

Transforming the Response to Domestic Abuse: Government Consultation

Action for Children response

In March 2018, the Government published a [consultation](#) setting out its approach to tackling domestic abuse. The consultation seeks to address domestic abuse at every stage, with proposals falling under four themes: promoting awareness; protecting and supporting victims; pursuing and deterring perpetrators; and improving performance across all local areas.

Consultation questions

Promoting Awareness of Domestic Abuse

Introducing a new statutory definition of domestic abuse:

The Government is committed to introducing a new statutory definition of domestic abuse to ensure domestic abuse is understood properly, based on the existing cross-government definition.

The proposed statutory definition of domestic abuse is: any incident or pattern of incidents of controlling, coercive, 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 sexual orientation. The abuse can encompass, but is not limited to: psychological, physical, sexual, economic and emotional.

The new definition would be accompanied by underpinning statutory guidance for professionals who have safeguarding obligations.

1. Do you agree with the proposed approach to the statutory definition?

- a. **Strongly agree**
- b. **Agree**
- c. **Neither agree or disagree**
- d. **Disagree**
- e. **Strongly disagree**

Why?

Action for Children is a leading UK children's charity. In the last year, we worked with over 370,000 children, young people and families across more than 600 services. We deliver a small number of dedicated domestic abuse services, including one offering specialist counselling to children aged four to 16. This is delivered alongside the work we do in supporting survivors and their children through our more general family support services and children's centres, where we have also delivered the Freedom Programme and Pattern Changing for Abused Women.

Action for Children agrees with the proposed approach of introducing a statutory definition. This sends out a strong message that the Government is committed to addressing the issue of domestic abuse. It would also provide for clarity in what constitutes domestic abuse, both for

statutory agencies and voluntary sector organisations working in this area, as well as members of the public and people whose lives are directly affected.

We particularly welcome the inclusive language of the proposed definition, and the clear acknowledgement that domestic abuse can occur within same sex relationships as well.

'I feel this definition encompasses a range of situations and relationships that many of the service users I work with present.'

Action for Children Children's Services Manager
Prison Mother and Baby Unit

Other Action for Children services staff identified the definition's recognition of economic abuse as a positive change, having had considerable experience of supporting women who have struggled with this form of abuse.

To increase the impact of its introduction, we would recommend that the Government set an example in profiling and promoting some of the newer terms included in the definition, for example, 'coercive', 'controlling' and 'economic abuse'. It might help those who perhaps do not identify their experiences with 'domestic abuse' to recognise their partner's behaviour towards them as harmful, for example, young people aged 16 who may be in intimate relationships with partners outside of the family home.

Whilst we are very supportive of the approach and some of the wording, we would also suggest some additions to the proposed definition. Action for Children is primarily concerned that the consultation does not seem to view children as victims of domestic abuse in their own right. The impact domestic abuse has on their lives is such that it can hardly be described as secondary.

Children who have experienced domestic abuse often suffer emotional trauma as a result, and this can have a severe, lifelong impact. Infants who are exposed to violence in the home can undergo so much added stress that it can negatively affect brain development and impact on cognitive and sensory growth. A quarter of the estimated 130,000 children currently living in households with high-risk domestic abuse are under three-years-old. Children's lives are often destabilised by domestic abuse; they may have to move a number of times during the rehoming process, and this can be extremely disruptive. Further, if a child cannot access support to help them process what has happened to their families, they may not be able to develop an understanding of what healthy relationships between adults look and feel like.

The proposed definition does not take children into account, or refer to the fact that very often, children will be involved in and affected by incidents and patterns of controlling, coercive and threatening behaviours. And high numbers of children – of very vulnerable children, in particular – are experiencing domestic abuse. The most prevalent factor of need for all children in need is domestic violence. It is a factor in almost 50 per cent of all assessments. There are 389,430 children in need in England.

Getting the statutory definition right is vital as this informs all subsequent efforts to address domestic abuse. To ensure the impact on children is duly recognised – and crucially, to help ensure they receive specialist support – we would propose that the draft statutory definition is amended to take account of the impact of domestic abuse on children, and to ensure that the underpinning statutory guidance does so as well. This is particularly important if the guidance is to be aimed at professionals with safeguarding obligations.

We would suggest:

'Any incident or pattern of incidents of controlling, coercive, 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 sexual orientation. The abuse can encompass, but is not limited to: psychological, physical, sexual, economic and emotional.

Children who share a home where domestic abuse occurs should also be considered to have directly experienced domestic abuse.'

2. Will the new definition change what your organisation does?

- a. **Yes, in a positive way**
- b. **Yes, in a negative way**
- c. **No, it won't change**
- d. **Don't know/no answer**

Why?

We believe the new definition could change the way Action for Children works. To have maximum impact for our ability to help children and young people, the new definition and underpinning statutory guidance should specifically take account of the impact of domestic abuse on children and young people who have been affected. A recognition of the impact on children would encourage more help to be provided to meet the needs of this group of children. A definition that fully recognises the impact of domestic abuse on children, as we propose above, would therefore be helpful. The services provided by many organisations, including Action for Children, are very much influenced by what commissioners are looking for, and what needs in the local area commissioners are seeking to address. Any change in local authority practice and approach due to a change in definition would be reflected in service delivery.

