

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;
- You are entitled to have personal data rectified if it is inaccurate or incomplete;
- 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>	The Men's Advisory Projects
Address:	Glendinning House 6 Murray Street
City/Town:	Belfast
Postcode:	BT1 6DN
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.

The Men's Advisory Project welcomes Domestic Homicide Reviews in Northern Ireland, and the opportunity to respond as the regional provider of services to male victims of domestic abuse in NI. We would particularly like to commend the hard work of the Department of Justice to ensure that this process begins and ends with victims. We feel that the proposals laid out in the consultation document are very thoughtful and have focussed on the width and depth of scope necessary for an effective and positive review process.

We want to ensure that those participating in the process feel free to do so without fear of admonishment.

Examining how we can do better should be encouraged and if there are discovered beacons of good practice they should be shared around all agencies

We also want to ensure that learning from one DHR does not need to be repeated by weight of learning from other loss of life and DHR processes.

The name DHR can sanitise what is the loss of life and devastation that causes and we would like us to remember that the victim and their associates must remain central to everything in the process of the Review.

We feel that there is always an opportunity to compartmentalise that which we find hardest to deal with but in this action we lose something not only of the victim but of ourselves.

Question 2:

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

If yes, please provide comments below.

We would consider that it is important that agencies other than PSNI could make referrals.

Regarding Mental Health – we would be concerned that a DHR would not be undertaken if valid mental health concerns are present but where there has been underlying domestic abuse

By drawing together reviews within the DHR framework it could be possible to avoid unnecessary duplication of process, make more effective use of time and enable improved organisational engagement and learning

We would query the suggestion that anything in the domestic abuse arena is a 'one off'. We feel that often there will have been warning signs observed among friends, family or colleagues.

We believe that DHRs should be extended to suicide from conception of the DHR process. If the reason of any person's death is framed in domestic abuse it must absolutely fall within the framework of a DHR process.

We understand that this might be seen to be difficult, especially if the perpetrator of the abuse is free of legal censure but we do not see this as a reason to prevent the victim or their associates from having the benefit of the DHR.

We would highlight that there is much to be learned in the area of suicide and domestic abuse and would call attention to the large number of victims of domestic abuse have strong suicidal ideation and have made previous suicide attempts. Our overall response to domestic abuse in NI will lack development without closer examination of the process of the victim's life prior to their suicide.

We are glad to see the inclusion of victims aged 16-18.

We would suggest that any victim of domestic abuse in NI have their review drawn together within the DHR framework. This will help us gain an extensive understanding of areas of improvement and frameworks of good practice that could be used in safeguarding.

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.

We welcome the current list of Terms of Reference and highlight that they simply need to be appropriate and proportionate to the nature of the review. Close reference to a well drafted TOR will help keep the DHR on track. We feel that Terms of Reference may need to be adjusted depending on circumstances and that discussions with the Home Office might offer best practice and advice if appropriate.

There should be core conditions in any panel membership as led from Chair onward. These must have respect, genuineness, empathy and a regard for the job they have been convened to undertake central to their undertaking.

We would also like to see Terms of Reference being written in a way that others involved in the process can understand easily. We would warn against complicated language or jargon. We would emphasise that, for some, this will mean having and making a process available where the Terms of Reference and the implications can be fully explained to them verbally. This should of course include processes being developed for those with differing needs and with a diversity of language or cultural needs to enable free and informed access.

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.

The knowledge and skills of the chair

When appointing a chair we believe that consideration should be given to their holding the appropriate skills and expertise required to effectively chair and manage a review.

We do not feel that they need to meet all the criteria in the Home Office guidance but their skills should be complemented by those of the panel. The Chair can also be mentored by people outside the immediate DHR and mechanisms should be in place for this to take place.

We would hope that the Chair is seen to independent and that we pay attention to what independence means in an NI context.

Our wish list of what is needed:

- relevant knowledge of domestic violence issues including 'honour'-based violence
- research or academic awareness
- domestic abuse in a NI context
- guidance and legislation relating to adults and children
- an understanding of the role and context of the main agencies likely to be involved in the review
- managerial expertise
- good investigative, interviewing and communication skills
- an understanding of the discipline regimes within participating agencies
- an ability to engage and communicate plainly and at the level of those who are receiving the information

It is vital that the DHR Panel Chair will have access to legal advice as necessary during the review period.

The recruitment and contingency for the role of chair

This role will have significant stressors. The subject matter will bring with it considerable difficulties which may impact personally on both the Chair and Panel members.

For this reason we would consider that we have at least 4 trained and available Chairs.

These Chairs only undertake one DHR at any time. Consideration should be given

to capping the number of DHRs that any Chair can run in a 12 month period
The Chairs must have the time available to truly honour the DHR process.

Question 5:

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

If yes, please provide comments below.

We feel that all staff involved in the DHR, or otherwise affected by it, may need support regardless of their professional experience. The information disclosed at Panel meetings maybe distressing or upsetting that could trigger an emotional response and panel members should be assured that confidential support is readily available.

We welcome community and voluntary sector representation on the core panel membership. Each DHR panel should contain at least one expert on domestic violence with practical front-line experience with representation from The Men's Advisory Project or Women's Aid. Specialist domestic violence organisations provide both a check and balance and offer challenge to the role and understanding of statutory agencies. Our DHR process needs to stay away from any for of silo thinking and the balance of statutory and community and voluntary will ensure that this occurs.

We would like the panel membership to represent those who most closely deal with issues perceived from a helicopter initial view of the DHR.

The panel should be culturally diverse and representative. Additionally those who sit on the panel should have an ability to understand issues from other cultural standpoints.

