

EAST AYRSHIRE COUNCIL

DOMESTIC ABUSE POLICY

DESTRUCTIVE CRITICISM
DENIAL
PHYSICAL VIOLENCE
THREATS
SEXUAL ABUSE
ISOLATION
PRESSURE TACTICS
DISRESPECT

SCOTLAND 2017/18

59,541

RECORDED INCIDENTS OF

**DOMESTIC
VIOLENCE**

INTRODUCTION

This Domestic Abuse Policy has been developed taking account of The Istanbul Convention, the Domestic Abuse (Scotland) Act 2018 and the recommendations contained in Equally Safe – Scotland’s Strategy for Preventing and Eradicating Violence against Women and Girls. The policy sets out the Council’s commitment to assist anyone in East Ayrshire who is experiencing domestic abuse, the policy refers to everyone, regardless of gender.

The policy also complements the Council’s Domestic Abuse Policy for our employees in relation to professional practice relating to domestic abuse, which was introduced in June 2015.

DOMESTIC ABUSE



in EAST AYRSHIRE

BACKGROUND

The Domestic Abuse (Scotland) Act 2018 was passed by Parliament on 1 February 2018 and received Royal Assent on 9 March 2018. The legislation creates an offence with respect to the engaging by a person in a course of behaviour which is abusive of the person's partner or ex-partner.

The Act also introduces new powers on psychological abuse and coercive control in the home. These behaviours will be a criminal offence, allowing police and courts to prosecute abuse as a course of controlling behaviour over a period of time regardless whether there has been physical violence.

The Scottish Government strategy, 'Equally Safe – Scotland's Strategy for Preventing and Eradicating Violence against Women and Girls' sets out a number of National Outcomes to prevent and eradicate all forms of violence against women and girls:

- We live our lives free from crime, disorder and danger
- We have tackled the significant inequalities in Scottish society
- We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others
- Our children have the best start in life and are ready to succeed
- We have improved the life chances for children, young people and families at risk
- Our public services are high quality, continually improving, efficient and responsive to people's needs
- We realise our full economic potential with more and better employment opportunities for our people
- We live longer healthier lives

These National Outcomes are supported by the three Strategic Priorities 2018 – 2021 of the East Ayrshire Community Plan 2015-2030, to be achieved over the lifetime of the Plan of:

- Improving outcomes for vulnerable children and young people
- Older people: adding life to years - tackle social isolation

- Community led regeneration: empower communities and build community resilience

The policy supports the Strategic Priorities of the Safer Communities Delivery Plan to be achieved over the lifetime of the East Ayrshire Community Plan 2015-2030 to:

- Make East Ayrshire a safe, secure and attractive place to live, work and visit;
- Improve community safety in neighbourhoods and homes, and protect and support our most vulnerable individuals and families;
- Promote our vibrant communities by encouraging active and responsible citizenship.



The East Ayrshire Violence Against Women Partnership (EAVAWP) was formed in 2010 to bring together individuals and

organisations who can provide a comprehensive partnership response to violence against women.

The partnership representatives comprises of a wide range of public and independent organisations including; East Ayrshire Council (Housing, Social Work, Education and Early Years) NHS Ayrshire and Arran, Police Scotland, Scottish Fire and Rescue Service, Scottish Reporters, Procurator Fiscal Office, Kilmarnock Prison, Ayrshire College, Community Justice Ayrshire, Victim Support, East Ayrshire Women's Aid, East Ayrshire Rape Counselling and Resource Centre, Break the Silence, Kilmarnock CVO and ASSIST.

All Community Planning Partners are committed to reducing the instances of all incidents of domestic abuse, deal with offenders of domestic abuse and continuing to strengthen our multi-agency approach to support victims and their families.

WHAT IS DOMESTIC ABUSE?

Domestic abuse is emotional, physical and/or sexual abuse by a partner or ex-partner. It is characterised by a pattern of controlling behaviour which escalates in frequency and severity over time where the perpetrator can be of any gender and can also harm children and young people who experience it or are affected by it within the family home.

All forms of domestic abuse come from the abuser's desire for power and control. Although every situation is unique, there are common factors involved. These can include physical violence: punching, slapping, hitting, biting, pinching, kicking, pulling hair out, pushing, shoving, burning, strangling. The impact of emotional abuse may be even more devastating than physical assault - and have much longer term effects.

Sexual abuse can include contact and non-contact activities such as using force, threats or intimidation to make you perform sexual acts, having sex with you when you don't want to or encouraging you to behave in a sexually inappropriate way. Sexual abuse can take place online and technology can be used to facilitate offline abuse.