In terms of the definition as it is proposed in the consultation, services staff make explicit use of definitions when working with survivors through the Pattern Changing for Abused Women programme. Through the course of the programme, staff discuss the definition of what constitutes domestic abuse to highlight the fact that it can encompass a wide range of behaviours. This allows the survivor to understand that they have indeed lived with an abusive partner or family member and they can start to process what has happened to them and their children without minimising the trauma they have suffered. A new statutory definition would make such discussions even more powerful, helping open up conversations and enabling survivors to better recognise what has happened to them.

Having a common, universal definition underpinned by legislation could assist with joint working, particularly between organisations and agencies from different sectors. For example, Action for Children is looking to work with Women's Aid as part of their Trusted Professional scheme, so that our frontline practitioners might be better equipped to support survivors.

Some of our staff are already working with a very similar definition, for example, those supporting children through our specialist counselling service. Both they and others in the local area take economic abuse into account very effectively at the moment, particularly in supporting refugee, asylum seeking and migrant families. Introducing a statutory definition would be useful to them as it would reinforce existing best practice.

3. How can we ensure that the definition is embedded in frontline practice?

Many services will already be working to such a definition, but it is crucial we ensure that all frontline practitioners are able to respond effectively to the needs of survivors and their children.

Different agencies and organisations, particularly those not necessarily providing dedicated or specialist services for domestic abuse survivors, like housing and social care staff, must be actively supported to understand, interpret and embed this definition into their everyday frontline practice. Specific training relevant to the expertise and professional background of the staff taking it would be welcome. Considering the emphasis on economic abuse, it would be particularly important to consider welfare rights organisations and Job Centre staff. Children's social care staff might also not currently consider the ramifications of economic abuse effectively enough in their assessments.

However, we must bear in mind the implications of introducing this definition. Greater awareness of what constitutes domestic abuse has to be matched by the availability of appropriate services for addressing these different forms of abuse. Professionals working with survivors must be able to refer to specialist services if required. Identification of domestic abuse is key, but so too are effective referrals and the provision of the right services.

In discussing the availability of services, it is important to draw attention to the fact that local authorities have had to work with substantially reduced budgets in recent years. The commissioning of domestic violence services in England has changed dramatically since 2011, and indeed, has become more complicated. In 2015, the APPG on Domestic and Sexual Violence found that survivors' access to services was negatively affected as a result. Research has shown that local authority funding for the sexual and domestic violence sector was reduced by 31 per cent between 2010/11 and 2011/12, decreasing from £7.8m to £5.4m. Local services for children and young people have also suffered. Research from Action for Children, the National Children's Bureau and The Children's Society shows that there has been a £2.4bn real terms decrease in central government funding for children and young people's services between 2010/11 and 2015/16.

Through one of our services in the South West of England, Action for Children regularly delivered Pattern Changing for Abused Women, offering survivors a crèche for their children to attend while they were at the sessions. Traditionally a 14-week therapeutic programme, the course supports women to understand different types of abuse and to relate them to their own experiences. It also explores why it can be so difficult to leave an abusive relationship, with a focus on the legacies of survivors' own childhoods. Pattern Changing supports women to understand boundaries and to build these into future relationships. Action for Children adapted the programme slightly to include some parenting aspects. In this way, survivors are better able to identify how their children may have been harmed and to work to address this. Practitioners found it to be very helpful for the survivors who took part.

Unfortunately, following a re-tendering process, there is no longer sufficient funding for this programme to be run. There is no other service in the local area offering this course to women who are deemed to be at 'Medium Risk' or lower (when the woman is generally no longer living with her abusive partner but is still deeply affected by what has happened to her). Other services will only support women who are assessed as 'high-risk', or whose cases are being discussed at MARAC level.

The absence of this programme or others like it in the local area means that survivors and their children can no longer access the support they need. If the new definition is to be embedded in frontline practice and result in more cases of domestic abuse being identified, such specialist services and programmes have to be in place to support families and meet their needs.

In 2012 the Government consulted on the definition of domestic abuse and widened it to include 16 to 17-year-olds.

The Government recognises that those under 16 can also be victims of domestic abuse either in their own relationships or because of abuse in the home. However, they are concerned that including those under 16 in the statutory definition of abuse could blur the lines between what is understood as domestic abuse or child abuse and impact the delivery of child protection and safeguarding procedures. For this reason, the Government are proposing to keep the current age limit.

4. **What impact do you think the changes to the age limit in the 2012 domestic abuse definition have had?**
- a. **Very positive**
 - b. **Positive**
 - c. **None**
 - d. **Negative**
 - e. **Very negative**
 - f. **Don't know/no answer**

Why?

The changes to the age limit in the 2012 domestic abuse definition were very welcome, particularly as men and women in younger age groups are more likely to be victims of domestic abuse than those in older age groups. New figures from the Office for National Statistics show that both men and women aged 16 to 19 were more likely to be victims of domestic abuse in the last 12 months than those in any other age group, save for 20 to 24-year-olds.

