



## Evidence Submission to Justice Committee Domestic Abuse and Family Proceedings Bill 2020

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Prepared by

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HERe NI is a registered charity (XR62377) and a  
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Northern Ireland Charity Number: NIC104707.

Cara Friend is a registered charity (CR55118) and a  
Company Limited by Guarantee (NI619350)

Northern Ireland Charity Number: NIC106210.

We give full and informed consent to the disclosure internally and to the general public of  
this consultation response in full.

## Introduction

We welcome the call for evidence to the Justice Committee on the Domestic Abuse and Family Proceedings Bill 2020 and this submission is on behalf of HERe NI and Cara Friend. Both organisations also contributed to the joint response from the Women's Policy Group, and endorse the recommendations in that response.

A summary of these include: -

- The need to remove Clause 12 'reasonable defence',
- Introduction of Stalking legislation,
- Introduction of non-fatal and fatal strangulation legislation,
- Specific recognition of violence against Women and Girls and gender-based violence,
- Grant of secure tenancies in cases of domestic violence and abuse,
- Review of the court systems in NI including criminal, civil and family courts,
- Introduction of a Domestic Abuse Commissioner,
- Secure funding for specialised services and a review of tendering and procurement in relation to domestic violence and abuse services,
- Provide guidelines to employers on recognising the signs of abusive behaviour,
- Introduction of paid domestic violence leave,
- Powers to deal with domestic abuse:
  - Introduction of domestic abuse protection orders,
  - Introduction of domestic abuse protection notices,
- Safer family court and child contact system
- Tackling heteronormative assumptions and increasing awareness of domestic violence in the context of LGBT+ relationships,
- Providing refuge for LGBT+ people,
- Robust recording of section 75 group victims and providing resources for specific support for each group,
- Wider education campaign and significant resourcing needed,
- Recognition of disproportionate impact on rural women, areas of paramilitary control, migrant women, LGBT+ groups, disabled people etc.,
- Creation of domestic violence register to track evidence of abuse in different areas,
- Addressing re-offending – highlighting the lack of a framework of prevention, rehabilitation and restorative justice in NI,
- Guidelines for sentencing for coercive control,

- Guidelines for measuring non-physical harm
- Ensuring victim statements cannot be used against victims by prosecutors
- Creating secure tenancies and recognising differing needs of minority groups for example disabled women, trans communities, rural women, migrant women
- Guarantees that women with uncertain immigration status should be able to seek justice without their cases being reported to the Home Office
- Addressing Bail Conditions vs. Non-Molestation Orders
- Mandatory training and codes of practice
- Children and domestic violence
- Creating an inter-departmental approach of co-design with the third sector
- Application of the 'no exceptions principle' in relation to children and domestic violence.

HERE NI (previously LASI), established in 2000, is a regional organisation that works across all areas of Northern Ireland (NI) and the boarder counties to support lesbian and bisexual (LB) women and their families. We advocate for and support LB women and their families and improve the lives of LB women across Northern Ireland. We do this in lots of different ways; through providing information; peer support; facilitating training; lobbying government and agencies on LB women's issues; offering a community space for meeting and much more. HERE NI is the only women focused organisation within the NI LGBTQ+ sector.

Cara-Friend has been serving the LGBTQ+ community in Northern Ireland for over 40 years founded in 1974, we work with young LGBTQ+ people aged 12–25. We provide regional LGBTQ+ youth groups across Northern Ireland, one-to-one support for individuals, LGBTQ+ awareness training for professionals and volunteers working in a variety of different areas, community development, the LGBT Switchboard, the LGBTQ+ Inclusive Schools Programme and the Domestic and Sexual Violence project, supporting LGBTI women and girls across the region. We are based in the Belfast LGBT centre in Waring street and share premises with our sector partners.

The Gendered Violence project is a joint project between Cara Friend and HERE NI and it is aimed at LGBTQ+ women and girls aged 12 years+ who are at risk of domestic and sexual violence or abuse. The Gendered Violence Worker offers training to professionals who work with women and girls who may be at risk of domestic and sexual violence and abuse to highlight the issues that are specific to the LGBTQ+ community. The Gendered Violence Worker also supports LGBTQ+ victims of abuse with one to one support, mindfulness and meditation along with personal development activities.

