

This response to the Joint Committee's call for views on the draft Domestic Abuse Bill is submitted on behalf of:

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Executive Summary

We would refer to our earlier submissions to the Government Consultation and the Home Affairs Select Committee and set out further key issues below.

Improvements to the family courts in addition to those currently proposed under the draft Bill.

- A legislative assumption that all victims of DA (and all forms of VAWG) are offered special measures. (this is urgent too in the Criminal courts where many DA complainants are not offered Special Measures despite the likelihood that they would, on assessment be vulnerable or intimidated. There is serious under-use of, often Home Office funded, remote evidence suites)
- The facilities of crown courts be utilised, where necessary, to accommodate requested special measures in the family court.
- Judges ensure victims are aware of (and empowered to utilise) all of their options for special measures.
- Where judges deny a request for a special measure, reasons are offered in writing, to ensure transparency of the court system.
- An absolute legislative prohibition on alleged perpetrators cross-examining victims in any court jurisdiction, which flows simply from an allegation of abuse.
- Proper court support and representation be provided to victims of DA.
- Urgent improvements to communication between court jurisdictions so that, for example, an order issued in one jurisdiction informs the content of orders issued subsequently in another.
- An end to the assumption of parental contact in cases where children are at risk of DA/the child was fathered through rape.

I. The statutory definition of domestic abuse, including the proposed gender-neutral approach, and whether there should be any differentiation between different types of abuse

- I. We support a strong statutory definition, for its ability to guide policies, strategies, commissioning, understanding and training around domestic abuse, across sectors. We have two main reservations with the proposed definition in the Bill:

- a. Firstly, the gendered nature of domestic abuse is not clear in the current definition. As the Istanbul convention makes clear, anybody can be affected, but it is important to highlight the disproportionate impact on women. We urge the Government to take heed of the HAC, who recommend that the disproportionate impact on women and girls is explicitly highlighted in both the Bill and statutory guidance.
 - b. Secondly, the conflation of intimate partner violence and other forms of family abuse within the definition is inappropriate. Though it is important to note forms of DA other than intimate partner abuse, especially for many BAMER women who experience DA at the hands of more than one perpetrator, the dynamics and 'typologies' of DA and their dynamics must be clearly set out so they can be understood. In addition, other forms of DA need to be distinguished: FGM, forced marriage and so-called 'honour' killing. Though these latter forms of violence are legislated on elsewhere, it is important to draw the links to DA.
2. Women who have insecure immigration status face additional barriers to being able to report domestic and sexual violence, in particular fear of deportation. This gives perpetrators of domestic abuse an extra weapon – stay with me or be deported – and it is important that such threats to an individual's legal status and rights should be acknowledged under any definition of DA. The current definition uses the term 'threatening behaviour' likely to be understood as physical threats, in the context of public order legislation, and without express reference apparently excluding threats to rights.

2. The role and powers of the Domestic Abuse Commissioner

3. We repeat the concerns and recommendations of many organisations, as well as the HAC, on the subject of a Commissioner:
- a. More powers are needed to give the Commissioner 'teeth' (as described in the 2014 report 'Labour: Placing Women's Safety Centre Stage'¹).
 - b. The Commissioner should have oversight of all VAWG issues, so as not to ignore the interconnectivity of abuse. The role should be one of VAWG Commissioner, working closely with both the Victims Commissioner and the Children's Commissioner. The budget and powers would clearly need to be increased for this role.
 - c. The Commissioner should be fully independent, reporting to Parliament, rather than Government.
 - d. A robust accountability mechanism is needed to ensure services are of high quality and holding public services to account must be a clear element of the Commissioner's role.
 - e. The Commissioner should be given powers to investigate the work around training and prevention, as well as day-to-day practice, to assess its quality and make actionable recommendations for improvement.

¹ Labour (2014). Labour: Placing Women's Safety Centre Stage
https://www.policyforum.labour.org.uk/uploads/editor/files/LWSC_Document_1.pdf

- f. The Commissioner should have power to review and enforce good commissioning practices, as well as the appropriateness of current funding levels.

