



CREATING A TRULY TRANSFORMATIVE DOMESTIC ABUSE BILL

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Recommendations from the
All-Party Parliamentary Group on
Domestic Violence and Abuse, 2017-18



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Domestic Violence and Abuse

women's aid
until women & children are safe

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The All-Party Parliamentary Group on Domestic Violence and Abuse provides a forum for discussion on how policy and legislation relating to domestic violence and abuse is affecting survivors and specialist support services. Women's Aid provides the secretariat to this group and supports the group in an administrative and operational capacity. The chair of the APPG is Jess Phillips MP, and the vice-chair is Maria Miller MP.

This is not an official publication of the House of Commons or the House of Lords. It has not been approved by either House or its committees. All-Party Parliamentary Groups are informal groups of members of both houses with a common interest in particular issues. The views expressed in this report are those of the group.

The report was researched and compiled by Women's Aid.

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Forewords



There has rarely been a more important opportunity to shape how legislation affects domestic abuse victims as the one presented by the domestic abuse bill proposed in the 2017 Queen's speech.

A bill dedicated to addressing the issues faced by victims of this crime, and those who provide the services that respond, presents parliament with a chance to really improve people's lives. This opportunity must not be missed or squandered.

For the past year the All-Party Parliamentary Group in partnership with Women's Aid and in collaboration with survivors, national and regional specialist services, academics and professionals (such as those working in the criminal justice system and local authorities), have worked together to create this report.

The recommendations we are making here will make the domestic abuse bill fit to help the very people it seeks to support, and we hope they help ministers and civil servants working on the bill see where gaps in provision and failings of the past can be rectified. This report is truly cross-party and aims to work with the government as it drafts future legislation and considers current regulation.

The APPG has in the past, and does so again here, worked hard to make the case for sustainable funding for secure and accessible

refuge accommodation across the United Kingdom, and to ensure that changes to welfare policy always consider the effect on this, one of the most vulnerable groups in our society. We have had some success in getting the government to hear our call on this issue. We will continue to work in partnership to see these life-saving services secured and improved.

The recommendations cover a variety of issues we feel that the bill must address. They cut across government departments to ensure domestic abuse is not simply seen as a criminal justice issue but as a crime that has implications for policies in welfare, immigration, healthcare, social care, housing and education.

This is not the end of our involvement in shaping the domestic abuse bill but instead the beginning. We hope that our recommendations will be received positively by the government and we look forward to continuing to shape this potentially groundbreaking legislation.

Jess Phillips MP
Chair of the APPG

Maria Miller MP
Vice-Chair of the APPG

Handwritten signature of Jess Phillips in blue ink.

Handwritten signature of Maria Miller in blue ink.



All survivors deserve the right to rebuild their lives free from abuse, and the domestic abuse bill is a unique opportunity to change the lives of women and children survivors. This important report from the All-Party

Parliamentary Group sets out why it is vital that the domestic abuse bill encompasses and goes beyond changes to the criminal justice system alone. We know that many women do not feel able to report abuse to the police, therefore we need a bill that makes domestic abuse everyone's business if we are going to truly transform the response to domestic abuse for all survivors.

The domestic abuse bill must put survivors' safety and needs at its heart whilst crucially working towards early intervention and prevention at every possible point. Throughout the year's programme, we have heard from survivors that having access to specialist support services for them and their children is essential to improve the response to domestic abuse. That's why the APPG is calling on the government to establish a sustainable funding model for all specialist domestic abuse services, including refuges, so that every survivor and her children can safely escape domestic abuse.

Over half of the residents in refuge are children who also need support to help them recover from their experience of domestic abuse. Yet since 2010, children and young people's domestic abuse support provision has been in decline. On just one day last year,

94 women and 90 children were turned away from refuges in England; demand will only increase if the domestic abuse bill is effective. Without sustainable funding for all domestic abuse support services underpinning the domestic abuse bill, more women and children will be put at risk.

The report's recommendations cover many 'touchpoints' on a survivor's journey, from early intervention and prevention through to crisis support. They are grounded in the experiences of survivors and the wealth of expertise in the violence against women and girls sector, which we strongly encourage the government to draw from. We hope to see many of the recommendations adopted in the legislation and the wider package of non-legislative measures proposed by the government. Getting the detailed 'letter of the law' right is crucial for survivors' protection; but so too is the national conversation new legislation provokes. By making domestic abuse everyone's business, together we can ensure that every survivor and child can live a life free from fear, free from abuse.

Katie Ghose

Chief Executive of Women's Aid

A handwritten signature in black ink that reads "Katie Ghose".

Executive summary

There is true cross-party consensus on the urgent need to tackle domestic abuse and all forms of violence against women and girls (VAWG). However, while reporting rates are at record levels, domestic abuse remains an urgent social crisis, costing the lives of two women every week at the hands of their partners or ex-partners¹.

Meetings of the All-Party Parliamentary Group (APPG) on Domestic Violence and Abuse have been, and continue to be, vital for ensuring parliamentarians understand lived experiences of domestic abuse, and for developing cross-party recommendations to government. A core purpose of the APPG is to contribute to the development of policy and legislation on domestic abuse and all forms of violence against women and girls. In the Queen's speech given in 2017, the government committed to deliver a domestic abuse bill, set to progress through parliament following the public consultation that opened on International Women's Day 2018.

The APPG welcomes the proposed bill as a landmark opportunity to transform the national response to survivors of domestic abuse. The APPG is a valuable parliamentary mechanism for engagement with, and scrutiny of, the proposed legislation. The 2017-18 programme has been dedicated to discussion on key elements and priorities for the bill, which have enabled the group to make robust recommendations to government. The group hopes these recommendations will be considered carefully.

The 2017-18 programme covered a range of different issues related to the domestic abuse bill, including the protection of migrant women, the health sector response, and access to safe housing for survivors. To support this programme the APPG heard from a range of

experts, academics, practitioners and survivors who provided a clear 'on the ground' picture of the barriers and issues survivors face on a daily basis. This evidence, ministerial engagement, and the knowledge and expertise of specialist services, have fed directly into the recommendations for the bill and the non-legislative package which will support it.

