



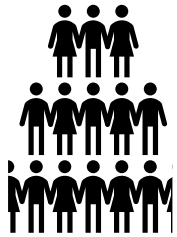
Domestic Abuse Commissioner's Office

JUDITH VICKRESS

PRACTICE & PARTNERSHIPS TEAM

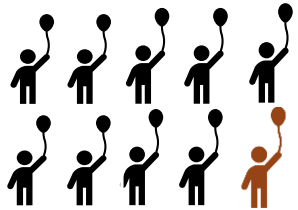
ON BEHALF OF THE DA COMMISSIONER, NICOLE JACOBS

In numbers

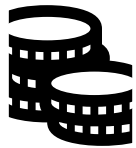


2.3 million
adults affected by domestic
abuse in year ending March
2020 (5.5% of adult population)

8.8 million
adults have experienced
domestic abuse since the age of
16 (20.8% of adult population)

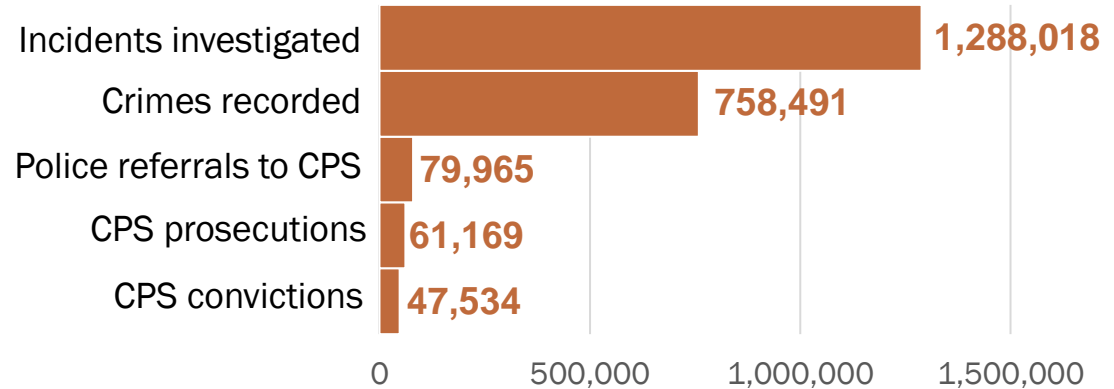


1 in 10
adults lived with
domestic abuse as
children



£66 billion
The estimated annual cost of
domestic abuse to society
(year ending March 2017)

DA flagged police recorded incidents, crimes and prosecutions - year ending March 2020



Purpose

The Problem

- The prevalence of domestic abuse remains too high, and the national and local response (while in some areas improving) is inadequate to the scale and complexity of the problem.
- The response represents a “postcode lottery” with significant variation across England and Wales.
- Not only does the specialist domestic abuse support available vary in both quantity and quality, but the wider community response from health, housing, education or social care varies considerably.

The Domestic Abuse Commissioner

- Nicole Jacobs was appointed Designate Domestic Abuse Commissioner in September 2019. The passage of the Domestic Abuse Act saw her official appointment as the Commissioner.
- The Commissioner will play a key role in holding local and national Government to account in order to improve the response to domestic abuse and shining a light on both good and poor practice and policy.
- All statutory agencies and Government Departments will have a legal duty through the Domestic Abuse Act to cooperate with the Commissioner and respond publicly to any of her recommendations within 56 days.

Priorities of the Domestic Abuse Commissioner

Priorities - Overarching

- To represent and magnify the voices of victims and survivors of domestic abuse.
- To continue to develop a framework for mapping domestic abuse services nationally.
- To conduct mapping for domestic abuse services nationally and to subsequently lay reports before parliament and make recommendations.
- To end the 'postcode lottery' for survivors of domestic abuse.
- To improve the national response to domestic abuse and hold both local and national Government to account

Priorities – Timely

- To monitor the impact of Covid-19 on domestic abuse, and support relevant third sector organizations as they co-ordinate their response to the crisis.
- To help ensure an integrated and joined up approach to government strategy on domestic abuse and VAWG

The Domestic Abuse Act

This landmark piece of legislation, first introduced July 2019 and re-introduced in March 2020, received Royal Assent on 29 April 2021.

Key elements of the Act are to:

- Establish the Domestic Abuse Commissioner as a statutory office holder
- Create a statutory definition of Domestic Abuse to ensure its properly understood, considered unacceptable and challenged across agencies and in public attitudes
- Provide for a new Domestic Abuse Protection Notice and Domestic Abuse Protection Order
- Place a duty on local authorities in England to provide support to victims of domestic abuse and their children in refuges and other safe accommodation

The Domestic Abuse Act (continued)

- Prohibit perpetrators of abuse from cross-examining their victims in person in the family courts in England and Wales
- Ensure that anyone made homeless as a result of domestic abuse is automatic in priority need for housing
- Create a statutory presumption that victims of domestic abuse are eligible for special measures in the criminal courts (for example, to enable them to give evidence via a video link)
- Place the guidance supporting the Domestic Violence Disclosure Scheme (“Clare’s law”) on a statutory footing

The Domestic Abuse Act (continued)

- The Government have extended the remit of Part 4 to ensure LAs assess the impact on community-based services. The government have also committed to consulting on the provision of community-based services ahead of the upcoming Victim's Bill
- A new standalone offence of non-fatal strangulation – 29% of domestic homicides include strangulation
- The coercive control offence will be extended to include post-separation abuse
- Threats to share intimate images will be a criminal offence
- All DHRs will be shared with the Commissioner to help us build a stronger oversight mechanism on domestic homicide

