



Federation Northern Ireland

Consultation on a Bill of Rights for Northern Ireland

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Women's Aid Federation Northern Ireland

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Women's Aid Information & Statistics

Who We Are

Women's Aid is the lead voluntary organisation in Northern Ireland addressing domestic and sexual violence and providing services for women and children. Women's Aid exists to challenge attitudes and beliefs which perpetuate domestic violence. We work to promote healthy, non-abusive relationships.

Our vision is the elimination of domestic and sexual violence

What We Do

Women's Aid supports all women and children affected by domestic violence. We work to help women and children be safe, to break free from the cycle of violence, and to rebuild their lives. Women's Aid has nine local groups and one regional umbrella body covering the whole of Northern Ireland, and our wraparound services are available across Northern Ireland. Our core work includes:

- Refuge accommodation for women and their children suffering domestic violence.
- Support services to enable women affected by domestic and/or sexual violence to rebuild their lives and the lives of their children.
- Support services for children and young people who have experienced domestic violence.
- Preventative education programmes in schools and other settings.
- Educating and raising awareness among the public, media, police, courts, social services and other agencies of the impact of domestic and sexual violence.
- Advising and supporting other agencies in responding to domestic & sexual violence.
- Working in partnership with other agencies to ensure a joined-up response to domestic and sexual violence.

Throughout this response, the term "Women's Aid" refers to the overall Women's Aid movement in Northern Ireland, including our local groups and Women's Aid Federation.

Domestic & Sexual Violence in 2019-20: a year in numbers

- **561** women and **316** children stayed in a Women's Aid refuge.
- **36** pregnant women were supported in refuge and **205** pregnant women accessed outreach services.
- **11** babies were born to women in refuge.
- **5,536** women and **5,143** children accessed Women's Aid outreach services, enabling

them to get support while staying in their own homes.

- **1,197** women took part in programmes run by Women's Aid, including our *Journey to Freedom* and *You and Me, Mum* programmes.
- We trained **168** teachers across **105** primary schools to deliver the *Helping Hands* preventative education programme.

Domestic Violence in Northern Ireland: Trends

- 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*”.
- The *Stopping Domestic & Sexual Violence and Abuse Strategy* estimates the cost of domestic and sexual violence in Northern Ireland to be **£931 million**.
- UNICEF research released in 2006, showing per capita incidence, indicates that there are up to **32,000 children** and young people living with domestic violence in Northern Ireland.
- **69%** of all domestic abuse crimes were female and 31% were male. Of all offenders dealt with by police in 2018/19 in connection with domestic abuse crimes that resulted in an outcome, 86% were male and 12% were female. ¹

Crime Statistics 2019-20

- Domestic Violence is a crime. Domestic abuse crimes (**18,640**) accounted for **17.5% of all crime** reported to the PSNI.
- Police responded to a domestic incident **every 17 minutes** of every day of the year.
- Between 2019 – 2020 (statistics captured over financial year), there were **2 murders** with a domestic abuse motivation in Northern Ireland and all victims were female. In 2017, Northern Ireland there was the joint highest level of femicide in Europe per 100,000 people.

¹Findings from the PSNI Trends in Domestic Abuse Incidents and Crimes Recorded by the Police in Northern Ireland 31 March 2019 N.B. “Adult” defined as aged 18 and over

Complete our survey

This short survey should take less than ten minutes to complete. The results will provide valuable information to the Committee.

The survey is completely anonymous and confidential. If you choose to provide contact details they will not be linked to your responses.

1. Views on Human Rights

This first set of questions looks at your general view on human rights.

a. To what extent do you agree that everyone in Northern Ireland today enjoys the same basic human rights?

- A. Strongly agree
- B. Agree
- C. Neither agree nor disagree
- D. Disagree
- E. Strongly disagree
- F. Don't know

b. Why do you feel this way?

Firstly, it is our position that the framing of this question is potentially confusing. The use of the word 'enjoys' has not been given additional context to explain what is being asked. Thus, respondents to the question could interpret this as formal access, where everyone has access to rights but does not consider barriers to access. Or respondents could interpret the word 'enjoy' substantively. Whereby the population has access to rights and the means to realise them for themselves.