Most domestic abuse includes emotional abuse, which can include:

- **destructive criticism** name calling, accusing and threatening
- **pressure tactics** sulking, threatening to withhold money, disconnect the telephone, take the car away, take the children away, threaten suicide, lying to your friends and family about you, telling you that you have no choice in any decisions
- **disrespect** lying to you, or to your friends and family about you, persistently putting you down in front of other people, never listening or responding when you talk
- **isolation** preventing you from seeing friends and family, monitoring your phone calls, emails, texts and letters, checking up on you, following you, not letting you go out alone
- **threats** making angry gestures, using physical size to intimidate, shouting you down, breaking things, punching walls, wielding a knife or a gun, threatening to kill or harm you and the children
- **denial** saying the abuse doesn't happen, saying you caused the abusive behaviour, being publicly gentle and patient, saying it will never happen again

EAST AYRSHIRE CONTEXT

In 2017/18, the number of recorded domestic abuse incidents by the police in East Ayrshire was 1,405 against a national figure of 59,541. This is an increase on 2016/17 where the number recorded was 1,348, 58,810 nationally and a decrease since 2015/16 with 1,535 recorded in East Ayrshire and 58,104 nationally (Domestic Abuse in Scotland 2017-18).

The percentage of crimes or offences recorded as a result of a domestic abuse incident in East Ayrshire in 2017/18 was 49% which is less than the Scottish average of 51%.

POLICY OBJECTIVES

The policy aims to support the East Ayrshire Community Plan 2015-2030 by:

- ensuring confidential, non-judgemental and sympathetic handling of situations arising from domestic abuse;
- assisting and supporting anyone requesting help in addressing problems arising from domestic abuse during and out of hours by providing accurate and appropriate advice about their housing options and their legal rights and responsibilities;
- improving the safety of our residents affected by domestic abuse, and preventing further incidents by encouraging earlier reporting and responding rapidly;
- ensuring that the support we provide is equally available to all, regardless of gender, race, religion, language, age or sexual orientation.

Research shows that women are more likely to experience domestic abuse than men and to suffer more serious injury and ongoing assaults than men. However, it should be acknowledged that men can experience domestic abuse from their female partner and that domestic abuse also occurs in same-sex relationships.

All disclosures of abuse should be treated confidentially, the key exception being situations where there is reason to believe that there may be a risk to others, including harm to children. In these circumstances, local child/adult protection procedures should be followed.

Everyone who experiences abuse should be supported regardless of gender, sexual orientation and the type of abuse.

The Council has commitment to the principles of equality for all, and under the Equality Act 2010, the Council has a general duty to eliminate unlawful discrimination, harassment and victimisation and any other conduct that is prohibited under this Act. The Council is expected to advance equality of opportunity between people who share a relevant protected characteristic and those who do not share it and is required to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This policy not only supports the work the Council has undertaken in the development of our second set of Equality Outcomes and Equality Mainstreaming Report, it supports all aspects of equality for our communities and employees.

“12,480 children in Scotland are estimated to be living with the highest-risk domestic abuse.”

WHAT CAN I DO?

If you or someone you know is experiencing domestic abuse:

- **Stay safe:** if this is happening to you, you do not have to put up with it. No one deserves to be abused. If you are being abused you have choices and you can talk over your options with someone you trust or one of the organisations listed on the 'further information' page.
- **Look after yourself:** whether you decide to end the relationship with your partner or not, it is important to look after your physical and mental health and to think about how to protect you and your children from harm.
- **Call for help:** if you need immediate help, contact one of the organisations listed overleaf. We can help you access emergency accommodation provided by us or a refuge. If you need permanent re-housing we can help you with your housing options.

WHAT WE WILL DO

We will raise awareness and encourage the reporting of domestic abuse through training, campaigns and promotion through our communication channels. We make information about national and local domestic abuse support services available in a number of formats to ensure accessibility to all. We will make new Council tenants aware of our policies and the implications of joint tenancies.

The Council supports various campaigns against all types of domestic abuse and broader gender based violence, including affiliation to the White Ribbon Scotland campaign which aims to involve men in tackling violence against women. Eliminating gender violence is the aim of '16 Days of Action', an international campaign which runs from 25 November until 10 December.

Established in 1991, the campaign raises awareness of the reality of domestic violence and pushes for positive change to increase women's

and men's safety. The 16 Days campaign is an opportunity for individuals and groups around the world to call for the elimination of all forms of gender-based violence by:

- increasing women's and men's safety
- highlighting the nature and prevalence of gender-based violence
- raising awareness of gender violence as a human rights issue
- strengthening local work to tackle gender violence

Where domestic abuse occurs in a Council tenancy, we are committed to support survivors/victims and their dependants to remain in their own home or provide support to move home.

We will fully exhaust available legislation when rehousing perpetrators of domestic abuse.

We can provide victims of domestic abuse with alarms in the home to be used whenever they feel threatened via referral through Women's Aid or Police Scotland. The alarms are monitored by the Council's Risk Management Centre and have a direct line to the Police. The call is treated as urgent and Police will attend immediately. Requests can be made via a referral through Police Scotland and Women's Aid.

We will work with Community Planning Partners and other agencies to ensure robust action is taken to address incidents of domestic abuse and hold perpetrators to account.