The APPG has always called for survivors to be at the heart of any legislation or policy, including for the forthcoming domestic abuse bill. Discussions over the course of this programme have established core priorities for the legislation that the sector, survivors, academics, and the MPs and peers in this group have achieved consensus on: the bill must meet the needs of all survivors of domestic abuse and migrant women must not miss out on protections granted; it must provide a sustainable future for specialist services (particularly due to the bill increasing demand of already highly-stretched services); and it must drive a cultural shift in the national response of all agencies and parts of the public sector to ensure survivors' needs are met.

The APPG's influence on the bill is already tangible: regular discussions between the chair, vice-chair, and the Parliamentary Under Secretary of State for Crime, Safeguarding and Vulnerability (the minister responsible for the legislation), as well as meetings with other ministers, including the Minister for Housing and Homelessness, have taken place. These recommendations will continue to be used during the bill's progression through parliament, both by parliamentarians and other stakeholders. The APPG looks forward to working with the government to deliver these recommendations.

1 Office for National Statistics. (2018) *Homicide in England and Wales: year ending March 2017*. Published online: ONS

The APPG on Domestic Violence and Abuse's six key asks of the bill

There are a multitude of issues facing survivors, many of which the APPG has covered before, including access to justice in the criminal courts, experiences of the family courts and child contact arrangements, effective police responses to the crime, the sentences handed down to perpetrators, and domestic homicide. The purpose of this report is to discuss key recommendations that have stemmed from this year's programme of work which has focused on key areas identified by the group's officers. On this basis, the APPG has the following six key asks for the bill:

1. A sustainable, long-term and secure funding model for specialist domestic abuse services, most urgently refuges, including those specific services for BME women, LGBT women and disabled women, and specialist support for children who have experienced domestic abuse.
2. A violence against women and girls (VAWG) commissioner, who has the power to effectively enforce a clear framework of national accountability for the resourcing, quality and provision of services.
3. Migrant survivors, including survivors on non-spousal visas and all those who have no recourse to public funds due to their immigration status, should have full and equal access to all the services and support they need.
4. 'Priority need' status for housing extends to all survivors of domestic abuse, with clear guidance that local authorities should accept all survivors of domestic abuse who present themselves as homeless, regardless of their local connection, under the local connection criteria of the homelessness legislation.

5. Secure domestic abuse as a priority within the health and social care sector, first and foremost reflected through mandatory ongoing training for health care providers and professionals.
6. Ensure mandatory relationships and sex education has a clear and gendered focus on tackling domestic abuse and VAWG, tackles pervasive gender stereotypes, is delivered in partnership with the expertise of specialist domestic abuse services, has a 'whole school approach' to prevention, and includes both online and offline abuse.

Terminology

In this briefing the term 'survivor' has been used as much as possible, however there are some instances where this isn't possible and we refer specifically to women and girls. Nevertheless the primary focus is women survivors, as domestic abuse is a gendered crime which is deeply rooted in the societal inequality between women and men. It takes place 'because she is a woman and [it] happens disproportionately to women'².

In addition, the APPG's default position is to talk about 'domestic abuse' because we recognise that survivors may not identify with 'domestic violence' if they have not been physically abused, and we want to meet the needs of survivors and talk to them in a way that is as accessible as possible. However, we know that within the VAWG sector and civil society 'domestic violence' is frequently used and that this does not only refer to acts of physical violence but the entirety of the crime. There will be circumstances where this is the most appropriate terminology.

2 United Nations (UN) Declaration on the elimination of violence against women 1993.

2017-18 Programme

Over the 2017-18 programme, the chair, vice-chair, officers and secretariat of the APPG agreed to focus on the following key issues:

- ▶ **Transforming our national response:** priorities for the upcoming domestic abuse bill
- ▶ **Establishing a new commissioner:** a job description
- ▶ **Early intervention and prevention:** tackling the root causes of domestic abuse
- ▶ **Protecting survivors with no recourse to public funds**
- ▶ **Safe accommodation:** tackling homelessness and the housing issues facing survivors – joint meeting with the APPG on Ending Homelessness
- ▶ **Complex needs:** women’s mental health and domestic abuse – joint meeting with the APPG on Mental Health

Transforming our national response: priorities for the domestic abuse bill

The APPG on Domestic Violence and Abuse is an important means for debate on legislation, policy and practice, and the group has considered and heard evidence on how the proposed domestic abuse bill could transform the national response to domestic abuse and what the key priorities for the government’s programme of work on the bill should be.

The key components of the bill have been set out by the government in its consultation on the bill³ as: a statutory definition of domestic abuse; a new, consolidated, protection order; a new domestic abuse commissioner; and an aggravated category of offence where domestic abuse impacts a child which can lead to greater sentences. The bill must go wider than focusing on these measures alone in order to make a real difference to the lives and experiences of survivors, and to prevent domestic abuse from happening in the first place.

End the postcode lottery of provision

Whilst the demand on all forms of specialist services is great, they continue to face severe funding challenges. A particular challenge is the current localised system of domestic abuse service provision, as organisations may operate in one local authority area but deliver a national service to meet the needs of specific groups of women, for example survivors with complex and intersecting needs. Women experiencing domestic abuse are currently being turned away from life-saving support due to services not having the space or specialism to support them after years of funding insecurity⁴. This is unacceptable.

3 <https://consult.justice.gov.uk/homeoffice-moj/domestic-abuse-consultation/>

4 Women’s Aid (2018) *Survival and Beyond: The Domestic Abuse Report 2017*. Bristol: Women’s Aid.

We expect that the government's welcome ambition to increase public awareness, and to improve the confidence of survivors to report and seek help, will increase demand for already highly stretched specialist services. Therefore there is an urgent need for specialist services to be set on a sustainable footing. The APPG is clear that the legislation, or non-legislative measures, must: keep women and children safe in their own home; deliver sustainable funding for services and refuges for women who want to leave their own home or who have exhausted all other options; end the postcode lottery of support to survivors; and, place the onus to stop the abuse firmly at the door of the perpetrators.

A statutory definition of domestic abuse

The APPG welcomes the introduction of a statutory definition of domestic abuse to ensure clarity and consistency in the identification of and the response to domestic abuse across all public bodies. The statutory definition must explicitly name the gendered nature of domestic abuse to truly reflect the reality of the crime. Without recognition of gender, the disproportionate scale and impact of domestic abuse on women, as already recognised by the government, will not be consistently understood. This has a knock-on effect on local funding priorities and may further contribute to a 'gender-neutral' approach to domestic abuse, which obscures the reality of how abuse is perpetrated, who the victims and perpetrators are most likely to be, and what gender-specific services are required to meet the needs of both male and female victims.

