

FROM THE OFFICE OF THE JUSTICE MINISTER



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Paul Givan MLA
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16 June 2020

Dear Paul,

DOMESTIC ABUSE AND FAMILY PROCEEDINGS BILL

You will recall that Members had asked that I write to the Minister for Communities, Deirdre Hargey MLA, to explain that the Justice Committee had queried whether the Housing Allocation Scheme, which the Department for Communities operates, could be amended to award housing points to victims intimidated as a result of domestic violence and abuse and whether provision would be made in the Domestic Abuse and Family Proceedings Bill in relation to the granting of secure tenancies for those who are victims of domestic abuse (akin to provision that is being made in the Westminster Domestic Abuse Bill).

I wrote to Minister Hargey, on 23 April 2020, for her views on these two matters in order to further advise the Committee. In addition, I also asked for consideration to be given as to what opportunities there are to increase accommodation provision, both emergency and longer term, for male victims of domestic abuse and victims from the LGBT community. Minister Hargey responded on 1 June 2020 and her response is attached at **Appendix A** for the Committee's information.

In relation to secure tenancies, you will note that Minister Hargey has advised that she has considered whether provision should be made to grant secure tenancies for victims of domestic abuse but that given the clear differences between current structures here, in terms of local government responsibility for housing and homelessness and social care services, when compared to England; she is content that it is not necessary to replicate the provisions in Northern Ireland. You will wish to note that discussions are still ongoing between officials in the Department and the Department of Communities on this matter and I will ensure that the Committee is kept up to date on any further developments.

In relation to male and LGBT victims of domestic abuse, Minister Hargey has highlighted the provision of temporary accommodation available to male victims of domestic abuse. In addition, she confirms that the Supporting People programme does not currently grant fund any services for men at risk of domestic abuse, but that research was conducted in November 2018 on the accommodation requirements of male victims of domestic violence, which included consultation with relevant support and advisory networks. This research concluded that, at that time, the numbers of men presenting as victims of domestic abuse did not immediately suggest a demand for refuge accommodation.

Members will also wish to be aware that I wrote to the Minister for the Economy, to seek her views on paid special leave from work for victims of domestic abuse. Minister Dodds' response is attached at **Appendix B** for information.

I can further advise Members that officials in my Department, along with colleagues in the Department for the Economy, Department of Health and Department for Communities have agreed to take part in a review of support in the workplace for survivors of domestic abuse, which was launched by the Department for Business, Energy and Industrial Strategy on 9 June 2020. This Review will examine the

availability of flexible working, unplanned leave and other employment needs to identify how employers and government could better support domestic abuse survivors at work.

I trust the Committee finds this reply helpful.

Yours sincerely,

NAOMI LONG MLA
MINISTER OF JUSTICE

From: The Minister

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Dear Naomi

DOMESTIC ABUSE RELATED ISSUES

Thank you for your letter dated 23 April 2020 in relation to a number of issues relating to domestic abuse.

Firstly, in response to the Justice Committee's query regarding the housing points for victims of domestic violence and abuse; under the current Housing Selection scheme, victims of domestic violence do receive points. They will be awarded 70 points for homelessness and up to 40 Primary Social Needs points (including 20 for violence or threat of violence). This results in up to 110 points.

Applicants presenting due to domestic violence do not, however, meet the criteria for the award of intimidation points (200 points). Intimidation points only apply if the applicant's home has been (or is at imminent risk of being) destroyed or seriously damaged as the result of a terrorist, racist or sectarian attack, or an attack motivated because of an individual's disability or sexual orientation.

As you mentioned, my officials carried out a public consultation, 'A Fundamental Review of Social Housing Allocations', in late 2017. One of the proposals for change was to remove intimidation points from the Housing Selection Scheme. The intention to remove these points was to remove the 'super priority' the 200 intimidation points has over others in other traumatic or emergency situations, such as those subjected to domestic violence. I am currently considering the way forward for all these proposals, including intimidation points. I will keep you updated on any progress on this.

I have considered whether provision should be made in the Domestic Abuse and Family Proceedings Bill to grant secure tenancies for victims of domestic abuse. As you are aware, NIHE has statutory responsibility for homelessness, including assistance for those who have been subject to domestic abuse. Given the clear differences between current structures here, in terms of local government responsibility for housing and homelessness and social care services, when compared to England; I am content that it is not necessary to replicate the provisions in Northern Ireland.

In addition you have raised a number of issues in relation to male and LGBT victims of domestic abuse. Domestic violence of any kind is unacceptable; I agree that we must do what we can to support anyone who finds themselves in this situation. As you will be aware, as part of the NIHE Housing Solutions and Support model the NIHE currently works with male victims of domestic violence to identify the most appropriate temporary accommodation placement. Options available to male victims of domestic violence and abuse include NIHE hostels, voluntary sector hostels, Dispersed Intensively Managed Emergency Accommodation and B&B/Hotels. NIHE also work with male victims of domestic violence and abuse to avail of any additional necessary support from other agencies to support clients who are placed in temporary accommodation.

You are indeed correct in that the Supporting People programme does not currently grant fund any services for Men at risk of Domestic Violence. However, the Department through the NIHE completed actions in Year 2 and 3 of The Stopping Domestic Violence and Abuse Strategy and undertook research on, and considered future options for, the accommodation requirements of male victims of domestic violence, which included consultation with relevant support and advisory networks. This research was concluded in November 2018 and found at that time that the numbers of men presenting as victims of Domestic Abuse would not immediately suggest a demand for refuge accommodation.

I hope this goes some way to providing you with clarity on my current position on these matters. However, I would also be happy to discuss further by teleconference as you suggested, if this would be helpful.

Yours sincerely

Deirdre Hargey MLA
Minister for Communities

From the Office of the Minister
Diane Dodds MLA



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29 May 2020

Dear Naomi

DOMESTIC ABUSE AND FAMILY PROCEEDINGS BILL: ISSUE RAISED REGARDING PAID SPECIAL LEAVE FROM WORK FOR VICTIMS OF DOMESTIC ABUSE

Thank you for your letter of 18 May. May I take this opportunity to commend the work you and your department have undertaken in developing and progressing the legislation on domestic abuse, a very important issue which needs addressed for the benefit of everyone in society.

I understand there is growing recognition among employers of the need to provide better support for employees who are victims of domestic abuse and I would agree that this should be the case.

In relation to the issue of paid special leave from work for those facing such traumatic circumstances, I am aware that some progressive and compassionate employers have already implemented such provisions. Unfortunately, though, this is not universal and there will likely be gaps in provision as not all employers will be able or, possibly, willing to meet these needs.

I have asked my officials to give consideration to this issue alongside a range of other employment related issues as part of a longer term vision for employment relations in Northern Ireland. I agree with you that your Bill, currently at Committee stage, is not the right legislative vehicle for this. Therefore, if there is a consensus that legislative provision is required, we will identify a suitable legislative vehicle at that time.

Yours sincerely,

DIANE DODDS MLA
Minister for the Economy