

A safer future without domestic abuse

**The Domestic Abuse Commissioner's priorities for a new Government
May 2024**



Introduction



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Domestic abuse affects as many as 2.1 million people a year across England and Wales.

Tackling domestic abuse must be a genuine cross-Departmental priority for any new Government – working together to fully harness levers of change, overseen by robust governance and accountability and driven from the very heart of Government.

This paper briefly sets out short-medium term recommendations that must be taken in order to address key issues that the Domestic Abuse Commissioner has identified. Some of these issues and recommendations will be detailed more fully in upcoming DAC Office policy reports on Children and Young People, and on the Criminal Justice System. These build upon existing reports we have published on the Family Courts, domestic abuse service provision and migrant survivors.

The Domestic Abuse Commissioner also strongly encourages any new Government to give very careful consideration to the expertise of the specialist Violence Against Women and Girls (VAWG) sector, including as set out in their joint manifesto.

Key priorities in a nutshell

**Domestic
abuse service
provision &
funding**

**Policing &
criminal
justice**

**Children &
young
people**

**Family
Courts**

**Migrant
survivors**

**Domestic
homicide &
suicide**

Domestic abuse service provision and funding

The issue

Specialist domestic abuse services provide lifesaving support to victims and survivors of domestic abuse, including counselling, refuge, safety planning and advocacy.

Statutory services such as social care and policing rely on these specialist services to function effectively and prevent serious

further harm, as part of a coordinated multi-agency response to domestic abuse.

In the context of increasing need for support, the rising cost of living and the local authority financial crisis, these specialist services – already struggling to meet demand – face a real, significant risk of funding cuts, increasing risk to victims, skyrocketing pressure on other local services, and risking loss of decades of expertise built up within the domestic abuse sector.



Domestic abuse service provision and funding

The Domestic Abuse Commissioner calls on a new Government to end the patchwork of provision by:

- Introducing a statutory duty to fund community-based domestic abuse services, including dedicated, ringfenced funding for specialist 'by and for' services*.
- Guaranteeing ring-fenced future funding for accommodation-based services, via the Safe Accommodation Duty, as a separate Section 31 grant beyond March 2025.
- Issuing a regular National Statement on need, informed by local joint needs assessments, to enable robust, better informed, more strategic decision-making at the national level.

*'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

Policing and criminal justice

The issue

The criminal justice system is a critical part of the response to domestic abuse, to keep victims safe and hold perpetrators to account. Unfortunately, while domestic abuse recorded by the police has increased, charges and convictions have dropped significantly since 2016, and remain unacceptably low. Vital protections such as Clare's

Law (Domestic Violence Disclosure Scheme) and non-molestation orders are applied and policed inconsistently and ineffectively, and revelations of horrendous abuse perpetrated by serving police officers have left victim trust in the police at an all-time low.

Poor data collection, tracking and analysis means that it is not currently possible to properly monitor domestic abuse criminal justice outcomes, understand repeat victimisation or identify the key points at which we see victim attrition or cases being dropped by agencies.



Policing and criminal justice

The Domestic Abuse Commissioner calls on a new Government to strengthen the criminal justice response by:

- Driving up standards and consistency in the end-to-end criminal justice response to domestic abuse, including through more robust collaboration with specialist sector partners.
- Strengthening police vetting and misconduct procedures, including regular re-vetting and a duty to record, risk assess and respond to any complaint made against a serving officer related to domestic abuse or violence against women and girls.
- Ensuring Police Officers are trained in domestic abuse and coercive control, including how to effectively interact with victims who have experienced this, competently and accurately assessing risk, and enforcing key protective measures.

- Creating a Domestic Abuse Data Tool for criminal justice agencies which enables the tracking of domestic abuse cases from report to court.
- Re-establishing Specialist Domestic Abuse Courts across England and Wales to hear domestic abuse cases in the Magistrates' Court.
- Better connecting police and court systems on protection orders, and ensuring sufficient resourcing of proactive elements of Domestic Abuse Protection Orders upon national roll-out.
- Securing a sustainable funding model for perpetrator behaviour change services that draws from the data at a local level.
- Committing to utilising the upcoming Domestic Abuse Commissioner's Criminal Justice Report to drive forward improvements in the system.