"What gets measured gets done'. Defining domestic abuse correctly is critical for statistics, policy making and decision making across the public sector."

Katie Ghose
Chief Executive, Women's Aid

Black and Minority Ethnic survivors

Breaking down the specific barriers faced by Black and Minority Ethnic (BME) women must be central to the bill. Perceived, or actual, discrimination within institutions and agencies can prevent BME survivors from accessing the help they need. Additionally, shame, stigma and fear of repercussions within the wider community pose specific and serious risks. There are major challenges facing specialist BME services in meeting these women's needs, including those services and community groups that have been severely impacted by funding and commissioning practices. Survivors with no recourse to public funds are particularly vulnerable as their ineligibility for welfare benefits can pose an often insurmountable barrier when accessing services. This bill must protect all women and children regardless of their immigration status or whether they can access public funds.

Child survivors

The APPG welcomes government recognition that domestic abuse has a 'chronic' impact on children and their futures, and the recent announcement by the Home Office of £8 million funding for services supporting children experiencing domestic abuse.

The APPG is concerned about reports of women survivors being held accountable, and responsible, for the harm caused to children from domestic abuse. Perpetrators are far too often invisible in these situations.

The APPG is clear that survivors must not experience ‘victim blaming’ for harm caused to children by domestic abuse, particularly in relation to child protection responses and child contact arrangements made in the family courts where mothers often report feeling blamed or made to feel responsible for the abuse they have suffered. It is crucial that the blame for the impact of domestic abuse on children lies squarely with the perpetrator. Tackling victim-blaming attitudes through improved training and understanding of the nature and impact of the crime is essential, alongside improved joined-up responses from agencies to ensure consistent support is provided to women and children. Throughout the development of the bill we must also ensure children’s experiences are recognised and their voices are heard.

Key statistics

- ▶ On average two women are killed by their partner or ex-partner every week in England and Wales⁵.
- ▶ A domestic abuse crime is committed every minute in England and Wales⁶.
- ▶ Around four in five victims of partner abuse (79%) do not report the abuse to the police⁷.
- ▶ 29.5% of young people under 18 have been exposed to domestic violence during their lifetime⁸.

Recommendations for priorities for the legislation

- ▶ A sustainable, long-term funding future for specialist services.
- ▶ Ensure the legislation meets the needs of all survivors, including older women, women in employment, BME women and LGBT women.
- ▶ Ensure migrant survivors, including those with no recourse to public funds, have full and equal access to all services, and financial support to enable their access to services.
- ▶ The voices of children are given a key role in developing policy and legislation on domestic abuse – this must be done safely and sensitively.
- ▶ A joined-up response from agencies to ensure consistent support is provided to women and children.
- ▶ Specialist training for statutory agencies and public sector professionals, to recognise and respond to domestic abuse, and signpost women and children to support.
- ▶ The need for a robust response to perpetrators, that holds them fully accountable for the crime.

5 Office for National Statistics. (2018) *Homicide in England and Wales: year ending March 2017*. Published online: ONS

6 Her Majesty’s Inspectorate of Constabulary, Fire and Rescue Services. (2018) *PEEL: police effectiveness 2017 - a national overview, March 2018*

7 From Crime Survey for England and Wales data for the year ending March 2015. Office for National Statistics. (2016) *Focus on Violent Crime and Sexual Offences: Year ending March 2015. Violent crime and sexual offences from the year ending March 2015 Crime Survey for England and Wales and crimes recorded by police*. Published online: ONS

8 Callaghan J.E.M., Alexander J. H., Fellin L.C., Sixsmith, J. (2015) *Beyond ‘witnessing’: Children’s Experiences of Coercive Control in Domestic Violence and Abuse*

■ Establishing a new commissioner: a job description

A key element of the proposed bill is the creation of a new commissioner role. The APPG sought to develop a 'job description' which would set out a proposal for the scope, powers, functions and duties of this important new position. There are existing commissioner roles comparable to the government's proposal, including the independent anti-slavery commissioner. The former commissioner, Kevin Hyland OBE, contributed evidence to the APPG, alongside speakers from specialist services and local authorities, for this element of the legislation.

Lessons from the anti-slavery commissioner

The APPG identified clear elements for the development of the new commissioner when examining the scope of the current anti-slavery commissioner, such as: clear statutory responsibilities and accountability; an effective reporting mechanism back to the government; an adequate budget; and independence from government. It is also clear that the commissioner will need to ensure that there is an effective joined-up multi-agency response and a more victim-led response to this crime.

National accountability

The current lack of accountability for the response survivors receive from statutory agencies and the limited national monitoring of access to support and service provision are key gaps for the commissioner to fill. The APPG was concerned to hear reports of the problematic allocation and delivery of central funding streams, such as the Home Office VAWG Transformation Fund and recent Ministry of Housing, Communities and Local Government

(MHCLG) grants to local areas. Some of these problems include favouring larger, generic organisations over smaller, specialist organisations with long established expertise, and a lack of understanding of domestic abuse and VAWG amongst some of those awarded large grants. As a result, a proportion of the funds are not necessarily delivering the aims of government, but leading to an inconsistent and uncoordinated approach within and between local authorities. The commissioner could have important oversight of the delivery and monitoring of such funds, ensuring a joined-up approach and evaluating how funding is spent. In order to tackle the lack of accountability, the commissioner role must also assess how local areas and statutory agencies are complying with the national statement of expectations (NSE) for VAWG services, which sets out what local areas are expected to provide and do in their vicinity.

Expanding the scope – a VAWG commissioner

There is a strong consensus, which the APPG supports, that the scope of the commissioner role should reach across all forms of violence against women and girls (VAWG) in recognition that these crimes are interlinked, and a cause and consequence of women's inequality. Best practice examples of service provision in local areas are typically where VAWG services are planned and delivered in an integrated way. If the new commissioner's brief were limited to domestic abuse only, they would be out of step with the established national policy framework in this area - the Home Office-led, but cross-departmental, strategy to end violence against women and girls.

