

## **Cabinet – 30 April 2014**

### **Domestic Abuse Strategy**

<b>Portfolio:</b>	Councillor Ali	– Public Health & Protection
<b>Related portfolio:</b>	Councillor Andrew	– Regeneration and Transport
	Councillor Andrew	– Children's Services
	Councillor Towe	– Resources
	Councillor Shires	– Community engagement and voluntary sector
	Councillor McCracken	– Social Care, Health and Housing
<b>Service:</b>	Neighbourhood Services	
<b>Wards:</b>	All	
<b>Key decision:</b>	Yes	
<b>Forward plan:</b>	Yes	

#### **1. Summary**

- 1.1 This report presents the refresh of 2011-14 Domestic Abuse Strategy and proposes the 2014-16 "Standing Together Against Domestic Abuse" Strategy, **Appendix A** to this report, restating Walsall's partnership vision and aims. It will be accompanied by a detailed action plan following joint planning by the key partner agencies representing Safer Walsall Partnership, taking into account stakeholders, provider agencies and service user's feedback on the refreshed Strategy.

#### **2. Recommendation**

- 2.1 That Cabinet approve the Draft Domestic Abuse Strategy 2014-16 subject to the outcome of consultation with stakeholders
- 2.2 That the Executive Director for Neighbourhood Services be delegated authority to make minor amendments to the Strategy based on the outcome of the consultation and to produce an action plan to deliver the Strategy.

#### **3. Report detail**

- 3.1 Cabinet received a report in December 2013 setting out the 2 year commissioning plan for the domestic abuse services funded from Walsall Council Adult Social Care and Inclusion, Children's Services and Neighbourhood Services Directorates.

- 3.2 As set out in the report the intention is to bring the commissioning of these services together into a jointly commissioned framework over the next 2 years. The Domestic Abuse Strategy will be co-terminous with this commissioning plan to take into account any planned changes to the services from April 2016.
- 3.3 The tender exercise of the services as described in the December 2013 report have now been completed with contracts being agreed with service providers to commence service delivery for April 2014. Accord Housing will be delivering the hostel and support services and Walsall Domestic Violence Forum will be delivering the administration and support services to the partner agency Domestic Abuse Response Team.
- 3.4 In addition the Council's Public Health service has maintained its £30,000 investment and Walsall Safer Partnership has allocated a further £50,000, from the Police Crime Commissioner's Community Safety Fund, to domestic abuse services (Walsall Council's total investment in domestic abuse service amounts to circa £475,000 pa).
- 3.5 In addition to the Council's investment there are external investments in domestic abuse providing support services for victims of domestic abuse. These services are provided and funded by the following external organisations:
- Walsall Housing Group (WHG) fund 2 Independent Domestic Abuse Advocates which is part of their core business for WHG tenants;
  - Aaina offer a community based support service to black and minority ethnic victims of domestic abuse, domestic abuse awareness raising workshops and specialised training for frontline staff in Walsall;
  - Crisis Point offer Independent Sexual Assaults Advocate service funded through the police commissioner.

### **Policy context**

- 3.6 The focus of the Governments "A Call to End Violence against Women and Girls: The Government Action Plan for 2013" is on preventing and stopping violence at its source. The strategy places greater emphasis on managing perpetrators of domestic violence; intervening earlier to protect victims; and identifying wider opportunities to challenge and change the attitudes and behaviours that underpin violence against women and girls. Also the Domestic Abuse definition has been extended to include those aged 16-17yrs and includes coercive control. In addition the government recommends the appointment of Independent Domestic Violence Advocates to support victims through legal proceedings, and the implementation of Domestic Violence Protection Orders.
- 3.7 The Walsall Domestic Abuse Strategy 2011-14 'A Time for Change' produced by the Safer Walsall Partnership and key stakeholders from the Walsall Domestic Abuse Strategic Commissioning Group recommended a strategic move to an integrated service pathway for domestic abuse prevention, intervention, victims support, and offender management. The strategy proposed multi-agency working between statutory agencies and the voluntary/community sectors in delivering this pathway model. The objectives of the 2011-14 Strategy have been met and the present strategic vision is to maintain the high profile and continued investments in domestic abuse services that support some of the most

vulnerable residents of the borough through a coordinated partnership approach, maximising Council and partner agency investments to the best effect.

- 3.8 All directorates of the council and partner agencies have an interest in these services delivering successful outcomes. The strategic aim is to clarify their role as part of a broader range of service delivery and hold each other to account to deliver the best early help prevention or follow up support and interventions when required.
- 3.9 The service configuration is based on the outcomes of consultation held with former and current service users and stakeholders and aims to break the cycle of domestic abuse within families; reduce incidents of abuse and put an end to repeat victimisation through the use of early intervention and prevention services. Services have been re-commissioned as part of an integrated pathway of care and support that places greater emphasis on prevention through early intervention through the partnership Domestic Abuse Response Team process. In addition there are services concentrating on supporting victims through the criminal justice process, dedicated A&E hospital liaison resource and continued support for emergency accommodation with sessional support for children and young people.

#### **Timescale**

- 3.10 The Domestic Abuse Strategic Commissioning Group with membership from Public Health, Community Safety, Housing, Walsall Housing Group, Children's Services, Probation, Police, Crown Prosecution Services and the Joint Commissioning Unit will be responsible for coordinating the delivery of the Strategy and will report progress and challenges to the Safer Walsall Partnership.

#### **4. Council priorities**

- 4.1 Delivering the 2014-16 Domestic Abuse Strategy incorporating early intervention and prevention will help to prevent/reduce the number of domestic abuse victims; will deliver the Council priorities based on the Marmot Report principles of improving health and wellbeing and helping to create safer and inclusive communities

#### **5. Risk management**

- 5.1 There are no risk management issues for Walsall Council employed staff. However following the recent domestic abuse services tendering exercises it will be important for commissioners to understand if the outcomes of the tenders have resulted in any vulnerability to the delivery of the Strategy.

#### **6. Financial implications**

- 6.1 There are no additional financial implications, given the financial plan was set out and approved in the December 2013 Cabinet Report.

## **7. Legal implications**

- 7.1 There are no legal implications not already considered in the report to the 11 December 2013 Cabinet.
- 7.2 We will need to review the Strategy in the light of the Children and Families Act 2014 and the Care Act 2014, the implementations of which are due to take place over the coming twelve months.
- 7.2 Legal Services will work with officers to ensure that all necessary legal processes will be in place to minimise the risk to the council, whilst ensuring that the processes are not onerous.

## **8. Property implications**

- 8.1 No Walsall council property assets are implicated by the proposals in the report.

## **9. Health and wellbeing implications**

- 9.1 The proposed Domestic Abuse Strategy incorporating early intervention and prevention will help to prevent/reduce the number of domestic abuse victims; improve health and wellbeing and help to create safer and inclusive communities' living, which is in line with the Marmot objectives as set out in the Health and Wellbeing Strategy.

## **10. Staffing implications**

- 10.1 There are no staffing implications for Walsall Council.

## **11. Equality implications**

- 11.1 An Equality Impact Assessment was completed as part of the project management approach to the domestic abuse services procurement exercises.

## **12. Consultation**

- 12.1 There will be consultation of the draft Strategy during April and May with stakeholders, provider agencies and service users and the resulting feedback will be incorporated into the Strategy.

