



West Cork Whisper

WEST CORK WOMEN AGAINST VIOLENCE PROJECT NEWSLETTER

ISSUE 69

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CHANGE IS COMING



HELPLINE FREEPHONE 1800 203 136

Office: 027 53847

Mon to Fri: 9 am to 5 pm

CONFIDENTIALITY

West Cork Women's Project assures all women contacting us that four core values underpin our service:

Confidentiality
To be listened to
To be believed
Respect for her choice

Speaking to someone, perhaps for the first time, about experiencing violence or abuse in the home is never easy. Placing your trust in a stranger on the end of a phone or meeting someone for the first time face to face takes courage. These first stages of seeking support can be a time of stress and fear for women. It is important that women understand that they have the right to remain anonymous when contacting the service. If a woman is comfortable with giving identifying details, these details are not passed on to any other agency except at her request.

There are two exceptions to confidentiality:

- 1 If a disclosure raises concerns with regard to Child Protection issues
- 2 If a woman discloses that she intends to harm another person.

A new Domestic Violence Bill will be introduced into Irish law within the coming year. It will bring about a number of very important improvements and supports to those experiencing domestic abuse. West Cork Women Against Violence welcomes the new Bill and the changes for the better it will bring to those who use or are thinking of using our service.

These developments in legislating to give greater protections to victims of DV are the result of years of pressurising and lobbying from women's and DV organisations like the National Women's Council of Ireland, Women's Aid and Safe Ireland and the support of a number of politicians within the Seanad and the Dáil, many of whom are women who have maintained the pressure to bring about change.

Inside this edition of Whisper we itemise and explain the upcoming changes but essentially these are improvements which

will make it easier for women and children to get protection from the courts, to have access to the courts, to be supported and believed. These include a new definition recognising coercive control, a new emergency barring order, out of hours barring orders, extending the grounds for eligibility for protection and safety orders, allowing a victim to have someone accompany her in the courtroom, limiting cross examinations, putting the onus on courts to provide information about their services and a number of other changes which reflect many of the needs experienced by victims within the courts system.

The full range of legal changes and supports are contained on pages 4 & 5 of this edition of the Whisper Newsletter. It is important to restate that the Bill is not yet law, but WCWAV will of course ensure that as soon as it is, we will be utilising every element of it to the benefit of women and children in West Cork who use our services.

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#MeToo did not begin in the latter months of 2017 with the exposure of Harvey Weinstein's assaults on women in Hollywood. The #MeToo campaign was set up ten years earlier by an African American woman called Tarana Burke to help young women, particularly young women of colour, young women in poverty and without a platform who have been sexually abused, assaulted, exploited or harassed.

Tarana Burke, founder of the #MeToo movement



Tarana Burke works with young people and she says that the movement *"started in the deepest, darkest place in my soul,"* after a heartbreaking encounter in 1996 with a young girl. Burke was working as a youth camp director and one day a *"sweet-faced little girl"* who had exhibited some behavioural problems asked to speak with her privately. The girl proceeded to tell Burke about her mother's boyfriend *"who was doing all sorts of monstrous things to her developing body."* #MeToo came out of a need to give young women who have experienced sexual harassment, abuse and coercion a means of reaching out to each other, to stop feeling ashamed, believing they were at fault. Burke's goal was to let women who have suffered sexual abuse, assault or exploitation know that they are not alone and to build an extended network of women who could empathize with survivors.

"This is just the start," she said. *"I've been saying from the beginning it's not just a moment, it's a movement. Now the work really begins."* In 2018, Burke plans to make the #MeToo site a greater tool for both survivors and supporters of the issue. *"Our website will be a more comprehensive website and a community resource for people around sexual violence,"* she says.

Obviously, once the hashtag was taken up by women in Hollywood, it went global. The experiences they recount demonstrate that fame, wealth, beauty, or talent are no defence against predatory male abuse, and that men like Weinstein and his cohorts believe that they are entitled to grope, demean, threaten and assault any woman. But what these famous women have is a platform and a means of amplifying their voices because of their access to media attention. There were so many revelations about so many men in

A strong woman stands up for herself

#metoo

Hollywood, in the media, in the Arts, in politics that very quickly the media coverage turned from its feeding frenzy of salacious details and self-righteous condemnations (without ever considering the systemic causes of such widespread abuse) to questioning the veracity of the women's accounts and the scale of the problem, then morphed quickly into good old-fashioned victim-blaming by accusing those involved and those supporting women who had disclosed of "conducting a witch hunt" against men.