Lowering the age limit to 16 was an important act of recognition that abuse in intimate partner relationships between young people does happen. Action for Children staff working with children, young people and families in one of our Family Support services said that lowering the age limit had made a particular difference to their work with teenage parents.

A number of Action for Children's Family Practitioners with frontline practice experience in this area felt that the potential of the changes to the age limit had not been fully realised.

'It should allow for work to be commissioned within schools to raise awareness of this growing problem to tackle it at its source – but I am unaware as to whether or not this is happening. Workshops within schools and colleges should be fundamental to raising this awareness as DA is growing most significantly in the 16-21 age category. Children should also be aware of what makes an unhealthy relationship so they could recognise the signs within their own families and get the support and help they need.'

Action for Children Family Practitioner

Another member of staff felt that the changes would have had a greater impact if the level and availability of support services had been maintained in the interim. It is actually more difficult now to identify safe provision. Action for Children services staff working in the area said that in Worcestershire there used to be three refuges and four dedicated services for children and

young people; these have all been closed. Introducing a statutory definition that includes 16 and 17-year-olds without having the services available to meet their needs will not be effective.

5. The Government are proposing to maintain the current age limit of 16 years in the statutory definition – do you agree with this approach?

- a. **Strongly agree**
- b. **Agree**
- c. **Neither agree nor disagree**
- d. **Disagree**
- e. **Strongly disagree**
- f. **Don't know/no answer**

Why?

Action for Children agree with the Government's proposal to maintain the current age limit of 16 years in the statutory definition. 16 is the age of consent, and so it is sensible to set the same age limit for the statutory definition of domestic abuse.

We are aware that children younger than 16 can and do engage in intimate relationships. However, following consultation with Action for Children staff working as frontline practitioners, we would agree with the Government that including those under 16 in the statutory definition of abuse could blur the lines between what is understood as domestic abuse or child abuse. There needs to be clarification between the two.

Saying this, we would call on the Government to ensure that the definition explicitly reference children living in a household where domestic abuse occurs between two adults aged 16 and over as having directly experienced domestic abuse. The underpinning statutory guidance must also acknowledge the impact of the various forms of domestic abuse, as outlined in the definition, on children and young people present in the household. Without this acknowledgement of the harm that can be done to children who experience domestic abuse, we would have concerns that services specifically dedicated to their needs would not be prioritised.

Making domestic abuse everybody's business

The Government has provided £3 million in the last year for the 'Disrespect NoBody' teenage relationship abuse campaign which is designed to educate teenagers about different types of abuse behaviour.

The Government wants to help all schools deliver high-quality Relationships Education, Relationships and Sex Education (RSE) and Personal, Social, Health and Economic (PSHE) Education. The Department for Education is currently working on updating RSE in schools.

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

The changes being made to how relationships and sex education (RSE) will be taught in schools are very welcome. Children and young people need to have answers to questions like, 'What does a healthy relationship look like?' and, 'What is domestic abuse?'

However, Action for Children would agree that more can be done to help children and young people learn about positive relationships and educate them about abuse. Schools have an important role to play in the delivery of relationship education, but the Government must consider the capacity and expertise of teaching staff. In learning about what constitutes domestic abuse, it could be more effective for schools to invite external speakers in who have greater experience of communicating with children about this topic, which can be sensitive and distressing. A speaker from a children's charity or voluntary sector organisation specialising in supporting survivors would be best placed.

There are also specific educational programmes for children and young people available for delivery both in schools and across the wider community that could be made greater use of. Examples include Coaching Healthy and Respectful Masculinity (CHARM) for boys and young men aged 11 to 19, and We Are Valued, Equal and Safe (WAVES) for girls and young women aged 11 to 19.

CHARM is generally delivered over eight to ten weeks and explores key themes such as, 'Power and Privilege', 'Healthy Relationships', and 'Being Part of the Solution'. It was originally developed by A Call to Men, an internationally recognised American violence prevention organisation, in order to help professionals, principally working in education, teach non-violent and respectful behaviour. WAVES, co-created by A Call to Men and Worcestershire-based charity the Support Works Foundation, is based on the learning in CHARM but approaches the topics from a female perspective. WAVES lesson plans include supporting girls to identify the warning signs of disrespectful relationships, covering healthy boundaries, consent, and what action to take if a friend is being abused or abusive.

In terms of wider community action on relationships education, we have concerns that their effectiveness could be limited by the funding reductions for neighbourhood-based youth clubs and community-based youth work. This affects what can be done outside of school with young people. Youth workers used to be able to build up trust with the young people in their local area. This meant young people could come to them at key periods of transition in their lives, or when they were facing difficulties. However, local authority spend on youth services is down by a third compared with three years ago, meaning this resource is no longer as readily available.

We would also underline the need to consider how more vulnerable groups of children can best be reached, who might not be as engaged at school, for example children and young people in care and teenage mothers. This is particularly important as looked after children and young people are likely to be at particular risk of poor sexual health and exploitation, and pregnancy and motherhood can increase the risk of domestic violence. US-based research has identified that teenage mothers are more likely than older mothers to experience domestic violence during and after pregnancy. Additional support and training in the delivery of relationships and sex education should be provided to alternative education settings, and to professionals working with looked after children who might be able to share knowledge with young people if teachers are unable to, for example foster carers and residential care workers.

