



Northern Ireland
**Council for
Racial Equality**

NICRE

SUBMISSION TO

PPS POLICY FOR PROSECUTING
CASES

OF DOMESTIC ABUSE

(NOVEMBER 2022)

27th February 2023

INTRODUCTION

Despite international human rights standards such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Council of Europe Istanbul Convention on taking action against violence against women, which is based on the European Convention on Human Rights, commit States Parties including the UK to take rigorous and effective action on domestic abuse and violence against women and girls. Both are binding on the UK as a State Party to each Convention¹, and therefore provide a strong mandate for improved prosecution of domestic abuse.

Importantly, these Conventions set out a rights-based framework, which differs significantly from the current Test of Prosecution in Northern Ireland. It would be timely and welcome to further review this Test as, in many cases, it does not adequately relate to domestic abuse offences, creating situations where perpetrators of serious offences are not meaningfully dealt with.

The Istanbul Convention, particularly, integrates action against perpetrators as a core pillar, in addition to setting out comprehensive guidance on protection needed for victims/survivors, including child victims and witnesses. Requirements and guidance under this pillar stress the need for timely investigations and access to immediate protection where required, and also underline the importance of a clear understanding of the structural dynamics of domestic abuse as a basis for investigation and prosecution.

Specifically, Istanbul Convention commits States Parties to protecting complainants whose immigration status is linked to the perpetrator. It is vital that this is clearly communicated to migrant communities, considering the significant barrier immigration status and reporting to the Home Office constitute for victims/survivors in this community.

CEDAW General Recommendation 35² emphasises that the judicial system must apply law free from gender stereotypes and discriminatory beliefs and practices. In particular, it underlines that the standard of proof typically required may affect women's rights to equality, and this must be addressed. This is particularly relevant relating to the Test of Prosecution, but also the evidence accepted and utilised during prosecution decisions and subsequently trials. Above all, this provides a mandate for new types of evidences that should be considered in prosecution; as noted elsewhere in this response. Witness statements may be difficult or impossible to obtain due to

¹ The UK ratified the Istanbul Convention in July 2022, following a Command Paper in the House of Commons in May 2022 (download from the link: [EM_MS_3.2022_Council_of_Europe_Convention_on_Preventing_and_Combating_Violence_Against_Women_and_Domestic+Violence.odt.](#))

² CEDAW General Recommendation 35 on violence against women and girls. Information available here: <https://www.ohchr.org/en/treaty-bodies/cedaw-general-recommendation-no-35-gender-based-violence-against-women-updating-general>

coercive control offending that stops a victim/survivor from disclosing abuse of any kind to an outside person, and consideration should be given to other mechanisms, such as impact statements on health, working life or personal life. It should be noted that GR35 also requires States Parties to allocate 'adequate funding' to judicial structures.

Both Conventions clearly require States Parties to undertake effective training and awareness raising among professionals, to ensure effective and non biased decision making. It is important that this guidance is underpinned by a comprehensive training programme for PPS case officers and prosecutors, to ensure a clear and shared understanding of the dynamics of domestic abuse. In particular, it is vital to integrate victims/survivors and their lived experience in training and capacity building, considering the extremely complex impacts of domestic abuse on victims/survivors. While the consultation document sets out some of this, direct engagement with concrete examples is essential to enable professionals to meaningfully understand the phenomenon of domestic abuse and how pervasive impacts are on all aspects of the victim/survivor's life and identity.

Sadly, domestic and sexual violence never decrease on yearly basis and in fact we have more cases in Northern Ireland. We are on top of the tables in Western Europe and is still rising. Between 2021/2022 it rose by 12% which is unacceptable! If you add on an extra factor race, the perpetrators and its prosecution issues, downgrade further on the dignity of ethnic minority women, particularly if they couldn't speak English; their passport under husband/partner's custody; nor has the courage to confront the public authorities, such as immigration officers, police officers, prosecutors, lawyers, judges, etc. If you are belonging to one of those vulnerable groups within ethnic minority such as Irish Travellers, Roma, Gypsy, etc., discrimination, mistreatment and ignore are commons and inevitable.

This submission got the help and support from Julie Marinescu, a local English lady and survivor/victim of domestic violence who married a Romania husband in 2001 and has two boys (age 10 and 13) and one daughter (age 15); Dr Josie Scott of the Ulster University and Women's Policy Group Research. Their direct experiences and research reports put this submission more substantial.