Children and young people

The issue

One in five children experience domestic abuse; and the Domestic Abuse Act 2021 for the first time recognised them as victims in their own right. However, due to a lack of funding, statutory duty or guidance, there is a chronic lack of awareness and clarity as to what children as victims of domestic abuse means in practice. This is compounded

by the distinct lack of specialist support services available – of victims who wanted support for their child, only 29% are able to access it.

The Domestic Abuse Commissioner's Office is currently working on a report on children and young people subject to domestic abuse, including a mapping exercise of specialist support services across England and Wales. The report will make detailed recommendations to Government and will reflect feedback from frontline staff such as social workers and teachers, as well as from children themselves.



Children and young people

The Domestic Abuse Commissioner calls on a new Government to transform the response to child victims by:

- Centralising the Department for Education's role in protecting and supporting child victims of domestic abuse, and ensuring coordinated strategic leadership on this issue across Government.
- Developing cross-Government practice guidance to underpin Part 1 Section 3 of the Domestic Abuse Act, which recognises children as victims of domestic abuse in their own right.
- Reviewing all existing Department for Education flagship programmes and Children's Social Care reforms to ensure a robust, domestic abuse-informed focus.
- Adopting a Whole Schools Approach to tackling domestic abuse, including development of the RSHE curriculum to comprehensively provide young people with the knowledge to recognise signs of abuse, develop skills to seek support when necessary, and ultimately, to prevent domestic abuse.

- Embedding schools and educational settings within the Coordinated Community Response to domestic abuse, including formalising their role as a statutory Safeguarding Partner.
- Committing to utilising the upcoming Domestic Abuse Commissioner's Children and Young People Report to drive forward improvements in the system, including addressing any gaps in provision identified.

Family Courts

The issue

Family Courts are the number one issue that victims and survivors contact the Domestic Abuse Commissioner with concerns about – they remain a significant tool for post-separation abuse and a source of revictimisation.

Last year, the Commissioner published a report, *Domestic Abuse and the Family Court: Achieving Cultural Change*, which made ten key recommendations to transform

the family justice system into one with culture of safety and protection from harm, where children's needs and the impact of domestic abuse are central considerations, and victims and survivors of domestic abuse feel listened to and respected.

Some positive progress has been made since the report was published. The Office is currently leading a pilot for the Family Court Review and Reporting Mechanism (FCRRM), to increase the transparency of Family Courts in responding to allegations of domestic abuse in private family law cases, and will report on the pilot's findings later this year. However, much work still remains to be done.



Family Courts

The Domestic Abuse Commissioner calls on a new Government to improve the Family Court response to domestic abuse by:

- Committing to a child-centric approach to family justice, including removing the presumption in favour of parental involvement.
- Ensuring that every victim and survivor going through the Family Court has access to specialist domestic abuse support, by investing sustainably in these support roles.
- Robustly evaluating the Pathfinder Court pilots, and use this learning to inform a sustainable, properly resourced national roll-out of the scheme.
- Removing the Legal Aid means test for all victims and survivors of domestic abuse.
- Developing a simplified legal mechanism which allows for the transfer of a tenancy in the Family Court if a survivor of domestic abuse shares a joint secured or social tenancy with the perpetrator.

Migrant survivors

The issue

Migrant victims and survivors of domestic abuse face some of the most significant barriers to accessing support simply because of their immigration status. 'Immigration abuse' is a tactic used by abusers as a form of coercive control.

The Domestic Abuse Commissioner's research has found that every police force in England and Wales has shared information about victims and survivors of domestic abuse with immigration enforcement.



This practice stops victims from reporting domestic abuse and allows perpetrators to evade justice. It has also identified that 32,000 victims and survivors with No Recourse to Public Funds (NRPF) would come forward each year if support were made available. Investing £57 million a year to support these victims would generate £2.3bn social gains over 10 years.

