

The Proposed Civil Protection Orders and Access to Justice (Scotland) Bill

Consultation Document December 1 2009.

RESPONSE TO THE ABOVE DOCUMENT FROM SOROPTIMIST INTERNATIONAL OF ABERDEEN

Soroptimist International (SI) is the world's largest classified service organisation for business and professional women, with 90,000 members in over 3,500 clubs in 117 countries.

SI holds General Consultative Status with the United Nations Economic and Social Council and has representation at United Nations Centres in New York, Paris, Geneva and Vienna with United Nations Agencies which have granted the organisation recognised status as an international non-governmental organisation.

SI strives for Human Rights for All, Equality, Development and Peace through International Goodwill and Understanding and Friendship.

SI is committed to service to local, national and international communities and active participation in decision making at all levels of society.

SI encourages all members to be aware of and involved in the issues of society, but it is non-party political and non sectarian.

SI condemns violence and the threat of violence which arises from the use against women of physical, economic, political or social powers; and asserts that acts of violence endanger women physically, mentally and emotionally, as well as economically, perpetuating and reinforcing unjustifiable inequalities in all aspects of women's lives.

SI Aberdeen has been in existence for 81 years and since a founder member Dr Mary Esslemont was a pioneer in the welfare of women and children by Awareness, Advocacy and Action the issue of Domestic Violence has been continually addressed.

Members have served on Domestic Violence Forums and on the Management Boards of Women's Aid. Dictated by their needs, financial support and provision of bed linen and other household necessities is given to Refuges. Toiletries and comfort packs for women and children residents are also given. Pampering days to enhance self esteem, and at Christmas, the opportunity to make cards and/or decorations by mothers whilst members played with the children, were all initiatives to hopefully show that the community cared for them.

SI Aberdeen welcomes the opportunity to participate in this consultation.

1. What advantages or problems might arise as a result of removing the course of conduct requirement?

#### ADVANTAGES

Enhances the ethos that any violence against women and/or children is unacceptable and unjustifiable.

Gives confidence to women to pursue charges.

Immediately addresses the problem and by so doing faces the perpetrator with consequences.

Early intervention may effect positive change.

Could lead to less family breakdowns.

#### PROBLEMS

Possible initial reluctance from police

SI Aberdeen suggests that comprehensive training on Domestic Abuse should be mandatory for all new recruits .Refresher courses should also be provided for all new sergeants and constables with 20 years service.

Possible media reaction focussing on false accusations

SI Aberdeen suggests that, as in Rape, statistics are available to show the low likelihood (1-3%) of this happening.

Increased work load for Procurator Fiscal Service.

SI Aberdeen suggests that specific training in this area of work is required.

2. What do you see as the main benefits of making it easier to obtain a non-harassment order?

Helps to ensure safety and security of women and children. Tackles real or perceived fear and lessens psychological damage to women and children involved in domestic violence.

Raises awareness in public that the Scottish Government has an integrated approach to combating Violence Against Women and Zero Tolerance is the Bench mark.

3. What advantages or problems might arise with the removal of means testing?
4. What do you see as the main benefits of removing means testing?

SI Aberdeen supports the intention of the proposed Bill on page 12 "to make legal aid free to all for an application to a civil court for an interdict with a power of arrest, or a non-harassment order where domestic abuse is involved. "

Advantages or problems appear to sit with the justice system and they should address and solve them.

The benefits appear to be a fairer apportioning of public monies for victims of Domestic Abuse and equal access to justice.

5. What are the problems and advantages that might arise from making it a criminal offence to breach an interdict with a power of arrest?
6. What do you see as the main benefits of making it an offence to breach an interdict with a power of arrest?

#### ADVANTAGES AND BENEFITS

Members of SI Aberdeen in their professional lives in health, education, addiction, juvenile justice, the police and civil administration have encountered and dealt with many victims of Domestic Abuse.

There would be a consensus of opinion that most victims speak of the difficulties involved in enforcing an interdict. Perpetrators in their opinion regularly breach interdicts with impunity. The resultant harm and fear to women and children and the damage done to property is immeasurable. The sense of powerlessness is also extremely damaging psychologically.

The power of arrest would demonstrate to those breaching interdicts and to the wider public the serious intention of the Scottish Government to prevent violence against women and in this case Domestic Violence.

#### PROBLEMS

Lack of appropriate custodial provision.

Slow response of police.

Delay in court procedures .

7. What costs would be associated with all of the proposals contained in the Bill?

Initially there would be costs in processing the proposed changes in the court systems, the logistic costs of arrest and custody, and increased legal aid.

It is the opinion of SI Aberdeen that in time these proposals would affect positive change in attitude and an unacceptability to be a country that condones Domestic Violence.

This should result in a decrease in incidents with resultant savings.

#### CONCLUSIONS

In the answers to the questions we are aware that we have not addressed the issue of the perpetrators of Domestic Violence occupying the family home whilst women and children suffer a vastly altered quality of life with relatives or in a refuge.

It is our hope that the combined impacts of this proposed Bill may redress this vast injustice.

SI Aberdeen welcomes the Scottish Government document "Safer Lives: Changed Lives" of 1<sup>st</sup> June 2009.

The proposed Bill and Consultation by Rhoda Grant MSP could if ratified be another milestone in preventing Domestic Violence.

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On behalf of a organisation as follows:

Name Soroptimist International of Aberdeen

Title Individual Member

Honorary Secretary: Morag McFadyen

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Audrey Harvey is currently a Safeguarder in the Children's Hearing System This appointment she has held for 16 years. She has been involved in juvenile justice since 1971 being an original panel member.

She was the Director of the Alcohol Advisory and Counselling Service for Grampian .The service provided prevention ,education and counselling for those affected by alcohol problems and those dealing with them.

She was Federation Adviser in Human Rights and Status of Women from 2001-2005. The Federation embraces 31 countries. She then represented the Federation at the European Women's Lobby for 3 years.

She was the main author of The Report of The Working Party on Rape to The United Kingdom Programme Action Committee of Soroptimist International. This report was debated in the Scottish Parliament and led to the formation of the Cross Party Group on the prevention of violence against women.

She is convenor of the Aberdeenshire Advice Services Network -Eleven services of which 9 are CABs and 2 independent.

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