



House of Commons
Home Affairs Committee

**Domestic abuse:
Government Response
to the Committee's
Ninth Report of Session
2017–19**

**Thirteenth Special Report of Session
2017–19**

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Home Affairs Committee

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Contacts

All correspondence should be addressed to the Clerk of the Home Affairs Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 6856; the Committee's email address is homeaffcom@parliament.uk.

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Thirteenth Special Report

On 22 October 2018 the Home Affairs Committee published its Ninth Report of Session 2017–19, [Domestic Abuse](#), (HC 1015). The Government's response was received on 30 April 2019 and is appended to this report.

In the Government's Response the Committee's recommendations are shown in **bold** type; the Government's response is shown in plain type.

Government response

Introduction

Domestic abuse affects almost two million victims every year. All forms of violence and abuse are unacceptable but it is particularly shocking when it is carried out by those who are supposedly closest to the victims. The government understands that growing up in a household with domestic abuse can have a detrimental impact on children, which lasts into adulthood.

We know that domestic abuse affects all parts of society, both men and women can be victims of domestic abuse and that disproportionately the number of victims are women, especially in the most severe cases. This situation cannot be permitted to continue, the government and other relevant agencies must address this abhorrent social ill.

Government believes that to effectively collaborate and stop this social ill, a focused comprehensive programme of departmental activity focusing solely on domestic abuse will help us to achieve our priorities. However, we recognise that domestic abuse is closely and inextricably linked with other forms of violence against women and girls and that is why we have framed our approach in the context of the refreshed Violence Against Women and Girls Strategy, recently published.

In both this report and its reports on sexual harassment in public places and in the workplace, the Home Affairs and Women and Equalities Committees identified the need to address the lack of data and research we have on these issues. Therefore, a focus will be on developing the evidence base to inform our plans.

Government is working on a package of measures including the recently published draft Domestic Abuse Bill,¹ Violence Against Women and Girls Strategy² and response to the Women and Equalities Select Committee reports into sexual harassment in public places and the workplace.

This response is one part of a programme of work that addresses many concerns that the Committee made. Government has recently announced that economic abuse will be recognised in the new government definition of domestic abuse; launched the recruitment of a Designate Domestic Abuse Commissioner who will hold both local and national government to account; and set out detailed legislative proposals for new Domestic Abuse Protection Orders.

1 <https://www.gov.uk/government/collections/domestic-abuse-bill>

2 <https://www.gov.uk/government/publications/strategy-to-end-violence-against-women-and-girls-2016-to-2020>

We welcome the Home Affairs Select Committee inquiry into this complex issue and the recommendations it has produced. We set out below the government's response to the individual recommendations, they are arranged thematically.

Promoting Awareness

Definition and Scope

Recommendation 1

The aims of the proposed domestic abuse bill include furthering both the Government's domestic abuse strategy and its Violence Against Women and Girls (VAWG) strategy. The Government must ensure that it meets both of these objectives. The Bill should provide measures which will help all victims of domestic abuse including women and men, and victims within LGBT and wider family relationships. But it is also essential that future domestic abuse strategy and services should continue to include focus on women who, because of broader inequality issues, are more likely to be victims of abuse and to suffer disproportionately as a result of abuse. (Paragraph 1)

Recommendation 2

The Government says that it has developed its response to tackling domestic abuse within the context of its wider Violence Against Women and Girls Strategy: this needs to be on the face of the draft bill. We recommend that the Government publishes a Violence Against Women and Girls and Domestic Abuse Bill. We believe that this will facilitate a more effective, joined-up and cross-government strategy to tackle both domestic abuse and VAWG and will better demonstrate the UK's commitment to comply with international VAWG conventions. (Paragraph 22)

Recommendation 3

We recommend that the bill explicitly recognises the gender inequality underlying domestic abuse, and the need to reflect this inequality in education programmes, funding, service provision, criminal justice and other statutory responses to domestic abuse. The Equality and Human Rights Commission has recommended that the new statutory definition of domestic abuse should apply to both sexes, but that the disproportionate impact of domestic abuse on women and girls is explicitly highlighted in the text of the bill and the statutory guidance. We support this recommendation. (Paragraph 23)

Given that domestic abuse affects almost two million victims every year and the devastating consequences that it has on victims is such that it necessitates a comprehensive programme of cross-government activity. We believe that having a specific programme of work focussed solely on domestic abuse gives us the best chance of achieving our aims of raising awareness and preventing abuse. This is not to say we do not recognise the vital need to tackle other forms of violence against women and girls which is why we have simultaneously refreshed our Violence Against Women and Girls (VAWG) Strategy to ensure we are doing all we can to tackle crimes which disproportionately impact on women.

We want to ensure domestic abuse is properly understood which is why we have included a statutory definition of domestic abuse within the draft Domestic Abuse Bill. The definition is not limited to women and girls and recognises abuse can happen in all relationships. This should ensure that all victims and all types of domestic abuse are sufficiently captured, and no victim is inadvertently excluded from protection or access to services. The definition includes both single incidents and patterns of behaviour, as whilst the government recognises that domestic abuse is almost always part of an ongoing pattern of behaviour limiting the definition solely to patterns of abuse could risk preventing the police and public services from providing protection in seemingly one-off incidents.

We know that domestic abuse is disproportionately gendered and have framed our approach to recognise this. Equally, that is why our approach to tackling domestic abuse remains within the context of the VAWG strategy. The majority of domestic abuse victims are women with men far more likely to be perpetrators.

We have committed to introduce statutory guidance to underpin the new government definition for professionals who have safeguarding obligations. This statutory guidance will provide more detail on the typologies and nuances of domestic abuse. This guidance will recognise and provide further context on the gendered nature of domestic abuse and features of abusive relationships.

Awareness Raising

Recommendation 9

Relationship education in schools is an important part of the awareness programme. It is regrettable that the establishment of compulsory relationship and sex education has now been delayed until 2020. This should be a meaningful part of building awareness. However other initiatives will also be required to challenge representations of abusive behaviour in the media, on social media and in marketing messages. The Government must allocate sufficient funding for these programmes to be effective and establish a mechanism for determining priorities and evaluating the impact of different initiatives. (Paragraph 51)

We want to support all young people to be happy, healthy and safe, to be equipped for adult life and to make a positive contribution to society. That is why the Government is making Relationships Education compulsory in all primary schools, Relationships and Sex Education (RSE) compulsory in all secondary schools and Health Education compulsory (for state-funded schools) in all primary and secondary schools.

We have recently published draft statutory guidance and legislation for the subjects.³ In primary schools, the draft statutory guidance advises schools to introduce a curriculum that teaches the foundation knowledge of what constitutes healthy, respectful relationships. At secondary, teaching will build on the knowledge gained at primary, while introducing concepts about healthy intimate relationships. The proposed statutory guidance states that pupils should be taught about the concepts of, and laws relating to, sexual consent, sexual exploitation, abuse, grooming, coercion, harassment and domestic abuse and how these can affect current and future relationships.

3 <https://www.gov.uk/government/consultations/relationships-and-sex-education-and-health-education>

Additionally, to help schools implement a whole-school approach which promotes respect, discipline, and healthy relationships following commitments made in the Government response to the Women and Equalities Committee inquiry into sexual harassment and sexual violence in schools, the Department for Education (DfE) has developed 'Respectful Schools Communities'. This is a self-review and signposting tool designed to help schools deliver on a range of existing equalities, behaviour, bullying and safeguarding duties with the aim to help combat bullying, harassment and prejudice of any kind.

