

# DOMESTIC

Abuse



There is no excuse





This leaflet is intended to provide information and sources of help and support to victims of domestic abuse. Although you may not be experiencing it yourself, you may know someone who is. This leaflet may help you to help them.

Domestic abuse is much more common than many of us realise. Research indicates that 1 in 5 women in Scotland experience domestic abuse at some time. It happens in all walks of life, to women of all ages, and from all ethnic backgrounds. No-one who has been abused should feel they are to blame. The only person responsible is the perpetrator.

**There is no excuse for domestic abuse.**

# What is **DOMESTIC** Abuse?

Domestic abuse is rarely a one-off event, indeed it tends to increase in frequency and severity over time.

It includes all kinds of physical, sexual and emotional abuse within all kinds of intimate relationships. Usually women are abused by men, but it also occurs in same sex relationships and in some cases men are abused by women partners.

Domestic abuse also affects children living in the victim's house and there are links between domestic abuse and all forms of child abuse.



**IF YOU ARE BEING ABUSED THESE ARE SOME THINGS THAT SOMEONE CLOSE TO YOU COULD BE DOING TO YOU:**

- hitting
- threatening
- humiliating
- forcing sex
- threatening your children
- abusing your children
- destroying possessions in the house
- keeping you financially insecure
- abusing you emotionally
- accusing you of being unfaithful
- ridiculing your beliefs
- isolating you from friends and family
- using contact with the children to abuse you or them

**ANY OF THESE COULD LEAD YOU TO FEELING:**

- frightened
- insecure
- degraded
- unable to make even basic decisions
- trapped

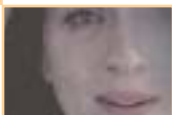


## WHAT CAN YOU DO?

Well, you certainly don't have to put up with it. It is not easy to accept that a loved one can behave so aggressively. Because it is often difficult to come to terms with such behaviour you may think that you are to blame. You are not. No-one ever deserves to be abused. Remember, you are the victim. The most important thing you can do is tell someone.

## IF YOU HAVE BEEN ASSAULTED YOU CAN:

- Call the police. Always remember that assault is a criminal offence.
- Get medical attention, even if the injuries are slight, and don't be afraid to tell the doctor how you were injured. The doctor will respect your confidence but your medical records may be used as evidence if you decide to take legal action.
- Contact a specialist support organisation. Included in this leaflet are useful telephone numbers where advice will be provided.



**IF YOU HAVE BEEN RAPED OR SEXUALLY ASSAULTED YOU CAN:**

- Call the police. Rape and sexual assault are crimes, even if you are married to, or living with, the man who committed the offence.
- Get medical attention and tell the doctor what happened.
- Speak to someone you trust such as your health visitor.
- Contact one of the specialist agencies listed in this leaflet.

**SOME IDEAS FOR EMERGENCIES:**

- Think about how you might escape if you need to. Share your plans with people you can trust.
- Try to put some money aside for taxis, bus fares, phone calls.
- Try to take with you your Child Benefit book, rent book, marriage and birth certificates. Don't worry if you can't, these can all be replaced if need be.
- In case you have to leave quickly, try to keep some clothes for you and the children at a friend's house, and perhaps a small toy for the children.
- Make sure you have a key to your home.

- Keep a note of useful phone numbers, for example, your local Women's Aid group, the social work department or any of the others listed in this leaflet. Make sure these are kept in a safe place.

**ALWAYS REMEMBER:**

You don't deserve what has been done to you. It's not your fault. You can get away if that's what you want. There is no excuse for domestic abuse.



## LEGAL PROTECTION

Assault is a criminal offence. If you have been physically assaulted, the police may arrest your partner. All police forces in Scotland treat domestic abuse seriously, so don't be afraid to contact them for help.

If your partner is arrested, charged, goes to court and bail is granted, in certain circumstances the court may decide to grant the bail subject to certain conditions. For example it may restrict your partner's movement, providing you with limited protection, and giving you some time to consider what to do next. However, it is for the court to decide whether to impose conditions and what those should be.

Civil law protection is available as well as criminal law. You can apply to the court, through a solicitor, for a matrimonial interdict. This is a court order which may be granted if you and your partner or ex-partner both have rights to occupy the family home. It prohibits your partner from doing anything set out in the order. It may, for example, prohibit your partner from coming within a certain distance of the home. A power of arrest can be attached. This allows the police to arrest your partner if the terms of the interdict have been broken.