SURVEY QUESTIONS RESPONSES

This section will provide responses from the Northern Ireland Council for Racial Equality to the consultation survey questions.

Name: Patrick Yu

Email address: patrick@nicre.org

Organisation: Northern Ireland Council for Racial Equality

Q1. At Chapter 2 (see 2.1 and 2.2), is there sufficient information in respect of the legal framework, and in particular the new provisions under the Domestic Abuse and Civil Proceedings Act (NI) 2021?

Yes, but with caveats. This section lays out the legal framework well, however there are things that could be clearer or that need further clarification.

Clarity is urgently needed at 2.1.2 on sexual abuse. The phrasing used of a “situation when a person is forced (without consent) to participate in unwanted, unsafe or degrading sexual activity” and then “forced sex” is enormously problematic as it gives the impression that physical force must be used to meet the legal threshold for sexual abuse. Sexual abuse can be perpetrated by grooming, by deceit, by manipulation, while the person is asleep, and a myriad of other possibilities. While this is true in the law, the choice of language here implies that physical force is a necessity for a charge of sexual abuse. This should be urgently amended to “situation where a person experiences unwanted unsafe or degrading sexual activity without their consent” and “non-consensual sex” respectively.

Ethnic minority women who could not speak English; ; their passport under husband/partner’s custody; nor has the courage to confront the public authorities, such as immigration officers, police officers, prosecutors, lawyers, judges, etc. Their vulnerability are exposed. If you are belonging to one of those vulnerable groups within ethnic minority such as Irish Travellers, Roma, Gypsy, etc., discrimination, mistreatment and ignore are commons and inevitable.

Moreover, most of the ethnic minority women do not trust police officers in which PPS relies very much on evidence collected by police. Their case ends up before PPS nor gets support from PPS to pass the minimum threshold for prosecution.

Q2. At Chapter 2 (see 2.3), is there sufficient information to explain how prosecutors will apply the new domestic abuse offence (Section 1 of the 2021 Act).

Further detail would be beneficial at 2.3.16 on different courts and their powers in terms of sentencing. From the point of view of a victim or survivor, it is important that they understand why a case might be heard in one or another court, and this lack of clarity may lead to a perception that a decision has been made pre-trial as to the seriousness of the case or the impact of the harm done to the survivor. A few sentences explaining the ways in which these decisions are made - or indeed referring the reader to a different policy paper where this is accounted for - would be valuable.

Expand on 2.3.17 regarding the defence to the domestic abuse offence, where the defendant can show that the “course of behaviour was reasonable”. In this section, two examples are used to illustrate where that defence may be used, but it would be helpful to include some examples of things that do not meet the threshold of “reasonable”. This is not just for the purposes of clarification and setting out clearly the purposes of this defence, it is also for the benefit of survivors who - due to the

psychological nature of domestic abuse, may be convinced by their abuser that they are indeed not reasonable and that any abuse they experience may be intended as being “for their own good”. Any account of this defence therefore needs to acknowledge the common reality of abusers gaslighting their victim to believe their abuser is in fact their protector, and the extraordinary efforts that need to be made by survivors to overcome that conditioning and report the abuse.

This issue is especially relevant when considering the higher rates of domestic abuse experienced by disabled women and disabled people generally, as the defence could quite easily be manipulated by an abuser to convince police and/or courts that the abuser was engaging in a reasonable course of behaviour. In the Women’s Policy Group’s evidence submission to the Justice Committee on the Domestic Abuse and Civil Proceedings Act (then Bill), we articulated our concerns re this defence³:

“The WPG NI supports the complete removal of the caveat of “reasonable defence”, as we are deeply concerned with such measures being used as a justification of abuse by defendants. In creating such a provision, we are concerned that perpetrators can justify their abusive behaviour through portraying victims of abuse as mentally unstable, unable to make decisions for themselves, having a history of addiction that can be used against them and so on. Further, victims may suffer from mental health issues caused by abuse and disabled women, who are already more likely to be victims of domestic abuse, could find themselves being disproportionately impacted by the implications of a “reasonable defence.”

We also outlined, in that evidence submission, our concerns about the abuse of older people being explained away in this way, echoing the concerns of the Commissioner for Older People as articulated by then-MLA Rachel Woods: “My main concern is around those who are in care or in caring relationships, and those who have disabilities with their physical health and mental health. The concern has also been raised by 24 Eddie Lynch, the Commissioner for Older People, who has noted the phrasing in clause 12(2)(a) that the evidence: “is enough to raise an issue as to whether the course of behaviour is as described in subsection (1)”. The phrase “enough to raise an issue” seems sufficiently loose as to conceivably allow for victim-blaming as a means of defence. It cannot be the case that the dominant person in a relationship needs only raise a query over the victim’s behaviour in order to rationalise abuse, as such formulation may allow.”