3. The Domestic Abuse Protection Notice and Domestic Abuse Protection Order

4. At present, we are aware that some judges are reluctant to authorise a DVPO where there is no evidence of physical violence. DAPOs are welcome for their potential to end this practice and recognise all forms of DA, as per the statutory definition. We do have some concerns about their operation however, which are outlined below.
5. There are numerous protection orders available to victims. The Government must therefore make clear how DAPNs and DAPOs will fit into the existing framework of orders and what the legal landscape now looks like. They must also ensure that victims can access clear information about their use.
6. Given that DAPOs are intended to be more 'draconian' in nature than some similar orders, there must be clear training and guidance to all professionals, including judges across the criminal, civil and family courts, regarding the most suitable orders to use. This will ensure that DAPOs are utilised where appropriate over any 'softer' options.
7. To be effective, notices and orders must be monitored by one agency which ensures any breaches are acted upon and any positive requirements/prohibitive conditions monitored. This is crucial if orders can be applied for by various people in various courts. Failing this, victims will have a false sense of security and these protection tools will be redundant.
8. This one agency with responsibility for overseeing DAPN/Os must have sufficient funding, resources and training.
9. Equally, all organisations who will be permitted to apply for DAPOs must be given adequate funding to enable them to meet the cost. Legal aid must be available for victims applying for these orders.
10. Protection orders will not be an effective intervention unless there is pro-active referral to support/advocacy services for the subject of the order and how this is achieved given the mixture of situations, courts and personnel who may apply for DAPNs needs to be considered with care.
11. There is a risk of a justice gap for BAMER women and those with insecure immigration status, requiring a careful equality impact assessment of how these orders can support such women.
12. DAPOs should be a mandatory consideration as part of sentencing if a non-custodial sentence is to be handed down.
13. We support positive requirements such as mandatory attendance on perpetrator programmes. However, in order to make this successful and beneficial, the government must ensure that there are enough programmes to accommodate perpetrators, by ensuring funding and resources. It seems clear that currently local courts do not make sufficient orders of this kind because of limited provision. There is a parallel need for more programmes in prison, based on our understanding that currently a sentence would need to exceed 12 months for a perpetrator to get to the top of the queue for the limited programmes available.

4. The introduction of special measures in cases involving domestic abuse

14. We support the introduction of a legislative assumption (in which a victim is required to opt out rather than opt in) that anybody who alleges any form of VAWG is entitled to special measures in all courts – criminal, family and civil – as is the case for victims of sexual violence in the criminal courts. This issue was highlighted by Lord Justice Munby in his ‘View from the President’s Chamber’ in 2016.
15. We further propose that judges, at the earliest possible stage, confirm with victims that they have been offered all available measures and that those they wish to use are already in place or readily available.
16. Further, as the final decision on which special measures will be permitted in each case sits with the judge, we propose that any decision not to permit a measure is accompanied by a written explanation as to the decision, to ensure transparency throughout the court system.
17. It is vital that victims of DA are offered special measures to allow them to feel comfortable to attend court – screens, live video link etc. Where such measures are required but not available, provision should be in place to use crown court facilities - and the remote evidence suites normally reserved for criminal proceedings - to be used to hear a family case.
18. Access to separate waiting areas so that a victim does not sit in the same room as their alleged abuser should also be a minimum requirement in all court buildings. In this respect the family courts are years behind the criminal courts, which is unacceptable.
19. A recent study in Northumbria into the criminal proceedings heard in local Specialist Domestic Violence Courts found that defendants often ‘game the system’, by waiting to see if a complainant turns up to court before entering a guilty plea. This practice would be made less prevalent were the defendant to know that the criminal justice system was doing all it could to ensure the victim was supported to attend and give evidence.