To ensure survivors are at the heart of the bill, the commissioner role should also maintain meaningful consultation and engagement with survivors and specialist services, including through the creation of an advisory group. The advisory group would provide a formal



mechanism to share expertise with the commissioner. It would also support and scrutinise the work of the commissioner and their office.

Key statistics

- ▶ There are three comparable commissioner roles; anti-slavery, children's and victim's. The budget for the anti-slavery commissioner is £575,000 a year⁹, the victim's commissioner is £474,000 a year¹⁰, and the children's commissioner is £2,434,565 a year¹¹.
- ▶ The problems being tackled by other commissioner roles (for example the anti-slavery commissioner where the UK government estimates there are tens of thousands people in slavery in Britain¹²) are not as prevalent as domestic abuse and VAWG.
- ▶ The Crime Survey of England and Wales (CSEW) indicates that an estimated 1.2 million women experienced domestic abuse in the year ending March 2017¹³, and an estimated 4.3 million women aged 16-59 have experienced domestic abuse since the age of 16¹⁴.

"The commissioner's control of budget, staffing and strategy is critical for securing independence and effectiveness. In particular, the ability to recruit staff with expertise across all fields."

Kevin Hyland OBE, former Independent Anti-Slavery Commissioner

Recommendations for the commissioner

The recommendations and guidance the APPG received enabled the group to draft a job description for the commissioner (see next page) and set out key priorities for this role to ensure this role makes a difference to the lived experiences of survivors.

"It is essential for the commissioner to utilise the experience and expertise of specialist domestic abuse services to challenge the postcode lottery and improve outcomes for victims."

Sara Ward, Chief Executive, Black Country Women's Aid

9 Independent Anti-Slavery Commissioner Annual Report 2017

10 Commissioner for Victims and Witnesses: Annual Report for 2015-16

11 Children's Commissioner Business Plan 2018-19

12 www.antislavery.org/slavery-today/slavery-uk/

13 Office for National Statistics. (2017) *Domestic abuse in England and Wales: year ending March 2017*. Published online: ONS.

14 Office for National Statistics. (2018) *Domestic abuse: findings from the Crime Survey for England and Wales: year ending March 2017*. Published online: ONS.

JOB DESCRIPTION: COMMISSIONER**MAIN PURPOSE OF POST**

- To sit under the violence against women and girls (VAWG) strategy, in order to recognise that different forms of violence and abuse are interlinked, a cause and consequence of women's inequality, and the best local area VAWG services are planned and delivered in an integrated way.
- To 'stand up' for survivors of domestic abuse and act as a core part of a national accountability framework for the resourcing, quality and provision of services.
- To ensure their work is meaningfully informed by survivor's voices, and to maintain an open relationship with the VAWG sector, including regular meetings. VAWG sector members to have a role in working groups or boards created.

STATUTORY POWERS AND KEY RESPONSIBILITIES

- Monitor statutory agencies and local authorities, and compel them to engage in their work; to ensure they are providing appropriate and safe services that are accredited to nationally recognised standards, are accountable to the national statement of expectations and provide a multi-agency response.
- Reviewing the response to Black and Minority Ethnic survivors, LGBT survivors, disabled survivors, older survivors, survivors with no recourse to public funds, survivors with complex and intersecting needs, and other vulnerable groups.
- Data collection and the ability to conduct robust research with meaningful recommendations that are monitored against progress.
- Focus on prevention, early intervention, and perpetrators being held to account.
- Improve public awareness and understanding of all forms of VAWG.
- Share best practice across both the VAWG sector and civil society.
- Reporting and scrutiny mechanism to be as strong as possible to ensure transparency and success of the role.
- An annual report on work completed, and details of which government departments, sectors and public bodies need to improve their responses.
- Regular meetings and access to all relevant cabinet ministers and government departments, including attendance at the current inter-ministerial group meeting on VAWG chaired by the home secretary, and all relevant civil servants.
- Clear strategy and interaction for their work in Wales and in regards to the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

OTHER REQUIREMENTS

- Transparent recruitment process, have expertise in the VAWG field and be completely independent of government.
- The role must be adequately resourced and be equipped with a sufficient sized team to tackle their designated issue.
- To report back to relevant cabinet ministers and government departments and select committees.

Early intervention and prevention: tackling the root causes of domestic abuse

Domestic abuse continues to happen at epidemic rates, impacting women and girls from all communities, cultures and backgrounds. It is therefore crucial that the upcoming bill tackles the root causes of this crime; challenging the harmful social and cultural patterns of behaviour that underpin abuse and violence, tackling 'toxic' gender stereotypes and prejudices, and promoting equality through education and awareness-raising. It will be critical to continue to engage men and boys in prevention and working towards creating a culture where domestic abuse and violence are not tolerated.

Toxic culture

The APPG heard evidence about how men are socialised from an early age in their understanding of what it means to be a man, which often has negative connotations, for example – men don't show emotion or cry, and 'real' men are in control of their relationships. These negative stereotypes are sustained across generations due to the misogynistic culture in society that enables these behaviours and attitudes to persist, largely unchallenged. Popular current television programmes, such as Love Island and The Only Way is Essex, often portray harmful behaviour in relationships between the cast members, seemingly without consequences for those exhibiting these behaviours.

The APPG is clear that the education system is crucial for tackling pervasive gender stereotypes, and can also be a safe place for children and young people to disclose their abuse. The Department for Education launched a consultation in July 2018 on the draft regulations, statutory guidance, and regulatory impact assessment for compulsory

relationships education, relationships and sex education (RSE) and health education. The APPG is clear that the guidance must have a clear and gendered focus on tackling domestic abuse and VAWG, and be delivered in partnership with the expertise of specialist services. High quality RSE must also be delivered as one part of a 'whole school approach' to preventing and ending domestic abuse and VAWG; it must be embedded across the curriculum and school life. A whole school approach must specifically address the needs of vulnerable children and young people who are impacted by abuse, including basic guidance, visible displays for support services, and safe spaces for children to disclose.