While there are no conclusive figures around the number of people who identify as Lesbian, Gay, Bisexual and Transgender (LGBT+) it is broadly recognised that LGBT+ people make up between 6-10% of our population. If this is accurate, the LGBT+ sector is one of the largest minority communities in Northern Ireland and accounts for 108,100 – 181,000 of the population. As LGBT+ people become increasingly visible within our society so will their needs – and the needs of their families.

This consultation response is the result of our experience as providers of specialist support services, engagement with service users, review of national and international legislation and best practise, and engagement with our colleagues in the community and voluntary sector who are experts in various areas.

We recommend that the Department of Justice review the WRDA (Women's Resource & Development Agency) guidance for public authorities on consulting with women<sup>1</sup> to ensure accessibility.

Domestic abuse legislation for Northern Ireland is long overdue, which has been highlighted by the recent Covid-19 prevention measures. These measures have meant people have had to stay with their abuser with little contact with the outside world. We acknowledge that since the lockdown began at the end of March, three women have been murdered by a male partner or relative. We note the emergency funding for specialised domestic violence services in response to Covid-19 announced by the UK Government, and are dismayed that none of the £76 million was allocated to services in Northern Ireland.

### **LGBT+ Experiences of Domestic Abuse**

Through our involvement with MARAC NI we are aware that reports of domestic abuse by LGBT+ victims are very rare.

Research by SafeLives in Great Britain shows just 2.5% of people accessing support from Insights domestic abuse services identified as LGBT+. In the 12 months to the end of March 2018, only 1.2% of cases discussed at the Multi Agency Risk Assessment Conference (MARAC) were noted to involve LGBT+ victims/survivors. Over a quarter of MARAC cases (26%) recorded no LGBT+ victims/survivors at all during this period.<sup>2</sup> However, we expect

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<sup>1</sup> Women at the Heart of Public Consultation; A guide for Public Authorities and Women's Organisations, WRDA, November 2017  
[https://wrda.net/wp-content/uploads/2018/10/WRDA\\_WomenAtTheHeartOfPublicConsultation.pdf](https://wrda.net/wp-content/uploads/2018/10/WRDA_WomenAtTheHeartOfPublicConsultation.pdf)

<sup>2</sup> Safelives (2018). *Free to be safe : LGBT+ people experiencing domestic abuse*. [online] Available at: <https://safelives.org.uk/sites/default/files/resources/Free%20to%20be%20safe%20web.pdf> [Accessed 3 Jun. 2020]

that these do not accurately reflect the levels of domestic violence in LGBT+ relationships. Research in England has found that underreporting of domestic abuse in the LGBT+ community is between 60 and 80%, similar to overall national underreporting of domestic abuse of 79%.<sup>3</sup>

Stonewall reports that 'One in four of all lesbian and bisexual women have experienced domestic violence in a relationship. Two thirds of those say the perpetrator was a woman and a third a man. One in four of the general population of women has experienced domestic violence.'<sup>4</sup>

In 2017, Greater Manchester Police began recording LGBT+ domestic abuse figures, and in the first year recorded nearly 800 instances. They note this is 2% of all reports they received and that the issue of LGBT+ domestic abuse in particular is still under reported.<sup>5</sup>

International research found that;

*'According to the Center for Disease Control and Prevention's latest National Intimate Partner and Sexual Violence Survey (Black et al., 2011), Walters et al.,<sup>6</sup> (2013) breaks down domestic violence figures by sexual orientation. This study reveals that 43.8% of lesbians reported to have been physically victimised, stalked, or raped by an intimate partner in their lifetime, compared to 35.0% of heterosexual women, 29.0% of heterosexual men, and 26.0% of gay men. Bisexual women experienced the highest rates with 61.1% (Hamel, 2014).'*<sup>7</sup>

Even when LGBT+ people do report domestic violence, there is a lack of adequate recording, often making the LGBT+ community a hidden population in this area. We recommend that all section 75 groups should be monitored inclusive of sexual orientation and gender identity. If monitoring sexual orientation and gender identity is standard procedure, this will remove the onus on the individual to 'come out' in an environment they

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<sup>3</sup> KSS CRC. 2020. *Research: Domestic Abuse In LGBT Communities - KSS CRC*. [online] Available at: <<https://www.ksscrc.co.uk/2020/04/30/research-domestic-abuse-in-lgbt-communities/>> [Accessed 3 June 2020].

