



JEWISH WOMEN'S AID

Jewish Women's Aid

September 2014

ONE WOMAN IN FOUR WILL EXPERIENCE DOMESTIC VIOLENCE IN HER LIFETIME.

Against Domestic Violence

Crisis in DV services

Women's Aid, the national domestic violence charity, has declared a state of crisis in domestic violence services. Its Annual Survey confirmed that there is now a chronic underfunding in the violence against women sector. The charity warned that, unless there are improvements, an entire network of domestic violence providers in England may well collapse.

As a result, many more women and children are likely to remain in abusive situations or more likely to return after they have left given the increased difficulties faced in finding help. Cheaper service provision often results in loss of expertise. In

2012, an estimated 27,900 women were turned away from the first refuge they approached; 7,085 victims were turned away from non-refuge services

Diary notes

The **Legal Group annual seminar** will take place on Monday 9 December 2014 at the offices of Charles Russell, 5 Fleet Place, London EC4M 7RD.

A **JWA women's support group**, in partnership with Solace, looks at the impact of Domestic Violence on children and moving forward. For more information contact Nicola at Nicola@jwa.org.uk.



One woman in four will experience domestic violence in her lifetime. It affects all women, regardless of age, class, lifestyle or religion. The Jewish community is no different.

Jewish Women's Aid is a registered national charity run by Jewish women for Jewish women and their children who have experienced or are experiencing domestic abuse.

The Freephone helpline is 0808 801 0500.

Please see our website for more details – www.jwa.org.uk

Tackling Domestic Violence

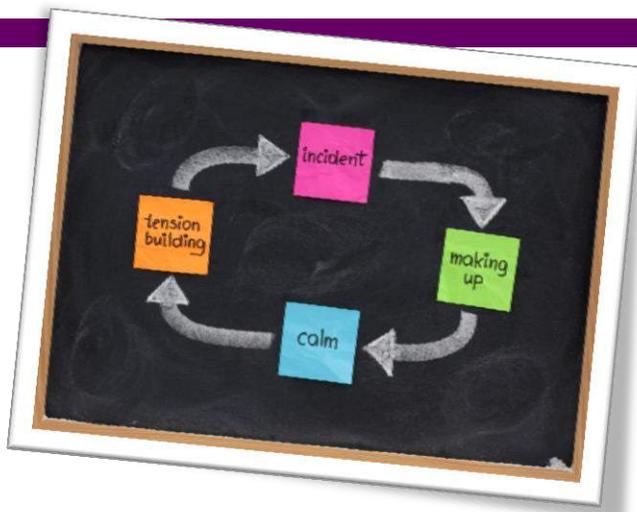
A recent report by the University of Oxford has estimated that almost 2000 parents in London, mostly mothers, were attacked by one of their children during the course of a year. 87% of the assailants were sons.

Despite numerous attempts to improve the law relating to domestic violence, there continues to be difficulty in bringing a successful prosecution. Some say the police are to blame because they

“Despite numerous attempts to improve the law relating to domestic violence, there continues to be difficulty in bringing a successful prosecution.”

fail to take the issue seriously. A report by the Chief Inspector of Constabulary commissioned by Theresa May, the Home Secretary found that only eight of the 43 forces in England and Wales responded well to domestic abuse. It said that 77 women were killed by their partners or former partners in 2012 – 2013 and that, on average, police received an emergency call relating to domestic abuse every 30 seconds.

Prosecution guidance is to be drawn up specifically to help teenagers who are beaten, bullied or suffer other forms of “dating abuse” in their relationship. Alison Saunders, the Director of Public Prosecutions has said that domestic violence among teenagers is every bit as harmful as abuse in an adult relationship. Specific advice for prosecutors on handling cases involving teenagers would be contained in the forthcoming guidance on domestic violence.



Premature Death from DV

Women whose partners were arrested on domestic violence charges are up to four times more

likely to die prematurely than those whose partners were only cautioned. So says research from the University of Cambridge. Early mortality among black women had increased by 98 per cent as opposed to white women whose mortality had increased by 9%.

Deaths were mostly by common causes such as heart disease and cancer but researchers state that these differences are too large to be due to chance.

Childline report

Childline’s recent report has indicated an 87% increase in online bullying. More than 1400 young people experienced racist bullying.

Effect on children

A ground-breaking report has found that, unless action is taken, children who see their mothers beaten will suffer as much as those children who have been physically abused themselves. It also reveals high levels of abuse reported by 16 to 19 year old girls in their relationships.

It is clear from the report that children who witness violent fights between their parents suffer grave psychological damage which can lead to high levels of aggression and antisocial behaviour, which often persists in to adulthood.

It is hoped that new laws to criminalise the emotional and mental abuse of children, dubbed the “Cinderella law”, with a focus on mental abuse, will help to protect children in those circumstances.

The law, included within the serious crime bill, will update the 1933 criminal offence of child cruelty to include emotional neglect and abuse as well as physical abuse.

Sir Tony Hawkhead, chief executive of Action for Children said, following the announcement in the Queen’s Speech, “Children who are made to

feel worthless, powerless and unloved by their families will now have the law on their sides. We are one of the last countries in the western world to recognize this form of child cruelty – the time for change is long overdue”.



JWA Fundraising lunch

By Tanya Roberts, Partner, Charles Russell

This is the second JWA annual lunch I have attended. They have both been excellent and very poignant. The venue, once again, was excellent and welcoming and the atmosphere fantastic. The amount of support both by way of attendance and donations was impressive and it was interesting to talk to the very diverse guests, from all walks of life.

There were women there who had a personal story to tell, those who supported the charity financially and with their time, people who work with victims (lawyers such as myself, counsellors, doctors etc) and people attending to learn more about the charity for the first time. My table had a great mix of such people and it was very interesting to chat to them and find out more about their involvement.

