



ISLINGTON AND SHOREDITCH HOUSING ASSOCIATION DOMESTIC VIOLENCE POLICY

1.0 DEFINITION

1.1 ISHA has adopted the Government's core definition of domestic violence which is:

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

This definition is specifically intended by the Government to include female genital mutilation, forced marriage and other forms of so called “honour killings”

(An adult is defined as any person aged 18 years or over. Family members are defined as mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in laws or stepfamily).

1.2 Categories of abuse:

- **Physical abuse:** (includes slapping, punching, kicking, biting, hair pulling and assaults with objects). Injuries that may be evident include bruising, cuts, fractures. Others that are not evident could include internal injuries and miscarriages.
- **Psychological and emotional abuse:** (assaults and intimidation cannot be endured without psychological tactics to reinforce the control one person has over another). Any behaviour, which elicits fear, can be used and may include shouting, staring, threats, gestures, property destruction, prolonged silences and harassment.
- **Economic and financial abuse:** examples of this form of abuse may include controlling/preventing reasonable access to finances, demanding

receipts for everything spent or providing an allowance knowing it to be insufficient and then using overspending or not buying as directed, as a reason to punish.

2.0 DOMESTIC VIOLENCE POLICY STATEMENT

2.1 Domestic violence is unacceptable and should not be tolerated. Violence in relationships is an abuse of power as well as likely to be a criminal offence.

2.2 ISHA's staff will respect the need for confidentiality at all times, in the interests of safeguarding victims and their families.

2.3 ISHA is committed to tackling domestic violence in all its forms by:

- Supporting those who have experienced domestic violence.
- Ensuring that front line employees understand the important role they can play in tackling domestic violence.
- Developing a consistent and fair approach to domestic violence.
- Not asking victims to prove that they have experienced violence.
- Offering advice regarding contacts should they wish to pursue legal action.
- Not passing messages from the perpetrator to the victim or act as a go between;
- Processing all repairs which compromise the health and safety of the victim and other residents reported as domestic violence as an emergency.
- Providing adequate training to staff members to deal with victims of domestic violence.

3.0 AIM

- To ensure that domestic violence is not tolerated in any form.
- To have systems in place that deal with incidents of domestic violence efficiently and effectively by taking a victim-orientated approach.
- To ensure that individuals experiencing domestic violence are provided with a fair, consistent and sympathetic service, within the constraints of

the law. The resources available to ISHA will be used in helping them to resolve their situation.

- To support victims by giving them information about services available to them.

4.0 ISHA'S APPROACH TO DEALING WITH REPORTED INCIDENTS OF DOMESTIC VIOLENCE

- 4.1 All Individuals approaching the association for assistance in situations of domestic violence will have access to their own designated member of staff of the same sex if they prefer, who has received appropriate training about domestic violence issues.
- 4.2 The association will ensure, through liaison and co-operation with **specialist counselling agencies, the local authority, social services, Police community safety unit and other groups**, that those experiencing domestic violence have access to appropriate advice and support. **(See appendix for the telephone numbers of key agencies).**
- 4.3 Each reported case will be dealt with on an individual basis, using ISHA'S policy and procedure as a guideline for the appropriate action to be taken.
- 4.4 Individuals will be advised to seek legal advice and speak with the Local Authority in respect of their position under homeless legislation. ISHA will also explore other options on their behalf including:
 - The possibility of moving out of the borough.
 - Fresh Start scheme.*
 - A mutual exchange
 - Internal transfer

If appropriate, contact to be made by staff with the Housing Options Advice Centre on behalf of victim. **(See appendix for details of housing advice & options units).**

- 4.5 ISHA will enforce the condition of the tenancy agreement that prohibits tenants or other members of their household from inflicting or threatening to inflict violence, including domestic violence, against any person living within their home.
- 4.6 ISHA staff will initiate court proceedings where one partner has been forced to leave the dwelling because of violence or threats of violence from the partner remaining in the premises or against illegal occupants

or those occupying the property without authorisation from the association, including, for example, where a joint tenant has relinquished the tenancy by a Notice to Quit served on the association.

