



Federation Northern Ireland

## **Submission to the Ad Hoc Committee on Conformity with Equality Requirements relating to the Welfare Reform Bill**

Women's Aid have a number of concerns regarding how the proposed reforms to the welfare system will impact upon the equality and human rights requirements to which Northern Ireland is subject, specifically pertaining to victims of domestic violence.

### **Equality Impact of the Welfare Reform Bill - Section 75 of the Northern Ireland Act 1998**

Women's Aid is extremely concerned about the adverse impact that the proposed welfare reforms will have on victims of domestic violence. We are particularly concerned that new welfare arrangements may serve to remove the avenues of escape for victims from violent and abusive relationships, and that this may amount to breach of section 75 of the Northern Ireland Act 1998.

As they currently stand, the proposed welfare reforms stand to adversely impact upon victims of domestic violence in a number of ways. Universal Credit arrangements will go to the main earner in household, with the possibility for a limited split payments system in exceptional circumstances. Given that the main earner in a household is most likely to be male, and that victims of domestic violence are most likely female, there is a real risk that women in abusive relationships will be deprived of the degree of financial autonomy needed to leave an abusive relationship. Financial abuse is a recognised form of domestic violence, and the proposed welfare reforms run the risk of compounding this sort of abuse by contriving a situation whereby an abuser is in complete control of all financial income in a household. This could then render a victim unable to escape their abusive situation, either due to a literal lack of cash to exit a house and travel to a safe place, or due to the victim deciding not to leave amid concerns that she would not be able to provide for herself and her children without financial security.

PSNI statistics, statistics from the 24 Domestic Violence Helpline which is open to all women and men affected by domestic violence, and qualitative and quantitative evidence across Northern Ireland and the UK, show that the vast majority of victims of domestic violence are women. Thus, it is women who stand to be disproportionately affected by the welfare reforms in the circumstances outlined above. Such disproportionate detrimental impact on one particular section of society – women – runs contrary to equality obligations under section 75 of the Northern Ireland Act 1998, given that gender is one of the 9 equality groups within the legislation. Women's Aid is not satisfied that, in its present form, sufficient mitigating

procedures have been put in place to satisfy the s75 requirement with regards to women in these instances.

As to the proposals of implementing split payments, Women's Aid would point out that in order to qualify for an exceptional circumstance, a victim would have to disclose the domestic violence. This requirement would run contrary to all knowledge about the hidden nature of domestic violence. Many victims go undetected by statutory agencies, and in our experience it takes an average of 35 violent or abusive incidents before she will contact police. Additionally, forced disclosure can in some cases seriously jeopardise the safety, or indeed the life, of a victim.

### **Human Rights Implications of Welfare Reform Bill**

Women's Aid is also hugely concerned that proposed welfare reforms may fail to protect the basic human rights of women who are victims of domestic violence.

Domestic violence is a violation of Article 5 of the UN Universal Declaration of Human Rights – that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”. If a woman finds herself unable to leave a violent situation on account of government-mandated financial restrictions, her rights under Article 5 may be infringed. In addition, such a situation may contravene the right to life under Article 2 of the European Convention on Human Rights (in the event of a victim being placed in mortal danger) and the right to protection against all forms of violence under the Convention on the Rights of the Child, if there are also children present in the house.

### **Domestic Violence Statistics**

In 2011 – 12, the 24 Hour Domestic Violence Helpline, which is open to all women and men affected by domestic violence, answered a total of 41,633 calls. Of these calls, 66.25% were from women and 1% were from men. The remainder were from statutory and voluntary support organisations or friends and family of victims.

In 2011 – 12, 831 women and 586 children stayed in our refuges across Northern Ireland, and a further 5,572 women accessed community based outreach services such as Floating Support.