

## **Agenda's response to the Government Domestic Abuse consultation**

**May 2018**

### **Introduction**

Agenda welcomes the government's Domestic Abuse (DA) Bill and the opportunity to respond to this consultation. The Bill is an important opportunity to deliver lasting positive change for women and girls who experience extensive violence and abuse, and may go on to face multiple and overlapping disadvantages throughout their lives. Although the Bill focuses on domestic abuse specifically, wider work to refresh the Violence against Women and Girls (VAWG) strategy provides an opportunity to raise the profile of all forms of VAWG across government and provide properly resourced solutions to how best to tackle it.

### **Q1: Do you agree with the proposed approach to the statutory definition?**

Neither

Agenda supports the introduction of a statutory definition of domestic abuse. The recognition that domestic abuse can be complex is to be welcomed, as is the move to include 'economic' abuse.

Recognition of the gendered nature of domestic abuse, and the central role that controlling and coercive behavior often plays, must be central to the new definition, accompanying guidance and training.

The definition must make clear the differences between intimate partner violence and abuse that takes place between family members within the home, including child abuse, violence between siblings and child to parent violence. Although these forms of abuse may share patterns of gendered control and an abuse of power, they are different in nature to abuse that takes place in intimate relationships and should be recognised as such by professionals.

The development of underpinning statutory guidance to provide more detail on typologies, circumstances in which the definition should be used and an elaboration on the gendered nature of domestic abuse, will be critical to expanding on these differences. This guidance must reflect the specific experiences of women with complex needs who will often have faced multiple forms of abuse and exploitation.

### **Q3: How can we ensure that the definition is embedded in frontline practice?**

There is limited awareness amongst many professionals as to the dynamics of abuse and how this manifests, and a new definition provides an opportunity to address this.

The definition must be accompanied by robust guidance and an effective dissemination strategy. This must include communication and training across relevant agencies and organisations including local authorities, homelessness and housing services, mental and physical health, substance misuse, Jobcentre plus, education, social services and criminal justice.

Training should be delivered in partnership with specialist women's organisations that have a clear and up to date understanding of how abuse plays out in the communities they serve. This should include a reflection of the complexity of abuse and overlapping experiences of violence against women and girls amongst those with complex needs, as well as an understanding of specific experiences of abuse amongst Black, Asian and Minority Ethnic (BAME) and migrant women.

Key agencies should also be required to review whether there is a need to refresh their current approaches to domestic abuse.

**Q4: What impact do you think the changes to the age limit in the 2012 domestic abuse definition have had?**

Positive

Greater attention must be paid to young women's experiences of abuse, as well as to the overlap with and distinction from other forms of abuse. An estimated 15% of girls (compared to 5% boys) experience some form of sexual abuse before the age of 16,<sup>i</sup> and young women aged 16 to 19 are the group most at risk of having experienced domestic abuse in the last year.<sup>ii</sup> Girls are frequently not aware that what they are experiencing is abuse, meaning many do not disclose or seek help, and there are very few services specifically aimed at young victims.

The transition between children/youth and adult services often comes with a change in approach and style that does not always meet the needs of young women. Whilst girls might be treated as a 'victim' in children's services, when they become adults they can be seen through the lens of 'personal responsibility', for example criminalised for their engagement in prostitution. The links between young women's experiences of abuse and their presenting behaviour should be better understood by professionals.

**Q6: In addition to the changes being made to how relationship education will be taught in schools, what else can be done to help children and young people learn about positive relationships and educate them about abuse?**

It is important that in teaching relationship education there is not an assumption that young people have yet to experience abuse. In reality many will already have experienced or witnessed domestic abuse in their own intimate relationships or between adults in their households or families. All schools and youth settings should have clear information, advice and routes to therapeutic and practical support for children and young people who have witnessed or experienced abuse, and an understanding of trauma and its impact should be built amongst staff.

There is a need for additional support and services for young victims, that recognises the impact of trauma, rather than misdiagnosing this as behavioural problems and responding with inappropriate, ineffective and potentially traumatising interventions, for example anger management rather than therapeutic support. Many children require long-term therapeutic help to overcome the trauma they have experienced, but few receive support from Child and Adolescent Mental Health Services (CAMHS) following domestic violence.<sup>iii</sup>

Some of the most at risk young women may have disengaged or been excluded from mainstream education, so prevention and support for young women must extend to

alternative education provision, youth offending teams and the youth secure estate. This includes recognising when offending may be related to experiences of abuse and being alert to peer to peer sexual exploitation.

