

ARE CHANGES IN THE LAW HELPING VICTIMS OF DOMESTIC VIOLENCE?

Statistics show that 150 deaths occur each year in the UK as a result of domestic violence. They also show that one in four women and one in six men experience domestic violence in their lives.

Whereas historically the police have been reluctant to intervene, they are now being given more power in a number of ways.

There has been a recent change in the law making common assault an arrestable offence. This means that the police can arrest and deal with a person who has committed an assault even where the injuries sustained by the victim are not considered severe.

Another recent change in the law has been to enable the Court to make a restraining order when convicting an offender, so that he or she is prevented from contacting the victim again.

This year, a new law called the Domestic Violence, Crime and Victims Act 2004 was passed although not all the provisions are in force yet. When this new law is brought into force, it will make a number of changes to existing law on domestic violence.

Under existing law relating to domestic violence, a victim can apply to the Family Court for an injunction against the offender. An injunction is a Court Order designed to prevent further violence. The new law, if brought into force, will widen the people who can apply for an injunction to include unmarried victims who do not necessarily live with their partners. They will be able to apply to the Family Court for an injunction in the same way as a married person.

Secondly, the new law will make the breach of an injunction order a criminal offence. This would allow the police to arrest the offender, whereas currently the victim is required to apply back to the Court for the offender to be committed to prison.

It is hoped that these changes in the law will assist victims of domestic violence and make it easier for them to get the help that they need.