## **Background papers**

Cabinet – 11 December 2013 - Domestic Abuse Services Redesign and Tender

## Author

Adrian Roche – Head of Social Inclusion

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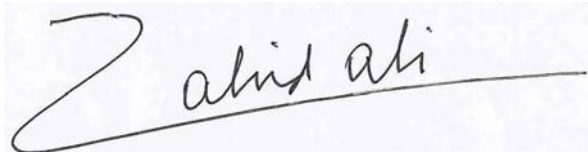
✉ [rochea@walsall.gov.uk](mailto:rochea@walsall.gov.uk)

Jamie Morris  
Executive Director



17 April 2014

Councillor Zahid Ali  
Portfolio Holder



17 April 2014



**Walsall Council**

**Draft Domestic Abuse  
Strategy  
2014 - 2016**

*Standing Together  
against  
Domestic Abuse*

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### **Foreword** by Cllr Zahid Ali, Public Health and Protection Portfolio Holder and Chair of the Safer Walsall Borough Partnership

This Strategy has been developed in consultation with the range of stakeholders who work together through Walsall's multi-agency Domestic Abuse Strategy Group and colleagues across the Walsall partnership who contribute to the provision of domestic abuse services. The Strategy represents the fourth borough wide Strategy and aims to build upon the work of previous strategies.

The Strategy represents our shared vision to tackle domestic abuse, a type of harm which has devastating and long-term effects on the lives of adult survivors, their children and the communities in which they live. It is a cross cutting issue, blighting lives without regard for matters of class, race, culture, religion, gender, sexuality, age, ability or any other difference. It needs to be tackled through a broad response and on many levels. The contributions and commitment of all the multi-agency partners are vital and I thank all those agencies and partnerships that work to provide safety and support for survivors and their children whilst holding perpetrators to account for their behaviour.

Tackling domestic abuse remains a priority for Walsall. At a time of austerity, it is particularly important that we can continue to work together to understand the needs of the community so that we are better equipped to plan the delivery of services and know that these are having the intended beneficial outcomes. We need to continue to work collaboratively across the public and voluntary sectors, to avoid duplication and to seek shared opportunities both in Walsall and across the West Midlands region. We need to continue to ensure that domestic abuse is not tolerated in our borough.

An implementation plan will be developed to accompany this Strategy, the Plan will be a dynamic document, with regular reviews and updates based upon service user and operational staff feedback, to make sure we achieve what we are setting out to do.



**Cllr Zahid Ali**



### Aims of the Domestic Abuse Strategy

- **Prevention:**

To improve early identification and prevention of domestic abuse, targeting communities through awareness raising, prevention and cultural change

- **Protection:**

To ensure that victims of domestic abuse and their children are adequately protected and supported, safeguarding those at risk and supporting those affected

- **Justice:**

To hold perpetrators accountable through effective and early interventions to deal with offenders and prevent reoffending through effective partnership working

### Introduction

This document sets out what Walsall intends to do in the next three years to tackle domestic abuse in the borough. We recognise that we already do many things across the partnership to prevent domestic abuse from occurring, to protect victims and their children and to hold perpetrators of domestic abuse to account for their behaviour.

As awareness of domestic abuse increases, including through national and local initiatives to educate and raise awareness, and as legislation and guidance is strengthened to rightly increase our duties, we are supporting many more people than before. It is right that we take stock of what we know about the prevalence, incidence and nature of domestic abuse in Walsall so that we can plan a response that is both effective and efficient. Our aim is to tackle both the causes and effects of domestic abuse and to do so we must properly understand the characteristics of domestic abuse in Walsall so we can deliver the right services at the right time.

This document provides an overview of domestic abuse and explains the national and local context and explains our vision for the future.

In drawing up this strategy, we have consulted with members of the Domestic Abuse Strategy Group and we are also keen to hear comments from others. Appendix 1 is a consultation form which we encourage you to complete and return to us to share your views.

### An Overview of Domestic Abuse

On 31<sup>st</sup> March 2013, Government implemented a new definition of domestic abuse which extends our understanding because it captures the experiences of young people aged 16 and 17 as well as the issue of coercive control within domestic abusive relationships.

The definition is:

*“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:*

- *psychological*
- *physical*
- *sexual*
- *financial*
- *emotional*

*Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.*

*Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”\**

*\*This definition includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.*

Domestic abuse is characterised as a pattern of abusive and controlling behaviour which creates compliance in victims through fear and entrapment. It involves repeated, random and habitual use of intimidation, threats and violence to control the victim. It can involve clear and unmistakable forms of abuse, and the dynamics can also be subtle but equally as powerful. It affects the behaviour of victims, the choices they make and also their capacity to undertake important roles such as parenting children.

As such, domestic abuse is rarely a one-off incident. It can begin at any time during the relationship between intimate partners or family members. The abusive behaviours can begin or increase at particular points such as after a separation between a couple or during pregnancy. It may occur in the home and also in other environments.

Domestic abuse stems from the perpetrators need for power and control over another person. It thrives on numerous myths which include that men and women are not equal; that stressors such as alcohol, drugs, poverty, unemployment, ill-health are the causes of the abuse; that the victim has provoked the abuse and that if it were so bad, the victim could just leave. Abusive and controlling behaviour is always the responsibility of the perpetrator.

The effects of domestic abuse on victims are devastating. They include living in fear and being unable to predict when the next assault might come. Isolation from family and friends may occur and this may be allied with a dependency on the abuser – financial, practical and emotional dependency. There are huge consequences to the physical and mental health of victims. It is exceptionally difficult to leave an abusive relationship and many victims develop all kinds of survival strategies for themselves and their dependents. Victims who experience domestic abuse may experience drug and/or alcohol issues either because it is a way of coping or they may be forced to use these substances. Domestic abuse can result in mental health difficulties such as depression and anxiety and may result in self-harming behaviours.

Victims with additional needs or vulnerabilities – for example as a result of age, disability, forced marriage or so called ‘honour’ based violence or immigration issues – may be further marginalised. Forced marriage is very different to an arranged marriage because it takes place against the wishes of one or both participants and involves violence, threats or intimidation by others, often family members. ‘Honour’ based violence is any type of violence, usually by a family member, against someone who is thought to have brought shame to the family or community by going against family or cultural practices. In addition to being entrapped by the dynamics of the domestic abuse itself, these additional factors mean that seeking and accessing help becomes very difficult.

For victims living in these circumstances to provide consistently safe and nurturing parenting to their children is extremely challenging. Meeting the needs of children may seem like a further demand and when there are real or perceived shortfalls in the quality of care offered, victims may feel further criticised.

Children who are exposed to domestic abuse suffer both directly and indirectly as a result and section 120 of the Adoption and Children Act 2002 extended the legal definition of significant harm to include harm suffered by seeing or hearing the ill treatment of others which includes domestic abuse.

Domestic abuse impairs the health and development of children. They may get directly injured by the abuser, get hurt through trying to intervene or get used as a shield by either the perpetrator or the victim. The emotional harm of domestic abuse is damaging and long-lasting. This includes witnessing of harm to their carers, pressure being imposed to not speak of the abuse or overwhelming feelings of responsibility to protect their carer or siblings. Fundamentally, exposure to domestic abuse impairs the ability to develop a secure attachment between children and their parents – a key indicator for successful

outcomes - and this has profoundly negative effects on their long term development. It should be remembered that domestic abuse can and does co-exist with other forms of harm to children such as sexual abuse, physical abuse and neglect and growing up in this way has devastating consequences for children. The effects for children can involve impaired outcomes such as on their growth and development, mental health, education and behaviour. Whilst children do cope with and survive experiencing or witnessing domestic abuse, it is at a great cost to them and domestic abuse represents a very serious risk to children.

For example, in relation to serious and fatal incidences involving children, Brandon et al (2009) in a nationwide review of 189 serious case reviews involving children and young people reported that domestic violence was a factor in 66% of reviews; substance misuse was a factor in 57% and mental ill health was a feature in 55%. Over a third (34%) featured all three factors combined (commonly referred to as the 'toxic trio'). The review states (p 35):

*“Domestic violence often coexists with other aspects of problematic parenting and is closely associated with all types of abuse and neglect”.*

Perpetrators behaviours are marked by high levels of denial and minimisation of their actions and they are often difficult to engage within either child or adult protection systems or in terms of addressing their behaviour in treatment programmes. This makes assessment of them and intervention to reduce risk very difficult.