Community ambassadors

There is a clear need to 'break the silence' on domestic abuse. Tackling negative gender stereotypes and 'toxic masculinity' that underpin these crimes is a good place to start. Men and boys have an important role in this work and there are tangible ways to engage them, for example, by being volunteer ambassadors through programmes run by the White Ribbon campaign. Such ambassadors would share their learnings on domestic abuse with friends, family, neighbours, colleagues, as well as challenge myths, stereotypes and victim-blaming attitudes in their community, and understand how to respond to a disclosure and signpost people to help from expert services.

"Violence against women and girls is not just a women's issue – it's everyone's - and it takes all of us to take responsibility and a multi-agency response to tackle the root causes."

Anthea Sully, CEO, White Ribbon UK

Social media

The APPG is concerned to have heard evidence from a survivor who, during a case, had to educate a judge on different social media platforms so they could understand the online abuse she had suffered. This is unacceptable and it is crucial that the criminal justice system and judiciary are informed of the different forms of online abuse and the different channels used by perpetrators. There must be a better understanding and awareness of social media in both the judiciary and in parliament, alongside wider training on domestic abuse. Social media is moving on so fast and we must recognise how it can be abused and the impact this has, particularly on the younger generations.

"If relationship and sex education was better, maybe I would have run a mile from my perpetrator."

Nicola Roberts, Singer and Campaigner

Key statistics

- ▶ A recent survey of 120,000 young women in the UK, undertaken by Women's Aid in partnership with Cosmopolitan magazine¹⁵, indicates that one third had experienced domestic abuse in their relationship.
 - ▶ Of those who said they hadn't been in an abusive relationship, almost two thirds (63.8%) said that they had experienced one or more 'red flag' behaviours of abuse.
- ▶ Previous Department for Education data indicating how secondary schools allocate their curriculum revealed that the time spent teaching PSHE education had fallen by over 32% in just four years¹⁶.
- ▶ Guidance on relationships and sex education has not been updated since 2000; 18 years ago¹⁷.
- ▶ 59% of girls and young women aged 13 to 21 said in 2014 that they had faced some form of sexual harassment at school or college in the past year¹⁸.
- ▶ Almost a third (29%) of 16 to 18-year-old girls say they have experienced unwanted sexual touching at school¹⁹.

15 www.cosmopolitan.com/uk/reports/a20072270/domestic-abuse-relationships-cosmopolitan-uk-womens-aid-research/

16 Figures based on comparison of Department for Education workforce data 2011 (www.gov.uk/government/statistics/school-workforce-in-england-november-2011) and 2015 data (www.gov.uk/government/statistics/school-workforce-in-england-november-2015)

17 www.gov.uk/government/news/new-relationships-and-health-education-in-schools

18 Girlguiding UK Girls' Attitudes Survey 2014 December 2014

19 End Violence Against Women Poll Results October 2010

Recommendations

- ▶ Ensure the domestic abuse bill goes further than the criminal justice system alone so that it has a real impact on prevention and early intervention.
- ▶ Ensure mandatory relationships and sex education has a clear and gendered focus on tackling domestic abuse and VAWG, tackles pervasive gender stereotypes, is delivered in partnership with the expertise of specialist domestic abuse services, has a 'whole school approach' to prevention, and includes both online and offline abuse.
- ▶ Continue to raise awareness and equip the public with knowledge to break the silence about domestic abuse within communities, tackle everyday sexist behaviour, and remove the barriers that make it hard for survivors to disclose their experiences.
- ▶ Ensure an understanding and awareness of social media and online platforms are incorporated into training for all members of the judiciary.
- ▶ A duty for social media companies, such as Twitter and Facebook, to work with specialist domestic abuse organisations to ensure that women and children survivors of domestic abuse are kept safe online, and improve how online forms of abuse and VAWG are reported and evidenced.

Protecting survivors with no recourse to public funds

Women with no recourse to public funds due to their immigration status²⁰ currently face almost insurmountable barriers to fleeing abuse and accessing safety. There are growing concerns that these barriers are increasing in the context of a 'hostile environment' for migrants. The APPG and the VAWG sector agree that reforms are required to ensure that all survivors, particularly BME and migrant survivors, are able to access the support and services they need, regardless of their immigration status.

A survivors' experience

The APPG heard evidence from a survivor who faced huge barriers in accessing support after she came to England with two of her sons to live with her husband, a British national. Her husband became progressively more controlling and violent and threatened to get her deported. This made her feel extremely anxious and frightened to tell the police or other statutory agencies about the abuse which she has suffered. Organisations reported to the APPG that this is a common tactic of coercion and control by a perpetrator who has a wife on a spousal visa. Despite contacting both the police and local housing services, neither provided her with quality advice or support, despite local authorities having statutory duties under Section 17 of the Children Act to support women and children. She contacted the National Domestic Violence Helpline²¹ but struggled to access any refuge due to having no recourse to public funds; many refuges are unable to cover the costs of rent for a woman if she has no access to welfare benefits or other means of paying. She applied for the destitute domestic violence (DDV) concession under

20 This can include those on spousal visas, student visas, work visas and EEA nationals.

21 Run in partnership between Women's Aid and Refuge.

the domestic violence rule²². Once the DDV concession was in place, and she was able to claim welfare benefits for a limited period, she secured a place for herself and her youngest son in a refuge. Sadly her other son had to 'sofa surf'.

"We must improve access to help, information and support for women with no recourse to public funds who come to the UK on a spousal visa, so they don't go through the same experience I did."

Survivor

'Hostile environment'

It is concerning that the proposed elements of the bill do not address the multiple and complex barriers faced by migrant women. Immigration status itself is routinely used by perpetrators as a means to coerce and control and is compounded by a 'hostile environment' and inadequate public sector responses to migrant women experiencing domestic abuse. The APPG is concerned about restrictive policies which are not giving fair access to protection and support and are trapping many migrant women in abusive relationships. This can lead to women becoming homeless and destitute if they leave and there is evidence that many migrant women will not report incidents of domestic abuse to the police for fear it will lead to the removal of their right to stay in the UK²³.

"Immigration laws and policies subject women to secondary abuse and trauma in their response to migrant women fleeing domestic abuse."