- 4.7 ISHA staff will offer assistance to those experiencing domestic violence by ensuring their home is made secure. Each reported case will be looked at individually to assess the situation.
- 4.8 In extreme cases ISHA may offer those in potentially dangerous situations help in the form of personal alarms or mobile phones to use.

5.0 RELATED POLICIES

- 5.1 Anti-Social Behaviour Policy
- Child Protection policy
- Unauthorised and Subletting Policy
- Equality and Diversity Strategy

6.0 KEY POLICY STANDARDS

- 6.1 ISHA will be sensitive to the needs of those affected by relationship breakdown and any related problems of domestic violence.

It will adopt appropriate interview, investigative and documenting procedures which afford privacy and confidentiality and a victim/person-orientated approach to those in need. Victims will be encouraged to allow us to share information with other agencies, including the police, local authority departments, Victim Support, Domestic Violence forums, MARAC (Multi agency risk assessment conference) etc, to ensure that the full range of civil and criminal remedies can be pursued.

- 6.2 Information provided by the victim will only be passed to external agencies with prior consent. The exception to this is where a child is considered at risk or if there is a high risk of serious harm to anyone in the situation described.

The Operations Director, Supported Housing Manager or Senior Tenancy Services Manager will approve any disclosure without the victim's consent. Information will be shared with work colleagues only on a strict 'need to know' basis. We will, at all times, adhere to our 'data protection and confidentiality policies'.

- 6.3 The victim/survivor will be interviewed immediately or visited the next working day following the complaint. They will be involved in decisions taken about action against the perpetrator from the outset.

- 6.4 Where children are affected, particular care will be taken to ensure that their interests are taken into account and that, where appropriate, the police, other local statutory, voluntary and support agencies are involved.
- 6.5 We will request the assistance of other agencies such as the Police, Victim Support, Social Services, local schools and community groups in consultation with the victim/survivor.
- 6.6 Where it is accepted by all parties including the Police and other specialist agencies we will enable the victim/survivor to stay in their home if they wish. This may require the urgent repair of damaged property and the provision of security works for which there will be no additional charge.
- 6.7 ISHA will take firm, prompt and appropriate action against the perpetrators including, if necessary, action leading to eviction (where the perpetrator is a tenant).
- 6.8 Wherever possible, we will endeavour to ensure that we assist those threatened with or suffering violence by providing advice to the victims of violence on alternative sources of accommodation such as (Victim Support, Women's Aid, Refuge, Shelter) and statutory agencies (such as Social Services).
- 6.9 We will work with the Local Authority and other local agencies to develop appropriate strategies for responding to the needs of those experiencing domestic violence (e.g. linking with Local Authorities Domestic Violence Forums where we operate).
- 6.10 All cases involving domestic violence will be kept under review until the victim/survivor agrees that the problem has been resolved.
- 6.11 Where a victim/survivor is dissatisfied with the investigation or the decision, they may pursue an appeal through our complaint procedure

7.0 EQUALITY AND DIVERSITY

- 7.1 ISHA will ensure that this policy is applied fairly and consistently to all residents in accordance with our Equality and Diversity policy.

8. LEGISLATION

- 8.1 The primary legislation that should be used such is the **Housing Act 1996** and the **Homelessness Act 2002**.

8.2 **The Family Law Act 1996** and the **Protection from Harassment Act 1997** provide remedies for individuals experiencing domestic violence and harassment.

9. **INJUNCTIONS**

9.1 There are two types of orders or injunction under the **Family Law Act 1996**:

(a) **Non molestation orders** – orders the perpetrator not to assault, molest or harass another person or any “relevant children”

Note: Molestation can take the form of physical violence and can include harassment, such as sending threatening letters. Orders can be made for any specified period but in family cases the order will finish if the case is withdrawn or dismissed.

(b) **Occupation orders** are temporary court orders relating to the occupation of the home and determine who should live in the home until a final decision is made

9.2 A court can grant orders “ex parte”. This means that the perpetrator does not have to be told of the court hearing in advance where the victim or child is at significant risk. The court will usually set a hearing date for a full hearing.