We will interpret the word 'enjoy' substantively. In Northern Ireland, different individuals have different access to and enjoyment of rights due to a range of intersecting factors. For example, domestic abuse is an issue that disproportionately impacts women, recent PSNI statistics indicate that 69% of victims of domestic abuse were women and since the Covid-19 lockdown in March, five women in NI have been murdered by a male partner or relative. International human rights frameworks recognise domestic abuse as gender-based violence against women, perpetrated against women because they are women. General Recommendation 35 of CEDAW notes that 'the Committee has made clear that such violence is a critical obstacle to the achievement of substantive equality between women and men and to the enjoyment by women of their human rights and fundamental freedoms'. The Istanbul Convention, which the UK has signed but not yet ratified, called for gender sensitive policies and strategies to tackle root causes of VAWG. Despite international human rights mechanisms framing domestic abuse as an equality issue and calls for states to implement gender sensitive policies, NI remains the only area of the UK without a coercive control offence and a VAWG strategy. We also lack key legislation around stalking and non-fatal strangulation, leaving women in NI less protected than in other parts of the UK.

It is our view that women are not able to access and enjoy rights on par with men for a range of factors, but violence against women is one of these factors which our government continuously fails to address.

2. Protections

In your view, do people in Northern Ireland need more protection for their human rights in relation to any of the following areas?

Choose as many as you like.

- | | |
|------------------------------|-------------------------------------|
| A. Age | <input checked="" type="checkbox"/> |
| B. Caring responsibilities | <input checked="" type="checkbox"/> |
| C. Community background | <input type="checkbox"/> |
| D. Criminal record | <input checked="" type="checkbox"/> |
| E. Cultural background | <input checked="" type="checkbox"/> |
| F. Disability | <input checked="" type="checkbox"/> |
| G. Economic status or income | <input checked="" type="checkbox"/> |
| H. Ethnic group | <input checked="" type="checkbox"/> |
| I. Family or civil status | <input checked="" type="checkbox"/> |
| J. Gender | <input checked="" type="checkbox"/> |
| K. Health status | <input checked="" type="checkbox"/> |
| L. Language | <input checked="" type="checkbox"/> |
| M. National identity | <input checked="" type="checkbox"/> |

- N. Political or other opinion
- O. Pregnancy and maternity
- P. Property
- Q. Religion or belief
- R. Sexual orientation
- S. Don't know
- T. None of the above
- U. Other

If you selected 'Other', please let us know what other areas you think should be included:

The Good Friday Agreement's mandate was to incorporate the above rights into a Bill of Rights for NI and add supplementary rights 'taken together with the ECHR - to constitute a Bill of Rights'. Therefore, there is a mandate for incorporating the ECHR withing a Bill of Rights. The rights within the ECHR are mainly civil and political however there is a large body of case law from the court that has informed jurisprudence around economic, social and cultural rights. By incorporating ECHR rights into a Bill of Rights for Northern Ireland it would enhance the protection of the above rights.

Furthermore, there are a wealth of human rights standards (ICESCR, ICCPR, ICERD, CEDAW, CAT, CRC, CRPD etc) that should be incorporated into domestic law to add layers of protections for the above mentioned. Women's Aid would be particularly keen to see CEDAW more effectively implemented in domestic law, particularly pertaining to recommendations around gender sensitive policies to end VAWG.

Please note we have not ticked community background here as we are unaware how this has been defined and as such it is unclear how this relates to human rights.

Choose as many as you like.

- A. Community
- B. Human dignity (everyone deserves respect)
- C. Fairness
- D. Freedom and democracy
- E. Justice
- F. Mutual respect (respect for each other)
- G. Parity of esteem (valuing all traditions equally)
- H. Respect for culture, identity, traditions and aspirations
- I. Peace and reconciliation
- J. Don't know
- K. Other

If you selected 'Other', please let us know what other foundations you think should be included:

There are a number of values that would enhance a Bill of Rights:

- Respect for human rights standards and the universality of human rights.
- Acknowledgement that human rights are interdependent and indivisible, meaning that one set of rights cannot be enjoyed without the other.

We would also note the importance of not confusing values, which may be seen as broad and aspirational, with rights themselves. It is important to make this distinction so that any Bill of Rights is robust and enforceable and not seen as an aspirational document to be worked towards.

4. Bill of Rights

Human rights are freedoms and protections belonging to everyone. A bill of rights contains human rights protections for everyone - it is a list of the laws a country agrees to make to protect all the people who live there.

a. How important, if at all, do you think a bill of rights is for Northern Ireland?

- A. Very Important
- B. Important
- C. Moderately important
- D. Slightly important
- E. Not important at all
- F. Don't know

b. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should set out an aspirational vision based on guiding or foundational values?