This issue is also relevant to victims/survivors who face mental ill health, and Chapter 3 acknowledges at 3.2.6 that on occasion an offender will attempt to use their victim’s mental health issues - alleged or real - to deny that the alleged events occurred. The draft policy is clear that this must not be accepted outright but assessed on its own merits. This awareness should also be extended to the kinds of claims alleged above; an offender may exaggerate the alleged unreliability of their victim’s memory, exaggerate their victim’s alleged dependence and more. If we can understand that

³ <https://wrda.net/wp-content/uploads/2020/06/WPG-NI-Evidence-Submission-to-Justice-Committee-05.06.20.pdf> p.23-28

this caveat applies in the case of mental health issues, we should acknowledge it also in terms of other disabilities or alleged addictions; offenders often lie, downplay and exaggerate to their own ends.

Acknowledging that this defence does exist despite our serious misgivings and concerns, at the least the PPS should provide as much clarity as possible to avoid the fear of the potential use of this defence resulting in the victim blaming of survivors and excluding them from seeking or accessing justice.

Q3. Chapter 3 sets out how we take decisions in domestic abuse cases. In your view, does this explain the key issues considered by the prosecutor – including the steps taken where there is a retraction or withdrawal by the victim?

Overall, this section accurately outlines the issues considered by prosecutors in domestic abuse cases. With that said, this is the stage of the process at which the most sensitive decisions are taken and the greatest risk of upsetting outcomes – at least from the PPS – arises. For this reason, it would be valuable to take extra care in the use of language and to ensure that some details are expanded to provide reassurance for victims. These are outlined below.

We recommend a rephrasing of harmful language at 3.1.6 with regard to offenders having “a lot to lose if prosecution leads to a permanent separation” and that a decision to prosecute may “result in some offenders embarking on conduct to maintain a relationship, or alternatively witness intimidation/harassment”. The issue here goes beyond the choice of words; the implication is that the prosecution may cause undue stress – as opposed to entirely deserved consequences – on offenders and that the outcomes of that stress may impact the victim. In reality, the victim is already harmed in the case of domestic abuse, regardless of PPS action, and the language must not excuse the offender’s chosen actions regardless of what allegedly precipitated them. Similarly, any suggestion of victim blaming must be expunged, bearing in mind that prosecution most often flows from the victim’s complaint, and if this is the case it is the responsibility of the justice system in all its parts to protect the victim from further harm, not to give succour to the offender.

Clarity is recommended with regards to risk assessments at 3.3.4 – footnote 5 says that these “usually” take place and that they “should” address any risks around children. Mindful that these are police risk assessments and not the work of the PPS, it would be helpful to clarify how often these do not happen, under what circumstances they may not be done, and under what circumstances they will not include any risks around children.

3.3.5 covers special measures at courts, including screens and giving evidence via video link. The WPG takes the view that this should be standard practice when dealing with extremely traumatising and intimate harm such as domestic abuse. Given that it is not, at present, we would suggest that this section should require the prosecutor to offer this to the victim, rather than it being at the prosecutor’s discretion. A prosecutor

is not necessarily best placed to assess the needs of a survivor. We are mindful that this is covered in more detail in Chapter 5, and it would be helpful to signpost this fact at this point in the document.

At 3.4.2 a helpful list of reasons a victim might withdraw their support for prosecution is given, but we feel it would benefit from the addition of a consideration of paramilitary intimidation. WRDA research and work by Women's Aid NI has demonstrated that this is a real phenomenon in the lives of women seeking to escape domestic abuse and, because of the nature of paramilitary control of entire communities, survivors may fear consequences from their abuser's associates even if their abuser is themselves imprisoned for a lengthy period of time.

In the same list, the mention of a fear of coming face to face with one's abuser in court is another reason to make changes to the provision of special measures as standard, while the fear of their abuser's associates adds credence to arguments to limit the use of the public gallery in these cases.

