

**Barnardo's NI & NSPCC NI  
Joint Briefing**

**Domestic Abuse and Family Proceedings Bill  
Consideration Stage**

**November 2020**

**Summary**

Barnardo's NI and NSPCC NI warmly welcome the Domestic Abuse and Family Proceedings Bill. In particular, we welcome the Bill's intention to recognise the serious impact of domestic abuse on children, including controlling behaviour. However, the current draft of the Bill does not capture the harm caused to children if they are not a direct witness to the abuse. We urge Members to support the proposed amendments to Clause 9 in Tuesday's debate to ensure that this legislation recognises, protects and supports children who are affected by domestic abuse.

**About Us**

Barnardo's NI is the largest children's charity in Northern Ireland, working with approximately 12,000 children, young people and families annually across more than 40 different services and programmes. Barnardo's NI delivers a wide range of services across Northern Ireland, from providing family support and early intervention, to working directly with children and families who have experienced adversity and need support. Every child deserves the best possible start in life, and the Barnardo's NI service provision reflects that philosophy.

The NSPCC helps children who have been abused to rebuild their lives, protect those at risk, and find the best ways of preventing abuse from ever happening. Preventing abuse in families facing adversity is one of the NSPCC's five strategy goals, because domestic abuse, substance misuse and mental health problems are some of the most significant risk factors which can lead to child abuse and neglect. However, this is not inevitable and even in difficult circumstances, with the right support, children can thrive.

As two leading children's charities in Northern Ireland, we are united in our strong view that this Bill must reflect the impact of domestic abuse on children and young people's safety, development and wellbeing.

## **Key messages**

- Children are the hidden victims of domestic abuse. The behaviours of domestic abuse impact negatively on children, and where a person chooses to coercively control a parent, they are thereby choosing to abuse a child.
- **Children experience the harmful impacts of domestic abuse, even if they do not witness it by sight or sound.**
- Living in a home where domestic abuse takes place can have a profound impact on a child's short and long term physical, mental and emotional wellbeing, as well as their behaviour.
- Experiencing domestic abuse in the home is considered an Adverse Childhood Experience (ACE); research has shown that ACEs can have a long term impact on children's mental, emotional and physical wellbeing.

## **Amendments to Clause 9: Aggravation where relevant child is involved**

Barnardo's NI and the NSPCC welcome the amendments to Clause 9, tabled by both the Minister of Justice and Rachel Woods MLA ([Amendments 5-7](#)).

These amendments strengthen the child aggravator clause, providing vital recognition of the impact of domestic abuse on children, beyond occasions where they have an awareness or understanding of the abuse. Furthermore, these amendments are a clearer recognition of the corrosive impact that domestic abuse has on all relationships within a household. If the amendments are made to the Bill, it would bring this legislation in line with the Domestic Abuse Bill in England and Scotland's Domestic Abuse Act.

The Barnardo's NI Domestic Violence Risk Assessment for Children (DVRAC)<sup>1</sup> outlines that "Children can be affected by domestic violence, even if they are not in the same room as it is happening". A Barnardo's UK research report, '[Not Just Collateral Damage](#)', outlines that children are the hidden victims of domestic abuse and the long term impacts on children include a detrimental impact on their mental health, development, risk of harmful sexual behaviour, future cycles of abuse, and the potential of youth offending.

It is important the legislation reflects that a child can be aware of and impacted by domestic abuse in the home, even if they do not see or hear the moment in which it occurs. Children can pick up on a parent's distress, or be impacted by their parent's compromised capacity for parenting in the

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<sup>1</sup> Sneddon, H and Janes, M (2017) 'Domestic Violence Risk Assessment for Children: Guidance Manual', Barnardo's Northern Ireland.

context of fear. The impact of domestic abuse is felt throughout a household and can often follow a cycle. The cycle of violence outlined by Women's Aid NI highlights that the most stressful and tense periods in a household where there is domestic violence can be in the time leading up to an 'explosion', where an act of domestic abuse or control can occur at any time.

**Barnardo's NI and the NSPCC NI urge Members to support these amendments to Clause 9 to ensure that this legislation recognises, protects and supports children who are affected by domestic abuse in any way.**

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