**Q7: Which statutory agencies or groups do you think the UK government should focus its efforts on in order to improve the identification of domestic abuse?**

- Armed forces
- Children's services
- Court staff
- Education professionals
- Fire brigade
- **Health professionals**
- **Housing staff**
- Jobcentre staff
- Judges/magistrates
- Police
- Probation/Criminal Rehabilitation Company staff
- Prosecutors
- Providers of adult social care
- Commissioners of adult social care services
- **Social workers**

Other – please state

Agenda objects to the approach taken throughout this consultation encouraging respondents to select a very limited number of solutions to the questions posed.

Agenda's *Hidden Hurt* (2016) research showed that women with extensive experience of physical and sexual violence are far more likely to experience disadvantage in other areas of their lives, including disability and ill health, substance dependence, poverty and debt, poor living conditions, homelessness and discrimination.<sup>iv</sup> Women experiencing abuse are likely to require support from a range of services, and a multi-agency and whole-system approach is therefore required. Prioritising only certain public services risks undermining the ambition to make 'domestic abuse everyone's responsibility'.

In particular, we recommend:

- Promotion of a common understanding amongst professionals of domestic abuse and the dynamics of coercive control, and how experiences of this may vary for women with complex needs, to tackle stigma and misunderstanding. This should be driven by senior leadership and aimed at improving front-line practice, identification and support for victim/survivors.

- An overall shift in the focus of statutory agencies towards tackling the perpetrator's behaviour and away from placing responsibility on the victim to manage risk.<sup>v</sup>
- Programmes of ongoing trauma-informed training, delivered in partnership with the specialist women's sector, across statutory agencies that come into contact with domestic abuse victims/survivors or where disclosures may take place.

Within this, we would like to highlight in particular the role of health, housing and social workers. However, lessons and recommendations about improving the practice of statutory agencies must be considered across all relevant agencies and bodies.

## **Housing**

A 'whole housing' approach should be taken to domestic abuse that ensures there is a full suite of housing options available to victim/survivors, including for women with complex needs. Homelessness and supported housing strategies should align with national and local VAWG strategies to ensure the appropriate links are made.

Women with complex needs can be turned away from refuge provision because the service does not have capacity or resource to meet support needs relating to their substance misuse, mental or physical health, or disability.<sup>vi</sup> Urgent action is needed to tackle gaps in support including accommodation options for survivors facing multiple disadvantage.

Victim/survivors of domestic abuse should automatically be classified as in "priority need" for housing, rather than the current system which requires survivors to demonstrate they meet additional vulnerability criteria.

## **Children's social care**

Agenda is concerned by the numbers of women who experience domestic abuse who go on to have children removed from their care. Women can report feeling stigmatised and judged by children's social workers, by the language they use and the choices they make in planning for the safety of children.

Whilst the safety of children must always be paramount, we would like to see a recognition in the VAWG strategy that more needs to be done to support women to escape violence and abuse and stay together with their children. A set of principles of practice for children's services, which include understanding and responding to VAWG, should be developed and incorporated into training and CPD. This should be supported by senior leadership and overall culture change, alongside greater partnership working between social services and women's organisations.

The recent joint inspectorate report on the multi-agency response to children living with domestic abuse found that a focus on immediate crisis can lead statutory agencies to consider children and people at immediate risk, which can mean

insufficient attention being given to the perpetrator, and a focus on the victim as a the only solution. In the worst cases this involved placing unreasonable responsibility on women to protect their children, including through the use of written agreements which require victims to sign contracts with terms around their contact with the perpetrator.<sup>[3]</sup> In their current form written agreements are highly problematic and should not be used. On this and the overall approach from social services, the recent Ofsted lead joint inspectorate report on domestic abuse should be responded to in full.

### **Health and mental health**

Many women carry trauma with them throughout their lives, which can present a barrier to education, employment, financial stability, health, positive relationships and successful parenting. Women tell us that few professionals recognise this trauma or provide the help they need to address it, despite the clear links between violence and abuse and mental health problems amongst women.<sup>vii</sup>

In response to an FOI request from Agenda, only one NHS mental health trust reported having a strategy in place for providing gender-specific services to women and just over half had no policy on routinely asking female patients about experience of domestic abuse, despite NICE guidelines recommending this be carried out.<sup>viii</sup>

We recommend that routine enquiry into domestic and sexual violence should be standard practice across mental health services, accompanied by appropriate trauma-informed support and pathways into care. We believe there should be new NICE guidelines on sexual violence (which does not currently exist) and that current guidelines on domestic abuse must be more closely adhered to. All mental health settings should have policies and procedures to support routine enquiry and provide safe environments for disclosure.