5. The measures to prohibit cross-examination in person of alleged victims or perpetrators in the family court

20. Whilst we welcome the provision in the draft Bill for the prohibition of alleged perpetrators cross-examining their victims in the family courts, we believe that such victims should be identified as early as possible in family court proceedings and assisted to access skilled representation funded by the legal aid system.
21. We would also argue that the distinction between an absolute prohibition on cross-examination and a judicial discretion to prohibit this, only where the ‘quality’ or ‘significant distress’ conditions are met is problematic.
22. The absolute prohibition applies where a perpetrator has been convicted of, given a caution for, or is charged with a specific offence. If this conviction or caution is spent under the Rehabilitation of Offenders Act 1974, the absolute prohibition will not apply unless evidence is given to show that this is admissible. The result of this drafting will mean that many victims in family court proceedings will not meet the absolute prohibition requirements – due to low reporting, low DA conviction rates and various other factors. Safe Lives reported that of 811

women in refuges between 2015-18, only 68 (8%) had ever reported their abuse to the police, and in only 44 of these cases was action taken by the police².

23. The discretionary tests rely on subjective conditions, taking into consideration the impact of cross-examination by a perpetrator on the quality of evidence that will be provided, and the level of distress a victim will experience. It is submitted that anybody who is cross-examined on intimate details of their lives, by a person who has subjected them to any form of abuse, will experience a level of distress likely to impact on the evidence given.
24. There are also questions around the engagement of Article 3 ECHR where a victim is permitted to be cross-examined against a background of coercive and controlling behaviour, and questions as to the state's complicity in allowing such abuse to be perpetuated within established family court proceedings.
25. We recommend that the prohibition is drafted in a similar way to the Youth Justice and Criminal Evidence Act 1999, where the prohibition flows from the nature of the behaviour alleged.
26. In addition, this legislative prohibition should be extended across all jurisdictions – family, criminal and civil – so that even the possibility of cross-examination by a perpetrator is completely removed. Only this will properly ensure a victims rights under Article 6 ECHR in this area.

Beyond these considerations, we propose that the draft Bill could provide further opportunity for improvements to all courts for victims of DA and other forms of VAWG including those outlined below.

REPRESENTATION AND SUPPORT

27. IDVA provision must be urgently expanded. As discovered in the recent Northumbria study into Specialist Domestic Violence Courts (SDVCs)³, IDVAs were not always available to represent complainants in pre-trial hearings or to support complainants in trial proceedings, despite such provision being one of the 12 key components for the success of SDVCs nationally.
28. Every evaluation of IDVAs over several years has found that the provision of specialist DV support services for complainants at high risk of significant harm is critical to the effective working of SDVCs. IDVAs, who are independent of any of the agencies which make up the criminal justice system, focus on the complainant's interests, their rights under the Victims Code and their safety throughout the process. They provide a point of contact for the court and aim to involve the complainant in every decision which may affect them or their children, including whether to remand or grant bail, to vary bail conditions, and to accept changes to charges against the defendant. They will also ensure that a victims need are met with regards to the dates and times of attendance at trial, the availability of special measures and the making of one or more Victim Personal Statements and will accompany the victim at court when they are called to give evidence.

² Safe Lives. (2018). Insights refuge England and Wales data set 2015-18: Adult refuge services.

³ Specialist

29. Current changes to information sharing by HMCTS, apparently based on a narrow interpretation of GDPR, is currently jeopardising this work. Restricted in many areas to the receipt of public court listings which provide the name of the defendants involved in SDVC proceedings but not the complainants, IDVA services are struggling to identify which of the victim's they are working with need to be contacted and to communicate their needs/wishes to the court.
30. The Northumbria OPCC is piloting specialist DA Court Advisors who are employed by the police, can access police and other systems and facilitate communication between the courts and local support services, but such solutions cannot be implemented everywhere and without further core funding for such provision. The issue of information sharing between the court service and specialist services must therefore be addressed within this bill as a matter of urgency.

