

**RIGHTS OF WOMEN**

**ACCESS TO JUSTICE:  
A REPORT ON WOMEN'S ACCESS TO  
FREE LEGAL ADVICE IN HACKNEY,  
HARINGEY, LAMBETH AND TOWER  
HAMLETS**

**DECEMBER 2002**

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A REPORT ON WOMEN'S ACCESS TO FREE LEGAL ADVICE IN  
HACKNEY, HARINGEY, LAMBETH AND TOWER HAMLETS**

**A report by Rights of Women**

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## Section A

### 1. Summary of Findings

In undertaking this project, our aims were to examine organisations providing free advice to disadvantaged women in four London boroughs to establish the extent of their knowledge of and referrals to Rights of Women, and also to seek opinions on the accessibility of free legal advice provision for women in general in Hackney, Haringey, Lambeth and Tower Hamlets. Our findings were based on 133 responses to 366 questionnaires posted to organisations providing advice or possible referrals to disadvantaged women.

Our findings may be summarised as follows:

- Of the organisations that responded, 11% were women's organisations, 11% were Citizens Advice Bureaux or Law Centres, 20% were community organisations, 17% were local government or academic organisations, 27% were other voluntary sector organisations and the type of organisation was not specified in 14% of cases.
- The main areas of work of the organisations that responded were: minority ethnic communities 21%, mental health 5%, older people 2%, refugees and asylum seekers 5%, young people 5%, disability 6%, physical health 3%, drugs and alcohol 4%, and other or not specified 49%.
- 26.3% of respondents were aware of the Rights of Women free legal advice telephone helpline for women. Of these, 40% had referred women to us in the past.
- 97% of respondents would refer women to us in the future, with many organisations stressing the importance of 'women to women' legal advice, the particular difficulties for women from minority ethnic communities in accessing help, the lack of awareness of such services among clients, and a need for us to make interpreters available.
- Of the respondents, 99 said that we should offer advice in more languages, with the same number suggesting we make our helpline into a freephone number. A further 30 said we should have longer opening hours. The most popular languages suggested were Bengali, Somali and Turkish. Other suggestions included more outreach and training work.
- To best meet women's special needs, 83 respondents felt that Rights of Women should offer face to face advice, and 81 suggested more training for women. Training for children was endorsed by 37 respondents, and email advice provision by 34. Other suggestions included advice at home or by post, undertaking casework, and providing interpreters.
- 88% of respondents requested more information on Rights of Women, with particular interest shown in domestic violence, sexual violence, divorce and relationship breakdown.
- Three quarters (75%) of those responding believed that free legal advice was not accessible to women in their borough. Of the 113 respondents who believed either that advice was not accessible, or said they did not know, many offered reasons why they believed this to be the case. 74 replied that there was insufficient advice provision for women for whom English was not their first language; 67 felt that

women did not seek help when appropriate; 54 believed that there was insufficient recognition of women's special needs, 53 cited problems for women in accessing drop in centres; 54 said helplines were too expensive; and 52 said there was insufficient Legal Aid available. Other reasons given included the overloading of existing services, and a lack of awareness among women of the existence of services.

- Of the 113 respondents who believed free legal advice was not accessible, or who did not know, 80 suggested that there should be a greater availability of advice in other languages; 74 said there should be more community based advice; 65 wanted more freephone helplines; 54 suggested more legal education for women; 55 wanted higher quality advice; and 50 sought more Legal Aid. Other suggestions included more information for dissemination to clients.
- 74% of all respondents believed that there should be further research into women's access to justice, with 62 respondents favouring a borough-wide study, 42 a national study, and 37 a regional study.

## Section B

### 2. Introduction

Rights of Women is a well established and expanding not-for-profit organisation committed to informing, educating and empowering women on the law and their legal rights. The organisation runs a free telephone legal advice service for women, and produces publications on women's rights. Rights of Women's areas of expertise include family law, relationship breakdown and domestic violence, and it frequently runs conferences and training for women on these issues. The organisation is funded by grants from the Association of London Government and the Community Fund. This project was undertaken by Bethan Rigby, the Policy and Information Officer of Rights of Women.

### 3. Outline of the project – Aims and Outcomes

#### AIMS

To examine organisations providing free advice to disadvantaged women in four London boroughs to establish the extent of their knowledge of and referrals to Rights of Women, and also to seek opinions on the accessibility of free legal advice provision for women in general in four London boroughs.

#### OUTCOMES

- ÿ To discover why referrals from disadvantaged women in these areas make up a disproportionately small percentage of calls received on the advice line.
- ÿ To discover what, if any, free legal advice is provided for disadvantaged women in the specified areas.
- ÿ To discover if providers of free advice in these areas are aware of the Rights of Women free legal advice line for clients.
- ÿ To discover if such providers make referrals for disadvantaged women to Rights of Women currently.
- ÿ To discover if such providers would make referrals for disadvantaged women to Rights of Women in the future.
- ÿ To establish why such organisations either would or would not provide referrals to Rights of Women for disadvantaged women.
- ÿ To extend awareness among providers of free advice to women of the Rights of Women free telephone advice line.
- ÿ To establish or confirm contacts with such organisations.
- ÿ To increase the proportion of disadvantaged women successfully accessing the Rights of Women advice line.
- ÿ To make suggestions for future strategies or projects to develop the provision offered by Rights of Women to disadvantaged women.

- To contribute to the national debate on access to justice for women, with a particular emphasis on the accessibility of free legal advice.