Many schools are already teaching pupils about these important issues and raising awareness of domestic abuse. These schools will be able to adapt to the new requirements quickly. We will actively encourage and support schools to start teaching these new subjects from September 2019. However, we are aware that some schools will require further support. We are working closely with teaching unions, subject associations and subject specialists and we also asked, in the recent consultation, what support schools would value most. We are also committed to ensuring a lead-in time of at least a year for any new accountability, curriculum or qualifications which requires schools to make significant changes. All schools will be required to teach these subjects from September 2020.

We recently published our response to the public consultation on the draft guidance and regulations relating to these subjects. We laid draft regulations for debate and approval in Spring 2019 and will set out more on our plans to support schools in due course.⁴

Statutory Agencies

Recommendation 8

We strongly support the introduction of further measures to prevent domestic abuse, to improve the identification and response to domestic abuse by organisations and to educate young people about healthy relationships. More training, central guidance and national oversight is required to ensure that public sector staff dealing with members of the public can identify signs of domestic abuse, respond appropriately and know how to help victims of domestic abuse access whatever specialist support they may need. (Paragraph 50)

We recognise how important it is that statutory agencies and professionals properly understand what domestic abuse is. Without a good understanding the response can be poor and victims' safety can be compromised.

We recently revised Keeping Children Safe in Education,⁵ statutory guidance for schools and colleges on safeguarding children and safer recruitment, which came into force on 3 September 2018. The new Keeping Children Safe in Education includes additional information on domestic abuse, its definition and its long-term impact on children. The guidance also provides links to additional resources that will help school staff identify children affected by domestic abuse and where to find further support. We are committed to keeping both the Keeping Children Safe in Education guidance and the Sexual Violence and Sexual Harassment advice under review and to update and strengthen it where required.

⁴ <https://www.gov.uk/government/consultations/relationships-and-sex-education-and-health-education>

⁵ [Keeping Children Safe in Education](#)

Government understands how important it is that statutory agencies and professionals properly understand what domestic abuse is. Departments are taking wide ranging action to improve our collective understanding of domestic abuse, including statutory guidance and targeted resources and training for responding agencies, including the police, social workers and healthcare professionals. For example, the College of Policing will design a license to practice model for high risk and high harm areas of policing, including domestic abuse. We will also drive forward wide-ranging reforms to children's social care, to ensure that social workers provide effective support to children and families affected by domestic abuse.

Victims' Services

Accommodation

Recommendation 11

We heard evidence that there is insufficient bed-space in safe accommodation for victims of domestic abuse and that the funding streams for existing services are short-term and unpredictable. It is unacceptable that women fleeing violence and other forms of abuse are often unable to access any form of emergency accommodation. (Paragraph 62)

Recommendation 12

Funding is required now to fill the large gap in capacity so starkly put to us by Women's Aid. It is shocking that, at present, this deficit represents about 94 children and 90 women at the point of crisis being turned away from refuge every day. This urgent problem should be addressed by placing a statutory obligation upon local authorities in England and Wales to provide emergency refuge places and associated specialist services. This can be done immediately through the draft bill. (Paragraph 63)

Recommendation 16

We recommend that the Government's review of refuge and other domestic abuse support services should document and report what specialist provision is currently available, and where there are gaps. This should specifically identify the services available to, and required by, BAME victims of abuse. (Paragraph 74)

Ensuring that victims of domestic abuse receive the support they need, when they need it, is a government priority. Since 2014 the government will have invested £55.5 million in accommodation-based services to support victims of domestic abuse, including refuges. This includes £22 million for 2018/19 and 2019/20 which we announced on 10 November 2018. This funding will support 63 projects across England covering 254 local areas to provide support to over 25,000 victims and their families and provide more than 2,200 additional bed spaces in accommodation-based services, including refuge.

Since 2015 government has also provided almost £900,000 to Women's Aid for two key projects, Routes to Support and No Woman Turned Away. Routes to Support (formerly UK Refuges online) is a UK-wide online database containing information about domestic

abuse and other violence against women services, including refuge. This helps domestic abuse service providers support victims in finding access to the services they need. No Woman Turned Away provides additional caseworker support to women facing difficulties in accessing refuge. We continue to fund these vital projects in 2018–19.

However, we recognise that there is more to do to place delivery of these vital services on a more sustainable footing. The Ministry of Housing, Communities and Local Government (MHCLG) is currently undertaking a review of the funding and commissioning of domestic abuse services in England, which is focusing on the costs of providing support for victims and their children within accommodation-based services, including refuges. We are working closely with domestic abuse service providers and local government as we undertake our review and are considering all options for future delivery of these services, including statutory duties.

The government acknowledges the important contribution that dedicated 'by and for' services that support BAME victims and their children make in ensuring that BAME victims receive the support they need, and that no victim is turned away.

To inform the review, MHCLG commissioned Ipsos MORI to conduct an audit of provision of domestic abuse services across England, which is helping us to understand what impact services are having and to identify any gaps. The audit has asked about provision for all groups of victims, including BAME victims of abuse. A survey of local authority commissioned domestic abuse services was launched on 18 May and closed 11 July 2018. A final report was recently submitted to the government and we are considering its findings.

We are working closely with specialist providers and domestic abuse sector organisations to develop future options for domestic abuse services, including dedicated support for victims with protected characteristics.

Children

Recommendation 17

Children who have experienced domestic abuse risk suffering a range of long term negative consequences as a result of their experiences and must be able to access the necessary support and health services to help them recover. Children in refuge and other temporary accommodation, and those who have moved home repeatedly to flee domestic abuse, are particularly vulnerable and risk becoming invisible to professionals in the education, health and social care sectors. (Paragraph 84)

We are committed to ensuring that children receive the support they need to help them recover from the devastating impact of domestic abuse. Growing up in a household with domestic abuse can have a significant, long-term impact on children's wellbeing and development, with lasting effects into adulthood.

'Children in Need' are a group of vulnerable children who receive statutory help and protection from children's social care. Domestic abuse is the most prevalent risk affecting these children, and in 2017–2018, over 50% of children's social work assessments identified domestic abuse as an issue. These children have complex needs, and in school, they

do significantly worse than their peers. The government has committed to review the educational outcomes of Children in Need⁶ and in December 2018 we published interim findings. We will continue to take forward the Children in Need Review, considering what more can be done, in policy and practice, to improve children's outcomes.

The government has allocated £8m for services supporting children affected by domestic abuse across England and Wales. This fund gave charities, local authorities and other organisations the chance to run programmes that intervene early, help children and build the evidence base of what works to support children in practice. Successful bids include a project in Hounslow to create four parent and child workers allocated to work with schools and the non-abusive parent to support children affected by domestic abuse; and a project in Cambridgeshire to provide specialist support for children giving evidence in the criminal justice system and participating in Domestic Homicide Reviews.

In recognition of the huge impact of domestic abuse on children, the Domestic Abuse Commissioner will be required by law to consider how domestic abuse affects children, and within their remit they will be able to review children's services and other agencies that interact with and work with children.