You may also apply for a matrimonial exclusion order which suspends the abuser's rights to live in, or enter, the family home. If an exclusion order has been granted then the courts must attach a power of arrest to any matrimonial interdict.

You may need to apply for Civil Legal Aid to obtain an exclusion order or interdict and if you have any income over Income Support level, you may need to contribute towards costs.

Anyone who is being harassed can apply to the Sheriff Court for a non-harassment order if someone has done anything which causes, or is likely to cause, alarm or distress on at least two occasions. You can also ask the court to award damages arising from the harassment.

In addition, if a person is convicted of an offence involving harassment, the Procurator Fiscal can ask the court to impose a non-harassment order on the offender to protect against any future harassment in addition to the sentence imposed by the court.

If anyone breaches a non-harassment order (whether made by a criminal or civil court) it is a criminal offence punishable by up to 5 years imprisonment, or an unlimited fine, or both.

The Protection from Abuse (Scotland) Act 2001 extends the legal protection available to anyone experiencing abuse. It allows a court to attach a power of arrest to any interdict granted for the purpose of protection from abuse. The police may arrest a person without warrant if there is reasonable cause to suspect a person of being in breach of interdict, and if there is considered to be a risk of abuse if the person is not arrested. There is no requirement for the applicant to be in any particular relationship to the abuser.

For full information about your legal options, and about local court practice, you should consult a solicitor. Some solicitors provide a free first consultation. A further source of help is the Citizens Advice Bureau, local numbers can be found in the telephone directory.



## MOVING AWAY

If you feel unsafe staying in your own home, you may think about leaving. There are various options open to you:

- You can contact your local Women's Aid group for safe refuge at a secret address, sharing with other women and children who have left their homes in similar circumstances. You can stay in the refuge for as long as you need. If you feel you have to move out of your own area to be safe, Women's Aid have refuges in many parts of Britain.
- You may just want a break from the abuse rather than wanting to separate from your partner permanently. In these circumstances Women's Aid will provide refuge for as long as you want, as often as you want.
- You can also apply to your local Housing Department to be rehoused because of domestic abuse. This can be done while staying in the refuge, or you may prefer to contact the Housing Department instead of seeking refuge. Homeless people in priority need are entitled to accommodation if unintentionally homeless, as would normally be the case of those escaping abuse. In these circumstances you will be offered immediate temporary accommodation, followed by permanent rehousing.

## WHAT ABOUT THE CHILDREN?

Children and young people respond in many ways to living with, and witnessing, domestic abuse. They may experience a wide range of emotional and physical disorders such as:

- feelings of anger, guilt, isolation, fear
- homelessness, poverty, disruption to schooling, social exclusion
- anxiety, self harm, low self esteem, depression, withdrawal
- asthma, eczema, bedwetting, tiredness, injury
- loss of family, friends, pets, possessions.

In most circumstances children will be in the same, or the room next to, where the attack is taking place, and often try to intervene. Where a woman is being abused, there is a high risk that her children will also be physically assaulted.



Providing practical and emotional support is a major factor in influencing how children survive and cope with abuse. There are specially trained people who can help children and young people to talk about their experiences, make sense of their fears and worries, gain mutual support and self esteem and feel happier. Included in this leaflet are telephone numbers where specialist advice will be provided.

### **IF YOU KNOW SOMEONE WHO IS BEING ABUSED**

It can often be difficult for someone to tell friends and family that they are being abused, so you may not know what is happening. If someone confides in you they may choose not to take your advice, which can be frustrating. It is natural to feel concern for someone you care about in this situation, but remember that they have to make their own decisions.



## HOWEVER, YOU CAN HELP BY:

- Believing what they tell you. You may be surprised and it may conflict with your impression of the abuser, but such people can be very skilled at presenting themselves in a good light.
- Giving support. Tell them it is not their fault, even if they think it is, and that there is never an excuse for abuse. Let them tell you what they feel able to, at their own pace.
- Providing information. Give them this leaflet, which provides valuable contact information.
- Providing practical support. For example you could offer to look after their children, while they see a solicitor or the housing department.