The term 'witch-hunt' is so inappropriate as to be ironic, given that it refers to the historical hunting down and slaughter of millions of **women** over several centuries. No perpetrator is getting slaughtered here, in fact apologies are as thick as recent snowfalls, checking into therapy centres, resigning with large pay-offs and massive pensions intact.

For every famous woman now speaking her truth, there are millions of ordinary women across the world, working in hospitals, factories, shops, offices, women in armies, churches, villages, in large sprawling cities, young women in schools, colleges and sports teams, little girls in their own homes being told that "it was only a joke", that "they need to lighten up" that "they really want to", that "this is what they deserve", or that "if they don't there will be trouble", that "their religion/culture/custom demands it". A woman's job, her livelihood, the safety of her family, and/or her reputation have all at some time been held to ransom and her fear of being disbelieved means she lives in secret silence and shame.

#MeToo reflects a global reality not because a few women in Hollywood have called out their abusers, but because it happens to women across the world, from catcalls to coercion, from revenge porn to rape. #MeToo has made the world and its institutions of power have to listen but the response has got to be more than apologise and move on, it must be #NEVERAGAIN if women and girls are to live in safety, free from sexual exploitation and abuse.

EQUAL RIGHTS
FOR OTHERS
DOES NOT MEAN
LESS RIGHTS
FOR YOU.
IT'S NOT PIE

WOMEN'S RIGHTS
ARE
HUMAN RIGHTS



a **stronger** woman stands up for everyone else

domestic violence **BILL**

West Cork Women Against Violence Project sees the new Domestic Violence Bill 2017 as a positive step in recognising domestic violence survivors as victims of crime and having necessary protection under the law. The Domestic Violence Bill 2017 has been agreed by government. The changes discussed below are not yet law. The following are some of the key changes within the Bill when the Bill is enacted:

CHANGES TO LEGAL ORDERS

All women in an intimate relationship will no longer need to have lived together with their partner to be eligible to apply for Safety and Protection Orders. This has been a huge step in terms of providing protection for people in dating relationships which previously did not exist.

OUT OF HOURS BARRING ORDERS will be available. A Garda attending a domestic violence call out can authorize communicating with an on-call judge to apply for an out of hours barring order. This change ensures that protection can be obtained in out of hours emergency situations. Currently, to apply for a Barring Order, clients need to have lived together for 6 out of 9 months. In the new Bill this has been removed. However where clients are cohabitantes and not married, the client still needs to have equal or greater interest in the property to obtain a Barring Order.

EMERGENCY BARRING ORDER (EBOS) will be introduced and these give short term emergency protection to cohabitant partners who do not have an equal or greater interest in the property. These orders will only last for 8 days.

CHANGES TO COURT PROCEDURES

Under section 18 of the Bill, courts will have to give reasons for their decisions in relation to any applications for orders.

The Bill allows evidence-giving through a live television link where an application is being made to court for an order.

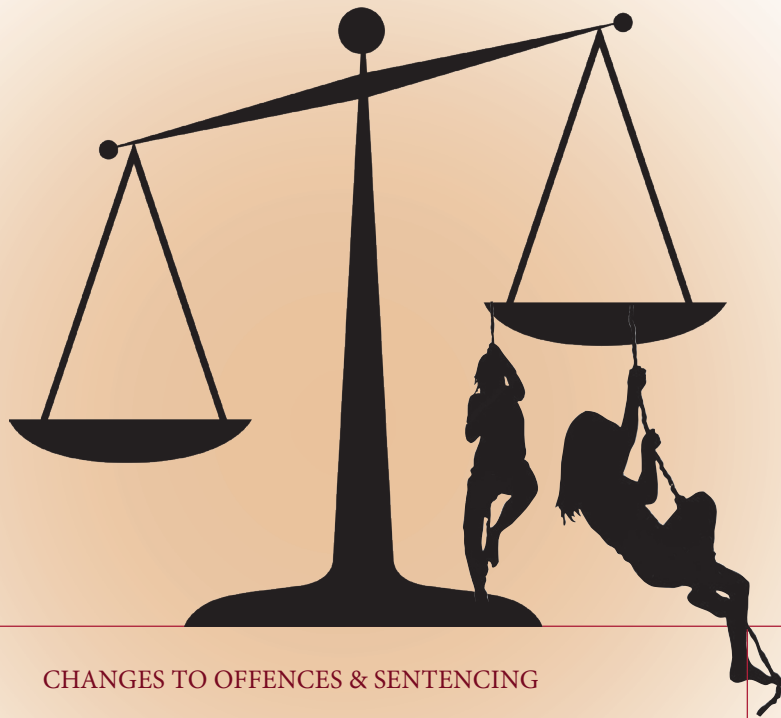
Women will be allowed to be accompanied in court by a person of their choice, in addition to any legal representative.