Mental health services should collect gender disaggregated data on the use of routine enquiry, whether abuse was disclosed, what follow up support was given and the outcomes of this. Every mental health trust should have a clinical lead for women's mental health and a women's mental health strategy. Women's needs should be explicitly considered in national mental health policy and strategy.

### **Q8: In addition to improving training programmes and introducing guidance, what more can the government do to improve statutory agencies' understanding of domestic abuse?**

Government should take a range of action to improve statutory agencies' understanding of domestic abuse for women with complex needs. This includes:

- A) Government should review the current public service response to VAWG and consider introducing new duties on public services requiring them to ask about experiences of abuse and provide appropriate follow up support. There should also be a requirement for cooperation and action between agencies;

- B) Continuing to fund and champion the VAWG strategy, that specifically references the needs and experiences of women with complex needs, ensuring there is cross-departmental ownership of the relevant strands within this to drive change;
- C) Ensuring that the experiences of women with complex needs who face VAWG are recognised and considered in all departments, actions plans, advisory groups and taskforces that address relevant social policy areas, requiring each to respond to VAWG within their brief;
- D) Ensuring that an understanding of and a commitment to eradicating VAWG, including amongst women with complex needs, is core to the leadership of all public services by requiring a named lead for VAWG within each relevant public service and that ongoing training and CPD is present at all levels of public bodies;
- E) Committing to publishing and reporting on relevant departmental (and arms-length body) data, disaggregated by gender and other equality characteristics including socio-economic background and support needs where possible, to enable an intersectional reading that helps build a picture of the true scale and nature of VAWG.

**Q10: We are in the process of identifying priority areas for central government funding on domestic abuse. Which of the following areas do you think the UK government should prioritise?**

- Advocacy for victims to enable them to stay safely in their own home (Independent Domestic Violence Advisors or their equivalent)
- Therapeutic services to help victims of domestic recover from their experience
- Accommodation services
- Helpline services for those affected by domestic abuse to call for advice and support
- Interventions embedded in health
- Perpetrator programmes which aim to change offenders' behaviour and stop reoffending
- Rolling out of new multi-agency approaches

As previously stated, we do not believe ranking or rating a 'top 3' is appropriate. Women experiencing abuse and complex needs are likely to require a range of different support and interventions from different agencies.

Properly funded and commissioned services are required for women facing multiple disadvantage, including a network of women's centres across the country. This should be supported by the creation of a central funding pot drawn from the budgets of different government departments.

**Q11: What more can the government do to encourage and support effective multi-agency working, in order to provide victims with full support and protection? (up to 3)**

- Guidance
- Incentives through funding
- Sharing effective practice
- Training
- Other
- None of the above
- Don't know

We do not believe that selecting three options is appropriate.

Central government must take a joined-up approach to tackling VAWG and ensure all relevant departments are fully represented in championing this agenda and funding the support services required (in particular Department for Education; Ministry of Housing Communities and Local Government; Department of Work and Pensions; Ministry of Justice and Department for Health and Social Care).

Whilst the Home Office should continue to play a key role, the strategy must not focus on criminal justice solutions as the only response to the problem or at the expense of considering VAWG as a wider public health or social justice issue.

**Q12: What more can the government do to better support victims who face multiple barriers to accessing support.**

Agenda research has found that 1.2 million women have experienced extensive physical and sexual violence and abuse across their life course.<sup>ix</sup> Many of these women face multiple, complex needs that can overlap and compound each other, with experiences of violence and trauma often starting from early age. Growing up witnessing and experiencing violence, abuse and exploitation as children often leads to early mental health problems and turning to drugs and alcohol as coping mechanisms. This can also lead to contact with the criminal justice system, homelessness and having children removed into care. These experiences leave women more vulnerable to perpetrators and repeat victimisation across their lives.

Women with complex needs often present in 'generic' services which are not always well set up to meet their needs. This is particularly true in services where men have traditionally been seen as the 'standard' beneficiary, such as homelessness or substance use support. Work must be done to ensure these services develop an awareness of the realities of women's lives and the extensive violence many have faced, respond appropriately, provide safe space for women to disclose and recover from abuse, and do not inadvertently re-traumatise them.

