



**domestic
abuse
commissioner**

Domestic Abuse Commissioner for England and Wales
2 Marsham Street, London SW1P 4JA
commissioner@domesticabusecommissioner.independent.gov.uk

The Rt Hon Suella Braverman KC
Home Secretary
2 Marsham Street
London SW1P 4DF

Dear Home Secretary,

It was lovely to meet you at the Queen Consort's reception on violence against women and girls in November. It was encouraging to hear of your ambitious agenda to tackle domestic abuse and I am very much looking forward to meeting with you next week to discuss how we can work closely together to deliver the much-needed changes to end domestic abuse and to support victims and survivors across England and Wales.

As you know, domestic abuse has a devastating impact on victims and their families and estimates from the Home Office's own analysis shows that it costs society £74 billion each year. It can affect every aspect of a victim's life – from where they live, to their employment, to their children's attainment at school. This is before including the considerable impact on the criminal justice system, where the police receive a domestic abuse-related call every thirty seconds and around one-third of violent crime reported to the police is domestic abuse-related. Given that most victims do not report, and work to encourage more victims and survivors to report their experiences continues to be underway, this is only likely to increase as a proportion of police work.

An effective response to domestic abuse requires a multi-disciplinary approach, both on the ground and across Government Departments. As Home Secretary, your leadership on this will be critical. At our meeting, I am keen to discuss my priorities in this area and how we can work together to drive forward this agenda. I have attached a list of key thematic areas of relevance in Annex A.

I am also writing to you as a matter of urgency in relation to the concerning case of David Carrick. As you will know, he will be sentenced next week for his horrific and abhorrent crimes. The impact of David Carrick, and previously Wayne Couzens, deeply reinforces existing concerns regarding police perpetrators. We cannot, and must not, let victims and the police down by allowing criminals to serve in forces across the country without repercussions.

Policing forms a critical part of our response to domestic abuse. Every day I am contacted by victims and survivors who have felt let down by the police; the very people who are there to keep them safe. This crisis in confidence has been compounded by the recent high-profile police cases as well as the sheer volume of officers now being

investigated in the Metropolitan Police Force alone. Victims are feeling scared to reach out to a crucial service which should be there to protect them.

We must restore faith in policing and the criminal justice system, and we must do that by seeing excellent police practice consistently across every force in England and Wales. My office engages closely with the police and criminal justice agencies to improve their response to domestic abuse. They are supporting the police to review and identify best practice; challenging the police on how they hold perpetrators (including police perpetrators) of domestic abuse to account; and have reviewed data across criminal justice agencies to understand victim attrition and service failure. I will continue to direct my office to support the police to drive change for a better service provision for victims and survivors of domestic abuse.

However, it is also important to return to much of the work which has already been done. I would like to work closely with you to ensure the learning from, and implementation of, the recommendations and findings from:

- The joint College of Policing, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS) and Independent Office for Police Conduct (IOPC) report on police perpetrated domestic abuse (PPDA).
- Baroness Louise Casey's interim report on misconduct.
- The joint review from the College of Policing and National Police Chiefs' Council, on the themes, learnings and recommendations on police-perpetrated violence against women and girls.
- The Angiolini Inquiry, including the extension of its terms of reference to include David Carrick. The HMICFRS inspection of vetting, misconduct and misogyny in the police and subsequent directions around how forces are responding to its findings on vetting.
- The Prime Minister's directive for all serving police officers to be cross-referenced against national police databases.

To see the root and branch cultural change across police forces in England and Wales, we must ensure that the findings of these reports are listened to, considered carefully, and enacted swiftly.

I understand my office has been in touch with dates for a meeting to discuss how we can work to drive through crucial improvements together. I look forward to finalising a date with your office shortly.

I look forward to working with you closely to support victims and survivors of domestic abuse, and to bring perpetrators to justice.

Yours sincerely,



Nicole Jacobs
Domestic Abuse Commissioner for England and Wales

Annex A – Thematic Areas for Discussion

Online Safety Bill

I am extremely pleased that Controlling and Coercive Behaviour (CCB) has been made a priority offence in the Bill. This will make a significant difference to victims and survivors of domestic abuse given that research by Refuge has found that 59% survivors have experienced coercive control through social media. I am also delighted that I have been announced as a statutory consultee in the Bill, and so that I will be consulted ahead of the drafting or amending of any codes of practice. My office and I look forward to working closely with Ofcom in the coming months to scope out further how this role will look.

