

Domestic Homicide Reviews – Consultation

RESPONDING TO THE CONSULTATION

The Department of Justice (DOJ), is seeking your views on a proposed model for the introduction of Domestic Homicide Reviews (DHRs) in Northern Ireland, which will seek opportunities for learning from cases of homicide resulting from domestic abuse or violence.

Please use this questionnaire to tell us your views on the proposed model.

Please send your response, **no later than 5pm on Friday 28 September 2018**, to:

Department of Justice
Community Safety Division
Room A4.03
Castle Buildings
Stormont Estate
BELFAST
BT4 3SG

Tel: 028 9052 3772

E-mail: DOJCommunity.SafetyUnitProjMailbox@justice-ni.x.gsi.gov.uk

Confidentiality and Access to Information Legislation

The Department intends to publish responses to the consultation and a summary response report on our website. Any contact details or information that will identify a respondent as a private individual will be removed prior to publication. All information will be handled in accordance with the General Data Protection Regulation (GDPR). Your information will not be shared outside of the Department.

What rights do you have?

- You have the right to obtain confirmation that your data is being processed, and access to your personal data;
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- You have a right to have personal data erased and to prevent processing, in specific circumstances ;
- You have the right to 'block' or suppress processing of personal data, in specific circumstances;
- You have the right to data portability, in specific circumstances;
- You have the right to object to the processing, in specific circumstances;
- You have rights in relation to automated decision making and profiling.

Respondents should also be aware that the Department's obligations under the Freedom of Information Act 2000 (FOIA) may require that any responses not subject to specific exemptions under the Act be communicated to third parties on request.

If you have any concerns about how your personal data has been handled please contact the **Departmental Data Protection Officer**:

Tel: 028 9037 8617

Email: DataProtectionOfficer@justice-ni.x.gsi.gov.uk

For further information about confidentiality of responses please contact the Information Commissioner's Office.

Northern Ireland Information Commissioner's Office

3rd Floor

14 Cromac Place

Belfast

BT7 2JB

Tel: 028 9027 8757 or 0303 123 1114

Email: ni@ico.org.uk

Website: www.ico.org.uk/

Thank you for completing this questionnaire and providing input to this consultation.

SECTION 1: ABOUT YOU

Consultee Details

Question (a):

I am responding as... *(Please tick one option only)*

A member of the Public

On behalf of an organisation

Other.....*(Please specify)*

Question (b):

In some cases, the DOJ might need to contact respondents to seek further clarification on their response or to send out a summary of responses to the consultation.

Please tick the below consent box if you are willing to provide the DOJ with contact details for these purposes:

All information will be handled in accordance with the General Data Protection Regulation (GDPR).

Name:	[redacted - personal information]
Job Title: <i>(if applicable)</i>	[redacted - personal information]
Organisation: <i>(if applicable)</i>	Children in Northern Ireland
Address:	Unit 9, 40 Montgomery Road
City/Town:	Belfast
Postcode:	BT6 9HL
Email Address:	[redacted - personal information]

This consultation seeks views on a proposed model for the introduction of

Domestic Homicide Reviews (DHRs) in Northern Ireland, which will seek opportunities for learning from cases of homicide resulting from domestic abuse or violence.

Question 1:

Do you have any comments to make about the purpose of a Domestic Homicide Review?

If yes, please provide comments below.

Children in Northern Ireland very much welcomes the introduction of Domestic Homicide Reviews in Northern Ireland. We appreciate the work undertaken by the department to ensure that the DHR process is fit for purpose and workable in Northern Ireland.

With regard to the purpose of DHRs we wish to highlight the following:

We agree with the purpose as outlined in the consultation document but wish to add a few comments.

We feel that your purpose noted under (vi) could be the overarching aim of the DHR in that DHRs are to “prevent domestic violence and homicides and improve service responses for all domestic violence and abuse victims...”

We also fully support and agree that the other aim of DHRs is to learn lessons and change policy. We do have some suggestions to ensure that the process is based on openness and candid disclosure and if children and young people are involved a process is established that enables them to give their views in a way that safeguards them from further harm and trauma.