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*“Domestic violence touches every aspect of everyday life at every level.*

*It is a factor to some degree in most social ills  
and touches all in society  
and the well being of that society”*

Wills et al, 2011:24

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The complexity of domestic abuse, its wide reach and the deep wounds it causes requires an equally complex and multi-layered response. A 'Think Family' approach, whereby the possibility of domestic abuse is considered by those working within both the adults and children's workforce will support the early identification of domestic abuse. This is especially important because domestic abuse overlaps with other indicators for adults – such as substance and alcohol misuse or mental health difficulties. For children, there are often very clear overlaps between their experience of domestic abuse and other harm including sexual abuse, sexual exploitation, physical abuse and neglect. An effective response to domestic abuse necessitates service provision from across the whole partnership, including the public and voluntary sector, universal and specialist services.

The work that is done across the partnership is underpinned by the breadth of legislation which is noted in Appendix 2.

The total cost to Walsall of domestic abuse is £25.5m as at 2011 (excluding human and emotional costs) and is £43.9m (including human and emotional costs) based on Walby's research of 2009. This is an under-estimate because it does not include domestic violence by family members who are not intimate partners. (Trust for London and the Henry Smith Charity, 2009). Most of this cost relates to the high risk and crisis end of intervention rather than prevention and early intervention. This indicates both the scale of the human cost of domestic abuse and that domestic abuse is a significant public health issue.

### The National Picture

There is much that we know about domestic abuse and how it prevails, although the data should be seen in the context of this being an under-reported crime with no overall reliable data about its incidence. The research paints a picture of the prevalence and incidence of domestic abuse; the harm it causes at all levels of society both in terms of human and economic cost.

### Summary of Research Findings about Domestic Abuse

The national information emanating from research and Government statistics is taken here either from a summary by Women's Aid (2013, marked \*) or from the Walsall Domestic Abuse Needs Analysis, (2013, marked \*\*).

#### *Overall Patterns of Prevalence and Incidence*

- In 2011/12, 7.3% women (1.2 million) and 5% men (800,000) reported experiencing domestic abuse\*
- 1 in 4 women experience domestic violence over their lifetimes, and between 6-10% of women suffer domestic violence in a given year\*
- Repeat victimisation is common. 44% are victimised more than once, and almost one in five (18%) are victimised three or more times\*
- In 2011/12, the police reported nearly 800,000 incidents of domestic violence. Domestic violence accounts for 10% of emergency calls. Domestic violence has consistently accounted for between 16% and one quarter of all recorded violent crime\*
- However, only a minority of incidents of domestic violence are reported to the police, varying between 23% and 35%\*
- There has been a 65% increase in number of domestic violence prosecutions between 2005/6 and 2010/11 and a corresponding 99% increase in number of defendants convicted. Despite this, domestic violence conviction rates in the five years to 2011 stood at just 6.5% of incidents reported to police – though a much higher proportion of around 70% of those charged\*

### *Gender*

- More women than men experience intimate partner violence. Women are more likely than men to be the victim of multiple incidents of abuse, of different types of domestic abuse (partner abuse, family abuse, sexual assault and stalking) and in particular of sexual violence. Women's experience of violence is that it is more severe and with greater degree of impact than male victims\*

### *Severity and Impact*

- 60% of women in a study said they had left because they feared that they or their children would be killed by the perpetrator\*
- 42% of all female homicide victims, compared with 4% of male homicide victims, were killed by current or former partners in England and Wales in the year 2000/01. This equates to 102 women, an average of 2 women each week and constitutes about a third of all female homicides\*
- Domestic violence is a factor leading to death in or related to pregnancy and childbirth: during 2006-08, 34 (13%) of the 261 women who died around the time of giving birth showed signs of domestic abuse\*
- In a study, almost two-thirds of women with substance misuse problems said they began their problematic substance use following their experiences of domestic violence\*\*
- Shelter found that 40% of all homeless women stated that domestic violence was a contributor to their homelessness\*
- The cost of treating physical health of victims of domestic violence, (including hospital, GP, ambulance, prescriptions) is £1,220,247,000, i.e. 3% of total NHS budget. The cost of treating mental disorder due to domestic violence is £176,000,000\*

### *Diversity*

- The prevalence of domestic violence is greater among young women (under 24 years), and those who have a long-term illness of disability\*
- Domestic abuse is significantly under-reported and particularly so from victims with learning/communication difficulties; older people, those who are trafficked; sex workers; members of the Traveller community; people who misuse drugs and/or alcohol; professional people and children\*\*
- In 2011, the Forced Marriage Unit dealt with 1,468 cases - a significant increase since 2007, when 400 cases were undertaken\*

- Estimates show that around 66,000 women resident in England and Wales had been subjected to female genital mutilation\*
- 12.4% of domestic abuse victims are in a same sex relationship\*\*
- Victims with long term illness or disability are more likely to experience domestic abuse. 12.3% of women and 6.7% of men with long term illness or disability are victims of domestic abuse\*\*

### *Risk Factors*

- In a study, 76% of separated women suffered post-separation violence including verbal, emotional abuse; physical and sexual violence or serious threats towards themselves or their children. Women are at greatest risk at the point of separation or after leaving a violent partner\*
- Between 4 and 9 women in every 100 are abused during their pregnancies and/or after the birth\*
- Alcohol use is associated with a four-fold risk of violence from a partner and is a feature of sexual violence. A study indicated that 21% of victims said the perpetrator was under the influence of alcohol; 8% said illicit drugs were a factor\*\*
- 93% of domestic abuse perpetrators surveyed with substance misuse problems said they were problematic substance users before they became domestically violent\*\*

### *Nature of the Abuse*

- There are around half a million victims of sexual assault each year, 85%-90% of whom are women. 90% of the victims of the most serious offences knew their perpetrator, and 56% were partners/ex-partners. Only 15% of victims said they had reported offences to the police\*
- In the last 12 months stalking was the most commonly experienced type of intimate violence with 9% of women and 7% of men reporting it. Obscene or threatening phone calls or letters were the most common types of stalking behaviour\*



### *Unborn Children, Children, Young People and Domestic Abuse*

- There is increasing evidence that those who have been exposed to abuse and violence as children are at increased risk of developing adolescent and adult substance problems\*\*
- There is a connection between teenage pregnancy and domestic abuse. 70% of teenage mothers referred for services in a study were in a violent relationship\*\*
- Violence in young people's relationships is a concern. Girls report greater incidence of all forms of violence with greater negative impact than boys. Younger people (age 13-15) were as likely as those aged 16 and over to experience abuse. Prior experience of childhood harm was an associated factor for experiencing and perpetrating teenage partner violence (Barter et al 2009)
- 30% of domestic violence starts in pregnancy and domestic violence has been identified as a prime cause of miscarriage and still-birth\*
- At least 750,000 children a year witness domestic violence. In 75% to 90% of incidents of domestic violence, children are in the same or the next room\* One in seven children and young people will have lived with domestic abuse at some point in their childhood\*\*
- Three quarters of the domestic violence incidents witnessed by children were committed whilst the perpetrator was under the influence of alcohol (44%), and of drugs (12%) \*\*
- The link between child physical abuse and domestic violence is high, with estimates ranging between 30% to 66%. Up to 75% of cases subject of a Child Protection Plan involve domestic abuse\*
- 29 children in 13 families were killed between 1994 and 2004 as a result of contact arrangements in England and Wales\*
- In addition, more than half of those with post-separation child contact arrangements with an abusive ex-partner continued to have serious, ongoing problems during this contact\*

### **A Call to End Violence against Women and Girls: The Government Action Plan for 2013**

This Action Plan commits to building on previous investment to prevent harm, support victims and bring perpetrators to justice in the areas of domestic and sexual harm.