Implications for LA's

- **MHCLG** has taken the lead on defining domestic abuse safe accommodation and ensured that this includes **commissioned specialist domestic abuse support as central to the model**. DA safe accommodation can be provided in a range of settings, as long as it is not generic. Accommodation outside of specialist refuge will need to be self-contained.
- **MHCLG** re not intending to place a target number for units on areas. However, the statutory needs assessment will highlight gaps in LA offers. The **burden funding** will only cover the support element.
- **The duty to provide specialist support for children in DA Safe accommodation will be in addition to the majority of current commissioned models**. This is because a large number of areas are working from the old Supporting People framework.
- **Children as victims in their own right may also have consequences** for some areas current response to child who are exposed to domestic abuse.
- **Existing housing practice will need reviewing** to ensure LA's are providing lifetime tenancies where applicable and granting priority need status for accommodation.
- Although the duty is restricted to DA accommodation, **LA's are expected to reference the Domestic Abuse National Statement of Expectation (NSE)**. May have to report progress against LA's needs assessment and/or the NSE.

What is Safe Accommodation?

- Refuge Accommodation
- Specialist safe accommodation
- Dispersed accommodation
- Sanctuary Schemes
- Move on and/or second stage accommodation
- Other forms of domestic abuse emergency accommodation
- Exempt Accommodation



What is Safe Accommodation Support?

Domestic Abuse support can be directly provided within safe accommodation services and as outreach support to victims in other types of relevant accommodation, including their homes in the case of a sanctuary scheme

The government is clear that that the introduction of this duty should not result in any negative impact on non-accommodation based local domestic abuse services.

It is expected that support in safe accommodation should sit alongside and complement the support that is already available to victims.

DA Act: Commissioner's Role

- **Part 4 Oversight:** DA Commissioner will sit on Ministerial-led National Steering Group, established to monitor outcomes from local reporting – which now includes assessing the impact of the accommodation-based services duty on community-based services. .
- **Mapping of CBS:** DAC Office's work to map the current provision of community-based services will be used to inform future decisions about expanding the new statutory duty to include these services.
- **Duty to Cooperate:** Specified public bodies will be under a duty to cooperate with DA Commissioner - they and government Ministers will be required to respond to recommendations/requests made to them within 56 days.
- **DHRs:** DHRs will be required to be shared with DAC Office as well as the Home Office. Ongoing discussion about national oversight mechanisms for DHRs and role for DA Commissioner.

Key policy priorities for the year ahead

- Support for migrant victims and survivors of domestic abuse – working to inform the outcomes of the Supporting Migrant Victims Pilot
- Improving the experiences of survivors and their children in the family courts
- Creating an oversight mechanism on domestic homicide and suicides to better learn lessons needed to prevent future deaths
- Secure longer-term sustainable funding for both accommodation-based and community-based services
- Secure implementation of the recommendation that a firewall be created between the Border Force and the police in the HMICFRS Report on super-complaint

What Next?

- The measures in the Act do not all come into force at the point of Royal Assent. In some instances the Government has scheduled a specified commencement date, but there are still some measures which are yet to be assigned a date.
- Now that the Act has received royal assent the government will begin formal consultation on the statutory guidance that accompanies the legislation.
- This guidance does not cover the new Domestic Abuse Protection Notices (DAPNs) and Domestic Abuse Protection Orders (DAPOs) which will be the subject of separate guidance.
- The Ministry of Housing, Communities and Local Government will be consulting separately on the statutory guidance that accompanies Part 4 of the Act, which relates to the delivery of safe accommodation by Tier one local authorities. This consultation is expected to begin shortly.
- The Home Office will also produce further guidance later in the year relating to Controlling and Coercive Behaviour, in light of the extension of the 2015 offence to include post-separation abuse as part of the measures set out in the new Act.

DAC Office: Local & Regional Engagement

As of February, our Practice and Partnerships Team now has four (part-time) Geographic Leads, embedded across England and Wales. We will:

- Be the face, eyes and ears of our Office at the local and regional level, a central point of contact for local leads and partners.
- Look to learn about the key issues, challenges and best practice across their respective regions.
- Facilitate a two-way flow of information both from the local/regional level up to the national, and vice versa, helping us to build a strong picture of what is happening across England and Wales.
- Work closely with our Policy team to ensure that all policy recommendations and priorities are informed by the realities, expertise and insight of what is taking place on the ground.

DAC Office: Local & Regional Engagement

The Geographic Leads will be in touch with you as their work develops, but please do also reach out to them if you would like to discuss any issues or concerns, share practice or ask any questions. We would warmly welcome and views or feedback on what would be useful for them to prioritise or on how it would be most helpful for us to engage with you.

- Emily Hodge (Mon/Thurs)– South East England and London:
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- Georgie Hagan (full time) – Head of Practice and Partnerships:
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Questions?

Contact: commissioner@domesticabusecommissioner.independent.gov.uk

Useful Links:

You can read more about the powers of our office here: [Domestic Abuse Commissioner factsheet - GOV.UK \(www.gov.uk\)](#)

You can also visit the website of the Domestic Abuse Commissioner here: [Home - Domestic Abuse Commissioner](#)

[Domestic Abuse Bill 2020: factsheets - GOV.UK \(www.gov.uk\)](#)

You can find a full schedule of the commencement dates here: [Domestic Abuse Act 2021 commencement schedule - GOV.UK \(www.gov.uk\)](#)