It is essential that children at risk from all forms of abuse, including domestic abuse, receive effective support from children and family social workers. Our children's social care reform programme is working to improve social work practice across the country. This whole system reform is based on the knowledge and skills statements, which sets out that all social workers must be able to identify domestic abuse and take action to protect and support children. The reform package covers initial education for social workers, high quality continued professional development, tougher professional regulation through the establishment of Social Work England and developing the National Assessment and Accreditation System for social workers to demonstrate their expertise.

Children fleeing domestic abuse and living in refuge experience significant upheaval, and can be profoundly affected by leaving their home, school, family and friends. MHCLG are currently carrying out a review of how domestic abuse services are delivered locally across England, with the aim to develop sustainable delivery options for domestic abuse services, so victims and their children receive the support they need. The DfE are working closely with MHCLG to ensure children's needs are addressed and will deliver a model that focuses on a 'whole family approach' to support.

Recommendation 18

We recommend that the devastating effect of domestic abuse on children is explicitly recognised in the legislation and that the Government develops a clear strategy to ensure that children experiencing domestic abuse are protected and given the support necessary to help them recover. Under this strategy, children must be given special waiting list status (protected status) for all NHS services including child and adult mental health services (CAMHS), and statutory service providers should be required to have regard to the wellbeing of the child, including the benefits deriving from stability in their education, when making decisions about the welfare of the family in refuge. In cases where the wellbeing of the child requires a change of school, and a change is requested by the family in refuge, local authorities should be given the same

6 <https://www.gov.uk/government/publications/review-of-children-in-need/review-of-children-in-need>

statutory obligation as they have for looked-after children on an emergency placement, to provide a new school place, within twenty school days. The Government must consider what further reform of education law and guidance is necessary to remove any obligation upon schools to share information with a non-resident parent when a child is in refuge. It is essential that this strategy is supported with adequate funding for all the relevant specialist services. (Paragraph 85)

The School Admissions Code places a requirement on local authorities to have a fair access protocol to ensure that children without a school place, especially the most vulnerable, are offered a place at a suitable school without unnecessary delay. However, we recognise that there can be challenges. Therefore, as part of the Children in Need Review, we will look to improve the process for in-year school admissions by considering changes to the Schools Admissions Code to help vulnerable children, including those in refuge, access a new school place as quickly as possible.

We have considered the recommendation on restricting information sharing between schools and non-resident parents when a child has been moved to safety in a refuge. In respect of requirements set out in the Pupil Information Regulations 2005, the Data Protection Act 2018 provides that Article 15 of the General Data Protection Regulation does not apply to education data when the serious harm test is met. This means that headteachers and governing bodies can withhold education data where the serious harm test is satisfied. We believe that this provides sufficient cover for schools to withhold information about pupils in order to keep them safe. We will look to update the 'Keeping Children Safe in Education' guidance in due course to make this clear to schools and colleges.

It is important that a child's need to access and receive mental health services will be assessed and that services are tailored to the individual needs of the child.

The Domestic Abuse Commissioner will also play a key role in standing up for children affected by domestic abuse and representing their interests. Through their work, they will provide robust challenge to local and national government on what support and assistance children need who have experienced domestic abuse.

Universal Credit

Recommendation 6

That no payments under Universal Credit are made to the main carer by default, after decades in which the importance of independent resource for the main carer has been recognised, appears to be a particularly retrograde and damaging step. (Paragraph 42)

When couples make a joint claim to Universal Credit (UC), both are responsible for servicing the claim, and both benefit from the claim. A single payment of UC enables a household to clearly see the effect of their decisions about work on total household income.

Additionally, UC is designed to mirror work so that when claimants enter work there are only a minimal number of changes for claimants to undergo. As employers pay employees and do not divide salary payments amongst households, the UC payment arrangements

mirror that. We believe that most couples can and want to manage their finances jointly without state intervention, so these arrangements fit with how the majority of people organise their lives.

We have listened to and recognise the concerns of Refuge, Women's Aid and others about the single payment structure of UC. For those couples currently claiming UC, around 60% of payments already go to the woman's bank account. While the concept of paying the household award to the main carer reintroduces complexities and practical challenges, we are looking at what more we could do to ensure the main carer receives the UC payment, and we will begin to make changes later this year.

Recommendation 7

Witnesses suggested that the Government's welfare reform policies were making it even more difficult for victims to leave their abusers and establish financial independence. We heard that the default single household payment for Universal Credit can reduce the autonomy of some women, make them more vulnerable to abuse and more likely to stay with an abuser. We recommend that the UK Government should make split payments standard for all couples in England and Wales, in line with the approach taken in Scotland. (Paragraph 43)

We recognise that domestic abuse, including economic abuse, is a horrific crime that can affect anyone. For those in receipt of Universal Credit who are experiencing economic abuse we ensure that split payments and managed payments to landlords are provided whenever requested, as well as easements in benefit conditionality, and referrals to local support. However, the government does not believe that introducing split payments by default is the appropriate policy solution and are instead taking forward a programme of wider initiatives that will better address the issue highlighted by the Committee. This includes directing household payment to the main carer.

We believe that most couples can and want to manage their finances jointly without state intervention. As indicated above, research has found that only 2% of married couples and 7% of cohabiting couples keep their finances completely separate indicating that introducing split payments by default for all would introduce unnecessary complexity to the vast majority of claimants.

The UC system is dynamic and flexible in that we can tailor claims to individuals' needs, whether this is through establishing split payments, or making other alternative payment arrangements. In UC, split payments can be guaranteed for those that require them, whilst the simplicity of the overall system is secure for others.

Split payments were created to prevent hardship to the claimant and their family, in circumstances where there is vulnerability in the household which leads to financial difficulty including financial mismanagement/abuse including where one member has difficulty managing the household finances due to an addiction; inability to budget for the household's basic day to day needs; and domestic abuse.

Anyone in a joint claim, including individuals suffering from domestic abuse, can request a split payment arrangement and we will support them in putting this arrangement in place. In order for this process to begin, all the claimant has to do is ask for a split payment

to be applied. Claimants can request a split payment during a face to face meeting, a phone call, or online via the journal. A Case Manager, Decision Maker or Work Coach will then make a decision on the split payment request and on the next pay date, instead of receiving one household payment, claimants will receive split payments.

Whilst we do not intend to implement split payments by default, we will work closely with the Scottish Government as it designs the split payment policy and will observe their implementation to further understand the impacts, potential advantages and challenges of such policy.

We also have a range of support available for those victims who feel able to flee an abusive relationship. These include easements to benefit conditionality to give claimants the space and time needed to stabilise their lives, special provisions in both Housing Benefit and Universal Credit housing support when a claimant is temporarily absent from their home through fear of abuse, and exemptions from Child Maintenance Service application fees.

Support is available from the moment that claimants report their circumstances to us. We support them to open a new claim on the same day and ensure they are aware of the offer of an advance which can total up to a full month of their indicative entitlement. Work Coaches will also discuss and signpost or refer domestic abuse victims to organisations that can provide further support.

Following meetings with Women's Aid and Refuge, the Minister for Family Support, Housing and Child Maintenance has committed to inviting these key stakeholders and others to help us review and design learning and development products, which will help to understand the victim's perspective. We will apply this feedback and consultation on work coach training, as well as sharing knowledge and expertise. By summer 2019, we will also have implemented domestic abuse specialists in every Jobcentre, to further raise awareness of domestic abuse and support work coaches.