We would exhort that you insist that those who sit on the panel have the power to make the requisite changes that may be required within their organisations

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.

It is our opinion that the panel must be mindful of the need to consider and reflect upon the impact, or not, of the cultural background on the victim or perpetrator and on their ability to access services or of any other issue that may have exacerbated the situation in which they lived.

Whilst The Equality Act 2010 brings together “the nine protected characteristics of age, disability, gender reassignment (with a wider definition) marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation” we would consider that there are further considerations relating to income and pay gaps, the gender power gap in public sector leadership positions and politics, and the causes and consequences of violence against women and girls, under the Gender Equality Duty.

With this in mind we would hope that the panel would be sufficiently wide to include consideration of each of these requirements

We would hope that the panel is sufficiently broad to be able to consider and plan for equality and diversity factors including language issues and cultural factors. We would also hope that the panel ensure that it can be sufficiently resourced to ask and plan for appropriate additional support to the DHR process where additional needs and information are identified

Question 7:

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

If yes, please provide comments below.

We would highlight that it is vital to remember that the DHR is being convened because the victim was once a person with a personal and private life. It is key to remember the essence of the persona and to keep them at the heart of the DHR. As the deceased had friends and loved ones. They have their own memories and they will want lessons to be learned and acted upon to make their loss achieve some positive outcomes for others. We would respectfully request that the DHR should make every effort to work with them as appropriate and liaise with them about this statutory DHR process.

The final DHR report should be worthy of the family's and associate's memories and of the deceased.

We feel that the DHR should plan how to involve family and significant others early as per Home Office Guidance. This timing will need to be planned perhaps to fit with court proceedings and decisions should be taken to ascertain who from amongst the review panel is best placed to undertake activity with tact, awareness and sensitivity. Involve the expertise of those from Women's Aid and the Men's Advisory Project to support you in this task.

Evidence shows that victims of Domestic Abuse are more likely to contact friends or a family member for help and support before a formal agency.

The DHR should bear in mind that often friends, colleagues and family informal networks or friend groups can hold information around the level of risk to victims of DA.

We would ask that you agree a communication strategy that keeps the families informed, if

they wish to be so, throughout the DHR process. Be sensitive to their wishes, their need for support and any existing arrangements that they have in place to do this.

Try to identify timescales and ensure that the family are able to respond to this review without undue pressure.



Question 8:

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

If yes, please provide comments below.

We understand that perpetrators of domestic abuse can provide learning that is otherwise lost as it may reside with the deceased.

The family of perpetrators can also be useful if they have witnessed things that are pertinent to the review or had involvement with the victim.

There are issues inherent in any work with perpetrators. We would advise that you gain a reasoned view of their input from those with experience in dealing with perpetrators of domestic abuse

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 would welcome the DHR focus on timely delivery but temper that with ensuring that it comprehensive.

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.

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 would request that the report is written in plain English

That the report is transparent in its findings

That the report is clear on improvements required and on lessons learned

The report must not be overly long whilst this must of course be tempered by being sufficient in length to deal with the issues at hand



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.



We would hope that the findings are clear

We would also hope that the findings are enforceable, we do not want to see further deceased as a result of findings not being enforced

We would be keen to understand the mechanisms for enforcement or even best practice.



Question 13:

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

If yes, please provide comments below.

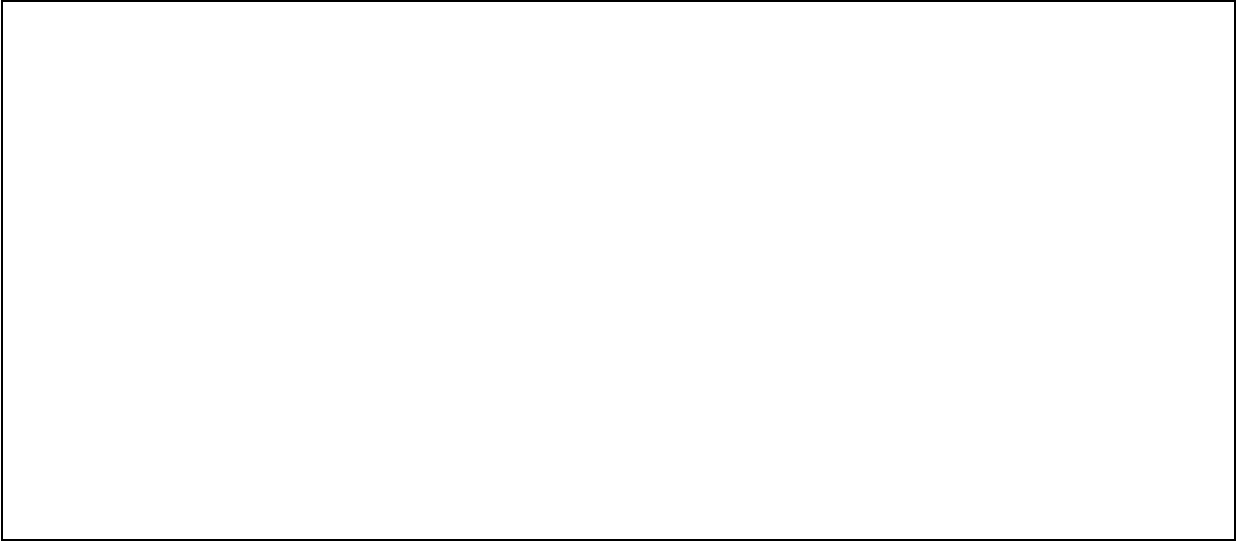


Question 14:

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.

We feel that the Men's Advisory Project and Women's Aid should be standing members of the SOF as both organisations provide regional, specialist provision in Northern Ireland.



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.