Point 5.5 talks about the review process. However, it fails to include sufficient detail. For example, should there not be timescales for implementing the recommendations? Who is responsible for following up the recommendations and ensuring they have been implemented? How will the learning from each case be disseminated so that this doesn't happen again? We really would like more detail included in this section otherwise the aim of the DHR will not be met.

While we appreciate that DHRs do not take account of how a victim died, we feel strongly that it is important to understand the journey which led to this in the first place. We believe it would add value to the review team's recommendations.

We appreciate that DHRs are about learning from what happened and changing policy and practice. While we totally agree with maintaining good practice, we are unsure if there is an agreed definition as to what constitutes what good practice looks like. The department has also mentioned “maintaining good practice”. We don’t believe good practice should be maintained but we should continually strive to improve practice and learning. Services should never stand still, we should always be learning and striving to improve to offer the best policy and practice we can. Perhaps a definition should be included so that everyone is aware of what is meant by good practice.

Finally, we need an open and transparent process to ensure an open and honest conversation can happen and ensure that the DHR process does not turn in to a mere tick box exercise.

Question 2:

Do you have anything to say about when a DHR will or will not be commissioned?

If yes, please provide comments below.

Children in Northern Ireland very much welcomes the inclusion of victims between the ages of 16 – 18 in the DHR process.

We also welcome the intention that it would only be in exceptional circumstances where a review would NOT be commissioned.

While we appreciate that a decision has been taken not to cover domestic abuse related suicide’s we would like the department to move towards including them. The Attorney General has highlighted that the issue of suicide as a result of domestic abuse is under-recognised.

We would like to draw your attention to cases of familicide. These need to be treated with particular sensitivity and avoid treating the perpetrator as an equal victim. Historical cases show that the killer is more than likely a man, isolation is a factor be that geographical, psychological/psychiatric, isolation within the family and perceived isolation of status. Another influence in these cases is often a grudge, be that from explusion from the family home, threatened separation to name but a few.

Another element in these cases is that the perpetrator has enacted other attacks beforehand. For example, survivors of domestic violence typically endure between 20 and 200 assaults before sounding the alarm and calling on neighbours, trusted siblings, or the police.

Disturbingly, if the killer dies during or following his act of family annihilation, there

have been times when he has been pitied rather than blamed. This could well have been orchestrated by the killer long before the act.

It is our view that the DHRs could prevent future events such as this and get away from the “it’s all over and done with”. This type of attitude does nothing to help prevent against family annihilation in the future.

Children in Northern Ireland would like to see families being able to make requests for reviews in situations where a professional body has not made the referral.

Question 3:

Do you have anything to say about what may ‘typically’ be outlined within the terms of reference?

If yes, please provide comments below.

Children in Northern Ireland welcomes what the department has already outlined. We would add that we would like the TOR to be written in plain English. We also suggest you may want to have TORs in relation to the general aspects of the review to include time-scale, communication strategy and more specific TOR in relation to each individual case.

We fully support the department’s inclusion of adding additional terms in cases where equality and diversity considerations are required.

Question 4:

Do you have anything to say about:

- **the knowledge and skills of the chair**
- **the recruitment and contingency for the role of chair?**

If yes, please provide comments below.

Knowledge & skills of the Chair:

The role of the Chair will be vital to the success of the DMRs. We highly recommend the department looks at the Home Office Multi-Agency Statutory Guidance for the Conduct of Domestic Homicide Reviews (December 2016 – paragraphs 36-39) for more robust criteria for selecting a chairperson.

It is our view that the Chair MUST be independent and be seen to be independent too. We believe it is important that further guidance should be considered as to what is meant by independent within the Northern Ireland context.

We would highly recommend the Chairs can also communicate effectively with families and are given the time to do so. Which is why we ask that consideration is given to the maximum number of cases a chair can handle in any given year.

Recruitment and contingency for the role of Chair:

We agree with your recommendation in paragraph 6.18. Due to the complexity and onerous role of a chair, we recommend a pool of chairs who have the skills and expertise to chair on a rotational basis. This will also ensure that each DHR process is fulfilled adequately.

