



ParentingNI

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The Committee Clerk, Room 242  
Parliament Buildings, Ballymiscaw, Stormont  
Belfast, BT4 3XX.

Ms Committee Clerk & Mr Chairperson,

RE: Domestic Abuse and Family Proceedings Bill

Parenting NI broadly welcomes the new Bill, and the approaches that it takes to address domestic abuse. We concur with the definition of the offence and of abusive behaviour. Equally, we agree that a general prohibition in most circumstances of in-person cross examination by an abuser is to be welcomed.

However, we are concerned that the Bill inadvertently may create a barrier for one specific group of victims. Those parents who are being abused by their under-aged children.

In the definition of a “connected person” in clause five specifically includes the child/parent relationship. We are pleased to see recognition that this dyad can be the basis of abuse. Further, we agree with clause 11 that this bill is not the appropriate vehicle for dealing with parent to child abusive behaviour.

We are concerned however, that no specific mitigation or exception has been detailed for abuse of a parent by an under-18-year-old child. Given Northern Ireland’s unusually low age of criminal responsibility – 10 years old – this is a particularly pressing issue. The effect of this bill on families where abuse exists between a child and a parent must therefore be considered.

Parenting NI are conscious that in clause 14, the penalties for the abuse are either fines or imprisonment. While these are appropriate and reasonable for adult perpetrators, such potential punishment is unlikely to motivate abused parents of younger children to report this crime or seek help. A child will be unable to pay any fine imposed – this money if it were sought would instead likely be from the victim. Equally, while parents will wish for the abuse to end, it is possible that they will prefer to continue to suffer rather than have their child imprisoned.

The bill clearly recognises the unique impact of abuse on children. Clause 9 specifically creates an aggravation for abuse where a child is involved. We welcome this, but also point out to legislators that a knock-on effect of such abuse when witnessed or experienced by a child is that child themselves behaving abusively. Clause 9 establishes that abuse is “worse” if a child is affected, but the bill as a whole does not account specifically for children who go on to abuse parents potentially as a result of seeing/experiencing abuse.

Parenting NI would suggest that the committee carefully consider ways to specifically include support for families where there is child-to-parent abuse. This could be done in two ways:

- An amending clause stipulating that where the offender is (1) the child of the victim and (2) under the age of 18; that the penalty be something other than imprisonment. Further support would need to be provided to this family to address this abusive behaviour;

OR

- Specific sentencing guidance be provided to relevant officials that children under the age of 18 who abuse their parents are not to be imprisoned unless they present a real and present danger that cannot otherwise be mitigated.

Parenting NI do not agree that the stipulated penalties are likely to provide better outcomes for families experiencing child-to-parent violence. If a situation was created where the child would either:

- Be imprisoned;
- Not face any penalty nor be mandated to get help/support on threat of penalty.

Families would be unlikely to see this bill as a safety valve.

Parenting NI recognises that this is a niche element of the general aim of the bill. However, it also presents a unique opportunity to address an issue that we and other family-support organisations have seen an alarming rise in.

Regards,

Charlene Brooks

CEO, Parenting NI