## THE WAY FORWARD

What can we do to improve the current situation? Domestic abuse has been rooted in society for too long, and it certainly won't disappear overnight. However, we can all play our part by publicly condemning those who abuse and by providing support to those who are abused. We can:

- Contact the police if we think someone is being assaulted.
- Refuse to listen to excuses for abuse.
- Challenge others who say women ask for, or enjoy, abuse.
- Respect others and value equality in our relationships.

# CONTACT

---

## Information

### WHO CAN HELP?

If you or someone you know is experiencing domestic abuse, there are many different organisations which can help. Some useful contact numbers are provided here but there are many others: libraries, local councils and Citizens Advice Bureaux are good sources of further information.

### **Scottish Domestic Abuse Helpline 0800 027 1234**

A Scottish domestic abuse helpline offers access to services for women and children by providing one, central, easily-memorised freephone number which can give relevant local information for all parts of Scotland, for example about housing, legal matters or benefits, as well as an opportunity to discuss problems in confidence. Calls to the Helpline are not recorded on telephone bills.

The Helpline provides a 24 hour service every day of the year. It has a textphone service for people with hearing impairments available from 10.00am – 2.00pm every day.

## **Scottish Women's Aid**

If you are worried about how someone close to you is treating you, Women's Aid can help. There are groups all over Scotland and you can phone or visit them during office hours. Women's Aid also recognise the traumatic effects on children and young people living with domestic abuse. Every group in Women's Aid has a commitment to working with children and supporting them in what they are going through.

The national office telephone number is **0131 475 2372** and they will put you in contact with your local Women's Aid group. Alternatively, find your local service number in the telephone directory.

Specialist advice for black women and children can be obtained from:

**Gryffe Women's Aid 0141 353 0859**

**Shakti Women's Aid 0131 475 2399**



## **Victim Support**

Victim Support Scotland offers information and support to victims of crime, including domestic abuse and has local services all over Scotland. All help is free and confidential. You can contact Victim Support on their lo-call number **0845 60 39 213** or find your local service number in the telephone directory.

## **The Police**

Many kinds of domestic abuse are criminal offences. Most forces have specially trained, experienced officers who will speak to you separately from your partner. Women can ask to be seen by a woman officer. The police can, if you wish, arrange medical aid, transport and a safe place for you to go. Their first priorities are your safety and well-being and that of your children.

To contact the **police** in an emergency **999**.

At other times you can contact your local police station. The number will be in the telephone directory.

## **Shelterline**

**0808 800 4444**

This is a free phone service providing information about emergency access to refuge services and general housing matters.

## **Rape Crisis Scotland**

If you are a woman who has been raped or sexually assaulted or who is a survivor of childhood sexual abuse, you can contact Rape Crisis: The National Office number is **0131 478 1533**. Phone numbers of local groups are listed in the telephone directory or are available from the police, social work department or Citizen's Advice Bureau.

## **Childline**

**0800 1111**

This is the free national helpline for children and young people in trouble or danger. It is available 24 hours a day, every day of the year. If you need help with a problem at any time you can phone free.

## **Careline**

**0208 514 1177**

This is a national confidential counselling line for children, young people and adults on any issue including family, marital and relationship problems, child abuse, rape and sexual assault, depression and anxiety.

## **National Health Service**

Many people do not realise how their partner's behaviour can affect their health and that of their children. They may experience depression and anxiety which are often just as damaging as physical injuries – or more so. This can happen during the relationship, or after it has finished.

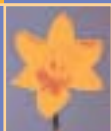
Talk to your GP or health visitor and tell them the real cause of your worries and injuries. If you have to go to casualty, try to be open about the reasons. This is vital if you are to get the proper medical help and support you need. Remember: you can always talk to NHS staff in confidence.

## **Samaritans** **08457 90 90 90**

24-hour confidential emotional support for anyone in crisis. The number given above links up all their branches or you can use the number of your local branch, which you will find in your phone book.

## **Lesbian and Gay Line** **01387 261818**

Provides support, practical help and information on health issues, counselling and referral to specialist agencies.





The Scottish Executive gratefully acknowledges the assistance provided by Scottish Women's Aid in the preparation of this leaflet.

Astron B30366