Helping children to learn about positive relationships is crucial. However, this needs to be reinforced by easily accessible and effective support for those children and young people who have already directly experienced domestic abuse. We have to be prepared for – and, indeed, welcome – the fact that raising awareness of what domestic abuse looks and feels like could lead to greater numbers of children seeking support.

We are concerned that the consultation does not place enough emphasis on prevention and early intervention. Research indicates that children and young people who have experienced domestic abuse growing up are more likely to become victims themselves, or even to develop

harmful patterns of behaviour reflective of perpetrators. Exposure to domestic abuse causes serious psychological harm to children. SafeLives found that a quarter of both boys and girls exposed to domestic abuse exhibit abusive behaviours themselves.

This underlines the need for children and young people who experience domestic abuse to have access to specialist therapeutic interventions. They need to receive support in order to process what has happened to them and to learn about what positive and healthy intimate relationships might look and feel like. SafeLives' research demonstrates that specialist children's services are vital when it comes to reducing the impact of domestic abuse and improving children's safety and health outcomes. Their role in early intervention and prevention is particularly crucial; abusive behaviour in children exposed to domestic abuse dropped from 25 per cent to 7 per cent after receiving appropriate support.

7. What statutory agencies or groups do you think the UK government should focus its efforts on in order to improve the identification of domestic abuse? Please select your top 3

- a. **Armed forces**
- b. **Children's services**
- c. **Court staff**
- d. **Educational professionals**
- e. **Fire brigade**
- f. **Health professionals**
- g. **Housing staff**
- h. **Jobcentre staff**
- i. **Judges/magistrates**
- j. **Police**
- k. **Probation/Criminal Rehabilitation Company staff**
- l. **Prosecutors**
- m. **Providers of adult social care**
- n. **Commissioners of adult social care services (local authorities and CCGs)**
- o. **Social workers**
- p. **Other – please state**
- q. **Don't know/no answer**

8. In addition to improving training programmes and introducing guidance, what more can the Government do to improve statutory agencies' understanding of domestic abuse?

As the previous question recognises, it is important to consider which statutory agencies would most benefit from the introduction of guidance and improved training programmes.

Action for Children Family Support Practitioners working in our intensive Family Partners service emphasised the importance of making it as easy as possible for victims to access support. Statutory agencies should be encouraged to show victims and survivors that they are valued and that their concerns are being taken seriously, for example, by offering to come to them rather than expecting the survivor to make the trip for an appointment themselves.

Understanding of domestic abuse should be better integrated into statutory agencies' training programmes. Professionals' knowledge of, for example, domestic violence and abuse law should be kept updated to ensure they continue to feel confident in identifying and addressing the needs of survivors and their families. Training should also cover the fact that families from different communities might have different concepts of domestic abuse. Practitioners from one of Action for Children's Family Support services work with survivors from various backgrounds, and emphasised that some families have different sets of values and expectations. In these cases, it is important to avoid making assumptions, and to ask open questions to generate discussion. We would also call for training to take account of the impact of domestic abuse on children and young people, so that the importance of children being able to access the appropriate support is understood more widely.

The Government must look at both improving statutory agencies' understanding of domestic abuse and their understanding of how they can best address it once identified. Improving understanding must be reinforced by confidence that professionals will be able to refer survivors and their families to dedicated services that can support them and empower them to move on.

The Government should look at further ways of facilitating joint working and the sharing of best practice between different statutory agencies, in order to ensure practitioners from different professional backgrounds can learn from each other. (See Newcastle's Domestic Violence Champions below.)

9. What further support can we provide to the public (employers, friends, family, community figures) so they can identify abuse and refer victims to help effectively?

Action for Children staff felt that it was important for people to understand that, similarly to safeguarding, domestic abuse is everybody's business.

Employers and community figures are well placed to raise awareness of domestic abuse. They should be able to access training, for example, to find out about local referral processes, as they are in a good position to share this learning with others. Local areas could also develop toolkits or provide web-based advice for residents to access if they have concerns and are not sure what to do, or if they want to find out what services might be available locally.

Staff at Action for Children's Family Support Service in Newcastle felt that Newcastle's Domestic Violence Champions scheme was a positive addition to the local area's work on domestic abuse. Although there are more specialist Champions (for instance, Action for Children's Domestic Violence Champion is a staff member who provides dedicated counselling to children who have experienced domestic abuse), anyone can become a Champion. Champions raise awareness of domestic violence within their organisations, and act as a point of contact for information relating to domestic abuse. Training sessions are provided, and Champions Network meetings are held on a quarterly basis. These meetings and the Network itself give Champions the opportunity to meet each other and find out more information that can help them in their roles. Other areas also have Champions.

Again, the public must have confidence that in identifying abuse they will be able to direct survivors and their families to the right support. Funding for services can be short-term, so information shared with employers, community figures and the wider public must be kept up-to-date.

Improving support services for all victims and their children

10. The Government are in the process of identifying priority areas for central Government funding on domestic abuse. Which of the following areas do you think the Government should prioritise? Please select your top 3.