Specialist Services

Recommendation 15

We are particularly concerned about the reported decrease in specialist services for BAME victims of abuse. Some BAME women are more vulnerable to culturally specific types of abuse and can find it particularly difficult to seek help because of close-knit family and communities, and because of language difficulties. Witnesses provided evidence about a range of specific problems for some BAME women, including financial difficulties for those with No Recourse to Public Funds, transnational marriage abandonment, honour-based violence and extra-territorial jurisdiction for victims who are removed from the UK in order to be harmed. We believe that specialist 'by and for' BAME domestic abuse services are necessary to win the confidence of BAME victims of abuse, to understand the issues they face and to have the skills and experience to provide the necessary support. (Paragraph 73)

We recognise that for some communities there may be additional barriers such as a lack of trust in statutory agencies (such as the police, social services or housing authorities), or a fear of rejection from their community if help is sought. Insecure immigration status

may also impact on a victim's decision to seek help. The government is investing nearly £300,000 to help reduce the impact of violence in the lives of BAME victims through building the capacity and strengthening of specialist BAME organisations.

Government will also help build long-term capacity and expertise about immigration rights for those working to combat domestic abuse. We will build on current protections under the Destitute Domestic Violence Concession (DDVC) to improve our understanding of the number of migrant victims who need crisis support; providing funding for such projects through a £500,000 grant.

The government has supported projects which provide specialist support to BAME victims of domestic abuse through our £20 million (2016–2018), and £22 million (2018–2020) domestic abuse funds for accommodation-based services to support victims of domestic abuse, including refugees. We were clear in our funding prospectuses for both funds that bids take into account the particular needs of BAME victims.

The MHCLG Priorities for Domestic Abuse Services, which set out what steps local areas should take in their response to domestic abuse, includes the need to consider provision for BAME victims. These priorities encourage the securing of specialist services and using their expertise and knowledge to identify and deal with barriers to service access and deliver the support that BAME victims need when they need it.

MCHLG has also invested nearly £300,000 to help reduce the impact of violence in the lives of BAME victims through building the capacity and strengthening of specialist BAME organisations.

Employer's Support

Recommendation 5

We welcome the Government's recognition that domestic abuse can take different forms of coercive or controlling behaviour, and that it can be displayed not only through a single act of serious abuse, but also through a series of incidents. Economic abuse is associated with an increased risk of homicide because victims tend to stay with abusive partners for longer when they do not have the financial means to leave. The inclusion of economic abuse in the Government's proposed statutory definition is a positive step, both in terms of allowing it to be included as part of a wider pattern of abuse and as criminally abusive in its own right, even in relationships where no violent abuse is involved. In light of the Lords Select Committee on Financial Exclusion's recommendation that there should be a statutory duty of care for financial service providers, we recommend that the Government look at options for strengthening the current voluntary code of practice on financial abuse, to include the possibility of introducing a duty of care to protect victims of financial abuse. We note that New Zealand has recently passed legislation granting paid leave for victims of domestic abuse, in order to help victims keep their jobs and maintain their economic independence whilst escaping abuse. We believe this has the potential to save lives. The Government should analyse the potential impact of domestic abuse leave and consult on options for introducing domestic abuse leave in the UK. (Paragraph 39)

The government is committed to raising awareness and improving understanding of the issue of economic abuse, so that perpetrators can be brought to justice and victims can be supported to achieve the economic stability and independence that they need.

The new statutory definition of domestic abuse provided for in the Domestic Abuse Bill acknowledges the devastating impact that economic abuse can have on victims and will highlight how many aspects of their lives it can affect – not only their access to money, but also their access to other fundamental resources such as food, transport and housing. Alongside the new definition, we will update the statutory guidance for the controlling or coercive behaviour offence to set out how this form of abuse can manifest itself as part of a pattern of coercive or controlling behaviour. We will include economic abuse in future statutory guidance for proposed Stalking Protection Orders (SPOs) and Domestic Abuse Protection Orders (DAPOs). In addition, we will provide £47,000 of funding to update proven police training on domestic abuse so that it covers economic abuse.

We recognise the crucial role of the financial services sector in tackling economic abuse, which is why we have provided £164,000 through the Tampon Tax for the Domestic and Economic Abuse Project led by Surviving Economic Abuse and Money Advice Plus to develop partnership working between money advice services and domestic abuse services at a local level. We are also working closely with UK Finance to support their work to encourage banks and the wider financial services sector to improve the support that they provide to victims of domestic abuse accessing their services. As the Committee has noted, in October UK Finance published a voluntary code of conduct for banks to sign up to, and they will shortly be publishing a consumer information pack setting out for victims what support they can expect to receive from their bank.

We will continue to work closely with UK Finance to promote the code of practice and forthcoming consumer information pack and encourage service providers to sign up. In addition, we will provide approximately £250,000 to create a national advice service for banks and building societies, increase the capacity of existing telephone casework services for victims of domestic abuse and develop resources to help people identify if they are experiencing economic abuse.

This will increase the capacity of its national telephone casework service for victims of domestic abuse and develop a series of guidance resources including toolkits for frontline professionals as well as an app to help people identify whether they are experiencing economic abuse. Furthermore, we will fund the National Skills Academy for Financial Services £200,000 to develop and deliver financial capability training for frontline professionals to support customers who are experiencing economic and financial abuse.

The government also recognises the vital role that employers and the wider business sector have to play in order to support victims of domestic abuse – not only amongst their customers, but also their employees. That is why we have awarded Hestia £1million through the Tampon Tax for their ‘Tools for the Job’ pilot project, which is engaging employers to improve their HR policies on domestic abuse and fund specialist employment independent domestic violence advocates to support victims of domestic abuse and deliver awareness raising training to staff.

We are also supporting the work of the Employers’ Initiative, a network of over 200 employers working together to share best practice and encourage employers to do more

to tackle domestic abuse. In July 2018 the Employers' Initiative published a toolkit which provides employers with guidance and information on domestic abuse, to help them better understand the scope of the problem and improve the support available to their employees.

We recognise that there is not only a strong ethical case for identifying and supporting employees experiencing domestic abuse in our workplaces, but also a strong business case. Many employers offer compassionate leave or special leave to their employees to enable them to take time to deal with a wide range of circumstances. This type of leave is agreed between the employer and the employee, either as a contractual entitlement or on a discretionary basis. We will continue to work closely with employers, businesses, trade unions and expert groups such as the Employers' Initiative to encourage them to put specific HR policies in place in relation to domestic abuse and to improve the support available to their employees.

Pursue and deter

Police

Recommendation 21

Evidence indicates that the police response to victims of domestic abuse is improving, but that there are instances where victims' claims of abuse are not taken seriously, where they do not receive an appropriate police response and where police forces do not follow national guidance on recording or responding to reports of domestic abuse incidents. These failings can have catastrophic consequences for victims of abuse. (Paragraph 101)

Government recognises that there are still challenges investigating domestic abuse related crimes and HMICRFS have highlighted this is an area for improvement for some police forces. Overall, evidence indicates that the situation is improving, police recorded domestic abuse crimes have increased by over 60% in the last three years. Since 2010, prosecutions and convictions for domestic abuse have increased by 20 percent and 28 per cent respectively, with 76 per cent of all prosecutions resulting in successful convictions.

However, we are not complacent, we will invest in training for frontline officers, consider the introduction of a national best practice toolkit for police forces and continue to drive forward progress through the Home Secretary led National Oversight Group. In addition, the CPS will continue to work closely with the police locally and nationally to ensure appropriate referrals are made by the police and address any referrals where needed.

