

Domestic Abuse Bill: Second Reading

House of Commons

Tuesday 28 April 2020

Key messages:

- Domestic abuse is a horrendous crime, and councils want to do all they can to tackle and prevent it. As part of our #CouncilsCan campaign, the LGA has been calling for greater action to reduce and eventually eliminate domestic abuse and it is positive to see the Domestic Abuse Bill being taken forward.
- It is important to acknowledge that the coronavirus outbreak is a particularly worrying time for victims of domestic abuse. In particular, the social-distancing measures required could have a serious effect on domestic abuse victims and increase exposure to those perpetrating the crime.
- Many councils are working closely with their partners in the police, health services and wider domestic abuse sector, to reassure people at risk and provide support and guidance. The LGA has also [produced guidance](#) to support councils to tackle domestic abuse during the Covid-19 pandemic.
- We support the creation of a statutory definition of domestic abuse, and the inclusion of economic abuse within this. We are also pleased to see the establishment of the Domestic Abuse Commissioner role.
- Alongside the Bill's focus on crisis interventions and criminal justice, tackling domestic abuse requires a cross-government response incorporating health, housing and education. We need an equal focus on, and funding for, prevention and early intervention measures that aims to prevent domestic abuse happening in the first place.
- While it is correct that we should prioritise and support victims, breaking the cycle of domestic abuse will also mean stopping perpetrators from reoffending. This requires funding and investment to be put towards evidence-based perpetrator programmes.
- We are calling for the key learning and best practice from Domestic Homicide Reviews (DHRs) to be shared on a national level. This learning should contribute towards the Commissioner's Annual Report.
- With domestic abuse a factor in most child protection cases, we would like to see more emphasis on how children can be supported when they have experienced domestic abuse. There must be greater investment in child and adolescent mental health services and early intervention work to mitigate the impact of adverse childhood experiences based around domestic abuse.
- This legislation comes at a time when, even prior to the eventual long-term impact of the COVID-19 pandemic, local government's services, particularly children's services, were already facing unprecedented demand. Councils have worked hard to protect budgets for essential child protection services, but funding pressures have led to difficult decisions in other parts of the service. This has reduced vital early intervention work and is leaving children and young people unable to access support they need.
- For the Bill to be a success in tackling domestic abuse and creating consistency of services, it must be underpinned by adequate, long-term funding for councils.

Further information:

About the Bill:

- The measures in the Domestic Abuse Bill seek to raise awareness of domestic abuse, including by legislating for the first time for a statutory definition of domestic abuse.
- The Bill aims to protect and support victims by introducing a new Domestic Abuse Protection Notice and Order (DAPO).
- Measures in the Bill seek to transform the justice response, for example by preventing the cross-examination of victims in family court proceedings by the abuser.
- The Bill also introduces the new Domestic Abuse Commissioner to help drive consistency and better performance in the response to domestic abuse across all local areas and agencies.

Coronavirus pandemic:

- The coronavirus outbreak is a particularly worrying time for victims of domestic abuse. In particular, the social-distancing measures required could have a serious effect on domestic abuse victims and increase exposure to those perpetrating the crime.
- The isolation of families could exacerbate domestic abuse, as victims of abuse will have to remain in the home with perpetrators. This means that there will be fewer opportunities to identify risks associated with new cases of domestic abuse. It is vitally important this is recognised, and we do everything possible to help tackle domestic abuse.
- Many councils are working with their partners in the police, health services and wider domestic abuse sector, to reassure people at risk and provide support and guidance. For example, some good case studies include [Devon and Cornwall](#), [Southwark and other London boroughs](#), [St Helens](#), [Sutton](#), [Middlesbrough](#) and [South Yorkshire Police](#).
- We have produced guidance [‘Tackling domestic abuse during the COVID-19 pandemic’](#). This document aims to provide a range of resources which offer help, guidance and support to tackle domestic abuse. It provides brief overview of domestic abuse and how councils can provide help and support to domestic abuse victims during the COVID-19 pandemic, and tackle perpetrators’ abusive behaviour.
- The Government’s campaign #YouAreNotAlone is positive. It helps to provide consistent messaging across the entire domestic abuse sector, including national and local government, the police and healthcare services to emphasise that, regardless of the coronavirus restrictions, help is available for domestic abuse victims and the police will respond to any emergency calls.
- The Government’s announcement that an additional £2 million will be provided to immediately bolster domestic abuse helplines and online support, is also positive. Detail of how this funding will be distributed to support the sector will be critical. It will also be vital that the funding made available for domestic abuse services matches and keeps pace with the level of need identified by the wider domestic abuse sector.
- We continue to work closely with the Domestic Abuse Commissioner, the Ministry of Housing, Communities and Local Government, and the wider domestic abuse sector and partners to help tackle this important issue. It will be important that the long-term

impacts of COVID-19 on levels of domestic abuse, children who have been exposed to it and the funding available to councils to respond to these are closely monitored.