- a. Advocacy for victims to enable them to stay safely in their own home (Independent Domestic Violence Advisors or their equivalent)**
- b. Therapeutic services to help victims of domestic abuse recover from their experiences**
- c. Accommodation services**
- d. Helpline services for those affected by domestic abuse to call for advice and support**
- e. Interventions embedded in health**
- f. Perpetrator programmes which aim to change offenders' behaviour and stop reoffending**
- g. Rolling out new multi-agency approaches**
- h. Other**
- i. Don't know/no answer**

A priority area for central Government funding on domestic abuse has to be specialist support services for children, particularly therapeutic interventions that help them to recover from their experiences. The absence of specific options for children from this list is concerning, and reflects the wider consultation's failure to see children as victims of domestic abuse in their own right.

'Overall, I think there isn't enough being done to protect and support younger children, which is essential in breaking the cycle. A lot of the document speaks about children's Social Care however, doesn't appear to recognise Early Help organisations like us.'

Action for Children Lead Practitioner
Children's Centre

Action for Children services staff working with children through our specialist counselling programme felt that therapeutic, one-to-one interventions represent a key gap in the support available to children. They are based in an area where there are a limited number of group-based recovery programmes but very little funding for one-to-one support. In fact, Action for Children provides the only counsellor delivering specialist one-to-one counselling for children and young people who have experienced domestic abuse across the entire local area. This is a challenge because the group environment for therapeutic interventions does not work for every child.

The service's work is crucial and makes a substantial difference to the children who access the programme. Children using the service report having better coping skills to understand and manage their feelings, as well as increased confidence in communicating their thoughts and feelings. Children also say their emotional wellbeing has improved following the counselling sessions. Children, parents and carers reported that their relationships with each other have got better following the intervention.

As part of a recent internal evaluation, a number of stakeholders were asked about their experiences of the service. Both children and their parents spoke about what it had meant to them.

'We are all getting on better now at home ... our house is not as shouty ... I don't get as cross now.'

Young person

'In the sessions, I have learned to forget the bad things and concentrate on the good things in my life.'

Young person

'I still love my dad and I miss him ... I can't say this to my Mam because she doesn't love him anymore and it makes her sad when I talk about him ... I talk to Jo instead.'

Young person

'Her behaviour improved generally, she wasn't as angry in herself and seemed less frustrated and started to tell us what was on her mind ... She's talking more about her feelings – definitely the sessions with Jo got her to open up.'

Parent

'When her dad first left, I couldn't leave her at school without her breaking down crying and asking me not to leave ... Things have changed a lot since the sessions with Jo ... She is much more settled and happier.'

Parent

'Jo took the time to encourage him and listen to what he was saying, it was hard for me because I had gone through such a lot ... I struggled to find my own voice, so trying to help him find his voice was just beyond me at that time.'

Parent

It is important that children are offered such specialist counselling services. Action for Children's counsellor undertakes her work through the lens of domestic abuse. Much of this involves rebuilding relationships, for instance, between the young person and their non-abusive parent. The young person often won't name their experience as evidence of 'domestic abuse'; they might say something vague like, 'I miss being cuddled.' The counsellor's response to that statement depends on their understanding of domestic abuse.

However, the service is funded by the Big Lottery, and this funding comes to an end next year. It is not clear if children and young people in the local area will be able to access specialist one-to-one counselling after this point – and demand is high. The service receives referrals from GPs, teachers, family support workers and parents themselves, but they had to close the waiting list for a short time as they had received so many. Short-term funding, though welcome and much needed, is an issue if we are to ensure consistency in the services offered to survivors and their children. Children and young people living in different areas will have access to very different levels of support.

11. What more can the Government do to encourage and support effective multiagency working, in order to provide victims with full support and protection? Please select your top 3.

- a. **Guidance**
 - b. **Incentives through funding**
 - c. **Sharing effective practice**
 - d. **Training**
 - e. **Other**
 - f. **None of the above**
 - g. **Don't know/no answer**
-

Supporting victims with specific needs

13. How can the Government work better with female offenders and vulnerable women at risk of offending to identify their domestic abuse earlier?

- a. **Criminal justice agencies to adopt appropriate enquiries into history of abuse at each stage of the criminal justice process.**
- b. **Dedicated support and/or IDVAs in women's services**
- c. **Encourage the use of schemes which divert vulnerable women out of the criminal justice system (where appropriate) into services**
- d. **Improve availability of support to victims of domestic abuse in prisons**
- e. **Support signposting into appropriate services for women who come into contact with the police**
- f. **Other**
- g. **Don't know/no answer**

Why?

Action for Children provide Mother and Baby Units (MBUs) at two women's prisons in England. The MBUs combine targeted intervention work with high quality nursery provision and parenting support. Mothers' needs are assessed upon arrival so a plan can be put in place. This is designed to provide them with what they need in order to overcome the challenges in their lives. Action for Children can offer women the Incredible Years Baby and Toddler parenting course, as well as support with budgeting and cooking healthy meals. The Freedom Programme, addressing domestic abuse and relationships, can also be delivered in the Unit.