#### 4. Literature review and theoretical framework

The literature illustrates that women's access to justice is a global issue and one that urgently needs addressing in the United Kingdom. Rights of Women hope that our research findings will contribute to this debate and highlight the way in which our legal system is failing those in most need of protection. Currently, as the literature and our research illustrates, disadvantaged women face additional hurdles in accessing legal help. For women facing domestic violence these obstacles can be fatal.

##### *Domestic Violence – Causes and Solutions*

It is estimated that one in four women experience domestic violence<sup>1</sup>. Women suffering domestic violence frequently seek help, and it is imperative that outreach as well as State services are available to assist them effectively at the earliest possible opportunity. Women are often very active in their attempts to seek help from different sources, despite the potentially dangerous consequences of doing so<sup>2</sup>.

Women have often had discouraging or damaging responses from State agencies including the police and the criminal justice system is illustrated by several key pieces of research. Edwards in 1989 found that only 54% of women in her study called the police<sup>3</sup>.

Women's Aid found that 80% of the women interviewed had contacted the police, while 30% of these women experienced the Police intervention as unhelpful. Women interviewees said that outreach services needed to be well publicised and accessible, ensuring confidentiality, and responsive to women's specialist needs, particularly where women were from rural or minority ethnic communities, or were lesbian, bisexual or disabled<sup>4</sup>.

Women's Aid also sought survivor's views through the Womenspeak project in 2000, where women were involved in a month-long online discussion with Members of Parliament who wanted to receive evidence about the impact of domestic violence on women's lives<sup>5</sup>. The evidence given by women showed that they wanted:

- more support outside the refuge for women experiencing domestic violence and women rebuilding their lives after domestic violence
- outreach services and other resources to be provided and resourced to facilitate informal support networks
- equal support for women from minority groups who face further barriers to accessing help
- publicity and information about domestic violence services to be made widely available to prevent isolation
- all agencies to recognise that domestic violence is a crime and all 'victims' of the crime deserve the same amount of help and resources

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<sup>1</sup> Greater London Domestic Violence Forum, 2001.

<sup>2</sup> Dobash and Dobash, 1994.

<sup>3</sup> Edwards, 1989, p. 173.

<sup>4</sup> Women's Aid, 2000. *Routes to Safety: Protection Issues facing Abused Women and Children and the Role of Outreach Services*.

<sup>5</sup> [www.womensaid.org.uk/policy/briefings/womenspeak.htm](http://www.womensaid.org.uk/policy/briefings/womenspeak.htm)

### *Government Responses to Women's Access to Justice*

In his comprehensive review of access to justice in England and Wales, Lord Woolf did not specifically highlight the needs of women. He did however raise the ongoing crisis in legal aid funding, the lack of which affects women's access to justice on the basis of their social and economic status<sup>6</sup>.

Some positive moves have been made to actively improve women's access to justice by the government. The Home Office Crime Reduction Programme as part of its Violence Against Women initiative produced a briefing called *Reducing Domestic Violence... What Works?*<sup>7</sup> The Home Office Research recommends outreach and advocacy programmes, including telephone helplines like ours, as being as essential as refuge services in tackling domestic violence.

### *International Responses to Women's Access to Justice*

Lack of protection from State agencies, and lack of assistance from other sources, is a global trend putting women's lives in danger<sup>8</sup>.

A woman's right to be protected from domestic violence has been recognised in international legislation and agreements. The Universal Declaration of Human Rights of 1948 and regional instruments including the European Convention of Human Rights (ECHR) provide for protections which are relevant to women suffering domestic violence. Under the ECHR, the State is obliged to provide protection from domestic violence under Article 3 (the prohibition on inhuman and degrading treatment) and Article 8 (the protection of physical integrity and family life)<sup>9</sup>. The Human Rights Act 1998, which incorporated the Convention into domestic law, makes the same provisions.

New Zealand's Law Commission has conducted a thorough review of women's access to legal services and justice, and has compiled an excellent report with recommendations on this issue. The report is based on empirical research with service users and quotes the voices of the women concerned directly.

The report highlights the particular needs for the justice system to be less distant from women's lives; to provide information and advice in everyday language and in accessible formats, confidentially; to understand that Citizens' Advice Bureaux are not accessible to all women; to work to meet special needs<sup>10</sup>.

In a similar comprehensive review of women's access to justice undertaken by the Australian Law Reform Commission in 1994, the 'majority of women who made submissions believed that the system had failed them'<sup>11</sup>. The Report recommended that a National Women's Justice Program be established as an urgent response to this situation.

In a parallel situation to the UK, the Australian report found that cuts in legal aid services disproportionately affected women, as gender-neutral guidelines disguised gender bias in fund allocation in practice (para 4.9). This was found to constitute systemic discrimination against women.

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<sup>6</sup> Woolf, 1996. *Access to Justice: Final Report*, p. 11.

<sup>7</sup> [www.homeoffice.gov.uk/violenceagainstwomen/crp.htm](http://www.homeoffice.gov.uk/violenceagainstwomen/crp.htm)

<sup>8</sup> Askin and Koenig, 1998. Volume I, pp. 221-225

<sup>9</sup> Starmer, 1999. pp. 538-9

<sup>10</sup> Law Commission, 1999. para. 22.

<sup>11</sup> Australian Law Reform Commission, 1994. Part 1, paras 4.1-4.2

## 5. Methodology

**The first phase** of the project involved desk-based research to establish which organisations provide free advice to women in the given areas. This was established using the internet, directories produced by the National Council of Voluntary Organisations and other groups, UK Advice Finder software and telephone directories. We read extant academic research for other evaluations of this subject, and reviewed the major academic works in field of disadvantaged women's access to justice in deprived areas of the UK, which appears as the literature review, above. This reading has informed our choice of an appropriate theoretical framework and methodology for the project. This reading also affected our choice of empirical and analytical methodology, including selection of an appropriate research method.