The 2013 Action Plan reports, amongst others, these key achievements:

- Extending the definition of domestic violence to include those aged 16-17 and to include coercive control
- Media campaigns to prevent teenagers from becoming victims or perpetrators of domestic or sexual abuse; an awareness campaign on forced marriage; publicity on child sexual exploitation
- Launched a Statement opposing female genital mutilation and provided funding for frontline organisations working in this area
- Introduced the ‘Destitute Domestic Violence Concession’ whereby migrant spouse victims of domestic violence who have been granted leave to remain outside the immigration rules under the ‘destitute domestic violence concession’ are able to access eligible income-related benefits
- Two new offences of stalking came into force on 25/11/12
- On 13/03/14, forced marriage and breach of a Forced Marriage Protection Order were criminalised under the new Anti-social Behaviour, Crime and Policing Bill Act 2014
- From 08/03/2014, the Domestic Violence Disclosure Scheme was implemented across England and Wales. This enables the police to disclose to the public information about previous violent offending by a new or existing partner where this may help protect them from further violent offending. There are two methods for disclosing this information. The first is triggered by a request by a member of the public (‘right to ask’) and the second is triggered by the police where they make a proactive decision to disclose the information in order to protect a potential victim (‘right to know’).
- From 08/03/2014, Domestic Violence Protection Orders are implemented in England and Wales under the Crime and Security Act 2010. These enable the police and courts to put in place protection for the victim in the aftermath of a domestic violence incident. Under these Orders the perpetrator can be prevented from returning to a residence and from having contact with the victim for up to 28 days, allowing the victim to be supported with regard to their safety.

### **The Local Context**

Walsall conducted a Domestic Abuse Needs Analysis in 2013 which both supported the development of a multi-agency analysis of domestic abuse across the borough and mapped out a methodology of prevention and early intervention. The Needs Analysis is a vital component of this Strategy and needs to be built upon in the lifetime of this Strategy. The findings from the Needs Analysis and The Safer Walsall Partnership Strategic Tasking and Coordination Group 2014/15 regarding the incidence and prevalence of domestic abuse in Walsall is summarised here with additional data relating to Walsall Probation Service and Adults Social Care.

### **Summary of Walsall Specific Findings from the Domestic Abuse Needs Analysis**

#### ***Police***

West Midlands Police figures for 2012/13 show that domestic abuse accounted for 33.1% of the overall figures for violence with injury. Domestic violence crimes recorded by police (Nov 12 to Oct 13) showed an increase of 4.6% in offences (with 83.8% of these offences having a female victim). It is believed that this reflects both accurate recording practises and improved trust and confidence of victims to report domestic incidents to the police, providing a strong foundation of trust on which to build. The same period saw a 3.6% reduction in reported Domestic incidents.

#### ***Walsall Probation Service***

Up to January 2014 Probation ran a 12 week accredited treatment programme 'Integrated Domestic Abuse Programme (IDAP)' for perpetrators of domestic abuse which is designed to challenge offenders' patterns of thinking that underpins and maintains their violent and abusive behaviour. Since April 2013, 80% of those undertaking IDAP have completed the Programme. The Programme has now been replaced with Building Better Relationships (outlined later in this report).

In addition, the Probation Service delivers the Structured Intervention to Address Domestic Abuse (SIADA) which addresses the behaviour of perpetrators of domestic abuse where an offender is not suitable for IDAP. Since April 2013, 30 individuals have completed the SIADA programme.

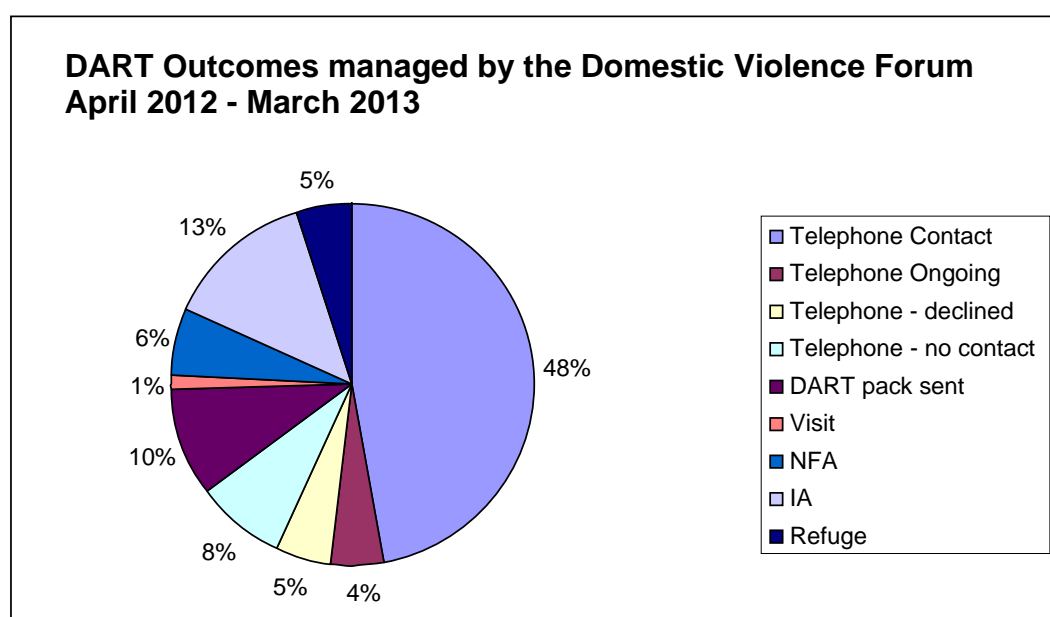
#### ***Domestic Abuse Response Team (DART)***

This is a multi-agency team made up from members of Adult Social Care; Children's Social Care; (children's) Health; Police; Education and the Domestic Violence Forum with other agencies, such as Probation and the Substance Misuse service contributing information. The team undertakes screening of all domestic abuse notifications that have been received by the police and determines the level of risk to both victims and their children and ensures that they receive a relevant response.

- In the year 2012/13, 2139 notifications were heard at the multi-agency Domestic Abuse Response Team (DART) domestic abuse screening.
- In 2012/13, 593 young people aged 14-24yrs were referred to DART as victims of abuse. This age group represents almost 30% of all referrals in this year.

### *Walsall Domestic Violence Forum*

- It is estimated that over 3,000 victims a year access the various services provided by Walsall Domestic Violence Forum.
- Walsall Domestic Violence Forum managed 2139 Domestic Abuse Response Team (DART) referrals for domestic abuse screening in the year 2012/13. The chart below clarifies the outputs of the screening.
- 906 victims of domestic abuse were provided with Independent Domestic Violence Advocates (IDVA).
- 133 victims and their children were helped to secure refuge accommodation



### *Multi-agency Risk Assessment Conferences (MARAC)*

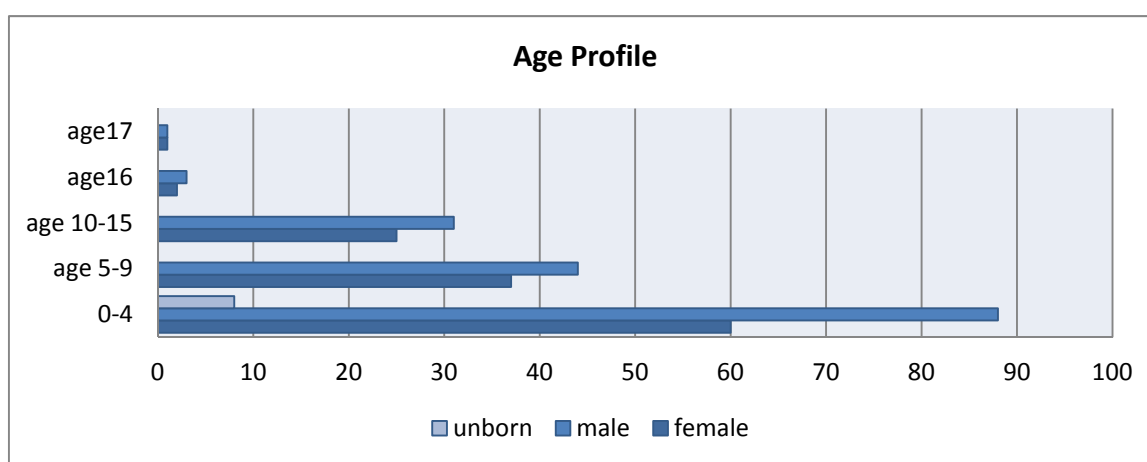
This is a multi-agency forum with a wide membership from across the agencies in Walsall. MARAC assesses high risk notifications of domestic abuse and plans a relevant response to ensure safety for victims of domestic abuse.