One of our Children's Services Managers working in the MBU fed back that availability of support for women in prison who have experienced domestic abuse is crucial. Provision needs to be sustainable and consistent.

Signposting into appropriate services is also key, particularly on release from custody. Our Children's Services Manager recommended that such considerations be included in resettlement/discharge plans.

The Destitute Domestic Violence Concession (DDVC) is available to eligible individuals with a period of 3 months' leave outside the immigration rules with access to public funds in order to support them amongst other things make an application for indefinite leave to remain.

If you are in the UK on a temporary visa as a partner, your relationship has broken down because of domestic violence and you have no money to support yourself you are eligible.

15. In addition to reviewing who may be eligible to the Destitute Domestic Violence Concession (DDVC), what other considerations could the Government make in respect of protecting domestic abuse victims with no recourse to public funds?

Practitioners from one of Action for Children's Family Support services regularly work with women who are in difficult situations due to their immigration status, yet they were not aware of the Destitute Domestic Violence Concession (DDVC). It is likely that if they were unaware of the DDVC, many other areas will not know about it either. We would recommend that the Government promote the DDVC more widely to ensure as many families as possible can benefit from it.

Proposals to keep victims safe

The Government is proposing the creation of a new Domestic Abuse Protection Order (DAPO), which can be made by the courts. Protective orders are an important tool for keeping victims safe and preventing the continuation of abuse. It would be a criminal offence to breach the conditions attached to the new DAPO.

17. Which of the following individuals/organisations should be able to apply for a Domestic Abuse Protection Order? Please select all that apply.

- a. The victim
- b. Certain persons associated with the victim (for example certain family members) on behalf of the victim)
- c. The police (following the issue of a Domestic Abuse Protection Notice or at any other time)
- d. Relevant third parties, who would be specified by regulations, on behalf of victims (see Question 18 for further details)
- e. With permission of the court, any other person or organisation
- f. Don't know/no answer
- g. Other

18. Which persons or bodies should be specified by regulations as 'relevant third parties' who can apply for a DAPO on a victim's behalf? Select all that apply.

- a. Local authority safeguarding or social care professionals
- b. Providers of prohibition services
- c. Specialist domestic abuse advisers/IDVAs
- d. Specialist non-statutory support service (e.g. refuge support staff)
- e. Other
- f. None of the above
- g. Don't know/no answer

Why?

Action for Children services staff working with survivors and their children fed back that they would be grateful for the opportunity to apply for a DAPO on the victim's behalf themselves. Often, in working with victims, there can be long delays when waiting on another service, and in such situations speed is often extremely important. A survivor can come up against so many barriers when seeking support, and if what they need cannot be organised as quickly as possible, they may stop engaging with professionals.

Although Action for Children do not run refuges, we do provide some specialist services for children who have experienced domestic abuse with staff who have expertise in the area. We would therefore suggest that 'specialist non-statutory support service' be defined more widely than refuges.

19. We propose that there should be multiple routes via which an application for a Domestic Abuse Protection Order can be made, including:

- a. At a magistrates' court by the police following the issue of a Domestic Abuse Protection Notice or at any other time;**
- b. As a standalone application by, for example, the victim or a person or organisation on the victims' behalf to a family court;**
- c. By a party during the course of any family, civil or criminal proceedings.**

Do you agree?

- Yes**
- No**
- Don't know/no answer**

Forms of domestic abuse

35. What practical barriers do domestic abuse victims face in escaping or recovering from economic abuse? How could these be overcome?

Victims of economic abuse generally do not have the means to escape or recover. Economic abuse limits victims' access to money, restricting their independence and their capacity to live normal lives, even after they have escaped from an abusive partner. For example, Action for Children services staff who regularly work with parents who have experienced abuse said that even if a survivor moves into a refuge with their family, the children's school may not be nearby. This becomes a difficulty if, due to the economic abuse they have suffered, the survivor does not have enough money to pay for transport there and back.

Those with no recourse to public funds are particularly vulnerable. They are unable to work, ineligible for benefits, and are not always accepted by refuges. Language barriers and isolation and/or distance from close family and friends are further difficulties they have to contend with, even after they have left the abusive relationship.

Escaping and recovering from economic abuse is also a challenge for those who have the right to live and work in the UK. It can be difficult to find paid work as a newly single parent, particularly with small children, and the benefits system can also be extremely complicated and difficult to navigate. The single payment system under Universal Credit is a particular concern, as it can take a very long time to receive Universal Credit payments in one's own right after leaving an abusive partner. It is relatively easy for perpetrators of economic abuse to ensure

that all benefits money comes to them as part of a couple. This pushes the victim into longer-term financial hardship. Anxiety about this could also prevent victims from leaving the relationship if they wish to. At present, couples can request split payments, but people experiencing abuse may not feel able to do this. The Work and Pensions Select Committee recently published evidence from the Public and Commercial Services Union, representing frontline Department for Work and Pensions staff, echoing this concern. They also stated that Jobcentre Plus staff do not feel they have meaningful training on addressing the needs of claimants experiencing domestic abuse. Child Poverty Action Group is calling for split payments between members of a couple to be the default position, and Action for Children would support this. Living on nothing for several months is unacceptable.