The speakers were superb and gave everyone much food for thought. Cressida Dick, the former Assistant commissioner of the Met Police gave a fascinating talk about the trials and tribulations of a woman rising through the ranks of the police in a completely male dominated profession. Several womens' accounts of how they suffered at the hands of their abusive partners were then read out by the charity's Trustees and the details were shocking and thought provoking.

It is difficult to comprehend leaving your house one day simply with the clothes on your back and no belongings, knowing that it will be impossible to ever return there. It happens more frequently than one might imagine and to women who put up a façade for years and years often, but who behind closed doors



suffer terrible abuse and who simply don't know what to do.

There was also an informal introduction to the incoming Executive Director Naomi Dickson. A staggering £170,000 was raised on the day from the event which is amazing.

Forced Marriage law

By Lucy Marks, Partner, Dawson Cornwell

A new law has come into effect in England and Wales making it a criminal offence to force people into marriage. Parents who force their children to marry can now be punished by up to seven years in prison. Previously, the courts have only been able to issue civil orders to prevent forced marriage. This legislation also makes it possible to prosecute perpetrators from other countries where a British national is forced to wed.

Some campaigners believe that the criminalisation of forced marriage will protect thousands of people each year, and will give victims the confidence to come forward. Last year, the government's Forced Marriage Unit dealt with 1302 cases.

My firm specialises in representing people facing forced marriage. There is a concern that the new law could deter victims from coming forward precisely because they do not want to see their family and friends

imprisoned. It is imperative, now that forced marriage has been criminalised, that victims receive proper support and guidance from the authorities throughout the process.

As yet, no such guidance has been issued to the police or Crown Prosecution service on implementation of the new law which may lead to no effective change in the situation.

However, there is no doubt that this new legislation sends out a powerful message that such abuse will not be tolerated in any circumstances and for that the government's stance to ensure victims are protected by the law.

Divorce (financial provision bill)

By Dawn Freedman

The Divorce (Financial Provision) Bill passed its 2nd reading in the House of Lords on 27th June 2014. It is a Private Members Bill moved by, and indeed drafted by Baroness Ruth Deech.

It sets out to provide a degree of certainty in resolving financial issues on the basis that section 25 of the Matrimonial Causes Act, while providing guidelines relevant to its day has been overtaken by social change. The ever moving line of authorities now leave uncertainty in providing advice to clients and in relation to acceding to mediation. It seeks to repeal section 25 and replace it with a series of principles that would apply in the determination of applications for financial orders in divorces.

Section 3 relates to making pre and post nuptial agreements binding thereby implementing the recommendations of the Law

Commission that, subject to safeguards such as independent legal advice and having an interval in time between signing and marriage, such agreements be binding.

The speeches provide fascinating reading.

Lord Hope who sat in *Radmacher v. Granatino* said that legislation has for far too long been delayed and is badly needed.

Baroness Shackleton said that when she started in practice, prenuptial agreements were considered repugnant to public policy. No one should contemplate the breakdown of a contract that was meant to be lifelong. (I intercede that of course in Jewish marriage, that has never been the case). Baroness Shackleton continued that you can see Judges slowly shifting and changing until *Radmacher*.

The Bill has now passed to Committee where no doubt it will undergo considerable amendment.

Whether it has a chance of passing into legislation in the time remaining in this Parliament is debateable but Rome was not built in a day.

On paper, there seems no reason why section 3 should not apply to the prenuptial agreement offered by the Office of the Chief Rabbi. It does not provide that parties are obliged to give or receive a Get, a Jewish Bill of Divorce, as this would be contrary to Jewish law which requires the procedure to be voluntary at the time of the procedure and not as a result of any obligation. It provides only that the parties attend at the Court of the Chief Rabbi (the Beth Din) and comply with instructions of the Beth Din, including co – operation in mediation.

It is imperative that when drafting prenuptial agreements for Jewish couples, regard be had to the necessity to safeguard the issue of Get and advice be taken from the London Beth Din as to appropriate terms.

There are sadly too many cases where, even after civil divorce, the parties remain religiously married and unable to remarry under religious law because one or the other refuses to co – operate over the Get or where its withholding is used as leverage in relation to finance or children.

If the issue can be resolved before the marriage, much unhappiness can be avoided..



CPS Guidance against DV in teenagers and pensioners

The Director of Public Prosecutions, Alison Saunders, has proposed changes in the way that CPS deals with DV which would ensure that prosecutors consider social media, peer pressure and gang culture when looking at cases involving teenagers.

In addition, under the new proposals, prosecutors looking at DV against an older person would consider the context in which the abuse is occurring, for example, if one party is a care giver, or as a result of social isolation.

The draft guidance, which is open for public consultation but which has not yet come into force, will help prosecutors consider the impact of

DV on different social groups, taking into account their support needs.

Membership drive

JWA has launched a new membership benefits scheme, aimed at all Jewish women in the UK. For £55 per year, members will have access to regular information and courses on topics such as domestic violence in the Jewish community. In addition, members can access a range of discounts at shops, restaurants and other services. For more information and to sign up, go to www.jwa.org.uk/membership.

Fashion show

JWA are holding a fabulous private fashion show at Eileen Fisher in the heart of Covent Garden. There will be a kosher cocktail buffet, and time to browse and buy at 20% discount. Tickets have just gone on sale. For more information speak to Suzi or Tara at the JWA office, 0208 445 8060.

It is planned to send out this newsletter three times each year. All contributions would be welcomed. Please contact Dawn Freedman at: dawnandneilo1@tiscali.co.uk.



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HELPLINE

0808 801 0500
9.30am - 9.30pm
Monday to Thursday