Recommendation 22

We were particularly concerned to hear evidence that many police forces share details of victims with the Home Office for the purposes of immigration control. Immigration status itself is used by perpetrators of domestic abuse as a means to coerce and control. Victims of abuse with uncertain immigration status are particularly vulnerable because they can have difficulties in accessing financial support and refuge and other support services, so they have few options for escaping from abuse. (Paragraph 102)

Recommendation 23

Insecure immigration status must not bar victims of abuse from protection and access to justice. The Government states that its immediate priority is to ensure that all vulnerable migrants, including those in the UK illegally, receive the support and assistance they need regardless of their immigration status. It must ensure that the police service conforms with this objective. (Paragraph 103)

This government is committed to tackling abuse against all people, regardless of their background. It is unacceptable for any individual to exploit the fact that their partner's immigration status is dependent on them. That is why we have measures in place to counteract this, including the Destitute Domestic Violence Concession, allowing victims to apply for access to public funds, which can be used to fund safe accommodation.

It is right that our policies do not encourage illegal immigration. However, some migrants without valid leave, such as failed asylum seekers, may receive support with accommodation under section 4(2) of the Immigration and Asylum Act 1999 or from a local authority where it would breach their human rights not to receive support. But we are not complacent and continue to keep our policy under review. We are looking carefully at the suggestions from our stakeholders and responses to the recent domestic abuse consultation in order to continue improving support for migrant victims of domestic abuse.

We have provided £250,000 to Southall Black Sisters, via the Tampon Tax (2017–2019), to pilot a fund to assist those who have no recourse to public funds and who are suffering abuse. Data gathered from this project on, inter alia, the scope of the problem and the needs of the victims will help guide future policy decisions.

Family Courts

Recommendation 24

We heard evidence that there is a lack of consistency in the way in which criminal and family courts treat the seriousness and impact of domestic abuse, with family courts tending to prioritise contact with both parents even when there has been a criminal conviction for violence, or a history of other domestic abuse. (Paragraph 115)

Recommendation 26

Witnesses described family court proceedings for victims of domestic abuse as traumatising and harrowing. It is unacceptable that navigating the justice system can be as distressing for some victims as the abusive behaviour which they are seeking to escape, and that children may be placed in danger because of a lack of coherence between different parts of the justice system. We are very concerned about the evidence of safeguarding gaps in the family courts, highlighted by the evidence of Professor Shazia Choudhry. We urge the President of the Family Division to consider what further steps are necessary to ensure practice in the family courts fully recognises the paramount importance of the welfare of the child as set out in section 1(1) of the Children Act 1989, and the safeguards to protect children from any harm that might arise through parental contact which are set out in section 1(6) of the Act, as amended by the Children and Families Act 2014. (Paragraph 117)

Recommendation 29

On 6 March 2018 the then Under-Secretary of State for Justice, Dr Philip Lee MP, advised the House that the draft domestic abuse bill would address the unacceptable “abuse and coercion of females, invariably by males, through the court process”. The bill must prohibit the cross-examination of a victim by an alleged perpetrator of domestic abuse in the family court. (Paragraph 120)

We recognise that family court proceedings can be incredibly difficult for victims, and that in some cases victims have found the process re-traumatising. We are committed to improving the experience of victims within the family justice system, and over the past year we have introduced several new measures to offer victims better protection within the courts. These measures include working with the President of the Family Division and the Family Procedure Rule Committee to bring about the introduction of new court rules and an accompanying Practice Direction 3AA which aims to improve in-court protections for vulnerable parties and witnesses, a revised Practice Direction 12J which sets out the procedure for judges to follow in child arrangements and contact order cases involving domestic abuse, and improving the guidance for family judges on vulnerable users of the court system. In January 2018, we also made changes to legislation that aimed to make it easier for victims of domestic abuse to obtain and provide the evidence required to access legal aid, and to reduce the risk of victims not being able to obtain the required evidence. We introduced new forms of evidence, expanded the scope of existing evidence and removed the time limit from all forms of evidence for domestic abuse and child abuse.

However, many of the responses we received to the domestic abuse consultation raised issues around the family justice system and the family courts, and many of the issues raised echoed the recommendations made by the committee. We are determined to transform the response to domestic abuse in the family justice system, and in response to the issues raised we have developed a package of measures in our consultation response. We have committed to further improve the in-court protections available to victims of domestic abuse, and as part of our consultation response we have committed to allocating £900k funding to organisations based in a number of family courts. These organisations provide specially trained staff who will offer dedicated emotional and practical support to domestic abuse victims before, during and after hearings, and a programme of awareness raising amongst key family justice stakeholders and practitioners. We have also asked all family courts to draw up local protocols setting out their operational procedures for dealing with vulnerable court users, and we are committed to ensuring that court staff are aware of and are implementing these procedures. In addition to this we will continue to work with our stakeholders on further measures we can take to improve the family justice response to domestic abuse.

We also recognise the importance of introducing new powers to the family court system to prohibit cross-examination of a victim by their abuser. The consultation document reiterated our commitment to legislate on this, and we have included these measures in the draft Domestic Abuse Bill.⁷

7 <https://www.gov.uk/government/collections/domestic-abuse-bill>

Recommendation 27

Improvements would include better sharing of information, and training. We recommend that all judges, magistrates and professionals involved in child contact cases in the family court receive specialist training on domestic abuse, coercive control and on the provisions of Practice Direction 12J. (Paragraph 118)

Recommendation 28

We have particular concerns about the impact on children of court proceedings, and the lack of co-ordinated support for them. There is a need for more specialist children's workers who are trained to recognise the impact of domestic abuse on children, and to ensure that the relevant statutory organisations respond to their needs. We recommend that the new Commissioner should have, as a priority in the first year of office, to review the impact upon children of the interaction between the family courts, children's services, CAFCASS and the police, with particular reference to contact arrangements in domestic violence cases. (Paragraph 119)

Inconsistency of information sharing was also a key issue raised with us during the consultation. We understand that the lack of information sharing across jurisdictions sometimes leads to instances where orders imposed in one court jurisdiction contradict restrictions imposed in another. We recognise this is unacceptable, and we are exploring options to better share information across jurisdictions to prevent this from happening and to ensure there are no safeguarding gaps around either the child or the victim in family proceedings.

We are committed to ensuring all family justice professionals receive the training they need. Training was rolled out to Her Majesty's Courts and Tribunals (HMCTS) staff from the end of November 2017 around vulnerable court users, including victims of domestic abuse. We are exploring with HMCTS the possibility of extending this training to security guards and volunteers who support vulnerable parties to ensure it reaches all professionals working within the family justice system.

Responsibility for training of the judiciary and magistrates who sit in the civil, family and criminal courts sits with the Lord Chief Justice. There has been considerable training for judges in domestic abuse over a long and sustained period, particularly for the criminal and family jurisdictions. Issues of domestic abuse are addressed on an ongoing basis as part of the Judicial College's regular training.

The paramount concern of the family court in cases involving children is to prioritise the welfare of the child, and the Children and Family Court Advisory and Support Service (Cafcass) is the statutory agency whose officers are appointed by family judges to safeguard and promote the child's welfare. All Cafcass practitioners are social workers with at least three years' post qualifying experience, and all social work staff joining Cafcass receive specialist training on identifying the impact of domestic abuse on children. Cafcass has a comprehensive range of tools for identifying domestic abuse, assessing its impact, and making recommendations to the court about programmes to address perpetrator behaviour and the implications for child arrangements. The tools, guidance and programmes used by Cafcass have been developed in collaboration with a range of organisations with specialist knowledge of domestic abuse.

