national strategy that includes objectives and the timescales for their achievement. The Act also gives authority for Government ministers to issue guidance to relevant local authorities on how they should exercise their functions in relation to ending gender-based violence, domestic abuse and sexual abuse.

In addition, the 2015 Act has a provision for Government ministers to require local authorities to publish information about how the local authority's education functions are being exercised to promote the purpose of the Act.

Under the Act, a local authority and a local health board must jointly prepare a strategy for the local authority's area, which focuses on prevention, protection and support.

One of the key mechanisms for delivering the Act is the National Training Framework on violence against women, domestic abuse and sexual violence.<sup>32</sup> This statutory document contains supporting guidance that outlines the Framework and its requirements.

Wales also has Independent Domestic Violence Advisors (IDVA), Independent Sexual Violence Advisors (ISVA) and Sexual Assault Referral Centres (SARC) (see page 24).

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<sup>32</sup> [www.gov.wales/national-training-framework-violence-against-women-domestic-abuse-and-sexual-violence](http://www.gov.wales/national-training-framework-violence-against-women-domestic-abuse-and-sexual-violence)

## Isle of Man

### The Domestic Abuse Act 2019

The key object of the Act is to address domestic abuse specifically, for the first time in Manx law. Accordingly, the Act defines domestic abuse, creates the offences of domestic abuse and controlling or coercive behaviour in intimate and family relationships, and the punishment for these. The Act also establishes preventative and protective measures, in the form of the Domestic Abuse Protection Notice (DAPN) and the Domestic Abuse Protection Order (DAPO). A DAPN may be issued by the police, but a DAPO may be made by any court considering a matter where domestic abuse is raised as a factor, irrespective of whether the initial matter concerned domestic abuse.

Other objectives of the Act include:

- Raising public and professional awareness of domestic abuse so it is seen as a key issue that must be addressed.
- Enhancing the safety of victims of abuse, and those at risk of abuse, before it has occurred.
- Providing tools and guidance to enable various agencies, including the courts, to address domestic abuse effectively, take specific measures to protect victims, provide means to punish offenders and to identify those perpetrators who may be rehabilitated.
- Enabling key agencies by ensuring they can share information, allowing them to work effectively with other agencies to combat abuse.

## Jersey

Jersey does not have a domestic abuse law that is equivalent to any provisions in the UK. Current legislation in Jersey enables prosecutions to be made against various behaviours associated with domestic abuse.

The Sexual Offences (Jersey) Law 2018 now defines consent, provides for a new offence of assault by penetration, and introduces new offences relating to the sexual abuse of children and female genital mutilation. The Criminal Procedure (Bail) (Jersey) Law 2018 brings a modern legislative regime that governs the granting of bail and provides the police with new powers to help protect the victims and witnesses of domestic abuse. In addition, the Criminal Procedure (Jersey) Law 2018 addresses protection for vulnerable victims and witnesses at court and provides additional opportunities for the introduction of evidence and 'bad character' (see below) to the criminal justice process.

The recent amendments to the Crime (Disorderly Conduct and Harassment) (Jersey) Law 2008, permit the court to impose a restraining order on a conviction for any offence (not only harassment). The court needs to be satisfied that the order is necessary to protect the victim or any other person from further contact that would amount to harassment, or from a perceived threat of violence. Restraining orders play an important role in managing the risks to victims and protecting them from further harm.

The suite of legal tools, introduced as part of a revamped Criminal Procedures (Jersey) Law, is expected to make significant changes to investigations and court cases. Under 'bad character' legislation, prosecutors are now able to put details of a defendant's violent or abusive past

before the court. In addition, 'hearsay' evidence, such as video footage of a victim who is too scared to give evidence from the witness box, is also admissible. It is considered more likely that perpetrators would plead guilty if they knew their 'bad character' would be put before the court. This would mean victims or witnesses would not have to go through the ordeal of giving live evidence in a trial.

Clare's Law (the Domestic Abuse Disclosure Scheme) has been adopted in Jersey (see page 24).

Some of the initiatives in Jersey are detailed below:

**Jersey Multi-Agency Public Protection Arrangements (JMAPP)** were brought in when the Sex Offenders (Jersey) Law 2010 came into force in 2011. JMAPP protects the public by assessing and managing sexual, violent and dangerous offenders, together with potentially dangerous persons, in order to reduce their offending behaviour. The most dangerous domestic violence perpetrators are managed through the JMAPP system. Many JMAPP subjects have a history of domestic abuse.

**Multi-Agency Risk Assessment Conference (MARAC)** is a multi-agency victim-focused meeting, at which information is shared between different statutory and voluntary sector agencies on the highest risk cases of domestic violence and abuse, in order to safeguard adult victims. (See page 23.)