Pragna Patel
Director, Southall Black Sisters

In addition, migrant survivors reportedly receive a profoundly discriminatory state response when identified as experiencing domestic abuse. The APPG is deeply concerned to hear reports of statutory services offering to pay for a woman's fare back to her home country if she reports domestic abuse, and offering to facilitate mediation with the perpetrator, which is not only inappropriate but can also be highly dangerous. These concerns were raised by Women's Aid, the secretariat of the APPG, and Southall Black Sisters at the oral evidence session of the Home Affairs Select Committee inquiry of the domestic abuse bill²⁴.

Destitute domestic violence (DDV) concession

The government has stated in the bill's consultation that they are working to review and improve how the immigration system caters to individuals who have been victims of domestic abuse. The APPG welcomes the destitute domestic violence (DDV) concession, a scheme provided by the Home Office and Department for Work and Pensions (DWP) to ensure victims can access the public funds they need to escape and fund a stay in a refuge, secured through advocacy from the 'by and for BME women's sector'. However we heard

22 The DDV concession provides a woman with a period of residence and, as a result, a right to welfare benefits for up to three months. Access is limited to women on spousal visas who have limited leave to remain during their first two years in the UK, however three months is not a sufficient length of time for UK Visas and Immigration to consider their application.

23 Step Up Migrant Women UK: Latin American Women's Rights Service, Safe Reporting of Crime for Migrants With Insecure Immigration Status, May 2017

24 <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/domestic-abuse/oral/86887.html>

extensive concerns about the operation of the DDV concession; it is currently only accessible to specific categories of migrants; it excludes many women with insecure status; the criteria for access is too narrow; and the process is too complex and lengthy for victims in incredibly vulnerable situations. We urge the government to act now and to ensure fair and equal access to support for migrant survivors. Reforms to the DDV concession must be delivered within the bill, as the DDV concession is too often failing to provide an effective safety net.

Key statistics

- ▶ Women's Aid's No Woman Turned Away project²⁵ supported 404 women in 2016-17. Over a quarter (27%) had no recourse to public funds and only eight of these 110 women with no recourse to public funds were able to access refuge – a total of just 7%.
- ▶ While some survivors who have no recourse to public funds can access public funding from social services if they have children, during 2016/17 only 766 out of 11,187 vacancies (5.4%) posted on Routes to Support²⁶ were able to consider applications from women with no recourse to public funds²⁷ due to the funding pressures these services face and the lack of access to statutory financial support.
- ▶ A survey of women using specialist BME domestic abuse services found that 89% of women (126 women) said they preferred to use abuse services with a BME specialism²⁸.

Recommendations for migrant survivors

- ▶ Expand the destitute domestic violence (DDV) concession so it is accessible to all migrant women and extend the timeframe beyond three months.
- ▶ Ensure housing and benefits are provided to migrant women on non-spousal visas through expanding the DDV concession to all migrant women with insecure status.
- ▶ Provide additional financial support to refuges and domestic abuse services to support women with insecure immigration status and no recourse to public funds.
- ▶ Provide clear guidance for all agencies, service providers and practitioners who come into contact with migrant women to put the safety and rights of women ahead of immigration enforcement, to ensure insecure immigration status does not bar women from protection and justice and that migrant women have access to secure and safe reporting.
- ▶ End the practice of curtailing spousal visas for women when their partner claims the marriage has ended, recognising that perpetrators may do this to continue coercion or control.
- ▶ Provide temporary visas for women who have entered the UK on spousal visas and are taken to another country and abandoned there, so they can return and access support.
- ▶ Guidance for social services to provide financial and housing support to women and children who meet the S17 criteria (Children Act 1989) on a statutory footing.

25 www.womensaid.org.uk/research-and-publications/nowomanturnedaway/

26 Routes to Support is the UK-wide online database of information, including refuge vacancies, about domestic abuse and other violence against women services for women and children throughout the UK.

27 Women's Aid (2018) *Survival and Beyond: The Domestic Abuse Report 2017*. Bristol: Women's Aid.

28 Thiara, R and Roy, S. (2012) *Vital Statistics 2 Key Findings Report on Black, Asian, Minority Ethnic & Refugee women & children facing violence & abuse*. P. 17 London: Imkaan

- ▶ Provision of financial support to refugees to be part of a sustainable funding model to support women with no recourse to public funds so they can confidently accept referrals from these women without having to consider or mitigate against the financial implications.
- ▶ Consider creating a mechanism to flag previous marriages or previous supported spousal visa applications to a woman during their own spousal visa application process.
- ▶ Greater inclusion of foreign spouses in the visa application process to ensure they understand their rights and where to go for help and support.

■ Safe accommodation: tackling homelessness and the housing issues facing survivors of domestic abuse

Joint meeting with the APPG on Ending Homelessness

The APPG on Domestic Violence and Abuse and the APPG on Ending Homelessness jointly considered the priorities for tackling homelessness and the housing issues facing survivors, in the context of the domestic abuse bill and the implementation of the Homelessness Reduction Act (HRA). Core areas of consideration in this context were: the experiences of homelessness and housing insecurity for survivors and service providers; the operation of the 'priority need' policy and assessments of vulnerability; and implementing the HRA and Housing First with survivors at the heart.

Barriers to safe and appropriate housing

Currently there is an inconsistent response in meeting survivors' housing needs. The APPG was highly concerned to hear that 53.6% of survivors supported by Women's Aid's No Woman Turned Away project were turned away from local authority housing teams²⁹ as they were not deemed to meet assessments of vulnerability under 'priority need'. The group is clear that survivors must always be deemed 'priority need' without having to satisfy the criteria of local authorities' assessment of vulnerability. It is also unacceptable that survivors face huge barriers in accessing accommodation from the local authority if they are not from the local area; for obvious reasons women often have to move away from the perpetrator to be safe. Survivors escaping

²⁹ Women's Aid (2018) *Nowhere To Turn: Findings from the Second Year of the No Woman Turned Away Project*. Bristol: Women's Aid.

domestic abuse should be confident that they will have access to secure and appropriate accommodation that is safe for them and their children.

These barriers are exacerbated by the lack of social housing, and it was noted by one London-based specialist service that over three-quarters of survivors being supported were staying in temporary accommodation at any one time³⁰. Welfare reform policies also compound barriers to fleeing or accessing safe and appropriate housing, including, for example, the benefit cap and ‘two child tax credit limit’. The APPG is clear that welfare reforms must be assessed for their impact on women’s ability to escape abuse and rebuild their lives after escaping.