<sup>4</sup> (Stonewall.org.uk. 2008. *Prescription For Change*. [online] Available at: <[https://www.stonewall.org.uk/system/files/Prescription\\_for\\_Change\\_\\_2008\\_.pdf](https://www.stonewall.org.uk/system/files/Prescription_for_Change__2008_.pdf)> [Accessed 3 June 2020]

<sup>5</sup> <https://www.theguardian.com/society/2018/apr/10/manchester-police-record-nearly-800-cases-of-lgbt-domestic-abuse>

<sup>6</sup> Black, M. C., Basile, K. C., Breiding, M. J., Smith, S. G., Walters, M. L., Merrick, M. T., Stevens, M. R. (2011). *National Intimate Partner and Sexual Violence Survey: 2010*

<sup>7</sup> Hamel, J. (2014). *Gender inclusive treatment of intimate partner abuse: Evidence-based approaches* (2nd ed.). New York, NY: Springer Publishing

are not sure will be welcoming. Everyone has a sexual orientation and gender identity and we need to stop othering those who are not heterosexual and/or cis gender.

There must be mandatory training on best practice such as using gender neutral pronouns and sexual orientation awareness. There should be LGBT+ Domestic Violence Liaison Police Officers and specialist Independent Domestic Violence Advocates. Policies and procedures should be co-designed with representatives of section 75 groups as specialists and experts to ensure there are no oversights – for example, even when recorded, bisexual people are often mis-recorded based on the gender of their current partner. To date there has been very little acknowledgement of LGBT+ people who experience domestic violence in policy/legislation. When it does occur, it appears with language that minimises or does not include the needs within our community. Many people from the LGBT+ community believe that they are being abused because they are LGBT+ which often fuels internalised homophobia, biphobia or transphobia.<sup>8</sup>

While some domestic abuse experience in same sex relationships is similar to experiences in heterosexual relationships, Stonewall research indicates that there are also particular experiences specific to the LGBT+ community. Stonewall research indicates that

*“Lesbian and bisexual women had experienced domestic abuse from another woman said that the abuse was emotional and physical. One in five of all lesbian and bisexual women said that they had been repeatedly belittled and “made to feel worthless”, and the same number said that they had been stopped from seeing friends and relatives. One in five have also been pushed or slapped by another woman and kicked and bitten. Over half of those who have experienced domestic abuse from a female partner had experienced some form of physical violence. One in fourteen say they had been forced to have unwanted sex’.*<sup>9</sup>

LGBT+ victims may also experience unique forms of coercive control targeted at their sexual orientation or gender identity. For instance, the threat of ‘outing’ members of the LGBT+ community around their sexual orientation or gender identity. Further research by Stonewall

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<sup>8</sup> <https://www.reducingtherisk.org.uk/cms/content/lgbt>

<sup>9</sup> Stonewall.org.uk. 2008. *Prescription For Change*. [online] Available at: <[https://www.stonewall.org.uk/system/files/Prescription\\_for\\_Change\\_\\_2008\\_.pdf](https://www.stonewall.org.uk/system/files/Prescription_for_Change__2008_.pdf)> [Accessed 3 June 2020].

found that over half (51%) of transgender people who had experienced domestic abuse in the last year reported that their partner had ridiculed their gender identity.<sup>10</sup>

There are also intersecting ways particular LGBT+ people may experience domestic abuse, for example threatening to report an individual to the Home Office if they are an asylum seeker based on sexual orientation, with an aim to damage their application, or threats to jeopardise custody of children where someone is an LGBT+ parent.

