



**domestic
abuse
commissioner**

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Lord James Timpson OBE
Minister of State for Prisons, Parole and Probation
102 Petty France, London SW1H 9AJ

Dear Minister of State for Prisons, Parole and Probation

I would like to warmly welcome you to your new role as Minister of State for Prisons, Parole and Probation in this new government. Since my appointment as the first Domestic Abuse Commissioner for England and Wales in September 2019, I have had the privilege to act as an independent voice for victims and survivors of domestic abuse, drawing on my 30 years' experience in domestic abuse services, policy and intervention. I have used my statutory powers, which are set out in the Domestic Abuse Act 2021, to hold both agencies and government to account to help improve the support provided to the 2.1 million victims and survivors of domestic abuse every year and to hold perpetrators to account. I very much look forward to expanding on this work with you in your new role.

I note with interest your previous role as Chair of the Prison Reform Trust. I admire the Trust's work on women in the criminal justice system and its calls for change in how the system responds to their needs. Given the prevalence of experiences of domestic abuse amongst women in prison, as well as of experiences of childhood abuse, I have every confidence that your work at the Prison Reform Trust will provide an excellent foundation upon which to bring a domestic abuse-informed lens to your new role.

Prison capacity crisis

I have no doubt that, of the many pressing issues requiring your attention as Minister of State for Prisons, Parole and Probation, foremost amongst these is the current prison capacity crisis. You may be aware that I recently wrote to both the new [Prime Minister](#) and [Lord Chancellor](#) on this issue, but wanted to take the opportunity to reiterate my concerns to you directly as the responsible Minister, and following the Lord Chancellor's recent announcements on this issue.

I welcome the efforts that have been built into early release plans to mitigate risks and to attempt to exclude those domestic abuse perpetrators convicted of more serious offences. I appreciate also the efforts that your Officials have made to communicate these plans to my Office and I. As I reiterated in my [public statement](#) on 12 July, however, I remain concerned about the message early release sends and the impact it could have on victims. We know from HM Inspectorate of

Probation that one-third of those managed by probation were known domestic abusers, even when this was not their index offence. Coupled with findings that two-thirds of probation areas are not meeting standards of protecting the public, there remain unanswered questions about how risk will be effectively managed.

For those perpetrators who have received prison sentences, this provides a period of respite for victims and their children to recover and plan for their safety. Early release undermines this, especially when victims are unable to know the date of their perpetrator's release – without this, safety planning is impossible. It is therefore imperative that there is robust communication with victims – and the specialist services who support them – to keep them informed about early release plans.

This problem requires long-term solutions. We must acknowledge that this crisis is occurring when just 1 in 5 victims of domestic abuse report to the police, and just 5% of police-recorded domestic abuse results in a conviction. As we work to raise awareness of domestic abuse, build faith in the criminal justice system, and improve criminal justice outcomes for victims who do report, convictions will, and should, only increase. Our criminal justice system must be prepared for that.

Analysis done by my office estimates that, if just one-third of victims reported to the police – even if still just 5% of police recorded domestic abuse resulted in a conviction – we could see up to 10,000 additional convictions for domestic abuse every year. If returning to the 2016 high of 18% of police recorded domestic abuse resulting in a conviction, this would be considerably higher. A lack of prison places must not stop the new Government's ambition to halve violence against women and girls in a decade. We owe it to the 2.1 million victims of domestic abuse every year.

A statutory mitigating factor for domestic abuse

In the longer term, I repeat the call I made to the Prime Minister and Lord Chancellor for domestic abuse to be a statutory mitigating factor for victims who offend as a result of their abuse. As you are aware, the majority of women in prison report experiences of domestic abuse and over half have sentences of less than six months. Alongside the Prison Reform Trust, I have long called for this statutory mitigating factor, and worked with colleagues at PRT to support amendments to the Domestic Abuse Act to bring this into effect. Victims should not be criminalised due to their experience of abuse, and these prison places should be freed up for more dangerous offenders.

Perpetrator Management

I fully support this Government's overarching commitment to halving VAWG in ten years. As Chair of the Perpetrator Strategic Reference Group – a group of leaders from across a range of sectors which meets quarterly to stimulate thinking, build cross-sector relationships, and nurture leadership with regard to responses to domestic abuse perpetrators – I also welcomed the specific Manifesto commitment to relentlessly target the most prolific and harmful perpetrators of domestic abuse. I believe that this must be underpinned by a clear, long-term strategy for responding to perpetrators. It is imperative that, as part of a whole-system response to domestic abuse, perpetrators are held accountable and effectively managed to reduce risk. This includes through enforcement of protective orders and quality behaviour change programmes that stop reoffending. In theory, there are a range of interventions available to address different levels of

risk and need, however, in practice, there is little delivery by probation of structured interventions and practitioner toolkits, and no comprehensive analysis of expected delivery volume or efficacy. Equally, the failure of court and police systems to interact means police are unable to effectively enforce protective orders, and 3 years after the new Domestic Abuse Protection Orders were introduced, a pilot has yet to be launched.

I noted the Manifesto commitment to conduct a strategic review of probation governance and welcomed the Lord Chancellor's recent statement on plans to recruit over 1,000 additional trainee probation officers by March 2025. I have been calling for sufficient resources for the probation service in order to ensure that it can effectively manage perpetrators of abuse through pre-sentencing reports, risk assessment and appropriate rehabilitative orders. I would also welcome strategic thinking more broadly on how the probation service identifies and responds to domestic abuse, including its role in collaborative, multi-agency working, such as MARAC.

Working together

I would warmly welcome the opportunity to engage regularly with you in your new role, and remain available to you and your colleagues across Government to engage and advise on all issues relating to domestic abuse – as well as to facilitate, wherever needed, invaluable connections to the specialist sector and to victims and survivors themselves.

As an independent Commissioner, my team and I are here to support, advise, and challenge. My small team of domestic abuse experts develop policy, conduct research, and collect practice insight to ensure that we can be at the forefront of thinking and understanding of what victims and survivors need. We currently meet with your Officials on a regular basis, including a quarterly meeting with the Chief Probation Officer. I have every hope that these relationships will continue to flourish under this new Government.

I would warmly welcome a discussion at your earliest convenience on these important issues.

Yours sincerely,

Nicole Jacobs

A handwritten signature in black ink that reads "Nicole Jacobs". The signature is written in a cursive, flowing style.

Domestic Abuse Commissioner for England and Wales