

## **DOMESTIC VIOLENCE POLICY & PROCEDURE**

Report of the Director of Housing and Customer Service

### **1. SUMMARY OF REPORT**

The attached Domestic Violence document has been developed jointly with the Council to make sure that the service we provide is cohesive, responsive and supportive to the needs of victims of domestic violence. The policy intends to bridge gaps in service delivery and promotes positive steps towards achieving a better quality of life for victims and ensures offenders are brought to justice. This policy was considered by Local Housing Boards in December 2006, and recommended for approval by the Board.

### **2. RECOMMENDATION**

That the Board approves the policy, subject to the support from community panels and City Council in respect of the required changes to conditions of tenancy outlined in section 3.5.

### **3. MATTER FOR CONSIDERATION**

- 3.1 Domestic violence currently claims 150 lives a year, and affects millions more. Derby Homes is determined to prevent domestic violence happening or recurring, to protect and support its victims, and to bring offenders to justice.
- 3.2 Long-term effects of domestic violence can be devastating and can include low self-esteem, feelings of guilt, shame, depression and stress. Domestic violence not only causes damage to its immediate victims, but may also affect children. Children who witness violence in the home may suffer long-term psychological and emotional damage and may lose interest in their educational attainment. Intimidation in the context of domestic violence may also include degradation, humiliation, deprivation, systematic criticism and belittling.
- 3.3 Domestic violence key facts:
  - Domestic violence has the highest rate of repeat victimisation of any crime - 35% of households have a second incident within five weeks of the first.
  - Almost a third of domestic violence starts during pregnancy, and existing violence often escalates during the pregnancy.
  - One incident of domestic violence is reported to the police every minute

- On average two women per week are killed by a male partner or former partner.
- Over a third of all female murder victims are killed by a current or former partner.
- One in four women and one in six men will be a victim of domestic violence in their lifetime.

3.4 It is against this alarming backdrop that Derby Homes wishes to strengthen its stance against offenders, and pledge its full support and commitment to victims and, use its legal powers to tackle domestic violence. The new policy offers clear guidance and will enable our staff to work in greater collaboration with other key agencies to mobilise effective and speedy intervention, support and assistance, when dealing with domestic violence cases.

3.5 The primary research carried out showed that there are some weaknesses in our procedures, practices and tenancy conditions that must be addressed to facilitate a victim centred approach. These are explained below:

- Lack of use of legal sanctions such as injunctions.  
*(We should seek injunctions in all reported cases involving physical violence or threat of violence.)*
- Eviction is not pursued against offenders where domestic violence is proven.  
*(Evictions must be pursued against offenders where victim had to leave matrimonial home).*
- Rechargeable repairs are still pursued against victims.  
*(These must only be pursued against the offender and without joint liability).*
- Paragraph 6.4 of the new tenancy conditions cites violence or threat of violence against any other person, either living with you or in another Council home as a breach of tenancy condition. These conditions only apply to tenancies created after 31 May 2004.  
*(Consult on extending condition to all tenants, strengthen reference to Domestic Violence at next reprint)*
- 4 weeks notice to terminate tenancy creates difficulties for victims who are not entitled to housing benefits.  
*(Reduce notice period to one week).*
- Our stand against domestic violence needs to be given more publicity.  
*(More publicity campaigns – articles in the newsletter & use of media to raise awareness).*

3.6 More specific training to frontline staff and managers will be provided to help them identify domestic violence as early as possible as well as developing an electronic database of offenders to avoid them being rehoused near victims.

#### **4. CONSULTATION IMPLICATIONS**

Further consultation with recognised consultative groups will be required to agree changes to our practices and tenancy conditions prior to implementing the new policy and revised procedure.

#### **5. FINANCIAL AND BUSINESS PLAN IMPLICATIONS INCLUDING EFFICIENCY SAVINGS**

- 5.1 Prompt identification of and action against offenders is likely to reduce unnecessary damage to our properties.
- 5.2 Supporting People funding provides financial support to Derby Homes for providing advice and assistance to victims of domestic violence.

#### **6. LEGAL AND CONFIDENTIALITY IMPLICATIONS**

- 6.1 Domestic violence is covered by the following pieces of legislation:

1998 Crime and Disorder Act  
2002 Education Act  
2003 Safety and Justice Act  
2004 Domestic Violence Crime and Victims  
Children's Act 2004- Every Child Matters

- 6.2 Under the Housing Act 1985 section 102 we are required to give 4 weeks notice prior to changing tenancy conditions and section 105 requires us to consult with tenants.

#### **7. EQUALITIES IMPACT ASSESSMENT**

This protocol will increase victims' confidence in our ability to respond effectively to their plight no matter who they are and where they live and implementation of this policy will uphold Derby Homes commitment under its' Equality and Diversity policy. In particular it will promote gender equality.

**The areas listed below have no implications directly arising from this report:**

- Environmental
- Personnel implications
- Health and Safety

**If Board members or others would like to discuss this report ahead of the meeting please contact the author, or the Chief Executive, [phil.davies@derbyhomes.org](mailto:phil.davies@derbyhomes.org) - Tel 01332 711010**

**Author:** Farooq Malik, Housing Services Manager, Telephone 711099  
Email [farooq.malik@derbyhomes.org](mailto:farooq.malik@derbyhomes.org)

**Background Information: None. Supporting Information: None.**