LGBT+ individuals reporting domestic violence often have the added stress of coming out, not every LGBT+ person will feel comfortable or safe to disclose their sexual orientation. LGBT+ people often have to deal with negative responses to coming out including homophobic bullying in schools or the workplace and also experience isolation from family or community. The LGBT+ community also has higher levels of stress and anxiety, difficulty in self-acceptance which can make them vulnerable to abuse. There is a higher rate of suicide ideation, alcohol dependency and drug use within the LGBT+ community. These issues will be explored further later in this document.

**How this new domestic abuse legislation enhances existing legislation and whether it fully addresses the gaps in existing law and will improve the ability of the justice agencies to prosecute domestic abuse cases**

This legislation provides the opportunity to create a role of Domestic Abuse Commissioner. We strongly encourage the creation of this role as it would provide someone to scrutinise the implementation of the legislation, as well as a conduit for those disproportionately impacted by domestic abuse to raise their particular needs with government. There is already a Domestic Abuse Commissioner in England and Wales who has been able to oversee the implementation of legislation, highlight gaps and make recommendations to address them, as well as raising awareness on domestic abuse. We note there are already several commissioners in Northern Ireland representing various marginalised groups, there is a proven track record of the role of a commissioner in linking government with service delivery and those impacted. The needs of LGBT+ victims and survivors of domestic abuse could be

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<sup>10</sup> Safelives (2018). *Free to be safe: LGBT+ people experiencing domestic abuse*. [online] Available at: <https://safelives.org.uk/sites/default/files/resources/Free%20to%20be%20safe%20web.pdf> [Accessed 3 Jun. 2020]

highlighted by a Domestic Abuse Commissioner, along with the needs of other marginalised groups.

We support our colleagues in WAFNI's (Women's Aid Federation Northern Ireland) recommendations for a review of Family Court System and Child Contact, the introduction of Stalking Legislation, and the creation of a non-fatal strangulation offence. We urge the committee to consider their extensive submission on these topics.

### **The definition of the offence and the definition of abusive behaviour**

We are satisfied with the definition in the legislation which mirrors legislation in Great Britain.

Strategies can be used to target support at particular groups, for example a Violence Against Women Strategy, and A Sexual Orientation Strategy. We recognise that the majority of victims of domestic abuse are women. We also recommend strategies to address specific groups such as violence against women and girls, the LGBT+ community, and other marginalised groups. Elsewhere in the UK there is an LGBT Action Plan which includes provisions for specific support for LGBT+ victims of domestic violence. We would like to see similar in NI. <sup>11</sup> A Domestic Violence Commissioner would be useful to ensure the different needs of different groups are raised, especially in relation to the above named strategies.

We welcome the gender neutral language in the legislation in relation to victim and perpetrator, we also acknowledge that the majority of victims and survivors of domestic abuse are women. The use of gendered pronouns in describing victims and perpetrators risks alienating LGBT+ people and can lead to an assumption that they are not included in services, using terms such as victim and perpetrator avoids this. In addition, specifically identifying LGBT+ people in public awareness campaigns means LGBT+ people will be more likely to engage with services.<sup>12</sup> Gender neutral language must not come at the expense of reducing resources and support for organisations working with the groups disproportionately impacted by domestic abuse, including women, girls, and LGBT+ people.

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<sup>11</sup> Government Equalities Office LGBT Action Plan: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721367/GEO-LGBT-Action-Plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721367/GEO-LGBT-Action-Plan.pdf)

<sup>12</sup> [https://safelives.org.uk/practice\\_blog/making-domestic-abuse-services-accessible-lgbt-people](https://safelives.org.uk/practice_blog/making-domestic-abuse-services-accessible-lgbt-people).



### **Any identified issues regarding the investigation and prosecution of the new offence**

We recommend the inclusion of more rigorous and innovative evidence collection approaches to support successful prosecutions. We defer to the responses from our colleagues in NIPSA (Northern Ireland Public Service Alliance) and NIWEP (Northern Ireland Women's European Platform) and endorse their calls for a domestic abuse register, which is in line with CEDAW (Convention on the Elimination of all forms of Discrimination Against Women) General Recommendation 35 on gender based violence.<sup>13</sup>

We recommend that the IDVA (Independent Domestic Violence Advisor) service is expanded, including specialist IDVA's for marginalised groups including but not limited to LGBT+ people, to support victims through reporting and any criminal trial process.