All Cafcass practitioners are trained in the use of all these resources, and research on domestic abuse and its effects on children has been in the top 10 most commonly requested topics from the Cafcass Library since 2015. All these resources have been brought together in the domestic abuse practice pathway in Cafcass' new Child Impact Assessment Framework (CIAF).⁸ The framework sets out how children may experience parental separation and emphasises that safeguarding principles and child impact are at the heart of the Cafcass assessment process, with assessments starting and ending with the question 'What is happening for this child?'

The domestic abuse practice pathway in the framework provides practitioners with a structured, focused and stepped tool to assess the impact of domestic abuse on children, the level of risk present, and to analyse whether contact would be safe and in the best interests of the children. When applying the framework, practitioners will first assess whether any risks to the child exist and their impact. Where indicators of domestic abuse are present, the practitioner will undertake an assessment using the domestic abuse practice pathway and accompanying tools.

The Domestic Abuse Commissioner will play a key role representing the interests of children and will be required by law to consider the impact of domestic abuse on them. We would expect them to appoint a lead within their office to focus on children's experiences of domestic abuse and the impact it has on their development.

Perpetrators

Recommendation 19

In June 2018 the Justice Committee expressed doubt that the delivery model of Community Rehabilitation Companies (CRCs) could “ever deliver an effective or viable probation service” and called upon the Government to initiate a review of the long-term future and sustainability of delivering probation services under this model. While the Government subsequently initiated a review, this is more restricted in scope than the Justice Committee recommended. The thematic inspection on the work of CRCs in relation to domestic abuse, from HM Inspectorate of Probation, provides further cause for urgent action by the Government to address the failings of the CRC model. (Paragraph 88)

In July 2018, the government announced its intention to terminate existing community rehabilitation companies contracts in 2020 and put in place new arrangements for the delivery of probation services. The consultation document 'Strengthening Probation, Building Confidence'⁹ sets out the steps we have taken to stabilise delivery over the next two years and our longer-term strategy for improving the quality of supervision, rehabilitation and resettlement. We are currently analysing the wide range of responses we received and will publish our full response to this in 2019.

8 [Child Impact Assessment Framework](#)

9 <https://www.gov.uk/government/publications/strengthening-probation-building-confidence-consultation-events-and-materials#history>

Recommendation 20

We support HM Inspectorate of Probation's recommendation that the Ministry of Justice must, as part of the probation systems review, consider how to compel Community Rehabilitation Companies to focus on the quality of work with perpetrators and victims of domestic abuse, and to ensure that their approach prioritises the need to protect victims and children. (Paragraph 89)

The Ministry of Justice has responded to the HM Inspectorate of Probation thematic report on domestic abuse¹⁰ and shared its action plan with the Inspectorate. This includes a range of activities to ensure that probation providers focus on the public protection and other activity that will protect victims and children.

Additionally, as part of future probation contracts, we will continue to mandate the Building Better Relationships (BBR) programme which is accredited by the Correctional Services Accreditation and Advisory Panel (CSAAP), an independent panel of academics and subject matter experts. We will seek to ensure that all eligible cases are identified and that BBR is available at sufficient frequency to meet this need.

We will also further specify the range of rehabilitation activity requirements to be delivered to people serving community sentences. This will include meeting the needs of those convicted of domestic abuse offences who are not eligible for an accredited programme.

Recommendation 4

Stalking is a serious crime which can have a devastating impact on the lives of victims. Victims of stalking often endure years of abuse before the crime is taken seriously. We were told that existing criminal justice responses were often ineffective in stopping perpetrators. We recommend that a national register of serial stalkers and domestic violence perpetrators, as recommended by Paladin, is introduced as a matter of urgency and that individuals placed on the register should, like registered sex offenders, be managed through multi-agency public protection arrangements (MAPPA). We believe that a more integrated VAWG and domestic abuse strategy would support a better statutory response to stalking, and a more joined-up approach to supporting victims and managing the behaviour of perpetrators. (Paragraph 29)

The government recognises the critical importance of identifying serial and repeat domestic abuse and stalking perpetrators and ensuring that a range of robust practical action is available to the police, working in partnership with other agencies, to monitor and manage these offenders in order to keep victims safe.

In 2012 the then Government introduced two new stalking offences and in 2017 we increased the maximum penalty for stalking involving fear of violence or serious alarm and distress from five years' to ten years' imprisonment, sending a clear message that perpetrators should be brought to justice. In addition, we are supporting Dr Sarah Wollaston MP's and Baroness Bertin's Stalking Protection Bill which will introduce new civil Stalking Protection Orders (SPOs). Subject to the passage of the Bill, SPOs will support existing tools available to the police to ensure that there are robust protections available to victims of so-called 'stranger stalking' and victims of stalking in a domestic abuse

10 [HMIP thematic on domestic abuse](#)

context. Where appropriate, SPOs would enable courts to impose positive requirements on stalkers to challenge them to change their behaviour, such as requirements to attend a perpetrator intervention programme or a mental health assessment, and prohibitions, such as forbidding them to approach the victim or contact them by any method. The orders would also require perpetrators to notify their name and address to the police, including when these details change.

Convicted stalkers and domestic abusers will already be captured on the Police National Computer. Where appropriate, they will also be captured on other police systems such as the ViSOR Dangerous Persons Database which stores information on offenders who pose a risk of serious harm to the public and enables the sharing of this information across relevant criminal justice agencies. Those sentenced to a year or more of imprisonment for stalking involving fear of violence or serious alarm and distress, as well as other convicted stalkers and domestic abusers who are assessed as posing a risk of serious harm to the public and as requiring active multi-agency management, can also already be managed under Multi-Agency Public Protection Arrangements (MAPPAs). The Ministry of Justice has already strengthened the guidance on referrals into MAPPAs to ensure that serial and repeat domestic abuse and stalking perpetrators are actively being considered for management, and the National MAPPA Team will promote these changes to support effective multi-agency working.

We recognise, however, that there is more to do to improve the wider criminal justice response to serial and repeat domestic abuse and stalking perpetrators. This is why progress against this issue is overseen by the Home Secretary-chaired National Oversight Group on Domestic Abuse, Stalking and Harassment and has been publicly consulted on through the Domestic Abuse Consultation.¹¹

The consultation response highlighted the need for improved risk assessment and monitoring of perpetrators; better information sharing and partnership working across agencies; and more evidence-based, high quality interventions to support behaviour change and rehabilitation.

As part of this work, we have looked carefully at whether we should adopt proposals to legislate through the draft Domestic Abuse Bill for a domestic abuse and stalking 'register'. We have, however, concluded that creating a separate police system or register would not be the most practical or effective way of ensuring that the right group of offenders are identified, or that the right information is shared about them across the relevant criminal justice agencies. Creating a new, separate system risks diverting resources from the range of innovative work already underway to improve systems and procedures to identify, manage and respond to perpetrators to stop their offending and keep victims safe.

We believe that existing systems and procedures can be strengthened and expanded upon. We are proposing to work with the police and other stakeholders to improve use of current information systems and processes and to develop new tools to strengthen identification, assessment and management of perpetrators.