CHILD CONTACT

31. The Government must take action to end the assumption of contact in cases where children are at risk of DA and prohibit unsupervised contact with alleged perpetrators who are on bail/awaiting trial for DA-related offences.
32. Further, we urge the Government to amend the Children Act 1989 to remove the parental right of any man who has fathered a child through rape. We support the Parental Rights (Rapists) and Family Courts Bill introduced by Louise Haigh MP, which sets out to make the necessary changes, following the experience of Sammy Woodhouse.
33. Apart from the impact on victims who, under current law, can be made to face their abusers and share child contact time with them, there is a clear risk to children. Women's Aid's report 'Nineteen Child Homicides' sets out clear examples of the consequences of family courts prioritising perpetrators' 'parental' rights over survivors' and children's rights to life and to be free from degrading treatment. This report sets out the deaths of 19 children following contact granted to men who were known abusers. This research led to the updating of practice direction 12J, which provides protection for victims of domestic abuse and harm. More needs to be done to protect victims and children.

DISCLOSURE

34. The Office of the Northumbria PCC has recently raised concerns around the use of victims' third party material in sexual violence cases, and the potential infringement of Article 8 rights that current practice arguably brings about. At present, it appears that victims are being asked to sign blanket consent for police to obtain extensive records – often from birth – from a victims' GP, hospitals, counsellors, school, local authority etc. The CPS are often refusing to charge a case/continue proceedings if the complainant does not consent to this. The defence are then using 'evidence' of lies a complainant told at school as 'proof' that she is not to be trusted, or evidence of her poor mental health, to suggest she makes things up for attention. This practice goes against the Criminal Procedure and Investigations Act 1996, which sets out that only 'reasonable lines of enquiry' are to be followed, but is being justified as necessary to assess complainants' 'credibility'.

35. With the push for evidence-led DA prosecutions, we are concerned that these issues may seep into DA cases, as well as SV. There has been suggestions that, where there is no victim supporting a prosecution, but *res gestae* evidence is available, then background checks are needed as to the complainant's credibility. Not only is this un-necessary in the context of *res gestae* evidence but also contains the potential for further unjustified intrusion into victims' lives, which in turn discourages reporting and affects prosecution and conviction rates.
36. The Information Commissioner's Office is currently reviewing the issues in SV cases. We ask that the Government address third party disclosure issues in SV cases and ensures that cases of DA are not affected in the same way.

6. Enabling the National Probation Service to pilot polygraph testing with high risk domestic abuse perpetrators to monitor licence conditions in the community

37. Polygraph testing is not a trusted mechanism within the criminal courts, or indeed the scientific community, and so it is unclear why the government are of the opinion that polygraph testing will be effective for monitoring high risk DA perpetrators.
38. Aside from being an unreliable way of testing whether a person is telling the truth in general, testing will be useless for perpetrators who do not see their behaviour as problematic.
39. The explanatory notes to the Bill explain that testing will only be a licence condition for the highest risk DA perpetrators, on release from custody, and the only reason for testing will be to monitor compliance to licence conditions and ongoing risk. Would electronic monitoring, notification requirements and closer supervision not be a more appropriate solution, particularly given the estimated financial costs of polygraph testing? It is estimated that £500,000 will be spent per year across a three year pilot, which aims to reach 300 offenders. This is a cost of £5,000 per offender.

7. Whether the measures in the Bill ensure that the UK is compliant with the Istanbul Convention

40. We believe that the Bill will make the UK compliant with Article 44 of the Istanbul Convention. We are pleased that the Government had responded to concerns around the inclusion of the offence of 'procuring abortion' as one that the UK takes extraterritorial jurisdiction over. We agree with the new list of offences that the Government will assume ETJ over and agree that they satisfy Article 39(a) of the Convention.
41. We encourage the Government to ratify the Convention as a matter of urgency, but highlight that provisions must be extended to all victims to ensure compliance. Article 4.3 of the Istanbul Convention states that equal protection must be provided irrelevant of national or social origin. The UK has a continued obligation to protect women in Northern Ireland, despite the lack of functioning Government there. This also applies to refugee and migrant women, who currently face barriers to help, as outlined below in section 11.
42. However, more than criminal compliance is required to satisfy the Convention. Article 1a sets out that the purpose of the Convention is to '*protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence*'. Laws must

not simply be in place to criminalise VAWG, but they must work effectively. Rape and sexual offences have poor conviction rates, disclosure of private material can compromise ECHR rights and there are there are barriers to victims coming forward and accessing support and assistance which we recommend that the Government needs to address. Further, services are chronically underfunded, potentially contravening Article 8 of the Convention.