**The second phase** of the project involved the design and distribution of an appropriate empirical research tool, a short questionnaire. The questions posed were informed by our reading during phase one, as well as by the aims of the project. The questionnaire took a maximum of ten minutes to complete, and was in multiple choice format with space for contributors to add comments if they wished. The questionnaire was short and relatively simple, as the organisations targeted were likely to be very busy and have limited resources. For this reason, responses were returned via our Freepost address.

**The third phase** involved collating and analysing the data from the returned questionnaires. A database was designed including reports and queries capable of extracting the relevant data subsets.

**The fourth phase** was the writing up of the research findings. We hoped to gain insight into the attitudes of organisations who could potentially refer women to us.

### SAMPLE CONTENT AND SIZE

We sought responses from organisations providing free advice to women among others, rather than restricting the sample to those providing free legal advice. This was intended to give us the broad cross-section of advice contacts used by women that we need in order to make this a fairly comprehensive investigation.

Drawing on the categories we currently use in tracking referrals to the advice line, we sought responses from:

- law centres and CABs;
- community organisations where women might seek advice;
- women's organisations where women might seek advice;
- refuges;
- groups representing disabled people;
- other non-governmental organisations providing advice or counselling;
- rape crisis centres;
- police stations;
- domestic violence units;
- local lesbian and gay or single parenting support groups;
- counselling centres.

This resulted in a total sample of 366 organisations from whom we sought responses. There were a total of 133 responses by the closing date, which included 21 anonymous responses. We chose to investigate advice provision in Hackney, Haringey, Lambeth and Tower Hamlets because these were boroughs which were



proportionally underrepresented in our advice line call monitoring statistics from 2001-2002. This was a cause of concern as these boroughs include some of London's areas of most serious deprivation, and are home to large numbers of disadvantaged women. As our service is particularly aimed at disadvantaged women, we wanted to investigate why we were not receiving the numbers of calls we might expect, and also to discover what other provision there was to meet these needs in the boroughs in question.

## **6. Ethical issues and Problems**

A potential ethical issue arose with the proposal to disseminate publicity material for the advice line with the research questionnaire to the targeted organisations. However, as the publicity was designed to inform organisations and individuals of the purpose and opening times of the advice line, rather than for fundraising purposes, it was appropriate to include it in the mailing as it clarified for the recipient the exact nature of the service we wanted them to comment on. However, the covering letter sent with the questionnaire explained the research rather than being a sales pitch for the advice line. It was important that the two messages were not mixed.

Nevertheless, for Rights of Women this project has the additional benefit of increasing awareness among the target organisations of our advice giving role, and hopefully this will filter through to the disadvantaged women who should be the ultimate beneficiaries of this research. This should be reinforced by the launch of our website in January 2003 ([www.rightsofwomen.org.uk](http://www.rightsofwomen.org.uk)).

The research had a response rate of 36.1%, including questionnaires returned anonymously. We conducted a follow up mailing seeking responses to our questionnaires to maximise the number returned, a strategy which proved highly effective. Siobhan Riordan in her research into women's organisations in London found that during the University of East London's empirical research, an unexpectedly high proportion of questionnaires were returned to her as 'return to sender' mail, the organisations in question having closed down or moved<sup>12</sup>. This was particularly the case with organisations dealing with women from minority ethnic communities. A low response rate or a high incidence of undeliverable mail can therefore be an interesting research finding in itself.

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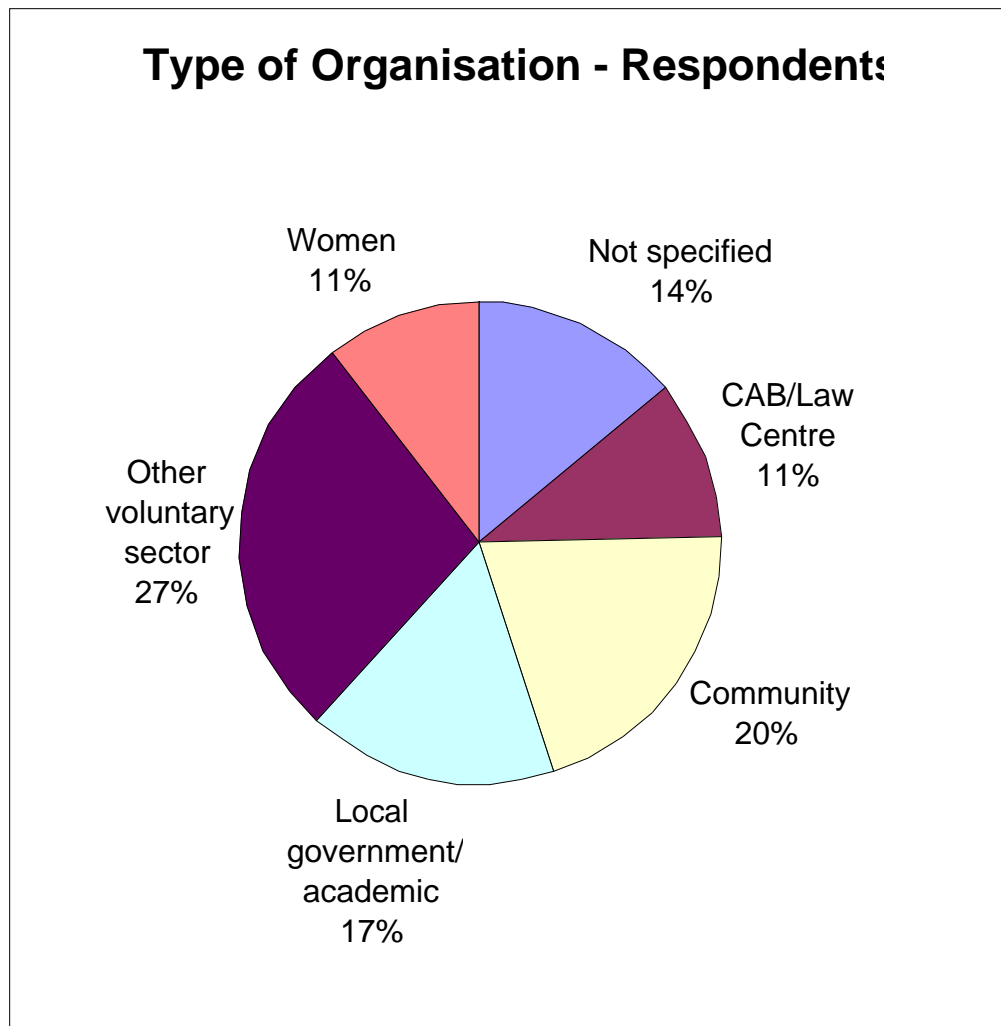
<sup>12</sup> Paper given at Women's Resource Centre conference, May 2002, *Women's Organisations in UK civil society*