As part of this work, the NPCC have committed to working with forces to improve recording of information on the Police National Computer (PNC) and improve analysis of data. We will work with the police to ensure that these improvements are sustained and built on through the introduction of the National Law Enforcement Data Service.

Alongside this, we will work to increase use of the Domestic Violence Disclosure Scheme (also known as 'Clare's Law') by providing updated statutory guidance to support forces to make better use of the scheme and working with the police to enable online applications.

We will also strengthen risk assessment across the criminal justice system. This will include: a review of the Her Majesty's Prison and Probations Service risk assessment model for perpetrators of intimate partner violence; piloting the use of the Spousal Assault Risk Assessment model in three forces to test how it can be used with perpetrators who have not been convicted; and strengthening guidance on identification and management of domestic abuse perpetrators as Potentially Dangerous Persons.

In addition, we propose to introduce notification requirements through new Domestic Abuse Protection Orders (DAPOs) as part of the Domestic Abuse Bill, which would require perpetrators to notify the police of their name and address and of any changes to those details. The police would be able to use this information to improve risk assessment, information-sharing and proactive disclosure to potential victims. These requirements under the DAPO would complement the use of risk assessment and ensure resources are targeted at those who are causing the most harm. DAPOs would also enable the courts to impose positive requirements on abusers to challenge them to change their behaviour, such as requirements to attend a perpetrator programme or an alcohol or drug treatment programme, with sanctions for non-compliance.

To support workforce development, we will work with the NPCC and the College of Policing to develop national guidance for forces on identification, recording, information-sharing and management of serial and repeat perpetrators.

We will also work with the College of Policing, voluntary sector partners and local multi-agency partnerships to ensure that learning from promising work with perpetrators, such as the Drive Project, the Multi-Agency Tasking and Co-ordination model and the Multi-Agency Stalking Interventions Programme is shared and embedded.

The appointment of a Designate Domestic Abuse Commissioner (the draft Bill will put this office on a statutory footing) will provide public leadership on domestic abuse and will also play a key role in the sharing of best practice on 'what works' in relation to perpetrator intervention, such as working with local areas to ensure that services provided, whether working with victims or perpetrators, are as effective, evidence-based and safe as they can be. The Commissioner will play an important role in raising awareness and ensuring high standards of service provision across all forms of domestic abuse, alongside the Victims' Commissioner who champions the rights of all victims. Furthermore, our refreshed cross-government VAWG Strategy will ensure that we are doing all we can to tackle all crimes which disproportionately impact on women and girls, including domestic abuse and stalking.

Restorative Justice

Recommendation 25

Restorative justice is not appropriate for crimes involving coercion and control of victims, because it provides perpetrators with a further opportunity to continue their abusive behaviour. The Government must update its Restorative Justice Action Plan so as to provide clear direction that restorative justice is not an option for stalking and domestic abuse cases given the clear risks of restorative justice for these types of offence. (Paragraph 116)

All domestic abuse cases should be prosecuted where there is sufficient evidence and it is in the public interest. We recognise that 'street level' restorative justice, delivered by police as an alternative to prosecution, is not appropriate in domestic abuse cases.

We also recognise that in many cases involving domestic abuse restorative justice will not be appropriate. We would expect that the majority of cases that involve domestic abuse where there is controlling or coercive behaviour will not be assessed as suitable for restorative justice. However, victims should not be automatically precluded from taking part in restorative justice because of the crime committed against them. With rigorous risk assessment and ongoing safeguarding in place, restorative justice carried out by experienced and skilled practitioners can help some victims of domestic abuse cope and recover.

Performance

Domestic Abuse Commissioner

Recommendation 10

We recommend that the Government ensures that its awareness raising and training programmes address the objectives of its VAWG strategy as well as its domestic abuse strategy, and that it develops a coordinated approach to challenging all forms of abusive behaviour towards women and girls. The proposed Commissioner should be given powers to investigate the availability and effectiveness of prevention programmes, training for public service staff and awareness campaigns, and to make recommendations for their improvement. (Paragraph 51)

Recommendation 13

It is right that domestic violence provision is subject to local decision-making. However, given the interdependency of network provision, we recommend that the Government analyses the operation of refuges as a national network. This would ensure that there is an evidence-based understanding of the total demand for refuge places. A sustainable model for the long-term funding of refuge services is also urgently required. The Government's central funding support for local authority-led domestic abuse projects and services is welcome, but it is not clear whether it is being focused in the right areas, what is being achieved and how much more funding would be required to provide an adequate level of support for all victims of abuse. A

new statutory obligation upon local authorities to provide sufficient safe and easily accessible emergency shelter for victims must be supported by adequate ring-fenced funding from central Government to local authorities, ensuring the capacity gap is closed and providing long-term certainty about the sustainability of refuge places. In order to determine the level and allocation of funding required for these services, we recommend that the Government facilitates a comprehensive review of funding across all aspects of support for survivors of domestic abuse and sexual violence, to be carried out by the proposed new Commissioner. This review should take place within the first year following establishment of the Commissioner's office, and the report should be laid by the Commissioner before Parliament. The Government should commit to the introduction of a new national funding mechanism, informed by the outcomes of the comprehensive review, to provide sufficient and sustainable funding for all necessary support services. This new mechanism should be operational within two years following publication of the Commissioner's review. The Government has said that it will work with providers, local authorities, membership bodies and residents' representatives to develop a robust oversight regime, and the review could feed into this new mechanism. (Paragraph 64)

The Domestic Abuse Commissioner will have a key role in driving up support for victims of domestic abuse and will have a sufficiently broad remit to cover the provision of both specialist services such as refuge, as well as considering how all public services support and interact with victims and their families. This will involve examining the availability of specialist support services as well as prevention programmes and programmes working with perpetrators in the community to change their behaviour. The Commissioner will also examine the degree that statutory services understand and adequately respond to issues of domestic abuse and will be expected to make recommendations to both local and national government about how these could be improved. As well as overseeing the provision of services, and driving up the response, the DA Commissioner will be expected to raise awareness of domestic abuse more generally and help bring these crimes out of the shadows.

Given the challenges of improving the response of statutory agencies in tackling domestic abuse, and the huge scale of the problem, we believe that the DA Commissioner's remit should be focused on this issue alone, rather than being dissipated across all forms of violence against women and girls. The Government remains committed to addressing all forms of violence against women and girls through our separate VAWG Strategy. Furthermore, the Victims' Commissioner champions the rights of victims of VAWG as part of her role promoting the interests of all victims of crime.

In addition, in the Victims Strategy we recognised that the funding landscape for all victims of crime is very complex with funding from multiple pots of government money going to a range of both local and national commissioners. We committed to increase the availability of services through more joined up and sustainable funding. We will coordinate and combine funding across government to increase its impact.

As noted in our response to recommendation 12, the government wants to ensure that victims of this domestic abuse receive the support they need, when they need it and is a government priority. We are working with the Domestic Abuse Sector and Local Authorities, drawing on their expertise and data, to develop future, sustainable delivery options for Domestic Abuse Services.

Our Priorities for Domestic Abuse Services, published in 2016 and updated in 2018, are clear that local authorities should take into account the needs of victims who need to move local area to stay safe, and meet the needs of victims, survivors and their children from within and outside of their local areas.