Domestic Abuse Commissioner

- The LGA supports the creation of the Domestic Abuse Commissioner post and welcomes the appointment of Nicole Jacobs. In another area of councils' work, we have worked closely and constructively with the Independent Anti-Slavery Commissioner and hope to replicate this relationship with the Domestic Abuse Commissioner.
- It will be vital both that the Commissioner is able to operate fully independently, and that there is sufficient parliamentary time to consider the reports submitted by the Commissioner. We would support consideration of the Commissioner's findings by a select committee, so that there is added weight to any recommendations.
- We are also calling for the key learning and best practice from Domestic Homicide Reviews (DHRs) to be shared at a national level. Any findings or recommendations should contribute towards the Commissioner's Annual Report. This isn't being done currently and it could help identify key areas of improvement that could help to save lives and protect domestic abuse victims.
- The Commissioner should be the 'ultimate critical friend' to the Government, councils, local agencies and all our partners. This should be done through a supportive and collaborative relationship, with the necessary powers to hold key partners to account. However, the Commissioner must avoid being too prescriptive; there is no one size fits all approach to tackling this issue.

Victim support and housing

- The Government has announced that it intends to introduce a legal duty on local authorities to deliver accommodation-based support to victims of domestic abuse. We welcome the Government's commitment to fund this type of support, as safe accommodation and support clearly plays a critical and necessary role in how we respond to domestic abuse.
- However, support for victims of domestic abuse must be viewed within the wider context of community-based support for domestic abuse victims. Where possible, victims of domestic abuse should be supported to remain in their own home if it is safe to do so. We have some concern that a legal duty on local authorities to provide domestic abuse accommodation-based services may come at the expense of other domestic abuse initiatives or create a perverse incentive to enter accommodation-based services if that is the main route to accessing support.
- Wherever it is appropriate and safe to do so we should avoid the double injustice of uprooting the lives of adults and children subject to domestic abuse by moving them from their family home and focus on disrupting the life and lifestyle of the perpetrators of abuse.
- It is vital that there is a coordinated and comprehensive approach taken across the whole of Government and through the Domestic Abuse Bill, rather than a piecemeal approach focusing on specific aspects of the response to domestic abuse.

Early intervention and prevention

- Alongside the proposed new duty and the Bill's focus on criminal justice measures, there is a pressing need to focus on early intervention and prevention. We need to intervene in cases of domestic abuse before the point of a crisis response and

implement programmes and approaches that seek to minimise and eradicate domestic abuse in the long term.

- It will be important to invest in key frontline professionals to enable them to spot the warning signs and working closely with schools to inform them when a child has witnessed a domestic abuse incident. It also means speaking to children earlier and consistently about what a healthy relationship looks like. We welcome the new requirement for schools to teach Relationships and Sex Education (RSE), which will help children to understand healthy relationships. The Government should also invest in the necessary resources and training to make this effective.
- To stop domestic abuse from occurring we need to take co-ordinated and urgent action against the perpetrators of abuse. Unfortunately, there is currently limited analysis that enables agencies to select and deploy interventions it is believed are most effective in changing the behaviour of perpetrators. Councils have also found that perpetrator programmes which aim to change offenders' behaviour and stop reoffending have often lacked funding or are only commissioned as part of temporary pilot schemes.
- There needs to be a focused effort across agencies to develop and test interventions. Once interventions are identified, they need to be made available for all levels of risk and need, particularly at the stage of early intervention. More needs to be done to develop an evidence base that is extensive and rigorous enough to justify investment.

Local government funding

- Councils want to do all that they can to work with partners to tackle and prevent domestic abuse, but pressures on local government funding and services create challenges for them in doing so. Local services face significant cost pressure due to demand and inflation alone, and many of these pressures fall on services - such as children's services and housing - which are vital in terms of providing support to victims and their families and trying to prevent domestic abuse in the future.
- In order to support victims and tackle domestic abuse, we need adequate and sustainable long-term funding for key services, including the new accommodation-based support for victims, children's services and others.