10. **POSSESSION ACTION**

10.1 Possession action should be taken against a tenant who has been proven to have perpetrated domestic violence. Ground 2a of the Housing Act 1996 contains specific grounds for domestic violence and this is supported by ISHA’s tenancy agreement (see section 3.7 of the policy).

11. **MONITORING OF DOMESTIC VIOLENCE**

11.1 ISHA will maintain a register of cases to monitor cases of domestic violence. This will be recorded on ISHA’s IT System and on the Anti Social Behaviour Spreadsheet. Where appropriate victims of domestic violence will be flagged as vulnerable. The monitoring information will be evaluated on a monthly basis.

11.2 The monitoring information will also contain details of outcomes of removing the perpetrator, re-housing the victim and any repeat behaviour.

11.3 The policy will be reviewed in December 2009 and then every three years or when there is a significant change in regulations.

KEY CONTACTS (APPENDIX 1)

Women's Aid National 24 hour free phone helpline	0808 2000 247
Respect national helpline	0845 122 8609
Rights of Women (Free legal advice for women experiencing domestic violence)	020 7251 6577
Samaritans	08457 90 90 90
Broken Rainbow A telephone helpline for lesbians, gay men and bisexual or transgender people experiencing domestic violence	Helpline: 08452 60 44 60 (Mon-Fri 9am -1pm and 2pm - 5pm)
Reunite Advice for parents whose children have been abducted or for parents who fear abduction.	0116 255 6234
The Metropolitan Police Service	In emergency dial 999
Crime stoppers	0800 555 111
Police Community Safety unit (Islington)	020-7421 0385
Police Community Safety unit (Hackney)	020 7275 3696
Police Community Safety unit (Camden)	020-8733 6470/6472/6473/6474
Police Community Safety unit (Waltham Forest)	020 8345 3030
Citizens Advice Bureau (Dalston)	0870 126 4013 (Mon – Tuesday) 9.45am – 3pm
Citizens Advice Bureau (Mare Street)	0870 126 4013 (Mon-Thursday) 9.45am-5pm. Advice Line (Tues only) 1pm- 3pm)
Citizens Advice Bureau (Holborn)	08451 202 965 (Mon, Tues, Thursday & Friday) 10.00am – 4.00pm
Citizens Advice Bureau (Waltham Forest)	0844 826 9696
Homeless Persons Unit (Islington)	020 -7527 6363
Homeless Persons Unit (Hackney)	020-8356 4401
Homeless Persons Unit (Camden)	020 -7974 5801
Homeless Persons Unit (Waltham Forest)	020-8496 5577
Housing Advice & Options Unit (Hackney)	020-8356 2929
Housing Advice & Options Unit (Islington)	020-7527 6371
Housing Advice & Options Unit (Waltham Forest)	020-8496 5575
Housing Advice & Option Unit	020-7974 5801

(Camden)	
Victim Support (Islington)	020-7272 0784
Victim Support (Hackney)	020-8533 5332
Victim Support (Camden)	020-7388 9550
Victim Support (Waltham Forest)	020-8272 4157 or 0208530 0900
Refuge Refuge is the UK's largest single provider of safe accommodation and support to women and children escaping domestic violence.	Helpline: 0808 2000 247
Childline The UK's free helpline for children and young people, providing a confidential telephone counselling service for any child with any problem, 24hours a day, every day.	0800 1111 0800 884 444 (For children living away from home)
Male (Men's Advice Line Enquiries)	Helpline: 0845 064 6800
Social Services (Hackney)	020 8356 4500
Social Services (Camden)	020 7278 4444
Social Services (Waltham Forest)	020 8496 3000
Social Services (Islington)	020 7527 7000
Samaritans	0845 790 9090 or 020 8394 8300
Ashiana Network Offer advice, support and temporary housing for South Asian, Turkish and Iranian women aged 16 – 30 ho are experiencing domestic violence.	020 8539 9656 or 020 8539 0427
Refuge Runs a network of safe houses providing emergency accommodation for women and children affected by domestic violence. Also runs the 24 hour National Domestic Violence helpline in partnership with Women's Aid	0808 2000 247 (24 hour helpline)
Survivors UK Support for survivors of male rape	Helpline: 020 7357 6677 (Tues & Thurs) 7.00pm - 10.00pm