- Of the 2139 notifications of domestic abuse in the year 2013/13 which were heard at DART, 256 were referred to MARAC because of high risk to the victim/s.

- 40 of these were repeat cases; 40 involved Black and Minority Ethnic Victims (BME), 25 cases were identified as forced marriage and 6 were male victims.
- As a result of MARAC, 369 children received safeguarding input.
- In the period 01/04/13 – 31/08/13, MARAC assessed high risk in relation to 160 victims (48 of whom were repeat victims; 21 were from BME communities and 4 were male victims). There were 266 children involved in these families.

### *Children's Social Care*

- The numbers of referrals to Children's Social Care indicates a substantial rise in the year 2012/13 with an increase on the previous year of 145%.
- Key areas for the referrals were the areas of Bloxwich West, Birchells and Leamore, Willenhall South and Darlaston South.
- Between 1st April-17<sup>th</sup> July 2013 Children's Social Care received 344 referrals where domestic abuse was cited as the main risk factor for children under age 17. The age profile is indicated in the chart below and indicates that female children under age 4 formed the majority of referrals – this trend is similar to that of the previous two years.



### *Adults Social Care*

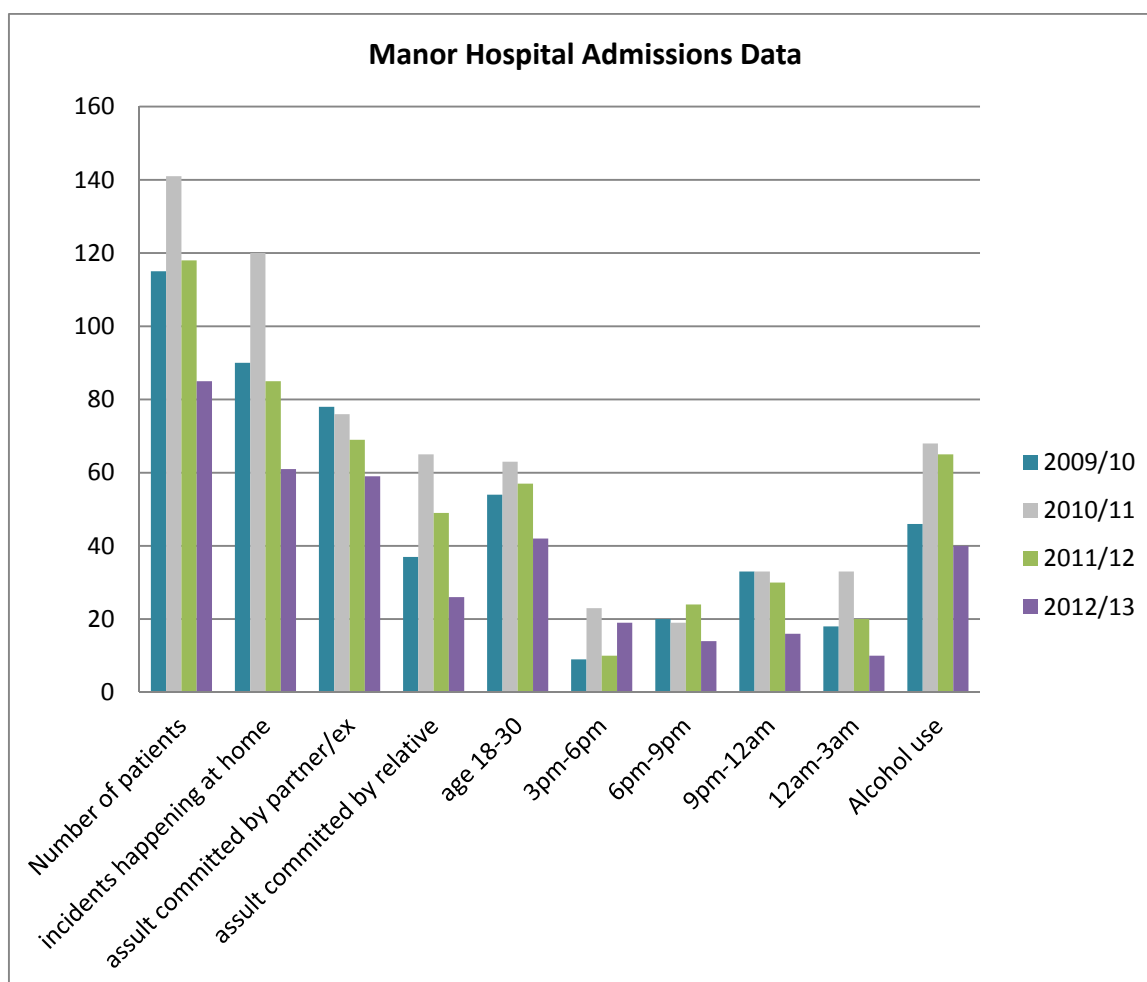
In the period 01/04/13 – 06/03/14, Adults Social Care identified through the DART notification process 85 referrals which involve a survivor or perpetrator of domestic abuse (including repeat survivors or perpetrators), relating to physical, sexual and emotional abuse by a third party to a victim who has an illness or disability. This constitutes approximately 5%-6% of all notifications.



### *Walsall Manor Hospital Accident & Emergency*

Between March 09 and December 2012, Walsall Manor Hospital recorded 464 assaults committed by an ex/partner or relative where the victim needed treatment at A&E. The majority of victims were aged 18-30 years; 68% were female and 77% were White British; they were assaulted at home in the late evening; the main assailants were ex/partners; alcohol was a feature in almost 60% of the cases.

The chart below indicates the violent crime committed in the home whereby the victim subsequently needed treatment at the A&E department at the Manor hospital in Walsall” (Defined by WIN. Walsall Intelligence Network).



### *Aaina*

Between April 2012-March 2013 Aaina, a specialist service working with South Asian and other BME victims, supported 30 women and their children and 5 male victims

### *The Teenage Pregnancy Unit and Connexions*

The Teenage Pregnancy Unit and Connexions have noted an increase in the numbers of young people presenting as victims of domestic abuse

### **Service User Consultation**

In 2013, Walsall Council undertook a consultation with 38 service users regarding their experiences of domestic abuse. This found that:

- The majority of the victims were aged 18-25 years – the age group least likely to report an incident to the police
- Eight reported childhood experience of domestic abuse
- 11 victims belonged to a BME community; two women had joined their husbands on spousal visas
- Most had been in abusive relationships for between 1 to 18 years and had experienced more than one domestic abusive relationship
- Reasons for staying in the abusive relationship were for the welfare of the children; having a father/figure or housing/financial support
- Victims felt supported by: increased home safety e.g. alarms; legal restrictions being placed on the perpetrators movements; help lines, advocacy and outreach support; specialist services to address emotional impact of abuse.
- Victims said if they had had a better understanding of ‘healthy intimate partner relationships’ they would have made more sound choices about the relationships in which they engaged and remained.



Across the partnership there is a wide variety of initiatives that seek to tackle domestic abuse at the three levels of prevention, service provision and holding perpetrators to account for their behaviour.

It is fundamental to strengthening the response to domestic abuse across Walsall that agencies continue to work together.

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*Victims will find, and fall through, the gap in any system  
which is not consistent, complete and coordinated?  
And abusers will use those gaps to strengthen their ability  
to continue to exercise power and control over the victims”.*

Wills et al, 2011:47

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The service provision in the Council includes the following which focus on service provision after a domestic incident has taken place. This and the wider support services provided by the partnership across Walsall and is not intended to be an exhaustive list.