**Independent Domestic Violence Advisors (IDVA)** were introduced in Jersey early in 2014, due to a consistent increase in domestic violence reports. The IDVA signpost to other organisations when risk is reduced. The IDVAs have a presence within health and social services, visiting various wards and departments. (See page 24.)

**Independent Sexual Violence Advisors (ISVA)** and **Sexual Assault Referral Centre (SARC)** (See page 24.)

## Guernsey

Guernsey is currently working on updating its legislation, but at present there is no domestic abuse legislation or orders, although stalking can be prosecuted under the Protection from Harassment (Bailiwick of Guernsey) Law, 2005. New legislation proposals will include the introduction of a coercive control law, stalking legislation and domestic violence and abuse protection orders.

A domestic abuse disclosure scheme is being considered as part of the law review. Currently, the police will disclose to new partners if there are significant concerns, but there is no 'right to ask' in the legislation.

Some of the initiatives in Guernsey are detailed below:

**Multi-Agency Risk Assessment Conferences (MARAC)** The Guernsey Police Public Protection Unit (PPU) coordinates and facilitates the Multi-Agency Risk Assessment Conferences (MARAC). These conferences are held every fortnight and are multi-agency victim-focused meetings at which information is shared between different statutory and voluntary sector agencies on the highest risk cases of domestic violence and abuse, in order to safeguard adult victims. Guernsey also provides Independent Domestic Violence Advisors (IDVA). (see page 24.)

**Concerns about population management permits** The size and make-up of Guernsey's population is regulated by the Population Management Law. If a person's permit is conditional on them living with a householder, but they have been the victim of domestic abuse in that household, they can generally expect to be granted a temporary (six-month) permit to support them to move into different local housing. Further details can be found on the official States of Guernsey website.<sup>33</sup> Help for domestic abuse victims with population management concerns or immigration issues can be sought from Safer (a Bailiwick of Guernsey domestic abuse charity) on 01481 721999. Safer's website.<sup>34</sup>

**Support for those who are behaving, or have behaved, abusively towards a current or previous partner** The Sarnia Programme supports individuals to acknowledge, address and change their behaviour by focusing on their strengths, building on their skills, and providing tools to help them make positive choices.

Sarnia is a modular-based programme, consisting of both individualised work and group sessions. Following an initial assessment, a programme pathway is created of the most beneficial modules for that individual. Some modules are undertaken as a standard part of the programme, and focus on issues such as motivation and relationship skills. Others work on individual issues, such as anger, trauma, or children and parenting. See their website.<sup>35</sup>

Contact the police or Safer for leaflets and cards outlining services available for those experiencing abuse. These can be displayed in offices, meeting rooms, church halls and public spaces. Safer also have a range of posters that can be sent out to organisations, including churches. Contact enquiries@safer.gg or phone them on 01481 721999.

## Gibraltar

### Domestic Violence and Matrimonial Proceedings Act 1998

The Domestic Violence and Matrimonial Proceedings Act 1998 has several provisions to protect victims of domestic abuse, including a range of restraining orders. However, there are proposals for a bill and specific legislation to protect those who are abused. The reform aims to improve outcomes and increase the tools available to law enforcement agencies and victims.

The bill will also allow for a new offence, criminalising the type of coercive and controlling behaviour that can constitute domestic abuse.

There will be provision in the bill for domestic violence protection notices and orders, enabling the police and the courts to put in protection immediately a domestic violence incident is reported. This will include banning the alleged perpetrator from returning to a particular residence and from having contact with the victim for a defined period of time.

The scope of Gibraltar's Multi Agency Public Protection Arrangements is being reviewed to increase their responsibilities in dealing with offenders, including violent offenders, who are perpetrators of domestic abuse.

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33 [www.gov.gg/pmfamilychange](http://www.gov.gg/pmfamilychange)

34 <http://safer.gg>

35 [www.gov.gg/sarniaprogramme](http://www.gov.gg/sarniaprogramme)

There is a national strategic plan on domestic abuse and its aim is to eradicate domestic abuse, and support and empower victims and families.

## Malta

### Domestic Violence Act (chapter 481)

The Domestic Violence Act (chapter 481) defines domestic abuse as “any act of violence, even if only verbal, perpetrated by a household member upon another household member and includes any omission which causes physical or moral harm to the other.” The Act adopts a broad definition of violence, which overlaps with criminal law. Certain acts of domestic violence may also constitute a criminal offence or violation.