## Section C

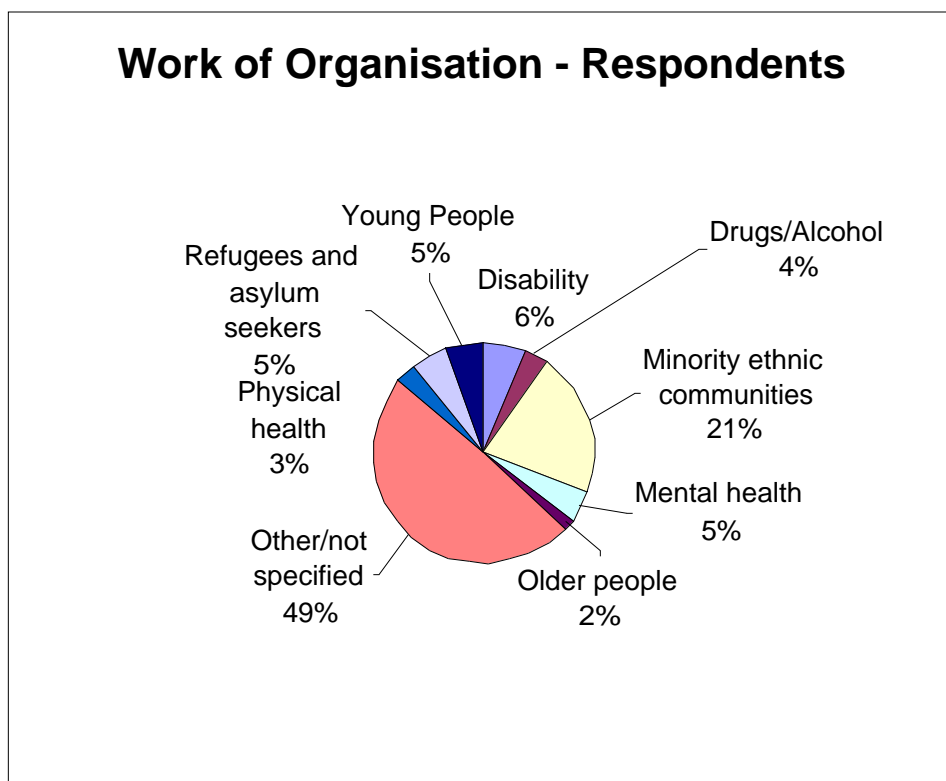
### 7. Analysis of responses from organisations providing free advice to women in the four boroughs

We initially wrote to 366 organisations. Of these, 133 responded. The response rate is therefore 36.1%. We also received a further 6 responses after the closing date which we were unable to include in our analysis due to time constraints.

#### *Background information on organisations which responded*



## Work of Organisation - Respondents



### ***Awareness of and feedback on Rights of Women's advice provision***

Of 133 respondents, 26.3% were aware of the Rights of Women advice line. Of those who were aware of the line, 14 had referred women to us, a total of 40%. Those who had heard of us but had not referred women to us cited a number of reasons for this, the most frequent being either that they referred clients elsewhere, that clients had special needs we were unable to meet, and that the advice line was often busy. One respondent said that Rights of Women was felt to be 'exclusive'.

Only three of the 14 organisations who had referred women to us had received feedback from their clients, and two of these had mentioned the difficulty of getting through on the helpline.

An overwhelming 97% of the respondents said they would refer women to us in the future (129 of 133). Many commented on their willingness to do so, with key themes recurrent in answers. Many organisations mentioned the need for 'women to women' legal advice, the difficulty of women from minority ethnic communities accessing advice, the lack of awareness of such services among clients, and a need for us to make interpreters available before their clients would be able to effectively access the service.

