

Domestic Abuse Bill: Proposed Amendment to Clause 32 on DAPOs

Public Bill Committee Briefing

02 June 2020

Providing full scope protection to domestic abuse victims

Attenti strongly supports the passage of the Domestic Abuse Bill, which we deem vital in helping to tackle the stain of domestic abuse. We have long campaigned in support of this Bill, having engaged with Parliamentarians and other stakeholders along the way, hosted roundtables on the issue and contributed to the various consultations over the years. We want to see the Bill reach the Statute Book as soon as possible, but there is one specific area where we believe it needs to go further in protecting the victims of domestic abuse.

In 2019, nearly 2.4 million people (the overwhelming majority of whom were women) suffered from domestic abuse. Sadly, this number looks likely to increase dramatically in 2020. The charity Refuge reported a 700 percent increase in calls to its helpline in a single day of lockdown and Dame Vera Baird QC, the Victims' Commissioner for England and Wales, told the Commons Home Affairs Select Committee on 15 April that there had been at least 16 suspected domestic abuse killings in the UK since lockdown began.

As we start to emerge from lockdown, it remains imperative that we do not drop our guard against domestic abuse. We must ensure we offer victims full protection by strengthening Domestic Abuse Protection Orders (DAPOs).

Clause 32 of the Bill ('Provision that may be made by orders') currently states at subsection (6):

A domestic abuse protection order may require P to submit to electronic monitoring in England and Wales of P's compliance with other requirements imposed by the order.

We wholeheartedly support the notion that electronic monitoring can play a critical role in reducing domestic abuse as part of a multi-agency approach and we believe that there is significant merit in giving courts the powers to impose electronic monitoring as a condition of the DAPOs as proposed by the Bill.

However, we do not believe this goes far enough as currently drafted. In our view, only bilateral monitoring, through the use of paired proximity technology, provides the full scope of victim protection and we believe this should be reflected on the face of the Bill by a simple amendment to insert the words 'bilateral, paired-proximity' ahead of 'electronic monitoring' in clause 32 so it would read:

Amended Clause 32

A domestic abuse protection order may require P to submit to bilateral, paired proximity electronic monitoring in England and Wales of P's compliance with other requirements imposed by the order.

The reason why this amendment is necessary is that it offers victims of domestic abuse fuller protection both in the home *and* on the move. The latest Office for National Statistics figures

that exist (2013-14) show that 25 per cent of domestic violence crimes took place outside the home, where victims are not protected by traditional electronic monitoring technology. By closing this loophole, the quarter of all victims of domestic abuse who are attacked outside the home will be better protected in future.

Paired proximity technology is not only safer, but it is more empowering for victims providing them with additional reassurance to go out and about and live their lives as normally as possible again whilst inconveniencing the perpetrator of the crime, not the victim.

Without such technology, the agency of victims – who, on the whole, are female – is limited, even after a domestic abuse conviction: in 2015/16, the last year for which we have figures, 23, 057 restraining orders were issued by courts in England and Wales – a third of which were breached.

Statistics such as these demonstrate why victims of domestic abuse do not feel safe, even after an offender has been convicted or cautioned. Paired proximity technology acts as a deterrent to abusive and violent behaviour, and, in doing so, enables the victim to remain more safely in the community and resume their “normal” lives.

Guidance to the Bill – at Explanatory Note 146 - does state that:

Subsection (6) provides that a DAPO may include a requirement for the perpetrator to submit to electronic monitoring in order to monitor the perpetrator’s compliance with other requirements imposed by the order. This may include, for example, electronic monitoring of the perpetrator’s whereabouts to monitor his or her compliance with restrictions on their proximity to the victim’s home or to the victim themselves. This may also include the electronic monitoring of alcohol consumption, in order to monitor compliance with a requirement not to consume alcohol.

Whilst this is welcome, it is simply guidance and is weak protection for victims compared to what an amendment on the face of the Bill would offer them.

As the UK emerges from the Covid-19 lockdown, which has already led to a spike in incidences of domestic abuse, we should not be complacent in risking another spike once people are freer to move around. We strongly believe that bilateral, paired proximity technology offers that protection and reassurance to victims and would welcome support for this amendment to the Bill.

About Attenti

With over 20 years of field experience, in more than 30 countries, supporting over 400 programmes worldwide monitoring 200,000 individuals, we are true experts in monitoring solutions. In cases of domestic violence, we run electronic monitoring programmes in Spain, Portugal, Uruguay, Argentina, Israel, Turkey, Italy, the Netherlands and Slovakia. Law enforcement personnel depend on real-time insight and precise data provided by our solutions to keep people out of harm’s way. Prison and probation services worldwide rely on our knowledge to get their new programs up and running or to upgrade and expand existing programs. Every day, we put our knowledge into action, making societies safer.

www.attentigroup.com