In order to address forms of violence against women with complex needs, women experiencing the following must be considered:

- **Prostitution:** Prostitution and responses to it should be framed through a VAWG lens. Women involved in prostitution require a support-based approach from appropriate specialist services, alongside a consistency in approach across police force areas to prevent the criminalisation of women. Women may experience abuse from a number of perpetrators, be reluctant to disclose and fear police involvement and criminalisation.
- **Homelessness:** Experiences of abuse and homelessness can reinforce each another and services often fail to respond appropriately. A lack of appropriate alternative housing options can lead to women staying with an abusive partner if that feels safer than leaving, as well as being exposed to increased risk through sofa surfing, street homelessness, exploitation through 'sex for rent' or prostitution. Despite the gendered differences in experiences of homelessness, there is very little specific support for homeless women, with only 11% of homeless services offering women-only accommodation.<sup>x</sup> VAWG and women's gendered experiences and risks must be explicitly considered in housing and homelessness strategies, as well as within the VAWG strategy.
- **Substance use:** Experiences of abuse and addiction are often linked – with women most likely to start using drugs with a partner and substances often used as a coping mechanism to deal with past or current trauma. There are serious gaps in how well addiction treatment services meet the needs of women as well as in mental health services ability to support women with addiction. Male dominated drug treatment services can be intimidating and unsafe environments, particularly when used by men who are either currently perpetuating abuse or present a risk of doing so. Just under half of all local authorities in England and only five unitary authorities in Wales report substance use support specifically for women.<sup>xi</sup> There needs to be an increase in gender specific and gender sensitive substance misuse treatment for women.

Properly resourced, trauma-informed services, support and accommodation must be in place for women with complex needs. Political leadership and a cross-government approach which considers how policies and services including around abuse, mental health, addiction and homelessness, impact on this group is required.

**Q13: How can we work better with female offenders and vulnerable women at risk of offending to identify their domestic abuse earlier? (select 3)**

- ***Criminal justice agencies to adopt appropriate enquiries into history of abuse at each stage of the criminal justice process***
- Dedicated support and/or IDVAs in women's services
- ***Encourage the use of schemes which divert vulnerable women out of the criminal justice system (where appropriate) and into services***
- ***Improve availability of support for domestic abuse victims in prisons***
- Support signposting into appropriate services for women who come into contact with the police

All of the above have a role to play, and we consider additional points to be missing.

Most women in prison and the criminal justice system are victims of offences far more serious than the ones they have committed. 46% of women in prison report having suffered domestic violence and 53% report having experienced emotional, physical or sexual abuse during childhood.<sup>xii</sup> These figures are likely to be a significant underestimate, with Women in Prison reporting that 80% of the women who use their services have experienced domestic and/or sexual violence.<sup>xiii</sup>

Domestic abuse is often a driver of women's offending. Women frequently commit low level offences, for example theft or soliciting, as a result of coercion relating to domestic and intimate partner abuse, and abuse can lead to instances of reactive violence against a perpetrator. Abuse and coercion can also impact on a woman's ability to comply with sentencing requirements when in the community.

The majority of women in prison serve short sentences<sup>xiv</sup> with little opportunity to carry out rehabilitative work, causing great disruption to their lives and their families, and making through the gate work more challenging. With little support for women with experience of abuse in custody, many return to violent and exploitative situations.

The overall focus should be on diverting women away from the criminal justice system and investing in gender-specific and holistic community support, alongside steps to prevent women's involvement with the criminal justice system through greater investment in services for women at risk.

The connection between women's experience of victimisation and their offending is frequently overlooked in court and when sentencing. The current domestic abuse sentencing guidelines do not reflect the connection between women's experiences of abuse and offending, and being a victim of domestic abuse is not sufficiently taken into account as a mitigating factor in sentencing.

Sentencing guidelines should be developed that makes the links between experience of domestic abuse and offending explicit, alongside Crown Prosecution Service policy that underpins this. All pre-sentence reports should include reference to any experiences of abuse.

Funding that has been set aside as part of the Domestic Abuse Bill for female offenders should be invested in gender specific, trauma informed, holistic support such as that provided through women's centres, which have a proven track-record of providing effective therapeutic and practical interventions that help women turn their lives around. Ministry of Justice analysis shows a statistically significant reduction in re-offending rates for those who receive support from women's centres.<sup>xv</sup>

The forthcoming female offender strategy must be published as a matter of urgency and accompanied by sufficient funding to invest in a network of women's centres around the country.