Delays accessing Child Benefit and Income Support must also be addressed. Survivors escaping from abuse who then attempt to have Child Benefit transferred to their name can experience long delays in accessing payments. This also affects Income Support. As part of the process for making a decision about an Income Support claim, the primary test used to determine whether or not a person has responsibility for children is if they are in receipt of Child Benefit. This can mean that survivors may be left with no income for a considerable period of time. This test has to be re-examined and an alternative adopted.

It is clear that victims of economic abuse continue to suffer even long after the relationship with the abusive partner has ended. The perpetrator may have taken out considerable loans and/or credit cards in the victim's name, ruining their credit scores. This can leave the victim facing years of debt and severe financial hardship, preventing them from moving on with their lives. Action for Children services staff said that a further issue can be that the survivors themselves rarely see what has happened to them as abuse, suggesting that there needs to be more awareness of what constitutes economic abuse in particular. There also needs to be more targeted support for victims who experience this form of abuse. They should be able to easily access legal advice if they believe a loan is being taken out in their name against their will, and support when dealing with the consequences.

'I have worked with many (mainly women) whose boyfriends/partners took out huge loans and they have been left paying off the minimum payments each month and unable to save/take out a loan of their own, etc. due to this. There never seems to be any support for these victims around this.'

Action for Children Family Practitioner
Children's Centre

Family Support Practitioners working in our intensive Family Partners service stressed the importance of survivors having access to a professional who can offer them consistent support. People who have experienced economic abuse may struggle with running a household singlehandedly, and will require practical, hands-on advice and help, for example, in sorting out benefit claims and arranging for bills to be paid.

It can be particularly difficult to evidence economic abuse, as opposed to other forms of domestic abuse. For example, if victims are to receive legal aid, they would need to provide evidence that they experienced domestic abuse. Usually, calls to the police are accepted as evidence, but it is probable that victims will not have contacted the police in instances of economic abuse. All these difficulties make it more likely for survivors to return to their abusive partners; it is sometimes impossible to make life work otherwise.

As survivors of economic abuse will often have very little money available to them, it is essential that services that can help are free to access. The support children's centres are able to offer can be crucial, especially as they are seen as a neutral and non-threatening space. Action for Children staff with experience of delivering children's centre services said that perpetrators will often allow their partners to visit children's centres, as the support on offer is ostensibly for

children. On one occasion a woman who appeared very agitated visited one of our centres. There was a queue for the health visitor offering support there, but the centre accommodated her. As a result, a relationship of trust was built up, which eventually led to the victim calling the children's centre and asking to speak to the health visitor. They found that, although she was married to a man in a well-paid role, she did not have a bank account and was not allowed access to the cupboards, which were all locked in his absence. She was only allowed to eat what he left out for her. The children's centre was able to offer her the support she needed.

However, research from the Sutton Trust demonstrates that over 1,000 centres have been shut over the last eight years. This has a considerable impact on the support available in survivors' local communities. As well as the practical support and guidance provided by staff, centres can also facilitate support groups for different groups of parents. This can be a good way of building up peer support networks, particularly essential for victims who may have become isolated from friends and family during the course of the abuse they suffered.

Pursue and Deter Perpetrators

Aggravating factors in sentencing

The Sentencing Council published sentencing guidelines in February 2018. The guidelines highlight the need to consider the impact of the offence on children (by direct or indirect exposure to domestic abuse) or where contact arrangements with children as used to instigate an offence.

46. Do you think the current approach of using sentencing guidelines, as per guidelines issued in February 2018, is effective in ensuring sentences imposed reflect the seriousness of domestic abuse when it involves children?

- Yes
- No
- **Don't know/no answer**

We believe it would be too early as yet to ascertain the impact of the sentencing guidelines issued in February.

We welcome the recognition of the need to consider the impact of domestic abuse on children, whether by direct or indirect exposure to domestic abuse. However, this recognition must extend to the sufficient provision of support services to help children recover from their experiences.

Improve Performance

Improving performance using data

58. Please select which of the following you believe should be priorities for improving data collection. Please choose up to 3.

- Improving the collection and reporting of data on when domestic abuse is a feature of a case/intervention**
- Improving collection and reporting of data relating to the gender and relationship of the perpetrator and victim**
- Improving data to enable better tracking of outcomes in domestic abuse cases/intervention**

- d. **Linking data to enable better tracking of interventions and reoffending**
- e. **Linking data to enable better understanding of the interactions/relationships between domestic abuse and other types of offending**
- f. **Other (free text)**
- g. **None of the above**
- h. **Don't know/no answer**

Why?

We believe that improving the collection of data relating to children impacted by domestic abuse should be a priority.

Action for Children has made a Freedom of Information request of police forces in England in order to ascertain how many children and young people have been recorded as present in the family home following a domestic abuse incident. Analysis is not currently available but we will share once complete. Initial findings highlight the need for more effective and accessible recording by the police of children and young people's involvement in domestic abuse incidents. We need to have a better understanding of how many children and young people are affected so that this can be meaningfully taken into account in planning responses to local need. It is particularly important because of the key role of police as safeguarding partners.