### Adult Social Care

- Provision of a Women’s Refuge which provides 34 emergency accommodation units. Floating Support to provide early intervention and support for victims at risk of domestic abuse. Provision of sessional play work to support children who have witnessed domestic abuse. Funding of a full-time IDVA post to support victims taking court action against perpetrators.
- Funding the Council’s in-house provision of 88 units of supported accommodation and 97 units of external provision for the homeless.

### Public Health

Funding for an Outreach Worker to support victims of domestic abuse with additional complex needs i.e. mental health, substance misuse or frailty issues. This role also includes liaison with the Hospital A&E to identify victims of domestic abuse and offer early help to avoid escalation or repeat victimisation.

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*“I hadn’t really thought about my abuse  
before talking to you  
or how it affects my children.”*

Feedback from perpetrator of domestic abuse

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### Children's Social Care

- Contribution to, and administration of the multi-agency Domestic Abuse Response Team
- Support to victims and risk assessment (DART Independent Domestic Abuse Advocate - IDVA)
- Young Persons IDVA
- Two Family Support Assistants for Specialist Domestic Abuse Risk Assessment (DARA)
- Perpetrator Programme
- Training for organisations who work directly with children, such as the “thoughts and feelings” programme

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*“I know not to shout at daddy when they are fighting”...age 8*

*“I thought it was normal for parents to fight until I came here”...age 12*

*“I know I can call the police and mummy will be safe”...age 9*

*“I used to sit at the top of the stairs listening to dad, I felt so helpless because I couldn't help mum”...girl age 12*

*“When mommy and daddy are shouting I know to go to my room and be quiet”...boy age 10*

### Feedback from children supported after domestic abuse

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A number of support services for victims and interventions with offenders of domestic abuse are provided and Walsall has strong partnership working arrangements in place among all providers. Whilst this is not an exhaustive list of all the work undertaken in Walsall from the statutory and voluntary partnership, it offers a flavour of the enormous amount of work that is undertaken to tackle domestic abuse.

### Aaina

A community based organisation that provides a specialist needs led support service for BME victims of domestic abuse. Aaina also provide domestic abuse

awareness raising workshops and specialised training for frontline staff in Walsall and regionally.

### **Caldmore Housing**

Caldmore Housing provides support to people experiencing or at risk of domestic abuse including a floating support service and the direct access refuge. Floating Support services respond to the immediate needs of women fleeing abuse by providing safe accommodation and support and a 24 hour helpline for support and signposting services. They also help to secure and manage new and existing tenancies for women who are setting up a home free of abuse.

### **Crisis Point**

Independent sexual assaults advocate (ISVA).

### **Walsall Healthcare Trust and Council**

Sexual Assault Referral Centre (SARC)

In addition the Healthcare Trust employs a named domestic abuse nurse and a practitioner to support families who are placed in the emergency accommodation

### **Walsall Housing Group (WHG)**

WHG is the largest social housing provider in the Borough. It has an IDVA and an ISVA to support tenants with regard to domestic abuse concerns.

In addition security devices with monitored CCTV are available to support victims of domestic abuse to remain in their homes.

### **Walsall Council Housing Department**

Walsall Council Housing Dept. and the registered providers in the borough have responsibility to support any person suffering from or being threatened with domestic abuse. The Council aims to enable people experiencing domestic abuse to remain in their home, give them accurate advice and guidance and help them make informed decisions of what they can do next.

In 2013/14 relationship breakdown is highlighted as the main cause of homelessness in Walsall, representing 32% of all homeless acceptances – almost 76% of these involved violence. Walsall Council's Crisis Support team worked with 54 families who were in crisis due to domestic abuse. This was help with food, furniture and travel costs.

The council has made it a priority to reduce domestic abuse; the Housing Service will actively promote the take up of the Sanctuary scheme as a housing option which helps victims of domestic violence to remain in their own homes by the provision of a safe room. We will work with specialist agencies to ensure that people are supported and assisted in staying safe in their home.

The Council has also reviewed its allocation policy with its registered providers of social housing to enable priority move for victims of domestic violence, the avoidance of temporary accommodation. The priority is aimed at victims of domestic abuse to ensure a smoother transition into permanent accommodation is reached and for victims to be provided with an opportunity to obtain social housing in a timely and where possible planned way, preventing victims having to move into temporary accommodation.

There is provision for a management transfer of people within registered provider accommodation dependant on their circumstances. The housing providers in Walsall have a Relocation Policy which enables people suffering from domestic abuse to move between providers of different organizations as a priority.

We will also support the work of DART (Domestic Abuse Response Team) and MARAC (Multi Agency Risk Assessment Conference) which provides a forum for inter-agency information sharing in a bid to help increase the safety, health and wellbeing of high risk victims of domestic abuse and their families.

### **Walsall Council Adult Safeguarding Unit (ASU)**

Safeguarding vulnerable adults in Walsall is part of an overarching agenda to improve health and well being of local residents by linking into the work being undertaken by key partners and sharing information, supporting the co-ordination of the safeguarding of vulnerable adults. The Adult Safeguarding Unit works to support the Walsall Safeguarding Adult Partnership Board (WASPB) in its partnership activities. This includes representation and involvement with prevention and tackling Domestic Abuse concerns for Older Adults and people with illness or disability. The ASU contributes to the Domestic Abuse Response Team and Multi Agency Risk Assessment Conference in Walsall. The work of WASPB is soon to be placed on a statutory footing with the aim reinforcing efforts to prevent and tackle abuse in the community.

**Walsall Specialist Domestic Violence Court (SDVC)** This brings together domestic abuse cases to improve criminal justice outcomes and reduce the rates of repeat victimisation. Trained IDVAs are available to support witnesses through the court process.

### **West Midlands Police Public Protection Unit**

Domestic abuse forms a key element across all areas of Public Protection. The Public Protection Unit delivers investigations and safeguarding to victims and families of domestic abuse. Front-line uniformed officers initially attend domestic violence incidents and where a criminal offence has been committed they will proactively seek to arrest the offender to bring them to justice. The Public Protection Unit provides a specialist domestic abuse team of officers to assist with investigations, support victims and their families from initial point of contact with the police and providing statements through to the conclusion of court proceedings, offer support to victims in obtaining civil remedies,

deal with offenders within the custody environment and take responsibility for ongoing safeguarding strategies. The Public Protection Unit officers also provide specialist investigation, advice and safeguarding for victims of forced marriages or Honour Based Violence.

There are specialised domestic abuse workers within the Borough Public Protection Unit and all front-line officers receive mandatory domestic abuse training and regular refresher training.

### **Walsall Probation Service**

The Probation Service has both strategic and operational levels of response to Domestic Abuse. It provides services to offenders and victims of domestic abuse. Reports are provided for the courts regarding domestic abuse offending alongside risk assessments of the perpetrators using nationally recognised risk assessment tools. The service aims to protect the public by supervising offenders in the community and also contributes to custodial assessments where necessary. Probation is the only statutory agency that is involved in the offender journey from entry into the criminal justice system, through court preparations, the court hearing, in prison, in the community and afterwards to support voluntarily through care. Offender Managers are trained in the Integrated Domestic Abuse Programme (IDAP) which is a nationally recognised intervention. Victim liaison staff also have specific training for work with domestic abuse. Offender Managers are trained to work specifically with perpetrators of abuse; their values, beliefs and behaviours challenged during supervision. Specialist programmes staff are trained to deliver Building Better Relationships (BBR) to male perpetrators. BBR is a group work programme which is nationally accredited. The programme has a strong theoretical base; taking into account recent developments in thinking and research in relation to aggression within relationships. The core programme consists of 24 weekly group sessions plus up to six one-to-one sessions with modules focusing on thinking patterns, emotion management, and relationship stability. Victim liaison staff are also specifically trained to work with victims and survivors of abuse either during their relationship or when it has ended. Joined up working with officers, managing both the perpetrator and the victim has proven success.