### **Whether the 'reasonable' defence included in the legislation is framed appropriately and the intent of when it would apply is clear**

We recommend the removal of the 'reasonableness defence'. The 'reasonableness defence' would be too open to misuse. There is a long history in the USA of reasonableness being invoked as a defence where a perpetrator has committed a violent act upon learning the someone is LGB and/or T, particularly impacting trans individuals.<sup>14</sup> Reasonableness may also be used as justification of abuse against disabled victims, those with mental ill health, people with substance misuse patterns, or children where the perpetrator has an authoritative role over them such as parent.

We recommend the Committee carefully considers the submissions made by WAFNI and CAJ (Committee on the Administration of Justice) on this matter.

### **Whether the penalties provided for in the Bill are appropriate and adequate**

There should be no hierarchy of offences whether the abuse is physical, psychological, emotional, or coercive and controlling behaviour. All domestic abuse must be taken seriously by the criminal justice system. There should be sentencing guidelines for domestic abuse cases to ensure consistency across courts.

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<sup>13</sup>CEDAW 2017 Committee on the Elimination of Discrimination against Women General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1\\_Global/CEDAW\\_C\\_GC\\_35\\_8267\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_35_8267_E.pdf)

<sup>14</sup> Lee, Cynthia and Kwan, Peter Kar Yu, The Trans Panic Defense: Heteronormativity, and the Murder of Transgender Women (2014). 66 Hastings L.J. 77 (2014); GWU Law School Public Law Research Paper No. 2014-10; GWU Legal Studies Research Paper No. 2014-10. Available at SSRN: <http://ssrn.com/abstract=2430390> or <http://dx.doi.org/10.2139/ssrn.2430390>.

Any restorative justice must be victim led and non-compulsory, with recognition of the power the perpetrator has exercised over the victim and how this may impact their response.

Recommendations from the Gillen Review such as training for Judiciary and special measures for witnesses which are also relevant to domestic abuse trials and the committee should review these.<sup>15</sup>

**Any other legislative or non-legislative approaches to tackle domestic abuse not currently in place that should be taken forward either in this Bill or in another piece of legislation or by other means**

While we welcome this legislation, we also acknowledge that legislation alone is not a remedy to domestic abuse. Legislation must be accompanied with appropriate training for police and judiciary, specialist support services, and a public awareness campaign.

Often public awareness campaigns focus on a woman victim and man perpetrator in a heterosexual relationship. This is a barrier for LGBT+ people not only reporting domestic abuse, but also from even recognising that what they are experiencing is domestic abuse. There are many myths that need to be addressed, such as where victim and perpetrator are the same gender it is a 'fair fight'. Public awareness campaigns, legislation, and awareness training for statutory, community and voluntary sector organisations must recognise that there are multiple circumstances domestic abuse occurs in beyond a heterosexual adult relationship.

The use of gendered pronouns in describing victims and perpetrators by service providers risks alienating LGBT+ people and can lead to an assumption that they are not included in services, using terms such as victim and perpetrator avoids this. In addition, specifically identifying LGBT+ people in public awareness campaigns means LGBT+ people will be more likely to engage with services.<sup>16</sup>

Specialist LGBT+ support removes the fear of experiencing heteronormativity or hostility towards the LGBT+ community or individuals accessing support, as well as removing the need to 'come out' to an extent. Co cultural (individuals from the LGBT+ community) support

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<sup>15</sup> Department of Justice, 2019, Sir John Gillen's recommendations on the report into the law and procedures in serious sexual offences in Northern Ireland, <https://www.justice-ni.gov.uk/publications/gillen-review-recommendations>

<sup>16</sup> Slaton, A., 2018. *Making Domestic Abuse Services Accessible To LGBT+ People* | *Safelives*. [online] Safelives.org.uk. Available at: <[https://safelives.org.uk/practice\\_blog/making-domestic-abuse-services-accessible-lgbt-people](https://safelives.org.uk/practice_blog/making-domestic-abuse-services-accessible-lgbt-people)> [Accessed 3 June 2020].