The definition of domestic violence states that the violence may be the result of one of the following:

1. Physical harm
2. Psychological harm
3. Acts of omission

One household member must commit violence against another member for it to be considered domestic violence. Household members are classed as the following:

1. Those married or formerly married to each other
2. People living in the same household as the perpetrator, or who lived with the perpetrator within a year preceding the offence
3. Those whose marriage has been dissolved or declared null
4. Parents and their children
5. Other adults sharing the same household
6. Those who are, or have been, formally or informally engaged with a view to getting married
7. People who are related to each other (up to and including the third degree) either by consanguinity (a blood relationship) or affinity (a marriage relationship)
8. Those having or having had a child in common
9. A child conceived, but not yet born, to any one of those mentioned above (in 1-8).

The Gender-Based Violence and Domestic Violence Bill will integrate and implement the provisions of the Istanbul Convention in national law and repeal the Domestic Violence Act. When it becomes law, the bill will amend other laws to help ensure adequate protection is available to victims and that perpetrators face justice.

The Domestic Violence Unit in Malta provides a specialist social work service to victims of domestic abuse. The service aims to support victims at crisis point by assisting with immediate needs and helping to develop a safety plan, as well as providing ongoing support.



# Appendix 3: Contacts and Resources

## Helplines and services across the UK

### Action for Children

Helping children across the UK to grow up safe and happy. For campaigns and articles, enter the search term 'Domestic Abuse'.

[www.actionforchildren.org.uk](http://www.actionforchildren.org.uk)

### Age UK advice line: 0800 678 1602

[www.ageuk.org.uk](http://www.ageuk.org.uk)

### Forced Marriage Unit helpline: 020 7008 0151

A joint Foreign, Commonwealth and Development Office (FCDO) and Home Office unit, which leads on the Government's forced marriage policy and supports British nationals in the UK and overseas.

[www.gov.uk/guidance/forced-marriage](http://www.gov.uk/guidance/forced-marriage)

### Galop National LGBT+ domestic abuse helpline: 0800 999 5428

[www.galop.org.uk](http://www.galop.org.uk)

### Hourglass (formerly Action on Elder Abuse) helpline: 0808 808 8141

Ending the harm, abuse and exploitation of older people in the UK.

[www.wearehourglass.org](http://www.wearehourglass.org)

### Imkaan

Details of UK-wide support and services available to black and minority ethnic (BME) women.

[www.imkaan.org.uk/get-help](http://www.imkaan.org.uk/get-help)

### Karma Nirvana helpline: 0800 5999 247

Support for victims of honour-based abuse and forced marriage. Skype calling and contact form available.

[www.karmanirvana.org.uk](http://www.karmanirvana.org.uk)

### ManKind Initiative: 01823 334244

Support for male victims of domestic abuse across the UK, their friends, family, neighbours, colleagues and employers.

[www.mankind.org.uk](http://www.mankind.org.uk)

### Men's Advice Line: 0808 8010327

UK-wide helpline for male victims of domestic abuse.

[www.mensadvice.org.uk](http://www.mensadvice.org.uk)

### National Domestic Abuse helpline: 0808 2000 247

Supporting women and children to escape domestic violence.

[www.refuge.org.uk](http://www.refuge.org.uk)

**Rape Crisis (England and Wales) helpline: 0808 802 9999**

Live chat, text-based service.

[www.rapecrisis.org.uk/get-help/live-chat-helpline](http://www.rapecrisis.org.uk/get-help/live-chat-helpline)

**Respect helpline: 0808 802 4040**

For anyone concerned they may be harming someone else.

[www.respect.uk.net](http://www.respect.uk.net)

**Restored**

Equipping the Church to support survivors, advocate on their behalf and engage men in the conversation.

[www.restored-uk.org](http://www.restored-uk.org)

**Safe Lives**

Dedicated to ending domestic abuse. Offering training and resources.

[www.safelives.org.uk](http://www.safelives.org.uk)

**The Survivors Trust helpline: 08088 010818**

Umbrella agency for specialist rape and sexual abuse services in the UK.

[www.thesurvivorstrust.org](http://www.thesurvivorstrust.org)

**Survivors UK**

Support for men experiencing rape and sexual abuse, and for their friends and family.

[www.survivorsuk.org/ways-we-can-help/online-helpline](http://www.survivorsuk.org/ways-we-can-help/online-helpline)

**Victim Support: 0808 1689 111**

Offers free, confidential support for people affected by crime or traumatic events in England and Wales.

[www.victimsupport.org.uk](http://www.victimsupport.org.uk)

**White Ribbon:**

Men working to end violence against women.

[www.whiteribbon.org.uk](http://www.whiteribbon.org.uk)

**Women's Aid Live Chat**

Providing services in England to protect women and children, as well as shaping and coordinating responses to domestic abuse.