Whole housing approach

The APPG heard evidence that for survivors supported by specialist services, housing was the most frequent co-presenting issue alongside domestic abuse³¹. Despite having a responsibility to support individuals with both housing and domestic abuse related issues, local authorities are not always fulfilling their duties. To tackle this, and to meet the housing needs of survivors, there must be clear pathways to accommodation support for survivors and a ‘holistic whole housing approach’ to tackling housing issues for survivors, including the private rented sector, social landlords, reciprocal housing schemes, sanctuary schemes, Housing First, domestic abuse support workers and IDVAs, perpetrator management, resident support schemes, and Domestic Abuse Housing Alliance accreditation for housing associations. All, crucially, must be underpinned by the availability of refuges and high quality training for all professionals involved.

“We need a whole housing approach - underpinned by refuges as essential crisis support. It’s also vital to improve the private rented sector response to domestic abuse.”

Gudrun Burnet,
Domestic Abuse Housing Alliance

Best practice

The APPG is encouraged by support for the HRA, which is welcome progress in strengthening the prevention of homelessness by ensuring local authorities deliver support at an earlier stage. Real concerns remain, however, about the funding provided by the government to deliver the legislation in full which could result in local authorities not delivering services in the true spirit of the Act. The APPG heard from a survivor who highlighted poor practice in this regard; when she escaped the abuse and came to London she was caught in a cycle of insecure housing that failed to provide a safe environment for her and her children. Councils that have implemented successful HRA models should share best practice, so other local areas can deliver a consistent and appropriate response to survivors.

“I struggled to find accommodation after fleeing, and ended up in places including a mass hostel with no sanitary provisions, and temporary accommodation where the ceiling kept falling in.”

Survivor

30 Solace Women’s Aid report (2016) *The Price of Safety: How the housing system is failing women and children fleeing domestic abuse* [online] Available at: http://solacewomensaid.org/wp-content/uploads/2015/11/SolaceWomens-Aid-housing-report_The-price-of-safety_Mar16.pdf

31 Women’s Aid (2018) *Survival and Beyond: The Domestic Abuse Report 2017*. Bristol: Women’s Aid.

The APPG is also clear that local authorities must take additional steps to ensure they are sufficiently supporting survivors, such as reciprocal initiatives or partnering with specialist support services, training housing officers in domestic abuse and providing trauma-informed support. Such additional steps are evident in a current Housing First pilot being run by Standing Together in partnership with St Mungo's and Advance, which is a welcome step in providing safe and secure housing. This pilot enables truly wrap-around support to survivors.

Key statistics

- ▶ Domestic abuse accounts for around one in ten homelessness applications³².
- ▶ 61% of homeless females had experiences violence and/or abuse from a partner³³.
- ▶ Data from the Femicide Census shows that 75% of women killed by men in 2016 were killed at their own home, or the home they shared with the perpetrator³⁴.
- ▶ Women's Aid's No Woman Turned Away³⁵ research reveals that from 2016-17, of the survivors who approached their housing teams for support, 53% were prevented from making a valid homeless application.

Recommendations

- ▶ The government should extend priority need status to all survivors of domestic abuse.
- ▶ Local authorities should accept all survivors of domestic abuse who present themselves as homeless regardless of their local connection, under the local connection criteria of the homelessness legislation.
- ▶ A sustainable and secure funding model for specialist domestic abuse services, including those specialist services for BME women, disabled women and LGBT women.
- ▶ MHCLG to consider implementing an England-wide housing reciprocal initiative for survivors.
- ▶ MHCLG and the Home Office to jointly consider pilots of Housing First, implemented in partnership with specialist services, and to share best practice of housing and homelessness responses to domestic abuse cases.

32 England: Department for Communities and Local Government (2018) Live Tables on Homelessness, Tables 773 and 774 available at: <https://www.gov.uk/government/statistical-data-sets/live-tables-on-homelessness>

33 Mackie, P & Thomas, I (2014) *Nations Apart? Experiences of single homeless people across Great Britain* Available at: https://www.crisis.org.uk/media/20608/crisis_nations_apart_2014.pdf

34 Women's Aid in partnership with Karen Ingala Smith. (2017) *The Femicide Census: 2016 Findings - Annual Report on Cases of Femicide in 2016*. Bristol: Women's Aid.

35 Women's Aid (2017) *Nowhere to Turn: Findings from the first year of the No Woman Turned Away project*. Bristol: Women's Aid.

Complex needs: women's mental health and domestic abuse

Joint meeting with the APPG on Mental Health

Survivors far too often face the consequence of siloed policy-making between the different issues they are experiencing, despite the interconnections between issues such as mental health and domestic abuse. The APPGs on Domestic Violence and Abuse and Mental Health sought to highlight the connections between gender-based violence and women's mental health, and to consider priorities to improve women's mental wellbeing, particularly for survivors of domestic abuse.

The rates of mental health issues amongst women, and the links between women's mental health and experiences of abuse, point to the need for routine enquiries about experiences of abuse with mental health patients, and the need for all mental health settings to provide safe environments for disclosure.

"Violence had a significant impact on my mental health: I experienced flashbacks, anxiety and depression, I self-harmed and attempted suicide."

Survivor

Access to support: women

The APPG supports calls for trauma-informed care within all health settings to provide the right response to survivors of domestic abuse who are experiencing poor mental health. It is unacceptable that many women only receive the help they need after they reach crisis point, and concerns remain that proper assessments are not being carried out to establish what underpins a person's mental ill health, which can often be experiences of domestic abuse.

Whilst not all women report abuse to the police, there are opportunities to get the response right in health settings, for example when women see a GP or mental health professional. There is also a need for increased oversight in the reviewing of the accessibility of services for particular groups of women, in particular women with mental health problems and complex needs.

Access to support: children

Central to considerations of domestic abuse and mental health is the support available for children, which is currently woefully inadequate. We have heard that many specialist domestic abuse services have had to lose children's workers due to funding cuts. Children are not only witnesses of domestic abuse, they experience it and are often trying to manage the behaviour of the perpetrator to protect themselves and their non-abusive parent. Improved early access to support and fast-tracked access to mental health and therapeutic support would have a huge impact on both women and children.

"Women and girls must be able to access support when they need it, and this requires investment in specialist women's mental health services."