workers, may have a greater understanding of issues specific to LGBT+ individuals and the particular experiences of the community. Refuge notes the importance of culturally specific services, and that 'all survivors have different needs, some of which may relate to their ethnic background or identity'.<sup>17</sup>

Specialist support services must be adequately resourced. Currently there is only one Gendered Violence Worker who exclusively supports LGBTI (Lesbian, Bisexual, Trans and Intersex) women who works between HERe NI and Cara-Friend, funded by a grant making body for a small number of years. This post should be expanded and sustainable with statutory funding.

There are two small LGBT+ domestic violence refuges in England, both in the London area<sup>18</sup>, outside of this, the refuges that do offer LGBT+ inclusive spaces equate to less than 1% of the available refuge spaces<sup>19</sup>. This issue has caused victims of domestic violence to be trapped in their home with their perpetrator as there are no other available options open to them. The potential for LGBT+ refuge provision should be explored. While LGBT+ women may be welcome in existing women's shelters, they may not feel comfortable accessing this support due to a fear of 'coming out' and homophobia. There is limited provision for victims who are men regardless of sexual orientation.

One of the common experiences of domestic abuse for LGBT+ people is alienation from friends and family orchestrated by the perpetrator. Many LGBT+ people also experience alienation from unaccepting family and friends when they come out. This alienation can leave young LGBT+ people less likely to have a suitable person to share a home with, which is penalised under the current welfare system. Research with older LGB (lesbian, gay, bisexual) people over 55 found they were more likely to live alone than heterosexual people; 41 per cent live alone compared to 28 per cent of heterosexual people.<sup>20</sup>

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<sup>17</sup> Refuge Charity - Domestic Violence Help. n.d. *Culturally Specific Services - Refuge Charity - Domestic Violence Help*. [online] Available at: <<https://www.refuge.org.uk/our-work/our-services/culturally-specific-services/>> [Accessed 3 June 2020].

<sup>18</sup> Safelives (2018). *Free to be safe : LGBT+ people experiencing domestic abuse*. [online] Available at: <https://safelives.org.uk/sites/default/files/resources/Free%20to%20be%20safe%20web.pdf> [Accessed 3 Jun. 2020]

<sup>19</sup> Women's Aid Nowhere to Turn: <https://www.womensaid.org.uk/research-and-publications/nowomanturnedaway/>

<sup>20</sup> (Stonewall.org.uk: 2011. *LGB People In Later Life*. [online] Available at: <[https://www.stonewall.org.uk/system/files/LGB\\_people\\_in\\_Later\\_Life\\_\\_2011\\_.pdf](https://www.stonewall.org.uk/system/files/LGB_people_in_Later_Life__2011_.pdf)> [Accessed 3 June 2020].)

UK wide research found that young LGBT+ people make up 24% of the total of homeless youth. 69% of LGBT+ homeless individuals have experienced abuse, violence or rejection by their family. 77% of LGBT+ youth are of the belief that their sexual orientation or gender identity factored in their rejection by family.<sup>21</sup> This rejection may fall into broader definitions of domestic abuse, when we consider relationships outside of a heterosexual couple, as well as the abuse and violence that has caused the LGBT+ person to leave the family home, becoming homeless. St Mungo's<sup>22</sup>, a charity supporting homeless people, has an LGBT pathway, which includes six spaces reserved for trans individuals and a further nine spaces for people who identify as LGBTQ+ and nine for women only, this is again in the London area. We would welcome exploration of LGBT+ emergency accommodation.

The LGBT+ community is not homogeneous, and each individual will have their own set of needs. We would take this opportunity to highlight high levels of substance misuse in the LGBT+ community in NI, and high levels of self-harm and mental ill health. Any specialised support should also be understanding of complex needs beyond gender identity and sexual orientation.