In terms of worrying language, it is brought into stark relief when, while listing factors that are useful when considering the public interest, this policy lists "the culpability of the defendant" at section 3.4.7. This is rather baffling at best, as their guilt or otherwise has yet to be decided by the court, so it seems to suggest that there are some kinds of alleged domestic abuse for which the abuser may not be responsible. We would urge immediate clarification of this point or removal of it entirely as in its current form it is very harmful and victim blaming language to use.

Finally, Section 3.8 on Alternatives to Prosecution is overall unclear and unhelpful. WPG agrees with Women's Aid NI on this; diversionary disposal is not appropriate in these cases because of the nature of the harm caused and the nature of the offence itself. While 3.8.1 says it is "rarely" appropriate, this is unhelpfully vague and something so sensitive and important needs to be spelled out clearly; when do the PPS consider it appropriate and why? Further questions are raised at 3.8.3 which implies that this course of action may be taken even when the complainant has expressed the desire that this not proceed. Urgent clarification is needed at least, and ideally a rethink of diversionary disposal for these crimes should be considered.

Q4. Chapter 4 provides an overview of how we deal with cases at court, including the sentencing stage. Is any additional information required regarding the PPS's approach?

Overall, this section is excellent, although there are a few instances where some clarification would be welcome.

At 4.1.6 which covers inappropriate cross-examination, it would be welcome both to include the circumstances in which Judges may allow some questioning of the victim, so that they may be prepared to face it and understand why it is allowed. It would also be valuable to include (perhaps in a footnote) what a victim ought to do if they believe

the prosecutor did not proactively object to a line of questioning that they believed was inappropriate or damaging to either their case or to their reputation or health. 12 NI Affairs Committee on the Effect of Paramilitary Activity and Organised Crime on Society in Northern Ireland, 18th January 2023, p. 10-12 Available here: <https://committees.parliament.uk/oralevidence/12544/pdf/>

At 4.1.9, the Policy outlines that the acceptance of alternative pleas will be transparent except in the “most exceptional circumstances”. Any clarification as to what these circumstances would be welcome.

At 4.2.4 there is an outline of the mitigating pleas that the defendant can enter before sentencing. Given that this is a very contested issue, and the fact that the prosecutor is empowered to object only when it is disparaging to a prosecuting witness rather than to question its truthfulness or relevance, this is something we urge urgent reform on. The WPG believe that this kind of evidence should not be admitted in either domestic abuse cases or sexual offences cases, it is harmful to the ends of justice.

Q5. Chapter 5 provides an overview of victim and witness issues and the services and other support available. Does this chapter cover all relevant issues or are there other matters that should be dealt with?

Once again, this is an excellent chapter that provides a lot of useful information. We do have a number of requests for clarification, however.

Firstly, at 5.1.1 we appeal again for special measures to be standardised. The PPS seems to recognise throughout this policy that this kind of crime can be extremely traumatising for survivors. Given this is the case, and given that many cases take place with special measures in place, it would seem both simpler, faster, and more mindful of the duty of care to survivors to include these measures as standard, with an option for the victim to “opt-out” if they wish. With regards to the possibility of clearing the court of the public and mindful of the new approach to this issue in cases of serious sexual offences following the Gillen Review recommendations, we would recommend that a similar approach should be taken as standard in cases of domestic abuse.

On a related issue, it is again mentioned at 5.1.3 that a judge makes a decision with regards to allowing or disallowing special measures. An outline of the information the judge uses to make such a decision would be helpful.

Again, we recommend a change of approach to the Victim and Witness Care Unit (VWCU)’s approach to contacting survivors with key information on the progress of their case, any appeals or release of the offender and related matters. While this document does say that these matters “may” be notified to the victim, we recommend a standardised approach and a duty to notify victims and survivors, and to do so in a timely manner. It is not an area of the PPS’s work that has a great deal of positive feedback from survivors, with many saying they had to proactively make contact for updates on their case, and lived in fear of encountering the offender before they were told about changes to bail conditions or adjusted release dates. Given the trauma and fear, as well as the palpable danger, arising from these cases

we urge a review of how this service operates at present and every effort be made to improve the service.

Q6. Annex A provides an overview of issues relevant to particular groups (e.g. men, women, younger people, ethnic minority communities etc.). Is this useful?

The WPG welcome the inclusion of this Annex and the consideration of issues relevant to more marginalised and impacted groups. We also welcome a recognition that a person's intersecting identities mean that they experience many of these marginalising factors at once, and that this presents challenges for those survivors that the PPS need to be cognisant of in their work.

We do have some concerns about some of the content, however.

