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Lords Briefing: Report Stage

**Domestic Abuse Commissioner's Brief for the Victims and Prisoner's Bill:
Duty to Collaborate**

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 fully realise the change required to meet the needs of victims and survivors. This briefing sets out the key issues and the amendments needed to strengthen the Bill's Duty to Collaborate, in order to ensure that it is more ambitious and effective in achieving necessary and urgent change for survivors.

Issue

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 2022 the Domestic Abuse Commissioner released her findings from her mapping of domestic abuse services across England and Wales: ['A Patchwork of 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).

This 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' services¹:

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.



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- 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%

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 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 services which support them. Recent results from a national Women's Aid survey have shown that in England 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 crisis. 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 and survivors get the support they need.

Opportunities

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. It will be a good stepping stone to mend the patchwork of provision and ensure that every survivor has the support they need.

The Commissioner warmly welcomed the Government amendment at Report Stage in the Commons to place a duty on authorities preparing a strategy on victim support services to assess, and have regard to, whether and how the needs of victims and survivors are being met. This will help to ensure a consistent picture of need shared by all duty holders at a local level and accountability for these duty holders to provide vital services. Through this joint strategic needs assessment, more can be done to tie the strings between the Duty to Collaborate and existing duties such as the Serious Violence Prevention Duty, to create efficiencies and value for money, foster collaboration and strategic commissioning.

National Statement of Need

Joint strategic needs assessments must however also be accompanied by a National Statement, issued by Government, which will analyse these assessments at a national level. This will provide better information on need for adult and child victims, as well as perpetrators, enabling improvement in national government strategic investment in domestic abuse services. These changes would create a shared picture for both local areas and national government, wherein all local duty holders are equally accountable to ensure that victims get the support they need.

During Committee Stage debate in the Lords, the Government agreed that information from local joint strategic needs assessments should “strengthen the evidence base used to inform funding decisions made through the spending review process”. A National Statement would formalise this process and ensure it is consistent.

Duty to Fund

Furthermore, using this improved understanding of need, investment must be made into CBSs. The specialist domestic abuse sector is already underfunded and currently unable to meet need. This is compounded by the alarming financial situation now faced by an increasing number of Local Authorities², as a result of which, any services not underpinned by a statutory duty risk losing funding. It is not sufficient to simply point to existing funding streams. We risk seeing these vital services close – this would be devastating for victims and survivors and would hinder the progress we have made in our response to domestic abuse. We would benefit from such investment flowing through strategic and sustainable mechanisms, which is why we must look to use local needs assessments and a national

² [Letter to Communities Secretary on local authority financial crisis – Domestic Abuse Commissioner](#)

statement to identify the funding needed for specialist services and to place a duty on national government to meet this need. This would ensure effective and sustainable provision for victims and survivors of domestic abuse.

'By and For' Pot

This should be accompanied by a national 'by and for' funding pot to provide strategic investment and funding for 'by and for' services. Although the Commissioner would expect 'by and for' services to be commissioned at the local level, in some cases population density for a particular community may be too low to effectively commission locally. As such, we need a national fund that can provide investment to support 'by and for' organisations over wider geographical areas, as well as to build capacity, to ensure all victims and survivors can access the services they need.

During Committee Stage debate in the Lords, the Government noted that "commissioners will be required to have regard to the particular needs of victims who have protected characteristics, and this could result in the commissioning of by and for services." This fails to acknowledge the reality, however, that 'by and for' services are often disadvantaged in funding arrangements. The Domestic Abuse Commissioner's mapping report found 'by and for' services were six times less likely to receive statutory funding than specialist domestic abuse/VAWG organisations and nearly twice as likely to have had to cease services due to lack of funding. The specialist support provided by 'by and for' services also means they can incur higher running costs, and so are disproportionately disadvantaged by the local commissioning process.

Recommendations

The issues set out above are cause for grave concern, and deserve serious political commitment and legislative attention to address. The Victims and Prisoners Bill provides a critical opportunity to intervene, to prevent this crisis from escalating, and from reaching this point in future. The following amendments would transform the response to domestic abuse and bring long overdue investment into domestic abuse services. The Commissioner therefore calls on Peers to support amendments [66](#), [67](#) and [69](#) tabled by Lord Russell, which would:



- 1. 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 and needs assessments;**
- 2. 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;**
- 3. Place a duty on national government to meet the needs of minoritised victims and survivors through funding specialist 'by and for' services directly.**

The Domestic Abuse Commissioner is working with a coalition of partners across the specialist domestic abuse, sexual violence, and children's sectors, as well as with the Victims' Commissioner to bring about the long overdue change needed for victims' services. She is supportive of a wide range of amendments being led by these partners, and would welcome contact from any Peers who have an interest in or questions about any of these issues at: commissioner@domesticabusecommissioner.independent.gov.uk