**Q14: How can we make greater use of women-specific services to deliver interventions in safe, women-only environments?**

- Availability of a GP at women-only services
- Availability of a nurse at women-only services
- Child contact sessions so that women who are not living with their children can have supervised access to their child
- Delivery of health interventions such as mental health and substance misuse treatment at women-only services
- IDVAs located or linked to women-only services
- Improving access to benefits, finance and accommodation advisors at women-only services
- Provision of employer interventions at women-only services to help individuals become work ready, including offering work experience and/or mentoring

As above, we do not consider it appropriate to select priorities from this list. There is good evidence that what works for women facing multiple disadvantage is holistic, gender and trauma-informed support.<sup>xvi</sup> Services which offer this kind of support are few and far between, however, with many struggling for funding and under threat. Funding streams are frequently dispersed across a number of different pots – such as housing, health, addiction and criminal justice - making it particularly difficult for services to fund joined-up approaches for women with complex needs.

Agenda and AVA's *Mapping the Maze* (2017) report found a patchy picture of provision across the country. Amongst this, there were only a tiny number of services specifically for Black and Minority Ethnic (BAME) women facing multiple disadvantage and services for LGBTQI women, those with a physical or learning disability, who are refugees or asylums seekers, were absent in all the data collected.

As above, there needs to be sufficient funding for these vital services including through a central funding pot.

**Q15: In addition to reviewing who may be eligible for the Destitute Domestic Violence Concession, what other considerations could the government make in respect of protecting domestic abuse victims with no recourse to public funds?**

Migrant women experiencing domestic abuse and other forms of VAWG often face insurmountable barriers to escaping abuse and accessing support and are amongst the most vulnerable of all victim/survivors.

The position of migrant women must be considered as part of a coherent review of how the needs and rights women with insecure immigration status are addressed in public policy. Women with no recourse to public funds and their children who are victims of abuse must have access to safety and support, including housing, refuge provision, emergency accommodation, and specialist support and welfare benefits.

Women experiencing VAWG should be exempt from the No Recourse to Public Funds condition which prevents them accessing support. There must be sufficient provision of specialist services that recognises the intersections between different forms of abuse and

other experiences of discrimination and oppression, including for women with insecure immigration status and who are victims of trafficking.

**Q35: What practical barriers do domestic abuse victims face in escaping or recovering from economic abuse and how could these be overcome?**

Whilst abuse can and does happen to women of all backgrounds, Agenda's Hidden Hurt (2016) research shows that women who experience the most extensive abuse and violence (both as children and adults) are more likely to face other adverse circumstances in their lives such as poverty, debt and poor housing.<sup>xvii</sup>

Economic abuse is often a feature of domestic abuse and can prevent women from escaping abusive relationships. Abuse, violence, and linked forms of disadvantage are significant drivers of women's financial exclusion.

Women can be exploited by perpetrators for financial gain, for example through prostitution or crime. Women are often criminalised for crimes related to economic abuse, for example theft or begging associated with funding a perpetrator's drug use, or non-payment of TV license. The connection between women's economic offending and experiences of abuse should be more clearly recognised throughout the criminal justice system (see Q13 for more on this).

Women living in both poverty and abusive situations face further barriers to escaping perpetrators and are more reliant on public services for support. Welfare reform and cuts to services have had a disproportionate impact on women, leaving many more vulnerable to economic abuse and making their ability to achieve economic independence more challenging. This reiterates the need for the VAWG strategy to be cross-departmental and for other Government departments to fully consider the impact of their policies on women experiencing or at risk of abuse.

**Q37: How can we continue to encourage and support improvements in the policing response to domestic abuse across all forces and improve outcomes for victims?**

Contact with the police, whether as a victim or through suspected offending, provides a vital and potentially early opportunity to identify possible abuse, provide support and divert women with complex needs away from the criminal justice system.

Police need further training to identify abuse and coercive control as possible drivers of offending, including in instances of 'anti-social behaviour', repeat perpetration, bi-directional violence, where alcohol and drugs are present and for those in intimate relationships outside of the 'domestic' setting, for example homeless women.

There is a need for the police to improve consistency in referral routes across the country to divert women away from the criminal justice system and into community-based women's services. Similar consistency is required in the approach to supporting, not criminalising, women in prostitution (as discussed in our answer to Q12).