- A. Strongly agree
- B. Agree
- C. Neither agree nor disagree
- D. Disagree
- E. Strongly disagree
- F. Don't know

c. Civil and political rights can include freedom from discrimination; the right to privacy; freedom of expression, assembly, religion and movement; and the right to a fair trial. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should include civil and political rights?

- A. Strongly agree
- B. Agree
- C. Neither agree nor disagree
- D. Disagree
- E. Strongly disagree
- F. Don't know

d. What, if any, political and civil rights would you like to see in a bill of rights for Northern Ireland?

We would like to see the ECHR, a framework of largely Civil and Political rights, implemented through a Bill of Rights for NI. Additionally, we have outlined above our intention that other human rights protections be implemented in domestic law, including but not limited to the ICCPR.

e. Social and economic and cultural rights can include rights around standards of living, health, social security, victims, education and language. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should include social, economic and cultural rights?

- A. Strongly agree
- B. Agree
- C. Neither agree nor disagree
- D. Disagree
- E. Strongly disagree
- F. Don't know

f. What, if any, social, economic and cultural rights would you like to see in a bill of rights for Northern Ireland?

As noted above within this consultation, it is our position that international human rights standards be implemented in NI through a Bill of Rights, this includes economic, social and cultural rights. This should include rights contained within the ICESCR as well as economic and cultural rights contained within other conventions including CERD, CEDAW, CRC and others.

g. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should include the right to a healthy environment?

- A. Strongly agree
- B. Agree
- C. Neither agree nor disagree
- D. Disagree
- E. Strongly disagree
- F. Don't know

h. Do you have any other comments?

5. About You - Section 75

This section contains Section 75 questions. These questions allow us to ensure that we are carrying out our work with due regard to the need to promote equality of opportunity and good relations in respect of religious belief, political opinion, gender, race, disability, age, marital status, dependants and sexual orientation.

You do not need to complete this section but the more information we can collect the better we are able to monitor our responses.

All information will be kept completely anonymous and confidential. If you choose to provide contact details they will not be linked to your responses.

Only complete this section if you are happy to answer the Section 75 questions.

a. What is your gender?

- A. Female
- B. Male
- C. Prefer not to say

b. Age Group

- A. Under 18
- B. 18 - 24
- C. 25 - 34
- D. 35 - 44
- E. 45 - 54
- F. 55 - 64
- G. Over 65
- H. Prefer not to say

c. How would you describe your national identity?

Choose as many as you like

- A. British
- B. Irish
- C. Northern Irish
- D. English
- E. Scottish
- F. Welsh
- G. Prefer not to say
- H. Other

If you selected 'Other', please let us know how you would describe your national identity:

d. What is your ethnic group?

Select one only.

- A. White
- B. Chinese
- C. Irish Traveller
- D. Roma
- E. Indian
- F. Filipino
- G. Black African
- H. Black Other
- I. Mixed ethnic group
- J. Prefer not to say
- K. Other

If you selected 'Other', please let us know your ethnic group:

e. Religious Belief

- A. Protestant
- B. Roman Catholic
- C. Other Christian
- D. No religious belief
- E. Prefer not to say
- F. Other

If you selected 'Other', please let us know your religious belief:

f. In terms of political outlook would you describe yourself as broadly...

- A. Nationalist
- B. Unionist
- C. Prefer not to say
- D. Other

If you selected 'Other', please let us know how you would describe your political outlook:

g. Which of the following best describes your sexual orientation?

- A. Heterosexual/Straight
- B. Gay or Lesbian
- C. Bisexual
- D. Prefer not to say
- E. Other

If you selected 'Other', please let us know how you would describe your sexual orientation:

h. Disability

A person has a disability if s/he has “a physical or mental impairment which has a substantial and long-term adverse effect on his/ her ability to carry out normal day-to-day activities” (Disability Discrimination Act 1995).

Choose as many as you like.

- A. I have a physical disability
- B. I have a sensory disability
- C. I have a learning disability
- D. I do not have a disability
- E. I have a mental health condition
- F. I have a long-term health condition
- G. Prefer not to say

i. Dependants

Choose as many as you like.

- A. I have personal responsibility for the care of a child (or children)
- B. I have personal responsibility for the care of a person with a disability
- C. I have personal responsibility for the care of a dependent older person
- D. I do not have any dependants
- E. Prefer not to say

7 - Are you willing to be contacted again (for example, to take part in further consultation)?

- Y. YES
- N. NO

If 'Yes', please enter your email below. We will only use your email to contact you in relation to the work of the Ad Hoc Committee on a Bill of Rights.