

The Domestic Abuse Commissioner's introduction brief for Victims and Prisoners Bill.

The Victims and Prisoners Bill marks a monumental opportunity to improve access to support and services for victims and survivors of domestic abuse. However, as it is currently drafted, the Victims and Prisoners Bill will fail to realise the change needed to meet the needs of victims and survivors to improve their experience of accessing support and services. This briefing sets out key amendments that would be needed in order to ensure the Victims and Prisoners Bill is more ambitious in achieving the necessary and urgent changes needed for survivors.

The Issues

A lack of community-based services

Part 4 of the Domestic Abuse Act made great strides forward by placing a duty on local authorities to plan and provide accommodation-based support for survivors of domestic abuse and their children. However, there is no such duty for other essential community-based services (CBSs). CBSs such as counselling, therapeutic support, and advocacy are vital for survivors to help them find safety and cope and recover from abuse.

In November the Domestic Abuse Commissioner released her findings from her mapping of domestic abuse services across England and Wales: [‘A Patchwork or Provision’](#). Her findings found most victims and survivors wanted some form of CBS support, for example 83% wanted counselling and therapeutic support and 74% wanted 1:1 support (e.g. a case worker).

Her mapping also found a huge discrepancy in provision of services across England and Wales, and an acute lack of funding, particularly for ‘by and for’ services:

- Fewer than half of survivors were able to access the community-based support that they wanted, and only 35% said accessing help was easy or straightforward.
- Over 70% of survivors who wanted support for their children were not able to access it.
- Only 7% of survivors who wanted their perpetrator to receive support to change their behaviour were able to get it.
- Over one-quarter of domestic abuse services were forced to cease some services altogether due to lack of funding. For ‘by and for’ organisations, this rose to 45%.¹

Greater investment into CBSs is critical to intervene earlier and support survivors before they reach crisis point and are forced to flee their homes and seek refuge. Similarly, CBSs can be essential in preventing domestic abuse and can enable a survivor to remain in their home, avoiding potential disruption to their children’s schooling or their work. These services offer significant value for money, whilst preventing the extortionately high costs of accommodation-based services.

The fragile funding landscape in providing this support is growing increasingly unstable. The current economic climate has had a serious impact on victims and survivors, but also on the

¹ ‘By and for’ services are organisations that are designed and delivered by and for people who are minoritised (including race, disability, sexual orientation, transgender identity, religion, or age). These services will be rooted in the communities they serve, and may include wrap-around holistic recovery and support that address a victim or survivor’s full range of intersecting needs, beyond purely domestic abuse support. We consider separately services for women run by women.

services which support them. Recent results from a national Women's Aid survey has shown that nearly every member service (96%) said they were experiencing at least one of the following financial issues: increased rent for premises, other increased costs (e.g. food or supplies), funding not rising in line with costs or another financial issue.

The picture is deeply concerning, and a perilous financial situation is now nothing less than a state of crises. Short term resolutions are necessary, but longer-term sustainable funding – on a statutory footing – is vital to maintain these critical services and ensure that victims get the support they need.

Barriers to migrant survivors receiving support

In addition to this, the Domestic Abuse Commissioner has also published her [Safety Before Status](#) report which found that perpetrators utilise immigration status to retain control and inflict further abuse – known as immigration abuse. This includes threats of deportation and separation from their children if they report abuse and was a key tool David Carrick used to control one of his victims. Imkaan has reported that more than 90% of abused women with insecure immigration status had their abusers use the threat of their removal from the UK to dissuade them from reporting their abuse.

However, public services, from police to social services, can share information about a victim with insecure immigration status with the Home Office, which may result in immigration enforcement action. As such, survivors are not only finding it difficult to report to the police due to fears of deportation, but this fear is used as a tool by perpetrators to continue offending, with them often destroying documentation or purposely working to cause a survivor's status to become insecure.

Changes needed in the Bill

Unfortunately, where you live and who you are makes a huge difference to whether you can access support, or even report.

The Duty to Collaborate in the Victims and Prisoners Bill is a fantastic clause which will bring PCCs, Local Authorities, and Integrated Care Boards around the table to create joint strategies on how they will commission services and will be a good steppingstone to mend the patchwork of provision in order to ensure that every survivor has the support they need. However:

- There is no new funding to enable duty holders to commission services to meet the need they identify. This is particularly concerning for children who are victims of domestic abuse in their own right and will be required to be considered in the delivery of the duty.
- Without clear joint strategic needs assessments there will be a lack of consistency and clear accountability – it is vital all duty holders speak to the same picture to ensure shared responsibility as well as to help measure the effectiveness of the duty and duty holders.
- There is no movement towards a firewall between public services and immigration enforcement within the Victims and Prisoners Bill, which if introduced would increase confidence of survivors to report.

Opportunities

The following amendments would transform the response to domestic abuse and bring long overdue investment into domestic abuse services. The Commissioner recommends that the Bill is amended to:

- 1) Place a duty on local commissioners to conduct a Joint Strategic Needs Assessments (SNAs) as part of the duty to collaborate;**
- 2) Place a duty on national government to provide a statement every three years on the current volume, need, provision, and investment on domestic abuse drawing from the duty to collaborate;**
- 3) Place a duty on national government to meet the needs of victims and survivors as identified through the Joint Strategic Needs Assessments, and provide funding to duty holders to fund services; ensure multi-year funding flows into local duty holders to ensure that victims and survivors needs are met;**
- 4) Place a duty on national government to meet the needs of minoritised victims and survivors through funding specialist 'by and for' services directly;**
- 5) Implement a Firewall between Statutory Services and Immigration Enforcement for victims and survivors of domestic abuse, to ensure that they can safely report their abusers to the police.**

The Commissioner is working with a coalition of partners across the Specialist Domestic Abuse, Sexual Violence, and children's Sector to bring about the long overdue change needed for Victims Services. If you have any questions, on this or any other element of her work please reach out to Rhys Hart, Head of Policy, at Rhys.Hart@domesticabusecommissioner.independent.gov.uk.