### **Walsall Domestic Violence Forum**

- Core Contributor to DART
- Stepping Stones – 24 hour helpline
- SAYA – 24 hour multi-lingual helpline
- Two IDVA's; one ISVA (Independent Sexual Violence Advisor); one Young Persons IDVA
- Family Support Workers working with children and young people affected by domestic abuse and Outreach Officers

- Stopping Aggression in the Family Environment (SAFE) Programme – for male perpetrators
- Domestic Abuse Risk Assessment (DARA) involving intervention and assessment for families where domestic abuse has featured
- Spousal Abuse Risk Assessment (SARA) – a risk assessment tool to predict risk of further incidence for separated parents who wish to resume contact with their children
- Single and multi-agency training in domestic abuse

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*Thank you for all your help.*

*Without your support I would not have got to where I am now.*

*And to the ladies on the 24 hour helpline, you helped me hang on.*

*Without you I could not have made it, keep up the great work that you do.*

*For the groups, the help that you gave me, I cannot put it into words.*

*I'm out of the emotional hell now. One day at a time, that's all I can do – I'm back at college now.*

**Feedback from survivor of domestic abuse**

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### Our Vision

We are committed to ensuring that domestic abuse is not tolerated in Walsall. We want to realise our aims of prevention, protection, education (see my earlier point and accountability and ensure that we do so collaboratively with partner agencies taking a systematic approach to dealing with domestic abuse.

We are looking forward to the next period of this strategy having built upon a strong base and having completed the steps we undertook in the period of the last Strategy:

**Step 1:** To identify all of the contributions in financial terms and human resources, all of the key stakeholders and the funders, to be brought together into a service re-design workshop in April.

**Step 2:** To develop the architecture of an integrated pathway

**Step 3:** To develop a service specification

**Step 4:** To develop a commissioning action plan

**Step 5:** Deliver services consistent with the integrated pathway

### Recommendations/Outcomes Sought

#### Prevention

To improve early identification and prevention of domestic abuse, we will:

- Through the Domestic Abuse Strategy Group, continue to develop media campaigns including awareness raising and signposting for early help.
- Ensure our premises clearly display information about the support available for those affected by domestic abuse and that this information is available in a variety of formats and relevant languages. Continue to develop discreet methods to publicise services and telephone / web-based support.
- Implement the recommendations of the 2013 needs assessment which relate to core preventive aspects.
- Build on the 2013 needs assessment and Walsall Partnership Strategic Assessment 2014/15 by continuing to further our understanding about prevention and early intervention strategies for the Walsall demography.
- Develop sound performance data from across the partnership to enable us to understand need, scale, seriousness and gaps in current services to support

partnership decision making and to deliver the most relevant and effective domestic abuse response. To undertake an annual review of performance data.

- Build upon the 2013 needs assessment by continuing to embed the experiences and views of victims, survivors and their children – from across the demography of Walsall, including those communities which are rarely heard on this matter. This will support us to shape our services and response to domestic abuse throughout the borough.
- Seek to work in partnership and develop joint approaches to tackling domestic abuse with community and faith organisations across Walsall.
- Ensure that awareness raising training on domestic abuse is embedded throughout Walsall. This is vital for all, especially those offering universal services and primary care who are in a position to identify early signs, receive the first disclosures and set the support systems in motion. This will be on a multi-agency basis delivered via the Adult and Children's Safeguarding Boards; as an integral part of all basic safeguarding training and an element of induction of all staff into their role.
- Continue to ensure that routine questioning about domestic abuse is embedded by professionals in their work and that training supports them in this task.
- Update the LSCB and Adult Safeguarding Board procedures so that all partner agencies are aware of how to respond to domestic abuse concerns.
- Continue to embed messages about 'healthy and safe relationships' to all young people under 18 throughout our schools and colleges. Consider how these messages are provided to children who are not in school or where they have additional schooling e.g. Saturday schools.
- Continue to develop our 'Think Family' approach to domestic abuse across Walsall (of which our DART and MARAC are examples) to ensure early identification and intervention for both children and their adult carers, including where needs cross over.
- Adapt and adopt multi-agency domestic abuse standards such as those which are in Appendix 3.
- Provide a personnel policy on domestic abuse in the work place for staff which will include clear guidance both for staff experiencing domestic abuse and those who may be perpetrating domestic abuse. Ensure that we work in partnership with employee organisations to embed guidance.



### Protection

To ensure that victims of domestic abuse and their children are adequately protected and supported, we will:

- Build on the learning of our ongoing needs assessment, service user consultations and review of performance data to ensure that our service provision is targeted to meet need. It is acknowledged that we will not be able to meet all need and we will consider economies of scale, partnership working across the region or commissioning of highly specialist services across local authority boundaries (for example to address the needs of male victims, female perpetrators, BME or LGBT communities).
- Through the Walsall Domestic Abuse Strategy Group, review the current IDVA provision within the borough, including that related to A&E.
- Deliver specialist training for staff who undertake risk identification and assessment, safety planning and give advice or make arrangements for contact between children and a parent who is a perpetrator.
- Continue to develop our DART following the recent review of that service; continue to develop our MARAC with the input of CAADA.
- Continue to ensure that the needs to children affected by domestic abuse are met to help them recover from their experiences; that their relationship with their non-abusing caregiver is optimised after domestic abuse and they can go on to meet their full potential into adulthood.
- Ensure our staff are aware of domestic abuse services in the borough and support staff that are affected by domestic abuse.
- Meet victim's housing need to ensure that the housing-related needs of victims are provided for, by working with housing providers, to continue delivering and developing a high quality service. Housing issues for victims of domestic abuse are extremely complex and can change dramatically within a few hours. Meeting these needs effectively and contributing to reducing risk requires co-ordination at both strategic and operational levels, and a clear understanding of the dynamics of domestic abuse within all housing related agencies.

### Justice

To hold perpetrators accountable through effective and early interventions, we will:

- Ensure that the criminal justice, safeguarding, health and social care processes work effectively together and that the pathways for victims, their families and perpetrators are understood.
- Evaluate and build on the criminal justice work of the MARAC; MAPPA and IDAP.
- Through evaluation of interventions with perpetrators of domestic abuse, seek to understand what works to reduce abusive perpetrator behaviours and ensuring that these methods and perpetrators voices about what works are embedded.

### Delivery

To help us to achieve these outcomes we will:

- Produce an implementation plan to accompany this Strategy to make sure we achieve what we are setting out to do.
- Embed evaluation throughout the system so that we are able to highlight successes and issues within the process. Evaluation must be quantitative and qualitative and include the voices of victims, survivors, their children and perpetrators – to help us remain clear about what works and to ensure that the citizens of Walsall contribute to the shaping of the borough's services.
- Need to be supported by a post of Domestic Abuse Lead, for at least the life of this Strategy, who can operationalize our vision and maximise the reach of this Strategy. The Domestic Abuse Lead should work to a focussed work-plan given the breadth of the agenda; work across the partnership and discover, build and renew links to support a systematic and co-ordinated approach; influence our understanding of delivery and embed new initiatives but not be operational; bring expertise of domestic abuse including horizon scanning to identify learning from wider reforms.

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### Appendix 1

#### Consultation

This strategy has been developed in consultation with partners from the Domestic Abuse Strategy Group; their contribution to the development of this Strategy is greatly appreciated. We want to seek any additional views to make sure that we have got our focus right and that our efforts are balanced in the right places.

