

Individual 29

To the Clerk of the Justice Committee,

Evidence Submission for the Domestic Abuse and Family Proceedings Bill - Committee Stage

In document "Primary Legislation - Domestic Abuse and Family Proceedings Bill", as at, <http://www.niassembly.gov.uk/assembly-business/committees/2017-2022/justice/primary-legislation/domestic-abuse-and-family-proceedings-bill/departamental-briefing-paper---12-march-2020/>, in point 11 bullet point 8, it describes how a child, witnessing domestic violence, would be an aggravating factor towards the offence. It is my wish and suggestion that not only should this be an aggravating factor but also a crime in itself.

That is, a new crime of "violence exposure" towards those in the family household who witness any act of aggression or violence, should be created.

"Witnessing" could be by either hearing or seeing, at the time, or in a recording (e.g. video) after the event. The word "violence", in this context, can be verbal or physical. Verbal would include any swearing of any type. Physical would include actual physical contact as well as non-contact violence, for example, violent gesticulation and gesturing i.e. raising a fist.

We know that considerable damage is caused to children if they witness violence. And especially so to people in such a formative age as children are. Because both adults and children can witness domestic violence it might be the case that there should be two new laws : one that pertains specifically to children. That is, a new crime of child abuse. And another new 'violence exposure' crime applying to adult victims, also. If a violent crime occurs in public this is, often, prosecuted under the crime of "public disorder". That crime is similar to this new violence exposure crime in that it differs only in its location i.e. one is in private, in the home, and one is in public. So precedent has, already been set, in law, here. Therefore, any objection on that ground, I do not think, can be made.

This said, however, it is my view that a new crime of "violence exposure" would also apply outside a building. That is, the crime still occurs if the violence exposure happens outside a building. The key factor, here, is that a child or adult is a witness to the violent and aggressive acts perpetrated against family members. Family can include carers.