The Bill requires courts services to provide information to victims of domestic violence about support services.

Under Section 27 of the Bill, the views of the child can be sought by the court when a legal order is being applied for on the child's behalf. The court can request an expert to bring these views to its attention.

The Bill aims to prevent oppressive cross-examination conducted personally by the applicant for the legal order or the abusive partner. Individuals giving evidence may not be personally cross-examined by the applicant or the abusive partner unless the court believes it is in the best interests of justice.

Should you have any queries or need support regarding the new legislation please do not hesitate to contact one of our support workers at West Cork Women Against Violence Project, Harbour View, Bantry, Co. Cork (Helpline 1800 203 136).



One Parent Family Payment

Important major reforms have been made since November 2017 to the One Parent Family Payment (OPFP) for domestic violence victims by the Minister for Social Protection. The One Parent Family Payment is a payment for men and women under 66 who are bringing children up without the support of a partner.

Women who have been abused by an ex-partner and are seeking the OPFP will no longer have to contact their abuser or provide evidence of efforts to seek maintenance from them.

Previously it was a condition of the OPFP that lone parents must make efforts to seek maintenance from the other parent, even if the effort is unsuccessful. This positive and necessary change ensures that women no longer put themselves at risk of abuse through attempting to contact an abusive ex-partner for fear of losing their OPFP.

CHANGES TO OFFENCES & SENTENCING

Forced marriage - The Bill also creates a new offence of forced marriage. It will be an offence to use violence, threats, undue influence, duress or coercion to cause another person to marry. It will also be an offence to remove someone from the State with the intention that they will be forced into a marriage abroad.

Sentencing - Where offences involving physical or sexual violence are committed within any intimate relationship, the courts will now accept this as an aggravating factor at sentencing, meaning a longer period of sentencing can apply.

Aggravating factor means any fact or circumstance that increases the severity or culpability of a criminal act

Coercive control - This is to be included in the new Bill. Coercive control is a pattern of emotional and psychological abuse of a partner through threats, intimidation and restrictions. This pattern of behaviour creates domination of a person's life; using tactics such as intimidation, degradation and/or isolation.

The recognition of coercive control is extremely welcome as it helps to highlight a very common and emotionally damaging form of abuse in intimate partner relationships.

CHANGES TO LEGAL AID

Please note: these changes have already come into effect.

Legal aid can help individuals who cannot afford to pay a solicitor privately. Legal aid provides legal advice and representation in court. There are two main elements to legal aid: criminal (those who execute a crime) and civil (cases that can include family law applications).

Legal Aid have already made the decision to disregard the financial fee on application for Domestic Violence Orders in the District court and this Bill solidifies that. All applicants for legal aid still need to meet the eligibility criteria and satisfy a means test. Other proceedings (e.g.: access, maintenance, separation) are not included in this exemption.