Katharine Sacks-Jones, Director, Agenda

Key statistics

- ▶ At least half of the 1.2 million women who have experienced extensive violence and abuse throughout their lives meet the diagnostic criteria for a common mental health disorder. More than a third had made a suicide attempt, while a fifth had self-harmed³⁶.
- ▶ Over a third of women in refuges have mental health specific needs, but less than a third of refuges employ mental health support workers³⁷.
- ▶ Only 20% of domestic abuse services get any funding from local health bodies³⁸.

Recommendations

- ▶ Secure domestic abuse as a priority within the health and social care sector.
- ▶ Establish mandatory, ongoing training for health care providers and professionals, with advanced provision for 'first contact' staff and those in specialities where they are likely to care for women and children survivors (such as GPs, mental health nurses and midwives).
- ▶ Build on the general practice identification and referral programme IRIS to ensure that health care settings are safe places for survivors, where disclosures are responded to effectively and survivors are safely sign-posted and referred to specialist support services.
- ▶ Improve access to quality mental health support for survivors, including fast-tracked access to Child and Adolescent Mental Health Services (CAMHS) for children, and counselling, therapeutic and mental health support for women.

36 Scott, S. & McManus, S. (2016) *Hidden Hurt: Violence, abuse and disadvantage in the lives of women*. DMSS research for Agenda. Available here: <http://weareagenda.org/wp-content/uploads/2015/11/Hidden-Hurt-full-report1.pdf>

37 Women's Aid (2018) *Survival and Beyond: The Domestic Abuse Report 2017*. Bristol: Women's Aid.

38 Women's Aid (2018) *Survival and Beyond: The Domestic Abuse Report 2017*. Bristol: Women's Aid.

Conclusion

The APPG on Domestic Violence and Abuse welcomes the opportunity provided by the domestic abuse bill to transform the national response to survivors of domestic abuse. The APPG is committed to working with the government to ensure that the experiences and needs of all survivors - including children - are heard and reflected in the legislation.

The recommendations in this report are an invaluable resource as they have been constructed based on the lived experiences of survivors, and the knowledge and expertise of specialist services, academics and policymakers. The group's recommendations have cross-party backing and support, and will be used during the pre-legislative scrutiny of the bill by the APPG's officers, other parliamentarians, and key stakeholder groups. The APPG is also committed to holding a meeting on the draft legislation, once it has been published by the government, to analyse the detail and to ensure that it meets the needs of survivors and provides a sustainable future for the support services that we anticipate will experience further demand from the legislation.

The APPG will continue to tackle the societal issues, attitudes and inequalities that underpin domestic abuse, as well as convening a diverse group of survivors and specialist service voices to drive progress. The APPG hopes that the government delivers these recommendations to ensure the domestic abuse bill is truly transformative. The APPG will continue to hold inquiries and meetings that will support the wider aims of the proposed domestic abuse bill, and work alongside the government to ensure that this legislation is robust and meaningful.

"It is crucial to ensure we have a victim-led response in the detail of this bill and in the work of the commissioner."

Councillor Simon Blackburn
Chair of the Local Government
Association's Safer and Stronger
Communities Board, and Leader of
Blackpool Council

"The bill must protect the rights and safety of all women and children experiencing abuse."

Priya Chopra
CEO, Saheli Asian Women's Project

Appendix

Officers of the APPG

- **Jess Phillips MP** Chair
- **Maria Miller MP** Vice-Chair
- **Sarah Champion MP**
- **Vicky Foxcroft MP**
- **Baroness Glenys Thornton**
- **Caroline Lucas MP**
- **Baroness Sally Hamwee**
- **Norman Lamb MP**
- **Paul Scully MP**
- **Sir Peter Bottomley MP**
- **Gavin Newlands MP**
- **Alison Thewliss MP**
- **Thangham Debonnaire MP**
- **Seema Malholtra MP**
- **Alex Chalk MP**
- **Baroness Verma**
- **Emma Hardy MP**
- **Baroness Bertin**
- **Angela Smith MP**
- **Alex Norris MP**
- **Baroness Lister**

Speakers

- **Anonymous survivors of domestic abuse**
- **Alison Inman** President, Chartered Institute of Housing
- **Anthea Sully** CEO, White Ribbon
- **Cllr Simon Blackburn** Chair of the Local Government Association's Safer and Stronger Communities Board and Leader of Blackpool Council
- **Dominic Williamson** Executive Director of Strategy and Policy, St Mungo's
- **Dora Welker** Researcher, Institute for Social Policy, Housing and Equalities Research
- **Dr Hannana Siddiqui** Southall Black Sisters

- **Elinor Crouch-Puzey** Housing Development Manager, Standing Together
- **Gill Herd** Senior Manager, Partnerships, Solace Women's Aid
- **Guddy Burnet** Domestic Abuse Housing Alliance
- **Ian Swift** Housing Services Manager, Southwark Council
- **Jackie Doyle-Price** Parliamentary Under Secretary of State for Mental Health and Inequalities
- **Jon Sparkes** Chief Executive, Crisis
- **Katharine Sacks-Jones** Director, Agenda
- **Katie Ghose** Chief Executive, Women's Aid
- **Kevin Hyland OBE** the UK's first Independent Anti-Slavery Commissioner
- **Mary Mason** CEO, Solace Women's Aid
- **Nicola Roberts** Singer and Campaigner
- **Nicole Masri** Legal Officer, Rights of Women
- **Paulette Furse** Survivor
- **Pragna Patel** Director, Southall Black Sisters
- **Priya Chopra** CEO, Saheli Asian Women's Project
- **Professor Jane Callaghan** University of Stirling
- **Sara Ward** Executive Director, Black Country Women's Aid
- **Sarah Newton MP** former Parliamentary under Secretary of State (Vulnerability, Safeguarding and Countering Extremism)
- **Sarah Stonedale** Survivor
- **Sian Hawkins** Head of Campaigns and Public Affairs, Women's Aid
- **Vanessa Dixon** Director of Operations, Shelter
- **Victoria Atkins MP** Parliamentary Under Secretary of State for Crime, Safeguarding and Vulnerability

*Creating a truly transformative domestic abuse bill:
Recommendations from the All-Party Parliamentary Group on Domestic Violence and Abuse
2017-18*

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