Specific comments on why the organisation would refer to us in the future included:

'..lots of women find it easier to speak to a man than a woman, and your service is free'

'...the problem is [the clients] speak little English and are often unable to find anyone to interpret for them'

'there is great need for these services for women especially from Black and ethnic minorities'

'we would only refer if we could ever get through and the times we can call are increased'

'[there is an] increase in domestic violence in women disclosing HIV to partners'

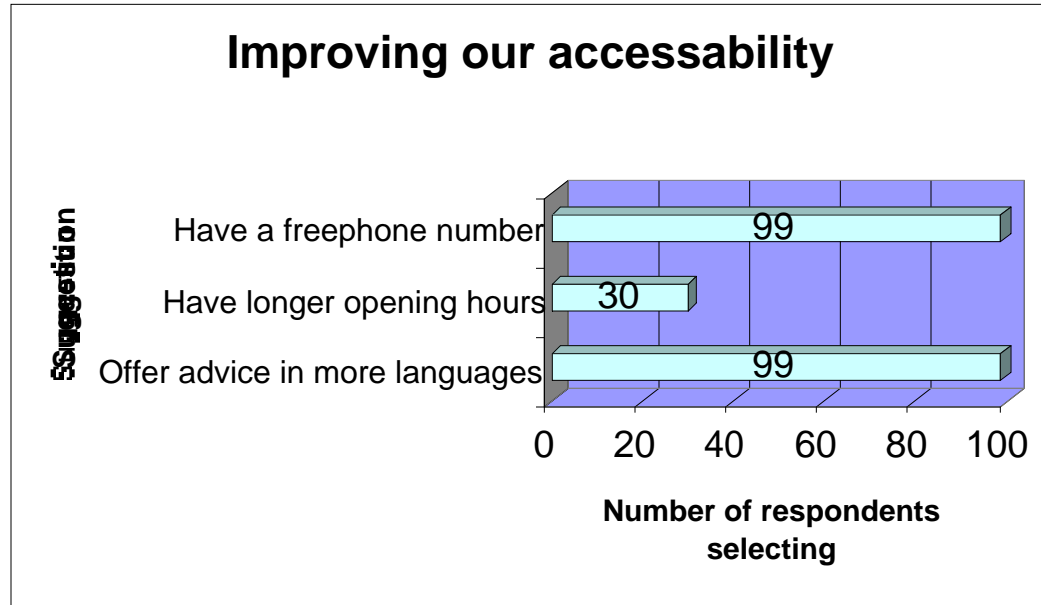
'[there is a] complete lack of free legal advice in this area, particularly by women...most clients are disadvantaged and do not know how to access support'

'ethnic minority women are not aware of such groups'

'I am aware that you have a good reputation'

**Improving Rights of Women's accessibility**

We asked how Rights of Women could improve its accessibility to disadvantaged women. Of the respondents, most chose more than one option.

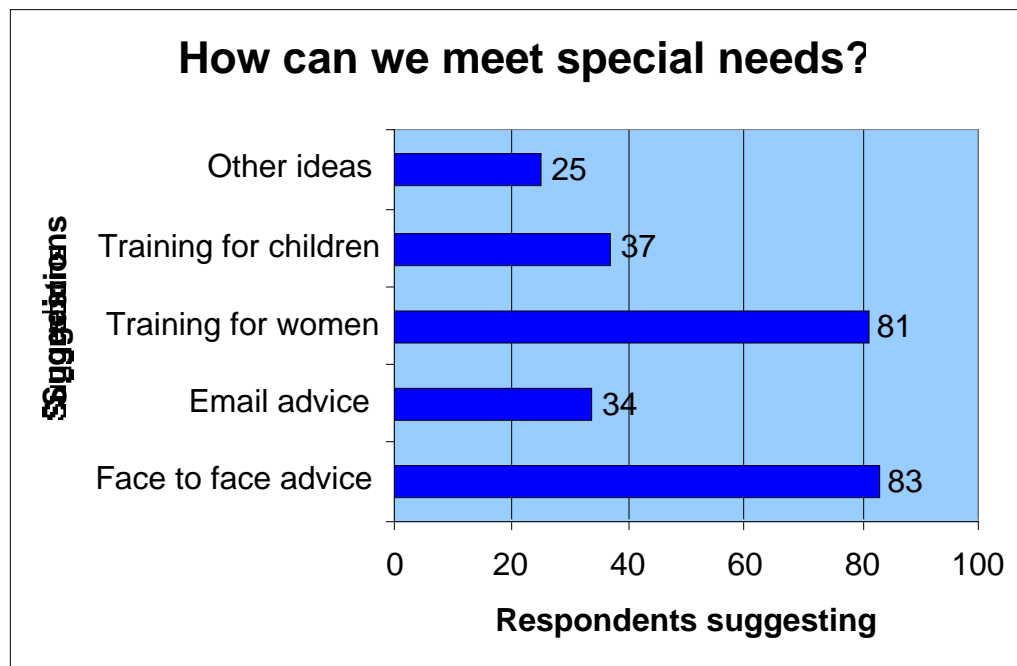


100 respondents gave further detail on which languages we should cover, or what opening hours we should have. The three most popular languages other than English were Bengali, Somali and Turkish. Where respondents suggested opening times, most favoured full office hours opening with some evenings.

Among the other suggestions for improving our accessibility were to increase our publicity, to make information available in Braille, large print and audio formats, to offer face to face advice using British Sign Language (BSL), and to increase our outreach work. A number of the responses included invitations to address clients at the organisation.

### **Rights of Women meeting special needs**

We asked how Rights of Women could best address women's special needs.