[www.womensaid.org.uk/information-support](http://www.womensaid.org.uk/information-support)

**Helplines and services specific to Wales****Dyn Wales/Dyn Cymru helpline: 0808 801 0321**

Support and advice for men experiencing domestic abuse (weekdays 9am–5pm).

[www.saferwales.com](http://www.saferwales.com)

**Live Fear Free helpline: 0808 801 0800**

Providing help and advice about violence against women, domestic abuse and sexual violence.

<https://gov.wales/live-fear-free>

### **Safer Wales (Women's Safety Unit): 029 2022 0033**

Services in Cardiff for women who are pregnant or have children 0-4 years old, who are experiencing or are at risk of domestic abuse. Providing an independent Domestic Violence Advisor to work with high-risk victims of domestic abuse and sexual violence.

### **Welsh Women's Aid helpline: 0808 80 10 800**

Working in Wales to end domestic abuse and all forms of violence against women.

[www.welshwomensaid.org.uk](http://www.welshwomensaid.org.uk)

## **Helplines and services specific to Scotland**

### **Abused Men in Scotland helpline: 03300 949 395**

[www.abusedmeninscotland.org](http://www.abusedmeninscotland.org)

### **Hemat Gryffe Women's Aid 24-hour emergency services: 0141 353 0859**

For Asian, black and minority ethnic women fleeing domestic abuse in Glasgow.

[www.hematgryffe.org.uk](http://www.hematgryffe.org.uk)

### **Rape Crisis Scotland helpline: 08088 01 03 02**

[www.rapecrisisscotland.org.uk](http://www.rapecrisisscotland.org.uk)

### **Scotland's Domestic Abuse and Forced Marriage helpline: 0800 027 1234**

[www.sdafmh.org.uk](http://www.sdafmh.org.uk)

### **Scottish Women's Aid:**

[www.womensaid.scot](http://www.womensaid.scot)

### **Shakti Women's Aid: 0101 475 2399**

Help for black and minority ethnic women, children and young people who have experienced domestic abuse.

[www.shaktiedinburgh.co.uk](http://www.shaktiedinburgh.co.uk)

## **Helplines and services specific to Northern Ireland**

### **Men's Advisory Project: (028) 9024 1929**

Counselling services for men experiencing domestic abuse.

[www.mapni.co.uk](http://www.mapni.co.uk)

### **Victim Support: (028) 9024 3133**

Free and confidential information and support to people who are victims of crime or attending a court in the region.

[www.victimsupportni.com](http://www.victimsupportni.com)

### **Women's Aid: 0808 802 1414**

24-hour helpline for victims of domestic and sexual abuse.

[www.womensaidni.org](http://www.womensaidni.org)

## Helplines and services specific to the Isle of Man

### Relate: 01624 623 902

Relate have counsellors trained in domestic abuse.

**www.relate.org.uk** Email: **relate@mcb.net**

### Victim Support: 01624 679950

Helping people cope with crime.

**www.victimsupport.im** Email: **enquiries@victimsupport.im**

### Women's Aid Domestic Abuse Helpline and Women's Refuge: 01624 677900

The Women's Refuge is available to victims of domestic abuse, should they need somewhere to stay. It can be accessed via the police or Victim Support.

## Helplines and services specific to Jersey

### Domestic Abuse Prevention Programme (ADAPT): 01534 441916

For male perpetrators.

**Jersey Domestic Abuse Support: 01534 880505**

**www.jdas.je**

### Jersey Women's Refuge: 0800 7356836

A safe place to go, for women and children who are victims of domestic abuse.

**https://jerseywomensrefuge.org**

### Victim Support: 01534 440496

Helping people cope with crime

**www.victimsupport.je** Email: **victimsupport@gov.je**

## Helplines and services specific to Guernsey

### Police Public Protection Unit: 01481 719419

The PPU deals with a range of serious and complex crime and is actively involved in safeguarding within the community. The unit can be contacted for advice.

### SAFER Specialist Domestic Abuse Services: 01481 721999

Offering a range of services to victims of domestic abuse.

**http://safer.gg** Email: **enquiries@safer.gg**

### Victim Support: 01481 223000

**www.victimsupport.gg**

## Helplines and services specific to Malta

### Support Line: 179

National helpline offering support, information and a referral service.

### Victim Support: 356 2122 8333

**www.victimsupport.org.mt**

## Helplines and services specific to Gibraltar

### Gibraltar Women's Association

Encourages people to report domestic violence.