In the subsection on men, the following line is included: "Some women may use children within the relationship to manipulate a male victim, by for example threatening to take away contact rights." The PPS will be aware that these contact arrangements are, when contested, the purview of the family courts and not a right that a woman may bestow or deny to a child's father. In addition, concerns about child contact following family breakdown can apply equally to either partner in any relationship, and including it here, and with this specific phrasing, implies it is a unique concern of men in heterosexual relationships – something women, specifically, do to men, specifically.

Repeating this argument in this language strays close to repeating the debunked and dangerous ideas known as "parental alienation", so often used against women who have left abusive relationships and so ignorant of a child's rights and needs⁴. This document is elsewhere extremely careful to stress that domestic abuse can happen to anyone and be perpetrated by anyone – even in this same section on men who experience abuse – and this sentence takes a markedly different approach. To suggest that "us(ing) children within a relationship to manipulate" is a gendered phenomenon is wrong and dangerous; it repeats misogynist propaganda and its acceptance by authorities like the PPS has a real impact on real families going through the family courts.

This sentence needs to be at least rephrased and ideally used verbatim in the section on women also, as follows: "Some parents may fear loss of contact with their children should they report domestic abuse, and their partner may threaten to withhold contact should the victim report to police."

In the sub-section on same sex, bisexual and transgender (LGBT) relationships, we recommend expanding on the sentence that mentions "there may be threats of removal of children by Social Services" – this is not incorrect, but this is worth clarifying

⁴ Women's Aid Federation NI, Briefing on Parental Alienation. Available here: <https://www.womenaidni.org/assets/upload/2020/06/WAFNI-Parental-Alienation-Briefing.pdf>

in terms that apply specifically to LGBT relationships but not to other kinds of relationships, for example the issues faced by a partner who may not be biologically related to a child but is their parent, such as through the use of IVF, in a way that would make this a particular challenge.

In the sub-section on older people, we urge a rephrasing of the sentence “where the victim is physically impaired or experiencing ill health, abuse may begin as a result of ‘care giver’ stress or anxiety”. This is a really worrying phrasing to use as it implies that abuse is something that happens almost as a natural consequence of stress, as opposed to something that an individual perpetrator holds full responsibility for. There have been real cases where this has formed the substance of the defendant’s case, and while the phenomenon of carers abusing the person they care for is very real the PPS must take care not to suggest that this is an unfortunate chain reaction set off by the victim’s illness or incapacity. The responsibility lies always with the perpetrator. See also our response to Q3 where we query the use of the term “the culpability of the offender” at section 3.4.7, as though some kinds of circumstances justify domestic abuse. It is a victim blaming trope and the PPS needs to amend this. Please also see our response to Q2 above, with regards to section 2.3.17 on the defence of a “reasonable course of behaviour”. We believe that this provision disproportionately impacts on disabled survivors and elderly survivors.

In the sub-section on disability, we have no concerns about the content, but we would urge the PPS to ensure they include more detail, specifically on the disproportionate rates of domestic abuse experienced by disabled women and the particular barriers they face in reporting that abuse, which may include abuse from their caregivers. This is covered in detail in our research on VAWG outlined in section 2. In research that showed 83% of respondents had been impacted by men’s violence against women, that figure rose to 92.4% for disabled women⁵.

Please also see our response to Q2 above, with regards to section 2.3.17 on the defence of a “reasonable course of behaviour”. We believe that this provision disproportionately impacts on disabled survivors and elderly survivors.

In the sub-section on minority ethnic communities, we have no major concerns, but we note that it rightly mentions honour-based abuse and forced marriage. The WPG believes that these two items should be listed separately as they are separate (if often linked) forms of abuse.

We also argue that the phenomenon of honour-based abuse exists in communities that are not minority ethnic communities, most commonly carried out by paramilitary organisations. Our views on this are informed by Coumilah Manjoo, an expert on

⁵ WPG (2022) ‘Just a Fact of Life: Violence Against Women and Girls in Northern Ireland: Women’s Policy Group Research Findings’ p.34 Available here: <https://wrda/wp-content/uploads/2022/04/WPG-VAWG-Research-Report.pdf>

honour-based abuse who worked with us on our Feminist Recovery Plan⁶. Our position, therefore, is that this belongs here, but that paramilitarism as a phenomenon needs to be considered and integrated into this plan, as it is such a prevalent force in Northern Ireland and in domestic abuse cases here.