Establish a Domestic Abuse Commissioner in Law

The Government is proposing establishing a Domestic Abuse Commissioner in Law. It is proposed the Commissioner will stand up for victims of domestic abuse and their children, raise awareness of the issue, and monitor and oversee delivery of services including those provided to the majority who may never come into contact with the criminal justice system. The Commissioner would work with local areas to ensure that services provided, whether working with victims, perpetrators or those at risk, are as effective, evidence-based and safe as they can be.

59. Do you agree with the proposed model for a Domestic Abuse Commissioner?

- a. **Strongly agree**
- b. **Agree**
- c. **Neither agree or disagree**
- d. **Disagree**
- e. **Strongly disagree**
- f. **Don't know/no answer**

Why?

Action for Children agrees with the proposed model for a Domestic Abuse Commissioner. Establishing a champion for tackling domestic abuse who would oversee and monitor provision, as well as provide public leadership, could effectively address the variable levels of support available in different parts of the country and ensure consistency.

We welcome the fact that the Government propose the Commissioner will 'stand up for victims of domestic abuse and their children'. However, we note that the Commissioner's potential powers and resources, laid out in the consultation, do not explicitly refer to or take account of children and young people.

Considering the impact of domestic abuse on children and young people, we would call on the Government to make it clearer that the Commissioner will also have responsibility for overseeing and monitoring the provision of services specifically for children and young people who have

experienced domestic abuse. In mapping and monitoring provision of domestic abuse services, the Commissioner should seek to showcase and share best practice relating to support for children too. They should also highlight any gaps in local provision for children.

If the Commissioner is to provide recommendations to both national and local government to improve responses to domestic abuse – an extremely welcome and meaningful addition to the role – they should also be expected to develop recommendations on improving the response to children and young people who have been affected by domestic abuse.

If this is not made clear, we have concerns that services for children and young people will not be prioritised, to the detriment of those who experience and grow up with domestic abuse. The role has the potential to bring about big improvements to the response to domestic abuse, and children cannot miss out on this.

We would also note that in speaking to Action for Children services staff about the role, the need for increased resources was raised repeatedly.

59. Of the proposed powers and resources, which do you consider to be the most important for a Domestic Abuse Commissioner? Please choose up to 3.

- a. Map and monitor provision of domestic abuse services against the National Statement of Expectations [look into], and publish this information to showcase and share best practice, as well as to highlight where local provision falls short of what is expected**
- b. Oversee compliance with the Specialist Domestic Abuse Courts Manual**
- c. Oversee the Domestic Homicide Quality Assurance process, including any potential changes implemented following this consultation, feeding lessons learned into their recommendations**
- d. Provide recommendations to both national and local government to improve the response to domestic abuse, accompanied with a duty on the responsible person/organisation to respond to these recommendations**
- e. Publish findings in reports, which will be laid before Parliament**
- f. Require local statutory agencies to cooperate and provide information**
- g. Other (please state other functions the commissioner should fulfil)**
- h. None of the above**
- i. Don't know/no answer**

Sharing best practice across government

64. How can the Government better share and promote effective practice on domestic abuse across all public services both in regard to commissioning and delivery of services?

Sharing and promoting best practice heavily depends on the organisations delivering it. Service providers should be encouraged to demonstrate the 'journey' service users might have taken from the beginning of their engagement with the service right up until the end. In this way, both the impact and the detail of the intervention is made clear.

Any promotion of best practice must have survivors and their children at the centre. Survivors' voices must be at the forefront. In any support offer, service users need to be asked what worked and what didn't work for them. Children and young people should also be consulted. In this way commissioning and delivery of services will be informed by the very people who need them, and so should result in more effective provision.

We would also note that although sharing and promoting effective practice is to be welcomed, the Government should also ensure that local authorities are offering sufficient domestic abuse services to meet the needs in their local area. Although the National Statement of Expectations states that local authorities should have 'sufficient local specialist support provision', it is not clear what a 'sufficient' level of support might be. Sharing best practice is not enough. Joint Strategic Needs Assessments must specifically take account of the need for domestic abuse services, both for survivors and their children. Adequate support should then be commissioned to meet this need.

Government can help promote this by ensuring local authorities have sufficient funding to provide these services. Our own research with the National Children's Bureau and The Children's Society shows that funding from central government to local government for children's services (that would include some domestic abuse services such as those provided by children's centres) has fallen by £2.4bn since 2010. Sharing and promoting effective practice in the delivery of services is important, but will only be helpful if local authorities have sufficient funding to commission these interventions.

65. What role should local areas play in sharing good practice?

Local areas need to facilitate opportunities for sharing good practice. Different statutory agencies and supporting voluntary sector organisations should be able to meet on a regular basis in order to share what works. Family Support Practitioners working in our intensive Family Partners service stressed the fact that local areas need to encourage and incentivise professionals to take part in sharing good practice. Frontline practitioners are extremely busy, and so local areas should make clear that sharing best practice is something to be valued and acted on. Practitioners should be encouraged to make the time to celebrate successes, and to reflect on what might have worked better with other professionals working in the area.