8. How the Domestic Violence Disclosure Scheme (Clare's Law) should operate in practice and what statutory changes and alterations in current practice are needed to effect this

43. We support the Government's proposal to place the guidance around the DVDS on a statutory footing. We hope this will lead to uniform good practice across all police forces, and greater awareness raising amongst potential victims; needs highlighted by the 2017 HMICFRS thematic report on domestic abuse. However we recognise that this will not prevent abuse for all victims as perpetrators do not always have previous involvement with the police.

9. What measures are required to ensure there is a sustainable, long-term and secure funding model for specialist domestic abuse services, including refuges?

44. There must be adequate levels of sustainable and long-term funding and resources for all services involved in the response to DA and VAWG more widely – including refuges, the women's sector and the police. Without this, it is dangerous to encourage more victims to come forward and expect to be supported by services which are already under-funded and strained.
45. The Government's aims for a culture change leading to better information, supportive services and zero tolerance of domestic abuse can only be attained if the draft Bill's legislative and non-legislative proposals are backed by sufficient new resource. Since domestic abuse is to be 'everyone's business' a whole systems, holistic approach to domestic abuse is the ideal model with specialist services and well-informed statutory services linked in a national response.
46. Funding concerns are experienced by the majority of services across the country, repeatedly year on year because of the provision of short term or one-off funding requiring repeated formulation of bids and which does not allow organisations to become sustainable. It is our view that services to protect people from VAWG and which support victims should be as central a part of a modern welfare state as the National Health Service and should be funded on a similarly sustained basis. It is notable that Professor Walby's research shows the annual cost of domestic abuse to the state as upwards of £26billion, a cost many times greater than is invested currently in prevention, protection and the pursuit of perpetrators.
47. The Government, in its response to the 'Transforming the response to Domestic Abuse' consultation, sets out the new pots of funding recently made available. These are related to sexual violence and child victims, not adult victims and core services. Whilst transformative work is needed, core services should be protected as a priority.

48. Key services have closed - particularly smaller, specialist and BAME services which cannot compete with larger generic providers and yet offer a service for hard to reach women which is not otherwise available.
49. With regard to refuge funding, we are pleased that the Government has confirmed that housing benefit will remain available for those in supported housing, including refuges. We await the outcome of the MHCLG review of DA service commissioning, in anticipation of a promising long-term solution to the current funding crisis experienced by refuges and other VAWG services.

I0. Whether the draft Bill offers adequate protection for children in families where there is domestic abuse

50. Exposure to DA is a recognised Adverse Childhood Experience (ACE). ACEs have been found to have lifelong impacts on health and behaviour. Public Health Wales research⁴ has found that people with 4 or more ACEs are more likely to have been in prison, develop heart disease, frequently visit the GP, develop type 2 diabetes, have committed violence in the last 12 months, and have health-harming behaviours (high-risk drinking, smoking, drug use).
51. Police forces are beginning to acknowledge that ACEs can lead to offending behaviours, or further victimisation, later in life. This trauma-informed understanding needs to permeate all areas of society and there must be a focus on prevention and support for children who are exposed to domestic abuse alone or alongside other ACEs.
52. There is more to be done on top of the Government's existing commitments in this Bill and elsewhere.
53. Teachers and those working in schools need to be fully trained on how to spot the signs of DA as well as how to properly deal with disclosures and ensure children are properly supported. The Northumbria OPCC has received monies from the Home Office CADA Fund to extend the idea of Operation Encompass to meet these needs. The project ensures that school staff are trained and children are supported to understand healthy and unhealthy relationships and the support available to them. In addition, the project aims to develop local schools as a safe space where parents can disclose or access support for DA in confidence, despite the coercive control of a partner, recognising that sometimes schools are the only safe space that parents can access away from their abusive partner. 'School Safeguarding Liaison Officers' will work with and support schools in responding to the needs of both child and adult victims of domestic abuse. This project goes some way toward satisfying Articles 14 and 15 of the Istanbul Convention.
54. Stronger partnership working between children's services, police and schools, is also needed to ensure a child is protected and also supported to cope and recover. A sustainable funding model for supporting such children must be established, perhaps drawn from the Pupil Premium or a new and similar funding stream.