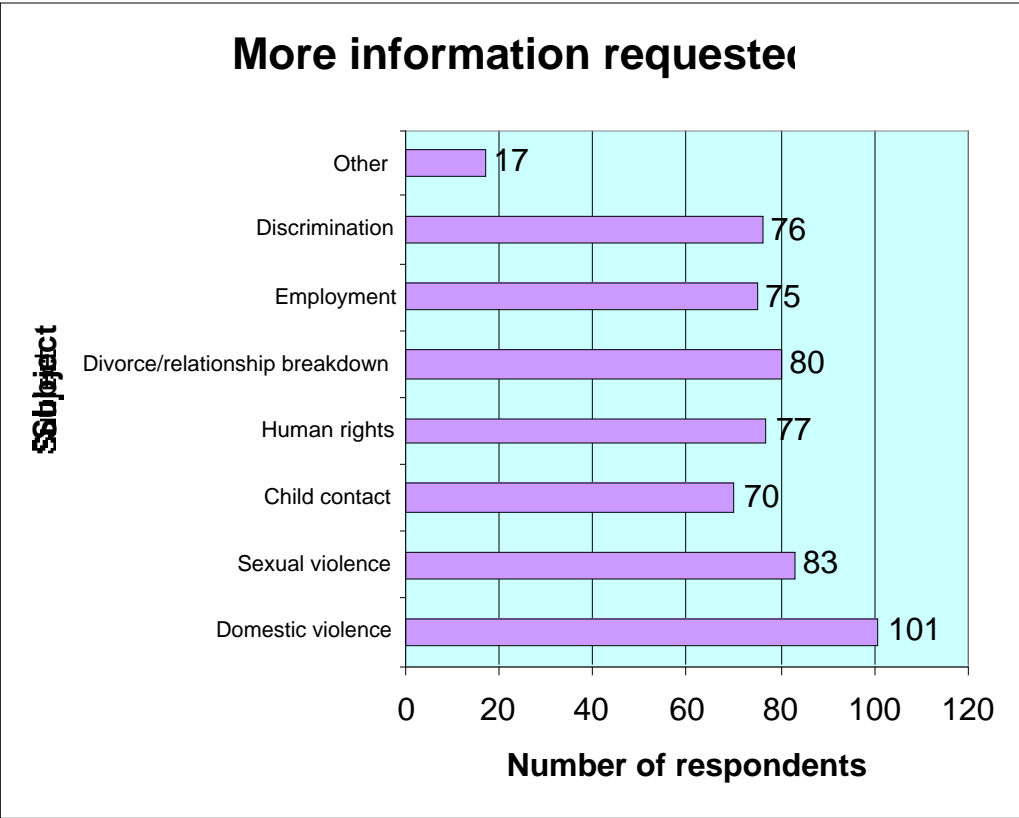
As before, several respondents chose multiple options. Other suggestions made included:

- Providing advice in the home
- Providing advice by post
- Undertaking advocacy/casework
- Undertaking outreach work
- Providing a specific service for lesbians
- Providing training for men and women
- Employing interpreters

The most popular suggestion for improving accessibility, offering face to face advice, is currently beyond our remit. However, it is clear that an increase in such provision from other sources would assist. We currently provide training for women on domestic violence, family law, flexible working, human rights and other matters. We hope to expand this training in 2003 and to increase the proportion of women requiring help to women advisors who currently attend. We are also currently investigating the feasibility of preparing an education pack for use in schools on women's rights. The email advice option is significantly less popular with organisations, possibly as disadvantaged women are less likely to have access to the internet than others.

### **More information requested on Rights of Women**

A large majority of respondents wanted more information about Rights of Women – 88% (117 of 133). Here we have broken down by subject area their specific interests:



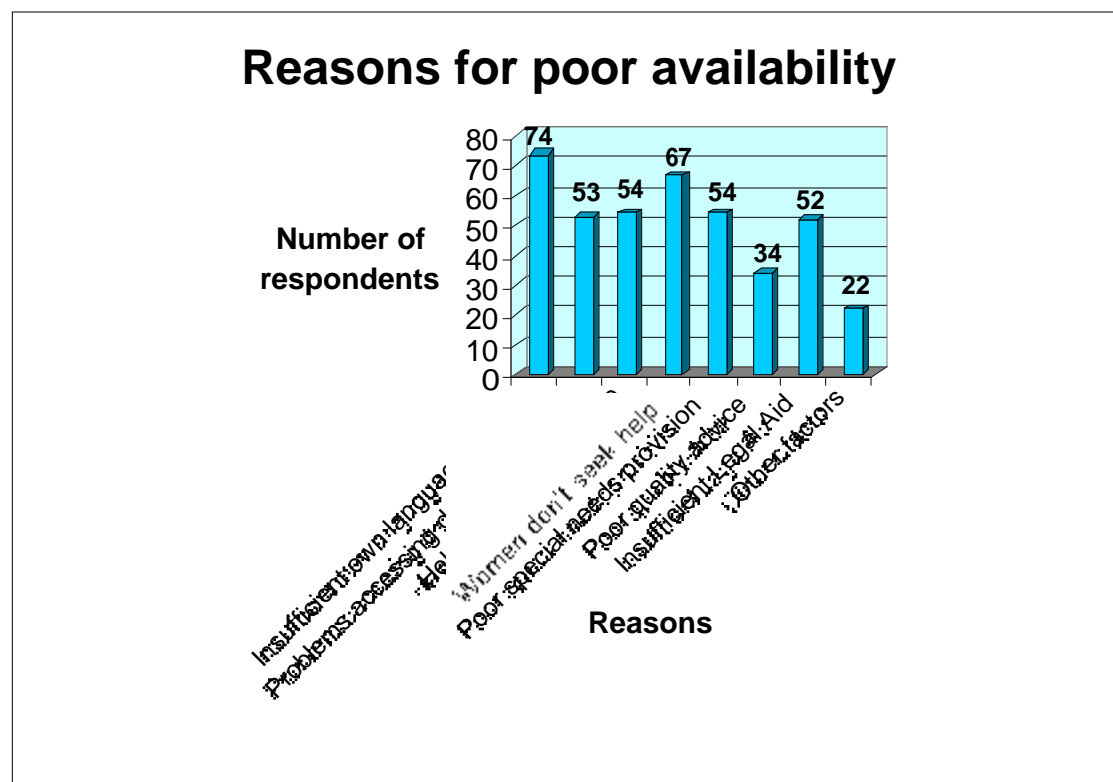
Other subjects on which respondents requested information included children, housing, immigration and training for women for whom English is not their first language.