Recommendation 14

Witnesses told us that the provision of specialist domestic abuse services is inadequate and that generic providers do not have the capacity or the expertise to provide the required specialist support to protected, vulnerable or minority groups, or to people with additional needs such as debts or drug or alcohol dependency. The 2017 review of domestic abuse practitioners, carried out by SafeLives, found that only 75% of the required number of specially trained independent domestic violence advisors (IDVAs) are in post, despite this role being a key part of the Government's VAWG strategy. We recommend that the new Commissioner assess the extent of coverage by IDVAs (Independent Domestic Violence Advisors) across the country and makes recommendations to the Government about how to increase provision. (Paragraph 72)

Recommendation 30

We welcome the proposal for a new Commissioner, however, the creation of a Commissioner will not in itself improve delivery of the Government's domestic abuse strategy if the new post is largely a figurehead with limited powers. (Paragraph 127)

Recommendation 31

We believe that a key function for the new Commissioner must be to establish a robust accountability mechanism to ensure that services are delivered where they are required. Given the broad remit of the domestic abuse strategy, the Commissioner will also need to have sufficient authority to investigate and comment on the impact of mainstream Government services on victims of domestic abuse, such as access to justice, health, housing and welfare benefits, as well as on specifically tailored domestic abuse services. Recognising the challenges highlighted by the first holder of the role of the Independent Anti-Slavery Commissioner, we support the creation of a new Commissioner to support delivery of the domestic abuse strategy, provided that they are given adequate powers and resources to be effective. We recommend that the Government review its proposals with a view to strengthening the remit and increasing the resources of the proposed Commissioner. It is essential that the Commissioner is fully independent: to this end, we also recommend that the Commissioner is accountable, and reports directly, to Parliament rather than to Government, and is independently accommodated and resourced. (Paragraph 128)

Recommendation 32

Confining the scope of the new Commissioner to domestic abuse would fail to recognise the gendered nature of domestic abuse, and its links to other forms of gender-based abuse in the lives of many women and girls. We therefore recommend

this new post is established as a Violence Against Women and Girls and Domestic Abuse Commissioner. The remit of the new Commissioner should reflect the scope of both the domestic abuse and the VAWG strategies. (Paragraph 129)

The draft Bill will establish the office of the Domestic Abuse Commissioner and sets out the Commissioner's functions and powers.

We are committed to tackling all forms of violence and abuse against women and girls. We recognise there are groups of female victims who are particularly difficult to reach; this is why we continue to work to ensure no victim is inadvertently excluded from protection or access to services. The on-going work to overcome these complex issues is focused around raising awareness, supporting specialist services and engaging with stakeholders to understand emerging issues. There are also a number of measures in place to support BAME victims with specific needs.

We are clear that, it is equally as unacceptable for any individual to exploit the fact that their partner's immigration status is dependent on them, as it is for any individual to exploit the fact that their partner may be financially dependent on them. As mentioned in our response to recommendations 22 and 23, there are already measures in place to support eligible migrants who are subjected to such exploitation. The DDVC provides eligible migrants with immediate crisis support, this includes 3 months' leave outside the rules during which they are eligible to apply for public funds; this may allow them to access safe accommodation away from their abuser. In addition, the government provides the Domestic Violence Indefinite Leave to Remain (DVILR) which grants settlement to individuals whose relationship broke down because of domestic abuse.

The Tampon Tax Fund is currently supporting Southall Black Sisters to deliver a project to assist those who have no recourse to public funds and are suffering abuse. The project aims to conduct research to establish and evaluate a pilot scheme which will test the feasibility and impact of providing housing, subsistence and other essential costs for safe accommodation and support. In addition, the pilot will assess the effectiveness of the DDVC and identify further measures needed to address problems in the current scheme. We will review the findings of the pilot to help guide and inform future policy decisions.

We recognise the difficulties faced by victims of transnational marriage abandonment and the complexity of the issues surrounding these incidents of abuse; this is why we will continue to consider each claim on a case-by-case basis.

During November 2018, we hosted a two-day International conference on Ending FGM and Forced Marriage. The conference brought together international FGM and forced marriage experts, law enforcement, politicians, activists and survivors and provided a forum to discuss the response to the crimes and to share best practice, strengthen links and consider further action that can be taken internationally. As a commitment to tackling these issues the Home Secretary announced a public consultation on whether there should be a mandatory reporting duty for professionals on forced marriage and unveiled the communications campaign to raise awareness of the different types of pressure associated with forced marriage.

We also launched a FGM campaign¹² in October 2018 seeking to prevent FGM by changing attitudes among affected communities through raising awareness of the negative long-term health consequences. The campaign also raises awareness that FGM is a crime and encourages communities to report via the NSPCC's FGM helpline. The campaign supports the objectives of the Government's Violence Against Women and Girls strategy.

We are currently investing in a variety of initiatives which specifically provide support for BAME victims with complex needs. The £17m VAWG Service Transformation Fund was launched in 2016 to support projects, across 3 years, to promote and embed the best local practice and ensure that early intervention and prevention become the norm. We have allocated over £2m of this Fund to projects seeking to increase specialist service provision and improve the overall response to BAME and FGM issues. In addition to supporting victims, the project outcomes will enrich our understanding of effective practices in tackling these issues.

For victims who are removed from the UK in order to be harmed, the courts of England and Wales already have extraterritorial jurisdiction over some offences that may be committed in a domestic abuse context. These include the common-law offence of murder; certain sexual offences where the victim of the crime is under 18 at the time of the offence; offences of forced marriage; and offences of female genital mutilation. In our *'Transforming the response to domestic abuse'* consultation which closed on 31 May 2018, the government set out proposals to take extraterritorial jurisdiction over a range of other offences for compliance with Article 44 of the Istanbul Convention. The government response to the consultation was recently published, alongside the draft Domestic Abuse Bill.¹³

We believe, and encourage, service provision decisions to be taken, by commissioners, at a local level and driven by local need. This is why we want to ensure that Commissioners are educated on the complexities of commissioning services, so they are victim focused, gender aware and provide an appropriate response according to the victim's needs.

Specifically, responding to recommendation 14, we believe that the Domestic Abuse Commissioner's remit should cover domestic abuse alone, in order to provide the focus that this issue requires. We will ensure that the Commissioner has a sufficiently broad remit to cover the provision of specialist services such as IDVAs, as well as considering how central public services support and interact with victims and their families. All government departments, as well as the health sector, education, social care the criminal justice system will fall within their remit. Furthermore, the Victims' Commissioner champions the rights of victims of VAWG as part of her role promoting the interests of all victims of crime.

The Commissioner will have the powers they need to drive up the response to domestic abuse both nationally and locally, while retaining the independence of locally elected and democratically accountable Police and Crime Commissioners and Local Authorities. Specified statutory agencies, including local commissioners, national government and criminal justice agencies, will be required by law to cooperate with the Commissioner, and will be duty-bound to respond to any recommendations made to them. We consider that this provides the right balance between retaining local discretion and holding agencies to account.

12 [FGM Campaign](#)

13 <https://www.gov.uk/government/collections/domestic-abuse-bill>

The Commissioner will be established as an independent statutory office holder, and to further safeguard their independence, we will develop a Charter setting out the relationship between them and the Home Office as sponsoring Department. To strengthen their ties with Parliament, we will require the Home Secretary to lay the Commissioner's annual and other reports and strategic plans before Parliament, and we would expect them to have close relationships with, and work closely with, relevant select committees such as the Home Affairs Select Committee.