⁴ Public Health Wales NHS Trust. (2015). Welsh Adverse Childhood Experiences (ACE) Study: Adverse Childhood Experiences and their impact on health-harming behaviours in the Welsh adult population.

55. The direct abuse of children must also be recognised, along with the effects of them witnessing the abuse of a parent/carer. There needs to be more recognition of the coercive and controlling behaviours that perpetrators of DA can use and which may involve a child being used directly or indirectly to control the actions of the non-abusing parent.
56. Linked to the above section, there needs to be greater acknowledgment that the majority of residents in DA refuges are in fact children of victims (who are likely also victims themselves). Dedicated funding must be available to fully support children living (or those who need to live but cannot obtain a place) in refuges or other temporary accommodation due to DA, and statutory guidance should be enforced to ensure local authorities swiftly re-house and re-school children safely.
57. There is a potential role for any DA Commissioner to look more closely at the response to children affected by DA, in partnership with the Children's Commissioner and Victims Commissioner.
58. In addition, we would propose that the Government ensures the effectiveness of Practice Direction 12J and that members of the family court judiciary are fully trained by subject matter experts to follow PD 12J where children are involved in DA allegations.
59. We would also support the arguments made by AAFDA, regarding the need to ensure that children affected by domestic homicides are supported to inform the work of the resulting DHR in age appropriate ways.

11. Support for victims of domestic abuse with uncertain immigration status which means they have no recourse to public funds

60. The Government, in its response to the 'Transforming the Response to DA' inquiry, has made no commitments to making any real change for victims with uncertain immigration status. There are a number of issues experienced by this group of victims, barring support and assistance. We support the recommendations made by Imkaan and the HAC on this topic.
61. Section 115 Immigration and Asylum Act 1999 should not be applied to women fleeing abuse. This states that a person will have 'no recourse to public funds' if they are 'subject to immigration control'. This rule restricts DA victims' access to statutory duty of care, including housing.
62. The DDVC is too limited and, fairly, should be extended to all survivors of gender-based violence with insecure immigration status (not just those on a spousal visa) and the three month time limit extended, in acknowledgment that applications for 'right to remain' can take longer. The women's sector will undoubtedly be able to offer ample evidence of this as the 'No Women Turned Away' project undertaken by Women's Aid found that 67% of women with NRPF were not eligible for the DDVC.
63. Funding is required for refuge accommodation for migrant women, who face extra barriers of language and rejection by their community for reporting abuse. The Women's Aid 'No Women Turned Away' project found that only 8 out of 110 women with NRPF were accommodated in suitable refuge space, and some were forced into homelessness or stayed with their partner despite the risk of further abuse.

64. The Istanbul Convention specifies that victims of VAWG are protected, despite their immigration status. In acknowledgment of that, we support the idea of putting 'firewalls', between critical public services and immigration control so that the safety of women is given higher priority than immigration enforcement. Consistent with the Government's new approach, the 'hostile environment' should be reversed in this connection⁵.
65. Additional funding needs to be granted to specialist and BAME services to support migrant women.
66. A review of compliance with Rule 35 of the Detention Centre Rules 2019 is required. This states that people who have been subjected to VAWG 'should not normally be detained', or 'can only be detained when immigration factors outweigh their indicators at risk'. Women fleeing violence should not be detained.
67. Women with NRPF escaping violence should not be subjected to the rules under the NHS Charging Regulations 2015 or 2017 Amendments. Victims of DA must have access to vital health services without being faced with huge fees.