Please complete the following questionnaire and return it to Adrian Roche, Head of Social Inclusion by 30<sup>th</sup> April 2014 to:

**Address:** Public Health, Neighbourhoods Directorate, Walsall Council, Civic Centre,  
Walsall, WS1 1TP

**E-mail:** rochea@walsall.gov.uk

**I am responding ( please tick one)**

- as a member of the public
- on behalf of an organisation
- Other (please state)

**My name**

**My job title – if applicable**

**My organisation details – if applicable**

**My contact details (tel, address, email)**

#### 1. The aims of this Strategy are:

**Prevention:** To improve early identification and prevention of domestic abuse

**Protection:** To ensure victims of domestic abuse and their children are adequately protected and supported

**Accountability:** To hold perpetrators to account through effective and early intervention

**Are these aims reflective of what we want to achieve?**

**Yes / No**

**If no, please tell us what you think the aims should be**

- 2. Do you agree with the outcomes and priorities for this strategy (see pages 23-25)  
Yes / No**

**If no please tell us what you think these should be**

- 3. What are the main aspects of this Strategy that you think are valuable?**

- 4. What else would you find helpful to be included?**

- 5. Please use the space below to provide any additional comments that you have.**

## Appendix 2

### Legislation Underpinning our Work in Domestic Abuse

#### **The Human Rights Act 1998**

This duty requires that the state has in place measures to secure to individuals:

- The right to life.
- The prohibition against inhuman and degrading treatment and torture.
- The right to security of the person.
- The right to private, family and home life.

This includes a duty to have adequate laws in place to punish those who violate the right to life of others, or who inflict on others inhuman or degrading treatment.

#### **Equality Act 2010**

The equality duty, created by the Equality Act 2010 came into force in April 2011 and covers age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation.

The general equality duty requires public bodies to have due regard to the need to: eliminate unlawful discrimination, harassment, and victimisation; advance of equality of opportunity between different groups; and foster good relations.

The Equality Act 2010 (Specific Duties) Regulations came into force on 10 September 2011 requiring public bodies to publish equality objectives and information to demonstrate their compliance with the equality duty. The Act also makes it clear that complying with the Equality Duty may involve a public body delivering services which are specifically targeted at particular groups, this enables the development of services to support victims of violence against women and girls where such a need is established.

#### **The Sexual Offences Act 2003**

The Act applies to both adults and children. It includes the offences of grooming, abuse of position of trust, trafficking, and covers offences committed by UK citizens whilst abroad. It also updates the Sex Offenders Act 1997 by strengthening the monitoring of sex offenders.

#### **The Female Genital Mutilation Act 2003**

This extends the existing legislation criminalising female genital mutilation in the UK, by making it an offence for UK nationals or permanent UK residents to take a girl abroad, or to help others to take a girl abroad, to carry out female genital mutilation, even in countries where the practice is legal.

#### **The Forced Marriage (Civil Protection) Act 2007**

The Forced Marriage (Civil Protection) Act 2007 contains civil measures to enable a person (an adult or a child) who is a victim or a potential victim of a forced marriage to apply for a Forced Marriage Protection Order.

### **The Anti-social Behaviour, Crime and Policing Act 2014**

Makes provision regarding anti-social behaviour, crime and disorder. The Act criminalises forced marriage and breaches of a Forced Marriage Protection Order.

### **The Domestic Violence Crime and Victims Act 2004**

The Act introduced reform to the civil and criminal law by:

- criminalising the breach of non-molestation orders under the Family Law Act 1996
  - allowing same-sex and cohabiting couples to apply for non-molestation orders
  - making common assault an arrestable offence
  - introducing statutory multi-agency domestic homicide reviews
  - allowing courts to impose restraining orders on acquitted defendants
  - expanding the circumstances in which trials can be heard without a jury
  - creating an offence of "causing or allowing the death of a child or vulnerable adult".
- The Domestic Violence, Crime and Victims (Amendment) Act 2012 extends the 2004 offence to include "causing or allowing child or vulnerable adult to suffer serious physical harm".

### **The Crime and Disorder Act 1998**

The Crime and Disorder Act 1998 promotes the practice of partnership working to reduce crime and disorder and places a statutory duty on police and local authorities to develop and implement a strategy to tackle problems in their area. In doing so, the responsible authorities are required to work in partnership with a range of other local public, private, community and voluntary groups and with the community itself. This is pertinent to this strategy as it gives a legal foundation for effective information sharing in order to protect and prosecute within domestic abuse.

### **The Crime and Security Act 2010**

From 08/03/2014, Domestic Violence Protection Orders are implemented in England and Wales under this Act. These enable the police and courts to put in place protection for the victim in the aftermath of a domestic violence incident. Under these Orders the perpetrator can be prevented from returning to a residence and from having contact with the victim for up to 28 days, allowing the victim to be supported with regard to their safety.

### **Housing Act 1996 (as amended by the Homelessness Act 2002 & The Homelessness (Priority Need for Accommodation) (England) Order 2002)**

This gives local housing authorities a duty to secure suitable accommodation for households experiencing domestic violence who are unable to remain in the family home and who are assessed as being unintentionally homeless and in priority need. It also created a new ground for possession in relation to domestic violence.

### **The Children Act 1989**

The key legislation upon which the child protection system is based. It sets out the statutory obligations to safeguard children and promote their welfare. The law identifies 'significant harm' as the threshold that justifies compulsory intervention in family life. It gives local authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer significant harm. Significant harm may arise within domestic abuse due to neglect, physical, emotional or sexual abuse.

### **The Children Act 2004**

The Children Act 2004 provides the legal underpinning for Every Child Matters: Change for Children. The Act requires local authorities to set up Local Safeguarding Children Boards. Section 11 of the 2004 Act puts a general duty on statutory partners to promote and safeguard the welfare of children and section 10 requires them to cooperate to improve the wellbeing of children.

### **Adoption and Children Act 2002**

Section 120 of the Adoption and Children Act 2002 extends the legal definition of significant harm to children to include harm suffered by seeing or hearing ill treatment of others, especially in cases of domestic abuse.



## Appendix 3

### Example Minimum Standards for Responding to Domestic Abuse

The following standards are the minimum requirement for any statutory or voluntary agency coming into contact with those affected by domestic abuse.

#### **Communication**

We will communicate to our service users that Domestic Abuse will not be tolerated.

#### **Standard 1**

We will work with partner agencies in the statutory and voluntary sector to ensure that domestic abuse is tackled by our multi agency strategy.

#### **Standard 2**

Domestic abuse posters will be displayed in all public areas and materials will be available in community languages and accessible formats.

#### **Standard 3**

We will promote and utilise the media around positive messages of local support for domestic abuse when possible.

#### **Standard 4**

Our key strategies will recognise domestic abuse as a priority.

#### **Standard 5**

We will nominate a specific person within our organisation (agency or directorate) with lead responsibility for domestic abuse.

#### **Standard 6**

We will communicate developments in the multi-agency domestic abuse work to staff in our agency and have further information on domestic abuse on our website or links.

#### **Prevention**

We will work with partner agencies to change attitudes and prevent abuse

#### **Standard 7**

We will support awareness raising of domestic abuse in children and young people either through directly working in schools or through confirming our support to agencies for whom this is their responsibility.

#### **Standard 8**

We will ensure relevant staff receive appropriate domestic abuse training and guidance.

#### **Standard 9**

We will provide a specific personnel policy on domestic abuse in the work place for staff. This would encompass clear guidance both for staff experiencing domestic abuse and those who may be perpetrating domestic abuse.

#### **Standard 10**

We will collate and share data on domestic abuse, under agreed standardised criteria, with our partner agencies.

**Standard 11**

We will ensure information is treated confidentially whilst protecting those who are at risk of harm through appropriately sharing information with relevant agencies.

**Standard 12**

We will encourage third party reporting of domestic abuse to increase safety in the workplace and the community.

**Provision**

We will work collectively with other agencies to help those affected by domestic abuse to continue their lives

**Standard 13**

We will provide timely support and help for those affected by domestic abuse, having particular regard for those identified as high risk.

**Standard 15**

We will work to enable a co-ordinated response to public needs from prevention and education to crisis and support.

**Accountability**

We will support the criminal justice system to provide an effective response to domestic abuse

**Standard 13**

Where relevant legislation or agreed policies are in place, we will share information as required to tackle and prevent further crime and disorder and to uphold human rights.

**Standard 14**

We will refer to MARAC when we are working with very high risk cases of domestic abuse.

Adapted from Manchester Domestic Abuse Partnership