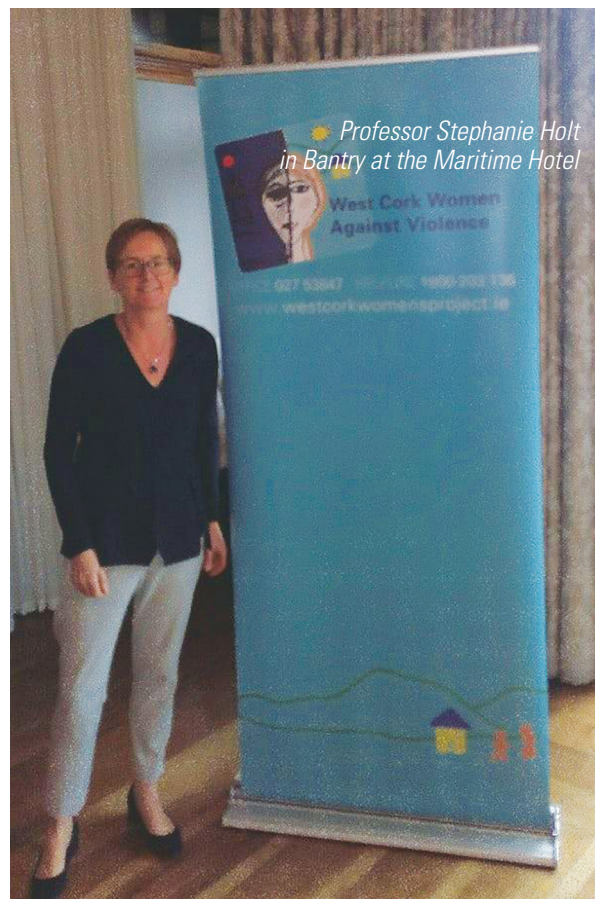
From January 1st, 2018, any person who experiences domestic violence who seeks civil legal aid will no longer have to pay a contribution to their legal fees. This includes those applying for a legal order (Barring Order, Safety Order and Protection Order). Previously the minimum amount of contribution was €30 for legal advice and €130 for legal aid (including advice contribution already paid).

"Just a quick note to thank you all for organising this morning's seminar at the Maritime and for the invite. It was an excellent and informative seminar as well as a great opportunity to get a sense of other organisations/people in the area. Many thanks and great respect for all the great work done at WCWAV. "

Rae Brady MIACP
Clinical Director, West Cork Counselling & Support Services

Seminar

On the 12th of December, West Cork Women Against Violence hosted a seminar by Associate Professor Stephanie Holt of Trinity College, Dublin in Bantry at the Maritime Hotel. There was a large turnout to the seminar of professionals working or interested in children's well-being and/or domestic violence as Stephanie Holt is one of this country's leading experts on the impact of domestic abuse on children and teenagers. We have received extensive and encouraging feedback from those who attended on the new learning and insights gained from Professor Holt's research. In her work she directly listens to children about their feelings and experiences, giving them a voice within the many policy and practice debates around child protection and domestic violence. This is what one attendee, Caroline Crowley, at the seminar had to say when telling friends and colleagues about what she learned:



*Professor Stephanie Holt
in Bantry at the Maritime Hotel*

"[The]talk in Bantry... showed us the effect of domestic violence on children. The researcher talked about when addicts give up an addiction that they can 'fall off the wagon' because they are going through a process. But they can go on to give up the addiction again. She then asked the audience of about 100 social workers, police officers, women's refuge workers, teachers, etc, in their own experience of working with women who have been victims of domestic violence, how many women left their partner permanently after the first attempt. No one put up their hands. She said that is because women are going through a process as well and it may take several attempts. It is to be expected. They were in love, they are bound by children, etc.

Another thing the researcher said sticks in my mind. She asked the professionals present that if they are working with a woman who is a victim of domestic violence, and if she is a mother, that they need to 'flip the coin' and to assess if the children are experiencing abuse. While many cases of domestic violence do not lead to abuse of children, in many cases of child abuse, domestic violence is present. One should not force the



mother to make a move before she is ready. It can worsen situations. Sometimes the mothers stay with the partners for the sake of the children [but] mothers always leave for the sake of the children. A problem for mothers is that even after leaving their abuser, their children bind them through 'access'. Therefore they have to maintain some level of contact where the relationship (and the abuse) may continue.

The researcher has interviewed perpetrators of domestic violence over the years. A common trait is that they do not take responsibility for their actions and they do not see their actions as damaging to their children. They are either over-controlling in the home or the home is chaotic. They do things like disturb the sleep of their partner to wear them out. Victims describe domestic violence like a 'white noise' in the background all the time, putting the woman and the children on edge, waiting for the next 'incident', interfering with sleep and for children and young people, interfering with their development and learning. And children are affected even as babies. The good news is that they recover once the 'white

noise' is removed. But the partner's control and abuse can continue through access to the children. Leaving one's abuser is not straightforward, especially when you are a mother. "

WCWAV are delighted with the turnout at the seminar and both the feedback from those who attended and from Professor Holt who was very appreciative of the level of interest and engagement shown in her work. WCWAV intends to invite Professor Holt back to West Cork for a follow up seminar later this year.