12. What measures are necessary to enable the prevention of domestic abuse, especially the role of healthcare services in early detection and intervention?

68. As acknowledged by the Government, professionals must be provided with core training. We also recommend embedding champions/points of contact in employment settings to ensure all suspected victims/victims are properly supported to disclose their abuse and access professional support.
69. In Northumbria, the OPCC has launched a network of trained DA champions in workplaces across the region. Champions are trained on DA and act as points of contact for any employees who wish to make a disclosure and seek help. The OPCC also works with employers to embed DA policies.
70. In addition, the Northumbria OPCC recently supported the delivery of training focussed on trauma (related to sexual violence and domestic abuse) to over 1,300 health professionals across clinical settings, to assist them in spotting the signs of abuse and responding appropriately. We have also funded a three year pilot of DA outreach workers in GP and hospital settings, to reach out the victims who may attend for health care support but be unknown to other services.

13. Issues raised in relation to the interface between reserved and devolved powers within the United Kingdom

⁵ EVAW. (2018). Women Living in a Hostile Environment. <https://www.endviolenceagainstwomen.org.uk/wp-content/uploads/FINAL-living-in-a-hostile-environment-for-Web-and-sharing-.pdf>

71. As this Bill will apply to England and Wales we seek some clarity around how the new DA Commissioner will interact with the Welsh National Advisor, established under the Domestic Abuse and Sexual Violence (Wales) Act 2015. The Welsh advisor oversees DA and sexual violence in much the same way as it is envisioned the DA Commissioner will.
72. As set out above, due to there being no functioning Government at present in Northern Ireland, we call on the Government to work with others to ensure victims in NI are protected in the same way as those in England and Wales will be.

14. The need for non-legislative measures to support the proposed legislation, in particular the provision of adequate training for all relevant agencies, and the capacity to ensure multi-agency and multi-departmental co-operation and co-ordination

73. We have touched on this question throughout our responses above. In summary, there must be adequate training and guidance for all professionals who may come into contact with those affected by DA, proper education for children and young people around relationships, considerate commissioning and awareness raising throughout society.
74. Training is particularly important for those in 'frontline' services, such as healthcare professionals, school staff, children and adult services etc.
75. More is needed, in the form of Authorised Professional Practice and similar guidance for criminal justice agencies, to drive the further development of evidence-led investigation and prosecution.
76. Other professionals, such as those involved in adult and child safeguarding, also need guidance which reinforces the learning from DHRs (Standing Together, DHR Case Analysis, 2016) that friends, family and other 'informal networks' often hold vital information about the level of control a perpetrator is exercising and the level of risk they are likely to pose.
77. In Northumbria, PCC monies are being used to pilot the placement of DA outreach workers in local hospital settings (such as A&E and gynaecology) and with GP practices. This work, through an emphasis on training as well as service delivery, is helping to raise awareness amongst health staff, to increase their confidence in asking about DA and thus to help with earlier identification.
78. As aforementioned, the Northumbria OPCC has also trained a network of DA champions across employment sectors. We have created an off-the-shelf employers' DA policy which seeks to clarify how supporting DA victims makes good business sense. Such an approach has been widely accepted locally and is now supported by a network of nearly 900 workplace DA champions.
79. In addition, one of our six local authorities is a pilot site for the Women's Aid 'Change That Lasts' programme, which includes the development of 'Ask Me' community ambassadors. Both programmes require an initial training input and ongoing communication/coordination which would benefit from central, sustained support and promotion, perhaps by the proposed DA Commissioner. The employers' policy would also benefit from central support to ensure that all large employers (including government departments) adopt policies and keep them alive by having workplace champions. There is a need for policies to contain disciplinary provision for known perpetrators.