Liaison and Diversion schemes have an important role to play in improving support for those with mental health problems in contact with the criminal justice system. All Liaison and Diversion schemes should have a gender-specific worker, with a thorough understanding of gender-based violence, for all women entering the custody suite or court setting.

**Q48: Please share any other views on how to ensure domestic abuse and its impact on children are taken into account in sentencing?**

The introduction of a statutory aggravated factor where children are present raises the concern of a potential unintended consequence being women sentenced more harshly where they appear as defendants in court for retaliatory violence. Women can retaliate, often in response to extensive trauma and abuse or to protect their children. In one study children were present in the majority of incidents of domestic abuse (55%) recorded by the police; while the vast majority of these incidents were attributed to men, women were more likely to use weapons, often in order to protect themselves.<sup>xviii</sup>

We recommend that any changes to sentencing take account of this potential risk and the knock-on effects this would have on their contact with children in future.

**Q56: What more could be done to work with perpetrators in prisons, particularly offenders who receive a sentence of less than 12 months and do not have sufficient time to complete a domestic abuse programme in custody? We are interested to hear of particular examples of practice which have been successful**

Many men in prison will be perpetrators of domestic abuse, whether or not abuse is the primary reason for their custodial sentence. Perpetration of domestic abuse appeared on the Offender Assessment (OASys) data of between 38.5% to 47.9% of men facing severe and multiple disadvantage in one study, for example.<sup>xix</sup>

Work must be done to expand the use of evidence-based perpetrator programmes, and to make these available to a broader group of men in custodial settings.

**Q58: Please select which of the following you believe should be priorities for improving data collection (choose 3)**

- Improving the collection and reporting of data on when domestic abuse is a feature of a case/intervention
- ***Improving collection and reporting of data relating to the gender and relationship of the perpetrator and victim***
- ***Improving data to enable better tracking of outcomes in domestic abuse cases/ intervention***
- Linking data to enable better tracking of interventions and reoffending
- ***Linking data to enable better understanding of the interactions/ relationships between domestic abuse and other types of offending***

As above, we believe all of these elements are important to improve data collection.

There must be effective and joined-up local and national data collection on the prevalence of violence and women's access to services, including whether services are successfully engaging with women with complex needs.

Data about perpetrators and victims, types of abuse and the context in which it is perpetrated must be routinely gathered. This should be broken down by gender, age,

ethnicity, disability, immigration status and support needs to enable an understanding of the intersectional experiences of abuse.

**Q59: Do you agree with the proposed model for a Domestic Abuse Commissioner outlined above?**

Strongly Disagree

We are supportive of the proposal for a Commissioner role but strongly believe the role should be a Violence Against Women and Girls Commissioner, and sit under the Violence against Women and Girls (VAWG) strategy. On these grounds we have selected 'Strongly disagree'.

Creating a Domestic Abuse Commissioner alone risks overlooking other forms of VAWG and fails to recognise that domestic abuse takes place on a continuum of gender-based violence in which different forms of violence overlap and are interconnected throughout girls and women's lives.

This in turn could lead to a lack of investment and gaps in responding to other forms of VAWG and would be out of step with the Government's VAWG strategy.

**Q60: Of the proposed powers and resources, which do you consider to be the most important for a Domestic Abuse Commissioner? (choose 3)**

- ***Map and monitor provision of domestic abuse services against the National Statement of Expectations, and publish this information to showcase and share best practice, as well as to highlight where local provision falls short of what is expected***
- Oversee compliance with the Specialist Domestic Abuse Courts Manual
- Oversee the Domestic Homicide Review Quality Assurance process, including any potential changes implemented following this consultation, feeding lessons learned into their recommendations
- ***Provide recommendations to both national and local government to improve the response to domestic abuse, accompanied with a duty on the responsible person/organisation to respond to these recommendations***
- Publish findings in reports, which will be laid before Parliament
- ***Require local statutory agencies to cooperate and provide information***
- Other (please state other functions the commissioner should fulfil)

We have selected three priorities from this list, however we strongly believe this role needs to be more comprehensive.

Agenda would like to see a Commissioner with the ability to make a real difference to the way government and public bodies respond to all forms of violence and abuse against women and girls, recognising this as a gendered issue and a cause and consequence of women's inequality. This role must provide national leadership and be able to hold national and local government and other agencies to account. The role and office must have

sufficient funding, resources, staffing, powers and tools to make an impact on a national scale. The role should not replace the overall central responsibility of government for preventing and tackling VAWG.