Anyone wishing to have a copy of the seminar presentation and readings related to the issues and themes addressed should contact Lisa Culloty by email: lisaculloty@westcorkwomensproject.ie

"Congratulations on a great event yesterday. Stephanie was an excellent speaker. I do hope you get her to return again. Really makes you think."

Garda Brigid Hartnett

We will open the book.
Its pages are blank.
We are going to put
words on them
ourselves. The book is
called opportunity and
it's first chapter is
New year's Day.

EDITH PIERCE

REFERENDUM ON REPEAL OF THE 8th AMENDMENT

Over the next few months there will be an extensive public debate about the Referendum to repeal the 8th Amendment of the Constitution which "recognizes the equal right to life of the mother and her unborn child". This amendment created a constitutional recognition of an unborn child's life and so makes it impossible for any government to introduce legislation allowing for terminations in the womb except in exceptional circumstances. The circumstances are so restrictive that there have been a significant number of cases over the years where women's lives and health have been at great risk and there have been no

choices open to them within Ireland.

This debate has and will air many sides and perspectives by those both opposed and in favour of Repeal. It is important to have real facts and real evidence available in order to understand and decide how to vote on the referendum when the time comes.

You can view the submissions & debates presented to the Oireachtas Committee on the 8th Amendment which led them to recommend the Repeal of the 8th Amendment at this link:

<https://beta.oireachtas.ie/en/committees/32/eighth-amendment-constitution/>



cork

West Cork Women Against Violence
Freephone 1800 203 136

Cuanlee Refuge, Cork
021 427 7698

Free Legal Aid Clinic
Locall 1890 350 259
Information and referral

IRD Duhallow Domestic Violence Support
Helpline 087 7733 337
from Monday to Saturday 10am - 10 pm or
office at 029 60633

Legal Aid Board, Cork
021 455 1686 / 021 427 5998

Mná Feasa (Domestic Violence Project)
021 421 1757

OSS, Cork Freephone 1800 497 497
(Domestic Violence Resource Centre for men
and women)

S.A.T.U. 021 492 6100

Sexual Violence Centre
Freephone 1800 496 496

Domestic Violence Social Work
021 492 1728

Y.A.N.A. North Cork
022 53915

kerry

**Kerry's Women's refuge and Support
Services (Adapt)** 066 712 9100

Kerry Rape & Sexual Abuse Centre
Freephone 1800 633 333

Legal Aid Board 066 712 6900

Tralee Women's Resource Centre
066 712 0622

national

Women's Aid Freephone 1800 341 900

Designed by Jenny Dempsey 085 7580569

West Cork Citizens' Information Service

West Cork Citizens' Information Service can provide you with information, advocacy and advice on all your rights and entitlements. The service is free, confidential and independent. Open daily, please call for times.

Bantry The Square, 076 107 8390
Daily from 10am - 5pm
(Fridays until 4pm, closed 1pm-2pm Mon,
Tues & Thurs)

Macroom South Square Macroom,

0761 078 430
Mon, Tues, Weds, Thursday (Closed Friday)

Bandon, c/o St Michael Centre,
South Main Street, Bandon
Every Thursday from
10am - 1pm & 2pm- 4pm

Dunmanway, Ross House, The Square,
Dunmanway Every Monday 10am-1pm

Clonakilty, c/o Employability Service,

16 Rossa Street, Clonakilty
Every Wednesday from
10am - 1pm & 2pm- 4pm

Free Legal Aid Clinic Monthly
on 1st Tuesday 6pm - 7pm

For an appointment please contact West
Cork Citizens' Information Service by either
dropping in or phoning 076 107 8390.

HELPLINE

FREEPHONE:
1800 203 136

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Thank you to everyone who donated or helped raise funds for West Cork Women Against Violence throughout 2017, your generosity is deeply appreciated.

If you'd like to find out about making a donation, you can visit our website www.westcorkwomensproject.ie or call or visit our office in Bantry on 02753847

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TÚSLA
An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

WHISPER (69) 8