80. These developments would also benefit from a series of national ‘bystander’ campaigns that seek to make domestic abuse as morally unacceptable as drink driving became in the 1970’s.
81. Children also need to be supported by educational provision focussed on domestic abuse. Around 1 in 5 children have been exposed to domestic abuse (DA) in England and Wales (Crime Survey for England and Wales 2015/16). It is therefore reasonable to suggest that every classroom in every school in the UK will contain *at least* one child who is experiencing DA. The proposed changes to relationships under the Children and Social Work Act 2017, and the recently approved statutory guidance are promising. However, there are still concerns about the ability for parents to withdraw their children from the majority of RSE lessons, as well as the training for teachers who are to deliver education about abuse and other sensitive subjects.
82. These lessons should be threaded through the curriculum, rather than be delivered as one-off lessons. The lessons should not only speak about victimisation but should also warn offenders of the legal implications of their actions.
83. And finally, it is crucial that commissioners acknowledge the broad range of needs of both victims and perpetrators in society. It is our proposal that all commissioners of VAWG services publish information about the services in their area/jurisdiction, as well as their equality impact statements, similar to the obligation on local authorities under s2 Children and Social Work Act 2017.

Perpetrators – added Monday 29th

A critical element of effectively dealing with domestic abuse is to tackle the root cause of this harmful behaviour, the perpetrators. In the HMIC Domestic Abuse inspection report ‘Domestic Abuse, Everyone’s Business’ of 2013, HMIC identified that no UK police force had a consistent and effective process for dealing with domestic abuse perpetrators. Following this, Northumbria Police and OPCC submitted a funding bid to the Home Office to pilot a process, the MATAAC, to identify and target those causing the most harm to victims and children by encouraging offender behaviour change and disrupting perpetrator ability to commit further offences. The MATAAC – Multi-Agency Tasking and Coordination – was developed and implemented by Northumbria Police and OPCC as a Home Office funded Police Innovation Project over 3 years between 2014-2017, this was so successful that the MATAAC is now core business for Northumbria Police.

The MATAAC is also 1 of 12 strands of work implemented as part of a further Home Office funded Police Transformation Project, ‘Domestic Abuse: A Whole System Approach’, which ran from April 2017 – March 2019. This Whole System Approach ran across 6 forces in our North East Region; Durham, Cleveland, Humberside, North Yorkshire, West Yorkshire and led by Northumbria. This project has been extended for a further year as an additional funded project, ‘Domestic Abuse: A Whole System Approach – The Next Steps’, to further embed the MATAAC across the regional force group and to share the Whole System Approach best practice, including MATAAC work, nationally.

The MATAAC pilot was extremely successful; for every perpetrator tackled by MATAAC, we achieved a 65% reduction in domestic abuse related re-offending and a 61% reduction in all types of offending; this has been maintained since moving to core business. We also carried a Social Return on Investment Study (SROI), which showed a social return on investment of £14.54 of social value per £1 invested, a high percentage of this from victim outcomes. The MATAAC pilot also additionally achieved additional intended outcomes of preventing domestic abuse related offending, improving victim safety, improving partnership engagement and improving offender behaviour.

The MATAAC process involves identification of the most harmful perpetrators to be targeted by analysing how recently and frequently they have offended, the gravity of their offending and the number of different victims they have offended against. Critically, this ensures that serial perpetrators are identified and taken into account as they are so often missed by other assessment processes. A multi-agency cohort of partners then work together to tackle the perpetrator and create a bespoke harm reduction plan for each individual case. We try to engage with the perpetrator and achieve behaviour change however if that is not possible, we go through a menu of multi-agency tactical options from prevention and diversion to disruption and enforcement.

Working with the other 5 forces in our region as part of the Whole System Approach has shown that the MATAAC process is transferable and can be adapted to work within different police and local authority settings. We have also held a series of knowledge sharing events over the last 12 months where over 30 different forces and a number of other agencies have attended and shown interest in emulating this process in their respective areas. I feel that it would be beneficial for every force in the country to adopt the MATAAC process so that we can have a consistent and effective approach to tackling perpetrators of domestic abuse who causes immense harm and damage to victims and children and are responsible for many homicides on a daily basis, across all sectors of society. The onus should not be on victims to deal and cope with suffering domestic abuse, the onus should be on stopping this heinous offence being perpetrated in the first place by not tolerating this hideous behaviour from offenders.