**Availability of free legal advice to women**

We asked if organisations believed that free legal advice was accessible to women in their borough. Three quarters of those asked did not.



We then asked those who answered 'no' or 'don't know' to this question why they believed that free legal advice was not accessible. Most of these 113 respondents checked more than one option in the following list:



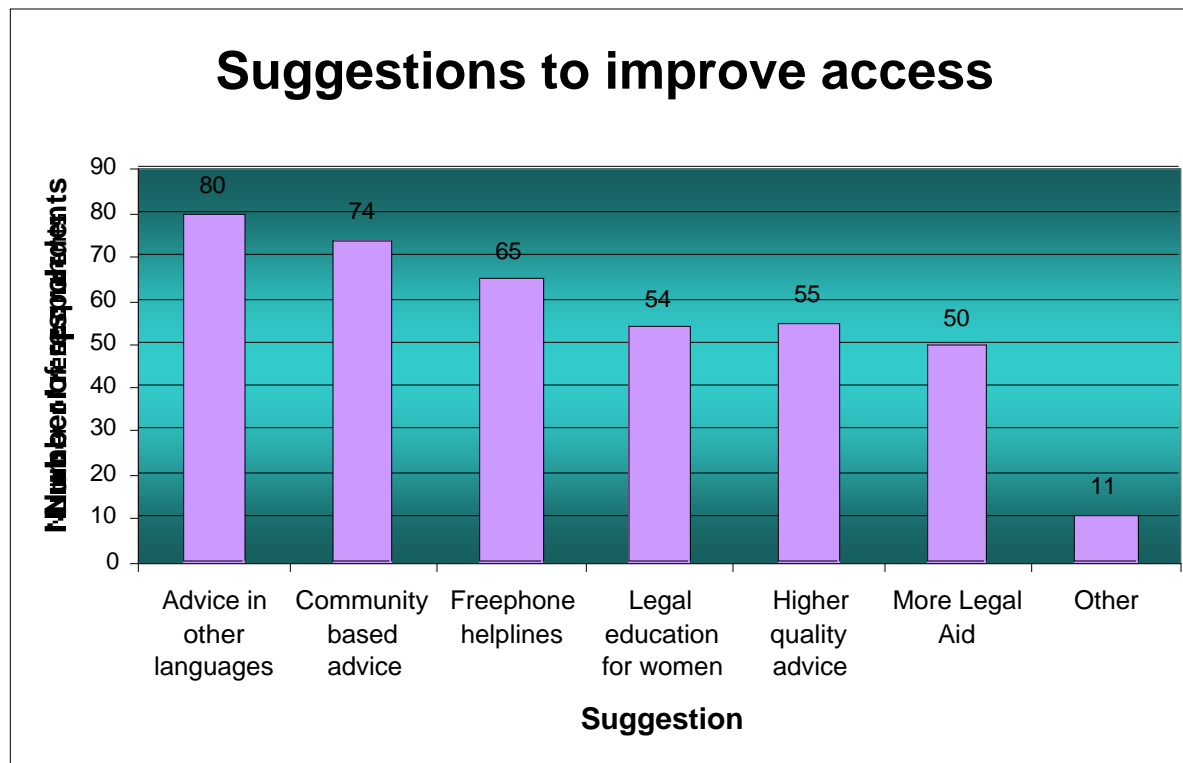
Language was again cited as a major obstacle to women accessing legal advice. This was followed by organisations saying that women did not seek help when it was needed, either because of lack of awareness of the services available or other impediments to access. Failure to provide for women's special needs or to recognise difficulties in accessing drop in centres were felt to be major problems. Financial vulnerability play a key role in preventing women accessing advice, with helplines deemed too expensive and Legal Aid inaccessible to many.

Of the other reasons offered for the poor availability of free legal advice for women, the following were the most prominent:

- Advice was not accessible to those in work or with childcare needs
- Women don't know that such services exist
- Other problems with Legal Aid
- Extant services are overloaded or insufficiently specialised
- Helplines are hard to get through to

#### ***Helping women access free legal advice***

The 113 respondents who either did not believe that women were able to access free legal advice in their area, or who did not know, made the following suggestions:



Concern with language difficulties is again top here, partly reflecting the high percentage of community organisations which responded to our survey. The need for more accessible support in a variety of forms is evident from these statistics. Rights of Women hope to help address these issues by converting our existing legal advice helpline to a freephone or low cost system, and continuing our training for women. There is however clearly a need for such accessibility measures to be undertaken on a much wider scale.