However, as the Bill currently stands, it fails to address any specific duties of care in relation to preventing domestic abuse and Violence Against Women and Girls (VAWG) online, endangering the government's objective of increasing user safety, being met. VAWG is not expressly referenced in the Bill. There must be a VAWG Code of Practice to ensure that companies can respond to the breadth of VAWG and prevent harm to women and girls. Although some aspects of VAWG will be covered by elements of the Bill including new offences for image-based sexual abuse, these approaches do not see VAWG as a whole, nor recognise the greater risk faced by women online. Women and girls are disproportionately affected by online abuse, with women being 27 times more likely to be harassed online than men.

I know you share my objective to eliminate all forms of VAWG, and we must respond with a strong, no tolerance approach, to perpetrators of VAWG, particularly in light of the growing presence of content creators who are encouraging abusive and criminal behaviours. Despite controlling or coercive behaviour being a priority offence, a VAWG Code of Practice is still important in order to keep up with the changing landscape of online VAWG, with new threats emerging which aren't included on the list.

The Serious Violence Prevention Duty

I have also engaged with your officials on the Serious Violence Prevention Duty, an important new measure introduced through the Policing, Crime, Sentencing and Courts Act. I commend the Home Office and the Government for putting domestic abuse on the face of the Act and their commitment to addressing all forms of serious violence. Not only is domestic abuse *itself* a form of serious violence (with 163 domestic homicides taking place between April 2020 and March 2021), but it is also one of the most prolific drivers of public space serious violence. I value the engagement which has been sought from my office on the statutory guidance - which has recently been published and I look forward the continuation of this engagement with the Home Office, and with Duty Holders, as the Duty moves into the implementation stage.

Migrant survivors

Another key element in holding perpetrators to account will be allowing migrant victims and survivors to safely report their abusers to the police. Too often, dangerous offenders can prey on victims fully aware that their immigration status represents an insurmountable barrier for reporting to the police. Perpetrators use a fear of immigration

control to further abuse and coerce their victims; even where a victim has status in the UK, perpetrators often claim that reporting their abuse to the police will result in enforcement action. I therefore have, for some time, been calling for a firewall between police and immigration enforcement; this would remove this tool of control from an abuser's arsenal. Equally, it is vital that all victims are able to access support and public funds regardless of their status. My new report *Safety Before Status: The Solutions* makes use of ground-breaking new research and analysis to demonstrate the considerable benefit to the public purse of doing so, as well as the reduction in harm for victims who face the greatest barriers to support.

Support for specialist 'by and for' services

I would also value working closely with you on the provision of more specialist 'by and for' services, who provide the most expert advice and support to victims and survivors who face the greatest barriers to support. This includes survivors who are Black and minoritized, disabled, Deaf, LGBT+ or who have insecure immigration status. We know that local commissioning does not serve these populations well, and so a national model of support is needed. Our national mapping work found that 'by and for' organisations are five times less likely to receive statutory funding – despite being well evidenced as being best placed to support the most marginalised and minoritized victims.

Homicide Prevention

Research shows that women who do not have immediate access to cash funds at short notice are 3.5 times more likely to experience domestic abuse and will face considerable, additional barriers to leaving an abusive partner. Victims and survivors who lack financial means face a devastating and impossible choice between leaving their abuser, or staying out of fear of not being able to pay the bills or provide for their children. This outcome also increases risk of homicide, due to the victim not being able to leave an abusive home. I see an opportunity in the flexible funding model within the Tackling Domestic Abuse Plan to provide support to enable such victims to leave these relationships, and in turn prevent, or reduce risk of, homicide. I am eager to discuss the future pilot of this model which your department has committed to, in the near future.

Domestic Abuse Perpetrators Register

I am aware that your department is looking into an appropriate model for a register of domestic abuse perpetrators. It is important that any register takes offender management seriously and can learn from existing operations and practice, such as Claire's Law, MATAAC and DRIVE, in order to hold perpetrators to account, effectively support victims and survivors and ensure value for money. Such an approach will also ensure the capturing of perpetrator's beyond only those with a caution, or conviction, and increase the likelihood to capture high risk perpetrators who have not come into contact with the criminal justice system - such as David Carrick, who would not get picked up through the Violent and Sexual Offenders Register (ViSOR), which is based only on caution and conviction. Additionally, cases such as that of Damien Bendall and Jordan McSweeney sadly demonstrate placing perpetrators register does not necessarily prevent them from causing further harm where additional safety and risk

management measures are not implemented. I would like to discuss the work my office will be doing in understanding how Claire's Law is operationalised across England and Wales and the opportunities it provides for increased protection for at risk partners and more effective management of perpetrators.

Home Office Engagement

I would also like to thank your officials for their productive engagement with my office. Across the various teams, they have all been co-operative and responsive to my input and evidence. I very much appreciate the diligence they have undertaken in the development of Home Office policy and operations to improve outcomes for victims and survivors of domestic abuse.