We are committed to ensuring that all children and young people experiencing or affected by domestic abuse receive the appropriate support and all Community Partners including Early Years, Education and East Ayrshire Health and Social Care Partnership will work with each other and with families to improve the outcomes of children and young people and ensure they are kept safe. The policy supports the five Guiding Principles of East Ayrshire's Integrated Children and Young People's Service Plan of:

- Access, inclusion, equality and quality
- Prevention and early intervention
- Listening, active participation and partnership
- Protection
- Rights and responsibilities

DISCLOSURE SCHEME FOR DOMESTIC ABUSE SCOTLAND

The aim of Police Scotland's Disclosure Scheme for Domestic Abuse, also known as 'Clare's Law', is to give members of the public a formal mechanism to make enquiries about an individual who they are in a relationship with or who is in a relationship with someone they know, and there is a concern that the individual may be abusive towards their partner.

If police checks show that the individual has a record of abusive behaviour; or there is other information to indicate the person you know is at risk, the police will consider sharing this information with the person(s) best placed to protect the potential victim.

The police will discuss your concerns with you and decide whether it is appropriate for you to be given more information to help protect the person who is in the relationship with the individual you are concerned about.

The scheme aims to enable potential victims to make an informed choice on whether to continue the relationship, and provides further help and support to assist the potential victim when making that informed choice.

FURTHER INFORMATION

There are a number of organisations that can offer further advice and practical guidance on domestic abuse or gender-based violence and related issues.

Details can be found at Violence Against Women Partnership, East Ayrshire Council or at the following:

LOCAL SERVICES

East Ayrshire Women's Aid

Kilmarnock 01563 536001

Cumnock 01290 423434

info@eastayrshirewomensaid.org.uk

www.eastayrshirewomensaid.org.uk

North Ayrshire Women's Aid

01294 602424

South Ayrshire Women's Aid

01292 266482

Housing Options Team

01563 554554

24-hour emergency helpline: 0345 724 0000

homelessness@east-ayrshire.gov.uk

Social Work Services (Cumnock)

Rothesay House, 1 Greenholm Road,

Cumnock KA18 1LH

01290 427810

social.work@east-ayrshire.gov.uk

Social Services (Dalmellington)

33 Main Street, Dalmellington KA6 7QL

01292 552900

social.work@east-ayrshire.gov.uk

Social Services (Galston)

Ross Court, Titchfield Street, Galston KA4 8AB

01563 503400

social.work@east-ayrshire.gov.uk

Social Services (Kilmarnock)

The Johnnie Walker Bond, 15 Strand Street,
Kilmarnock KA1 1HU
01563 554200
social.work@east-ayrshire.gov.uk

Police

Domestic Abuse Unit 01563 505076
01563 505173

Break the Silence (Rape and Sexual Abuse)

01563 559558
info@breakthesilence.org.uk
www.breakthesilence.org.uk

East Ayrshire Citizens Advice Bureau

01563 544744

The Star Centre

01563 544686
admin@starcentreatyrshire.org

Victim Support

Kilmarnock Office 01563 540252
victimsupport.eastayrshire@victimssupportsco.org.uk
Ayr Office 01292 266411
Irvine Office 01294 277040
Scottish Helpline 0345 603 9213
www.victimssupportsco.org.uk

NATIONAL SERVICES

Black Association of Women Step Out

www.bawso.org.uk

Fearless

Support for people experiencing domestic abuse in
Scotland who identify as a man, including trans men.
0131 624 7266
<https://fearless.scot/contact/>

Homeless Helpline-Shelter Scotland

0808 800 4444
<https://scotland.shelter.org.uk>

Men's Advice Line

0808 801 0327
<http://www.mensadviceline.org.uk/favicon.ico>

Mankind Initiative

01823 334 244
<https://www.mankind.org.uk/favicon.ico>

National LGBT + Domestic Abuse Helpline (Galop)

0800 999 5428
help@galop.org.uk

Rape Crisis Scotland

National Helpline 08088 01 03 02.
You can phone the Helpline free any day between
6pm and midnight or if you are deaf or hard of
hearing on minicom number: 0141 353 3091

Refuge www.refuge.org.uk

Rights of Women 020 7251 6577

Scottish Women's Aid <https://womensaid.scot>

Scottish Domestic Abuse & Forced Marriage

Helpline 0800 027 1234
helpline@sdafmh.org.uk

Ayrshire Samaritans 116 123

<https://www.samaritans.org/scotland/branches/ayrshire/>

White Ribbon Scotland

<http://www.whiteribbonScotland.org.uk/>

24-hour National Domestic Violence Helpline

A service for women experiencing domestic violence, their family, friends, colleagues and others calling on their behalf. It is run in partnership between Women's Aid and Refuge. Callers may first of all hear an answer phone message before speaking to a person.

0808 2000 247 FREEPHONE

helpline@womensaid.org.uk

www.nationaldomesticviolencehelpline.org.uk/

Scottish Women's Rights Centre

08088 010 789 every Tuesday, 11 am to 2 pm

<https://www.scottishwomensrightscentre.org.uk/advocacy-support/>.

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East Ayrshire Council
Comhairle Siorrachd Àir an Ear

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