Research carried out in Northern Ireland identified that LGBT+ people are substantially more likely than the Northern Ireland population to use drugs and are nearly three times more likely to have taken an illegal drug in their lifetime (62% v 22%). The use of drugs and alcohol had been a factor in 15% of LGB people and 36% of transgender people self-harming. Drugs and alcohol contributed to 30% of LGBT+ people thinking about suicide (suicidal ideation) and 13% attempting suicide.<sup>23</sup>

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<sup>21</sup> The Proud Trust, 2012. *LGBT Youth Homelessness: A UK National Scoping Of Cause, Prevalence, Response And Outcome - The Proud Trust*. [online] The Proud Trust. Available at: <<https://www.theproudtrust.org/resources/research-and-guidance-by-other-organisations/lgbt-youth-homelessness-a-uk-national-scoping-of-cause-prevalence-response-and-outcome/>> [Accessed 3 June 2020].)

<sup>22</sup> <https://www.mungos.org>

<sup>23</sup> Statistics drawn from 'All Partied Out – Substance use in Northern Ireland's lesbian, gay, bisexual and transgender community, The Rainbow Project

Levels of self-harm are higher amongst LB women than women generally, specialist support services must be aware of this. Research by Stonewall UK found the following:-

*'In the last year, one in five lesbian and bisexual women say they have deliberately harmed themselves in some way compared to 0.4 per cent of the general population. Half of lesbian and bisexual women under the age of 20 have self-harmed, compared to one in fifteen of teenagers generally. Three quarters of those who have self-harmed in the last year have cut themselves, and one in five have swallowed pills or objects. Respondents also say that they have "scratched themselves" or "punched walls" or "broke bones".<sup>24</sup>*

LB women have higher levels of poor mental health than heterosexual women, Lesbian women are 1.38 times, and bisexual women 2.23 times as likely to be anxious or depressed than heterosexual women.<sup>25</sup> In some cases this can lead to suicidal ideation, with the impact of multiple levels of marginalisation evident in Stonewall research which found 'In the last year, 5% of lesbians had attempted suicide. This increases to 7% of bisexual women, 7% of BME and 10% of disabled lesbian/bisexual women.<sup>26</sup> Poor mental health can be exacerbated by domestic abuse, there must be access to suitable support. It is also important that a victim's mental ill health is not used against them in criminal justice proceedings.

There is no one size fits all approach, we believe this is where co-design of services with community based experts is invaluable, as well as a Domestic Abuse Commissioner to ensure the needs of various groups are met.

### **Concluding remarks**

While we welcome the introduction of legislation, we are aware that legislation alone will not change things for many of the people we support. There must be ongoing action which is cross departmental beyond the department of Justice to the Departments for Health, Education and the Economy at least. It is imperative that organisations supporting

<sup>24</sup> Stonewall.org.uk. 2008. Prescription For Change. [online] Available at: <[https://www.stonewall.org.uk/system/files/Prescription\\_for\\_Change\\_2008\\_.pdf](https://www.stonewall.org.uk/system/files/Prescription_for_Change_2008_.pdf)> [Accessed 3 June 2020].

<sup>25</sup> (Semtyen, J., King, M., Varney, J., Hagger-Johnson, G. (2016). *Sexual Orientation and symptoms of common mental disorder or low wellbeing: combined meta-analysis of 12 UK population health surveys*. BMC Psychiatry. Available at: <https://bmcp psychiatry.biomedcentral.com/articles/10.1186/s12888-016-0767-z>)

<sup>26</sup> Hunt, R and Fish, J. (2008) *Prescription for Change Lesbian and bisexual women's health check*. Stonewall. Available at: [https://www.stonewall.org.uk/sites/default/files/Prescription\\_for\\_Change\\_2008\\_.pdf](https://www.stonewall.org.uk/sites/default/files/Prescription_for_Change_2008_.pdf))

marginalised groups are included in the design of legislation and its implementation.

As the organisations with the only project focusing on LGBT+ domestic abuse, and a dedicated worker supporting LGBTI women who have experience, or are at risk of, domestic abuse we request the opportunity to give evidence to the Justice Committee on this Bill and the provisions which we have identified as required to tackle domestic abuse.