In order to achieve this, we recommend that the Commissioner:

- Has **responsibilities related to all forms of VAWG**, oversight of government's delivery of the VAWG strategy, and can advise government on new policies and scrutinise the impact on VAWG, including for example welfare, health, housing and immigration policy.
- Is a stand-alone role, sufficiently **independent from government**, recruited through an open transparent recruitment process, and reports directly to Parliament on their work and findings.
- Has **statutory powers** including **data collection**, to undertake **independent inquiries and investigations**, alongside powers to intervene and hold bodies to account. All public bodies should be required to respond to the Commissioner's requests for information and recommendations made.
- **Assesses, maps and monitors provision** of services against the National Statement of Expectations (NSE) on VAWG. This work should complement that of relevant inspectorate's.
- Has a **specific focus on reviewing services and support for women with complex needs and Black, Asian and Minority Ethnic (BAME) women** and plays a role in holding agencies to account to drive improvements.
- Should focus both on the availability of **specialist VAWG services but also how other public services**, for example health, housing and social services, respond to VAWG.
- Plays a role in improving the **criminal justice response** to women who offend and are victims of abuse, making recommendations to and working with the police, sentencers, prisons and probation.
- Plays a role in promoting better **commissioning practice**, including addressing inconsistencies in requirements around data collection and promoting approaches that support holistic services and break down siloed funding.
- Works in **partnership with the specialist women's sector and be fully informed by survivor voice**, with lived experience and evidence from those with specialist expertise embedded at the heart of their work.

The Commissioner's role should have review periods built in to it to assess effectiveness of the role and allow recommendations and changes if required.

**Q64: How can the government better share and promote effective practice on domestic abuse across all public services both in regard to commissioning and delivery of services?**

Commissioning practices and processes present a number of challenges to the delivery of gender-specific and holistic services for women with complex needs. Refreshing the VAWG strategy should be used as an opportunity to consider how to improve commissioning and address these challenges.

Problems include:

- Short-term contracts that do not allow services to 'bed in' sufficiently and can lead to considerable uncertainty around continuity.
- Commissioning cycles across different funding streams operating on different timescales. Multiple funding streams make it very difficult for services working with women with complex needs to fund the holistic services women require.
- Contracts being awarded solely on "value for money" rather than quality, resulting in specialist services being squeezed out, services undercutting one another or having to cross-subsidise to fund the true cost of effective holistic service delivery.
- Short tendering periods that prevent organisations from forming meaningful coalitions or partnerships, presenting particular challenges to the capacity of smaller organisations to respond.
- Variable understanding amongst commissioners of the specific challenges that women with complex needs face and limited engagement with agencies are on the ground to build a picture of need and expertise.
- Different monitoring and reporting requirements for different contracts that fail to be truly outcome focused, with staff spending considerable amounts of valuable time recording outputs that could otherwise be spent on front-line delivery.
- Commissioners misinterpreting the gender equality duty regarding the provision of specialist support. Government must make clear that domestic abuse disproportionately impacts on girls and women, therefore providing women-only services is entirely in step with these duties.
- A lack of time, or no time, given to meaningful consultation with service users as part of the commissioning cycle.

As well as providing additional central funding, government should ensure they use existing funding pots and commissioning as a lever to encourage joined up and gender sensitive commissioning.

## Q65: What role should local areas play in sharing good practice?

Whilst local areas can play a role in helping to share good practice, there remains a need for national leadership in understanding what works and where there are gaps in evidence or practice. Central government should retain overall responsibility for overseeing and promoting good practice as well as addressing gaps in practice. The new Commissioner could also play a role here, complementing Government's overall responsibility.

### About Agenda

Agenda is an alliance of voluntary sector organisations working to ensure that women and girls at risk of abuse, poverty, poor mental health, addiction and homelessness get the support and protection they need. We campaign for systems and services to be transformed; to raise awareness across sectors; and to promote public and political understanding of the lives of women and girls facing multiple disadvantage

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### Endnotes

<sup>i</sup> Professor Liz Kelly and Kairika Karsna (2017) [Measuring the scale and changing nature of child sexual abuse and child sexual exploitation](#)

<sup>ii</sup> ONS (2017) [Domestic abuse in England and Wales: year ending March 2017](#)

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