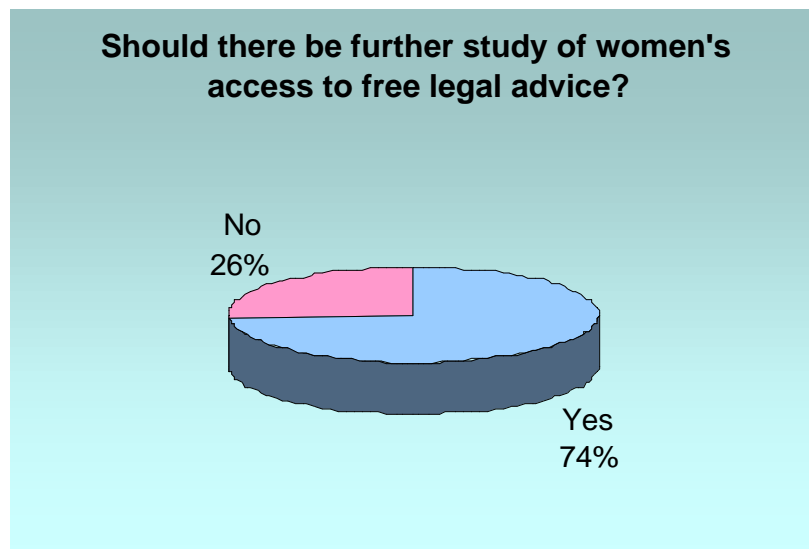
Other suggestions offered included:

- More home advice
- More drop in centres
- Longer hours for existing services
- More resources for existing services
- More outreach work
- More information for direct dissemination to clients

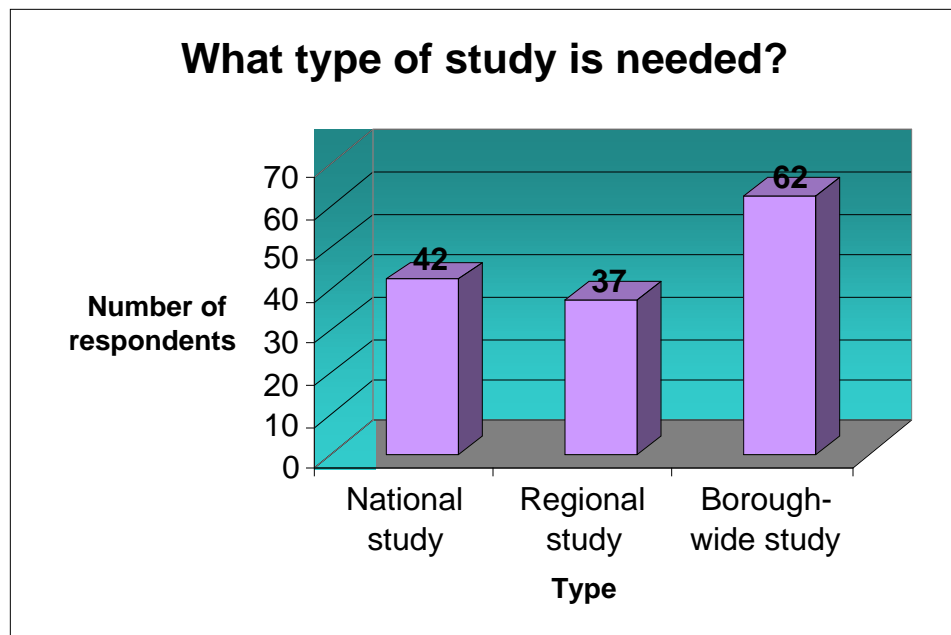
#### ***Further study of women's access to justice***

When asked whether there should be further research into the accessibility of free legal advice for women, nearly three quarters of all respondents believed that there should be:





Of the 98 respondents who favoured further study, several believed that there should be more than one type of study:



That such a high proportion of those providing frontline services to women believe that there should be further research into women's access to justice gives credence to Rights of Women's call for more investigation into this issue. To make access to justice for women meaningful, major research should be undertaken to establish what women need. Such research would need to lead to recommendations acted on with commitment and investment from the government.

Other suggestions were also made:

- The need is clear, act on it instead of undertaking further study
- Need to show regional variations in resources
- Central government should fund
- Need for specific research on the problems of women refugees/asylum seekers

## Section D

### 8. Recommendations and conclusions

As a result of our findings, we believe that there are severe difficulties for disadvantaged women in accessing free legal advice. We think in particular that there should be substantial further national research on women's access to justice. The recommendations resulting from such research should be acted upon by the Government to ensure that women are fully able to benefit from the protection of the law.

- There are particular problems for disadvantaged women for whom English is not their first language in accessing free legal advice. There is a need for more advice provision in community languages. Rights of Women is examining options for addressing this.
- We also believe that there is a need to make sure that advice and information is accessible to disabled women, and should be available where appropriate in Braille, large print, in audio format or using British Sign Language. Advice giving organisations should be encouraged and supported in providing such services wherever possible.
- Women's access needs must be catered for in advice provision. This includes making sure that a woman's childcare needs and work schedule should be catered for. This may call for more creative and imaginative solutions, such as more home visits by legal advisors, more community based advice giving, or more training sessions for women and their advisors.
- The disproportionate financial vulnerability of women is reflected in the problems these frontline organisations cited in connection with Legal Aid and the sometimes prohibitive expense of calling helplines. Addressing this would entail providing adequate funding from local and central government for helpline services and within the Legal Aid budget. The Legal Aid Board should re-evaluate distribution of resources to ensure that women get the help they need.
- There is a lack of awareness among women of the services available, both voluntary and State-funded. There should be increased information dissemination to women both by us and other agencies. In the broader context, this could be linked to existing large scale campaigns, such as the Metropolitan Police publicity campaign against domestic violence launched in November 2002.
- As highlighted both by this research and the existing literature, there is a need for increased community based advice services to ensure accessibility for women. Outreach and community advice and training would require substantial funding but would prove highly effective in facilitating women's access to justice.
- There is a need for major further research on women's access to justice, to incorporate women's own opinions on what they need from the legal system.

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