Question 5:

Do you have any comments to make about DHR panel membership?

If yes, please provide comments below.

Children in Northern Ireland very much welcomes that the community and voluntary sector is part of the core panel membership. If a victim's background suggests it, other agencies should also be involved such as mental health services, BME services etc.

We would recommend that the panel is not statutory sector top heavy and that the panel should consider how families can have a meaning role within the DHR process.

We also recommend that panel members should have sufficient seniority to make decisions without delay so the process continues unhindered.

Question 6:

Do you have any comments to make about the consideration of equality and diversity issues by the Panel?

If yes, please provide comments below.

Question 7:

Do you have anything to say about family involvement in the process?

If yes, please provide comments below.

Consideration must be given to the voice of the children/young person within the DHR process. As this can help establish a clear picture of the life of the victim and the circumstances leading to their death. It is not enough to question statutory agencies, a holistic picture is vital.

In order to do this correctly, we suggest children/young people and families should be offered independent support to allow them to engage with the process. This independent support also needs to ensure that when interacting with children and young people, their wellbeing and best interests are always at the heart of the process.

With this in mind, we recommend the DHR process is amended to reflect the need for the voice of children/young people and families. We also recommend that the same approach is taken in Northern Ireland as in GB, whereby families are entitled to attend a meeting of the panel, they can also request sight of IMRs even though they are confidential.

Question 8:

Do you have anything to say about the involvement of other individuals in the process?

If yes, please provide comments below.

We believe there is value in canvassing a number of individuals who were close to the victim to gain a holistic picture. This could be colleagues, friends or other close acquaintances as these people could hold insights that closer family members may not have.

We therefore agree with the suggestions in the proposals as flexibility will be needed as each case will be different.

Question 9:

Do you have any comments about the two key elements of the DHR process:

- (i) initial findings, learning and identification of actions needed; and**
- (ii) identification of key findings, learning, actions and longer term change**

to improve service and the response in future cases of domestic violence and abuse?

If yes, please provide comments below.

We very much welcome the 2-stage process you have outlined. This approach is pragmatic and will ensure recommendations can be taken forward without having to wait for years should other processes be happening such as court cases.

Question 10:

Do you have any comment on the approach proposed regarding gathering information, or any suggestions as to how best this could be undertaken?

If yes, please provide comments below.

We support what you have already outlined in your proposals but also feel it may be helpful to gather information from support workers who were directly supporting the victim. This would again provide valuation information and give a full picture of the victim.

Question 11:

Do you have any comment on the suggested approach around publication of the DHR report and do you have any views on the frequency of report publication?

If yes, please provide comments below.

We totally agree that the reports should be clear, concise and in plain English with clear points for learning. We also recommend cascading the learning down and would like to see further information on how this process would work.

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Question 12:

Do you have any comment on the potential outcome of the reviews through the development of reports?

If yes, please provide comments below.

Question 13:

We support the department in the proposal to ensure that the outcomes of the reports should focus on “tangible results”.

However, we do have some concerns regarding the enforceability of recommendations. We would welcome the department looking in to this in more detail.

Question 13:

Do you have any comment on the role and scope of the Senior Oversight Forum?

If yes, please provide comments below.

Question 14:

We agree with the department’s suggestion that a quality assurance function would be vital to the DHR process. With this in mind we would suggest the SOF membership is not too unwieldy. We would like to see more detail about how the SOF would ensure compliance with any recommendations made.

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Question 14:

Do you have any comment on the organisations that would make up the Senior Oversight Forum, particularly the additional bodies that could be considered, or others that should be considered?

If yes, please provide comments below.

It is our view that a representative from the children’s sector should be included in the make up of the SOF.

Question 15:

Do you have any comment on the potential implications the proposed model may have on equality or human rights?

If yes, please provide comments below.

Question 16:

Do you have any further comment to make about the proposed model?

It would be helpful if you reference which part of the document you are commenting on. If you refer to any other documents, please provide the title, author and if possible approximate date of publication or alternatively a hyperlink if it can be accessed online.