The Domestic Abuse Commissioner has published a series of reports (*Safety Before Status: The Solutions; How to ensure the Victims and Prisoners Bill meets the needs of all survivors*; and *Improving Pathways to Support*) which set out in full the challenges faced and the solutions to overcoming them.

Migrant survivors

The Domestic Abuse Commissioner calls on a new Government to protect migrant victims and survivors of domestic abuse by:

- Introducing a firewall between public services and immigration enforcement, accompanied by safe reporting mechanisms and funded referral pathways to support.
- Ensuring support for migrant victims and survivors with NRPF by extending the Migrant Victims Domestic Abuse Concession (formerly the Destitution Domestic Violence Concession) and the Domestic Violence Indefinite Leave to Remain provisions.
- Providing dedicated funding for specialist 'by and for' organisations supporting migrant survivors of domestic abuse.

Domestic homicide and suicide

The issue

Over the last decade there has been no significant reduction in the number of domestic homicides each year.

In 2011, Domestic Homicide Reviews were established on a statutory basis to ensure that lessons are learnt when a person has died as a result of domestic abuse. Now called Domestic Abuse Related Death Reviews, these reviews can bring a huge amount of value to local agencies, however, little is

known nationally about whether their recommendations are implemented effectively, and actions can drift over time.

The Domestic Abuse Commissioner has established a Domestic Homicides and Suicides Oversight Mechanism (DHOM) to support local and national delivery of Domestic Abuse Related Death Reviews recommendations, by monitoring implementation and drawing together key themes in order to learn lessons and prevent future deaths.

As part of this work, researchers at the HALT study at Manchester Metropolitan University were commissioned to conduct analysis into the themes and trends for recommendations relating to criminal justice, health services, children's services, and adult social care.



Domestic homicide and suicide

The Domestic Abuse Commissioner calls on a new Government to reduce domestic abuse related deaths and treat them with the seriousness they deserve by:

- Guaranteeing the continuation of the work of the Domestic Homicides and Suicides Oversight Mechanism, and its roll-out nationally.
- Introducing the full suite of recommendations in the Wade Review into domestic homicide sentencing, so that perpetrators of domestic abuse who kill their partners are appropriately held to account.

Other key priorities

The Domestic Abuse Commissioner also calls on a new Government to ensure a truly holistic, cross-Departmental response to domestic abuse by:

Health

- Improving accountability for health commissioning of interventions which support the domestic abuse response.
- Rolling-out a Whole Health Approach to domestic abuse across every NHS body in England.

Housing

- Exempting victims and survivors of domestic abuse from any local connection test requirements for social housing.
- Funding a Housing First pilot specifically for victims and survivors of domestic abuse with multiple disadvantages.
- Providing guidance and training to local authorities encouraging them to house survivors of domestic abuse in safe accommodation wherever possible.

Child Maintenance Service

- Ensuring minimum payments for victims and survivors of domestic abuse to avoid them incurring any debt, including stronger enforcement of recovery for missed payments.
- Exploring additional legislation to support the prosecution of cases of financial coercion and control committed in the context of child maintenance.

Risk Assessment

- Committing to a full review of risk assessment frameworks and processes, including the DASH and MARAC.
- Informed by outcomes of this review, placing multi-agency risk assessment frameworks on a statutory footing.

Online Safety

- Requiring online services to implement safety-by-design in both existing and emerging areas of technology.
- Working with academics and tech abuse experts to confirm a universal definition of tech abuse.
- Committing resource to further investigate how tech abuse presents itself and to develop a robust response to support victims and survivors of domestic abuse.

The role of the Domestic Abuse Commissioner

- Guaranteeing long-term resourcing for the Domestic Abuse Commissioner and her Office, in order to continue holding Government to account and fulfilling her role as set out in the Domestic Abuse Act 2021, to reflect the size and scale of challenge posed by domestic abuse.