[www.gwa.gi/news](http://www.gwa.gi/news)

### Women's Aid: (+00 350) 20041999

### Women in Need helpline: 8018

Supports victims of domestic violence. Refuge available 24-hours.

## Further useful websites

### Restored

Equipping the Church to support survivors, advocate on their behalf and engage men in the conversation.

[www.restored-uk.org](http://www.restored-uk.org)

### Victim Support

Offers free, confidential support for people affected by crime or traumatic events.

[www.victimsupport.org.uk](http://www.victimsupport.org.uk)

### Safe Lives

Dedicated to ending domestic abuse. Offering training and resources.

[www.safelives.org.uk](http://www.safelives.org.uk)

### Action for Children

Helping children across the UK to grow up safe and happy. For campaigns and articles, enter the search term 'Domestic Abuse'.

[www.actionforchildren.org.uk](http://www.actionforchildren.org.uk)

### The Survivors Trust

Umbrella agency for specialist rape and sexual abuse services in the UK.

[www.thesurvivorstrust.org](http://www.thesurvivorstrust.org)

## Resources

### Domestic Abuse Bill factsheet overview

[www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets](http://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets)

### The Baptist Union

Various resources for church use.

[www.baptist.org.uk/Groups/313891/Domestic\\_Violence.aspx](http://www.baptist.org.uk/Groups/313891/Domestic_Violence.aspx)

### Press Red

Various resources for church use.

[www.pressred.org](http://www.pressred.org)



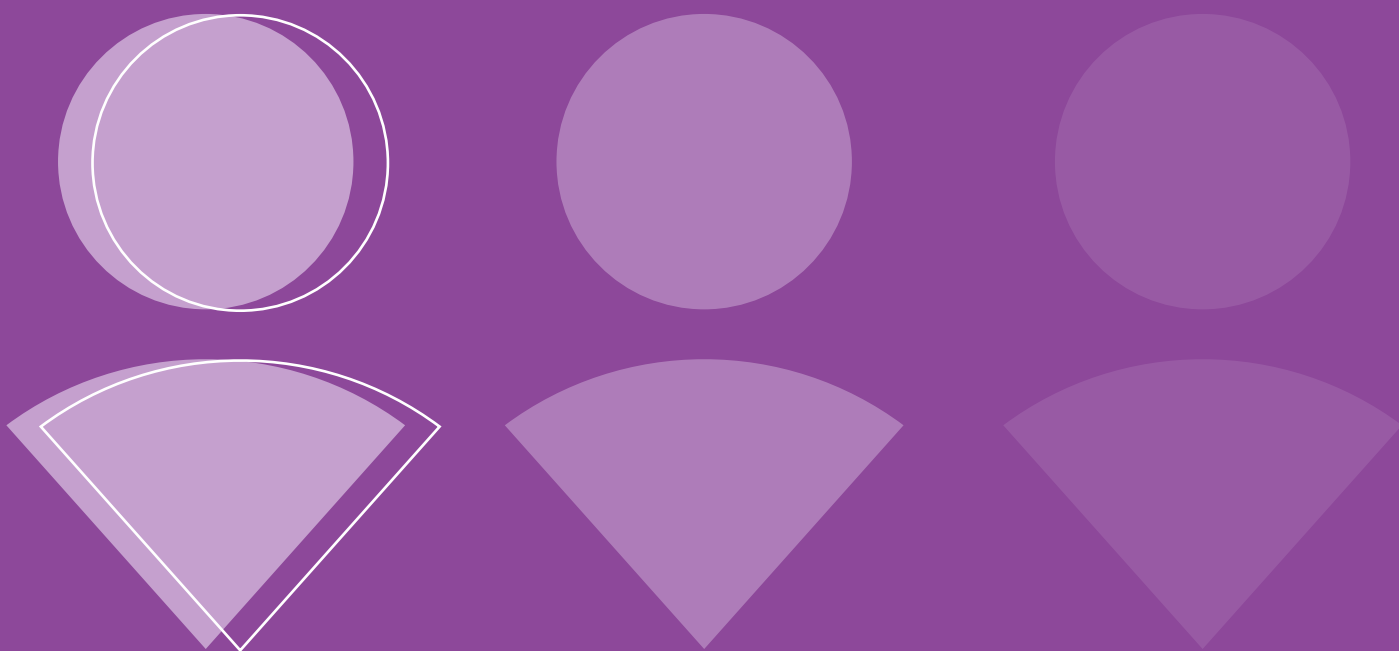


Published November 2021.

Any updates to this document will be made on the Methodist Church in Britain website:

[www.methodist.org.uk/safeguarding](http://www.methodist.org.uk/safeguarding)

Please check this regularly.



SG-DA-21