In the sub-section on individuals involved in prostitution, the WPG urges the PPS to replace the word “prostitution” with “sex work”. This has two major arguments in its favour; it both reduces the stigma and the negative connotations associated with the word “prostitution”, and it encompasses other kinds of sex work, for example online sex work that is not technically ‘prostitution’ as defined here but it is increasing in prevalence and subject to the same kinds of concerns outlined here. It is also in line with the language used in the Gillen Review to describe this line of work.

In the sub-section on immigrants, refugees and asylum seekers, the circumstances in which a person wishes to settle permanently in the UK as a victim of domestic abuse are laid out. While the list of things that they need to prove is clearly laid out, it is not clear how the victim may prove that – a guide regarding the kinds of things that would qualify as proof would be valuable. If the standard of proof is a conviction from a UK court, that must be made clear. If they have fled another country because of domestic abuse and come to the UK to seek refuge, it ought to be clear what kind of proof they need to present to have their claim accepted. If the PPS or Home Office have policies relating to these matters, they ought to be linked, summarised or both.

Q7. Thinking about the document as a whole, is the information clear and easy to understand? For example, is there any complex legal language or jargon which needs to be amended or explained?

Overall, the language is clear and free from excessively technical jargon, although the PPS may consider a glossary with technical and legal terms to be included as an annex.

Our main concerns in terms of clear and easy to understand information is that the Policy is occasionally too vague and non-committal when describing things, mentioning for example that a decision is for a judge to make but not clarifying on what grounds, or saying that something “may” be considered or done, but not on what grounds this may happen.

In addition, we have concerns about use of victim blaming language on more than one occasion, however non-intentional, and the perpetuation of harmful stereotypes. We have outlined these in detail above, but they include the suggestion that a decision to prosecute may cause a perpetrator’s behaviour to escalate, rather than an unequivocal statement that they choose this course of action themselves, and the incredibly dangerous statement covered in response to Q6 where it is implied that

⁶ Women’s Policy Group Submission to NI Affairs Committee Enquiry: Effects of Paramilitaries on Women p.9-10. Available here: <https://wrda.net/wp-content/uploads/2022/05/WPG-NI-Response-to-Westminster-Northern-Ireland-Affairs-Committee-Call-for-Evidence.pdf>

women weaponise children against men to keep them in abusive relationships, fuelling dangerous myths around family courts and misogynist tropes about women.

Q8. The overall purpose of this policy is to provide guidance on the general principles, commitments and associated working practices, and to explain the standards of service expected from the PPS in cases involving domestic abuse. In your view, does the updated guidance deliver this? (If not, please explain the reasons why).

Overall, yes, although as outlined above, we have concerns that could be amended before publication.

These fall approximately into 3 categories:

1. Clarifying with specific details
2. Avoiding victim blaming implications in phrasing and avoiding the repetition of harmful tropes
3. Policy changes to how things are done by the PPS, for example the provision of special measures as standard

It would be helpful to ensure that easily accessible resources, where key facts are presented in as straightforward language as possible, are available to local communities, so that people of all backgrounds can access them. This includes translations into main languages used in Northern Ireland, and outreach to relevant organisations, who can assist with the correct language and phrasing and support in outreach to communities.

Q9. Are there any other comments you would like to make about this policy?

In addition to the above, and mentioned briefly at Q3 and Q6, please consider the relevance of the Northern Ireland context. The presence of active paramilitary organisations that continue to wield control and are justifiably feared in many communities presents a barrier, not just to the reporting of these crimes and the willingness of a complainant to continue to support a prosecution, but also to the machinations of justice itself. We realise it is outwith the scope of this document to address the scourge of paramilitarism, but recognising it as an ever-present reality would be helpful as it is a significant factor in willingness to report and likelihood of withdrawal of support for prosecution.

5. Conclusion

To conclude, NICRE supports the introduction of measures to improve the prosecution of domestic abuse cases. However, there are several issues with the proposed PPS Policy on Prosecuting Cases of Domestic Abuse which we have identified and explained in this response, in particular Introduction of international human rights standard and the vulnerability of ethnic minority women who are survivors/victims of domestic violence. We pledge the PPS has a special training on ethnic minority women

who are the survivors/victims. With their participation and co-designed the training programme for PPS. We would like to see these issues addressed before such a policy is implemented and are keen to engage further with the PPS on this work.

ENDS

Should you have any query about this submission, please contact Patrick Yu at patrick@nicre.org or call at 07710 767235.