

## **Joint written evidence to the Victims and Prisoners Public Bill Committee submitted by Respect and The Drive Partnership (VPB19)**

### **About Us**

**Respect** is a pioneering domestic abuse membership organisation developing safe, effective work with perpetrators, male victims, and young people who use harm in their close relationships. Our vision is of a world where domestic abuse is not tolerated, where perpetrators are held to account and survivors' safety and wellbeing is centred.

**The Drive Partnership**, formed by Respect, SafeLives and Social Finance, is working to transform the national response to perpetrators of domestic abuse. Together we developed our flagship Drive Project to address a gap in work with high-harm, high-risk perpetrators of domestic abuse. We also advocate for systems and policy change - to develop sustainable, national systems that keep victims safe by responding more effectively to all perpetrators of domestic abuse.

### **Executive Summary**

- A broad range of organisations have highlighted the Victims and Prisoners Bill as a vital opportunity to improve access to support and services for victim-survivors of domestic abuse.
- However, as currently drafted, the Bill risks undermining the development of a holistic, strategic and coordinated response to domestic abuse in local areas.
- This is because the definition of “relevant victim support service” proposed as part of the new “duty to collaborate in exercise of victim support functions” does not presently include quality-assured domestic abuse perpetrator interventions, where the primary focus is enhancing the safety and freedom of victims (including children).
- The current duty to collaborate also overlooks the fact that in the case of DA perpetrator interventions, all quality-assured interventions include specialist, separate but parallel, support for victims.
- The Government should clarify, on the face of the bill, that the duty to collaborate will encompass quality-assured perpetrator programmes with a priority outcome of increased safety and freedom for victims.

### **Duty to collaborate in exercise of victim support functions**

Amongst other measures, the Victims and Prisoners Bill will place a new duty on local authorities, Police and Crime Commissioners and Integrated Care Boards to collaborate when commissioning support services for victims of domestic abuse, criminal conduct of a sexual nature, and serious violence (excluding domestic abuse services for victims living in safe accommodation, which are covered by a separate legislative framework in Part 4 of the Domestic Abuse Act 2021). The duty to collaborate will require authorities to jointly prepare, publish and implement a local strategy to set out the aims and approach for commissioning relevant services from

each commissioning body, and an explanation of how the duty requirements have been met.

The stated aim of the duty is to facilitate more holistic and coordinated support services. However, it is currently unclear whether the definition of “Relevant victim support service” set out within the Bill will encompass the full range of community-based domestic abuse support, including perpetrator disruption or behaviour change interventions which have the primary aim of enhancing the safety and freedom of victims (including children) by responding effectively to the person causing harm.

## **Community-based domestic abuse services**

The Domestic Abuse Act 2021 introduced a duty on local authorities in England to deliver support to victims, including children, in accommodation-based services e.g. refuges. However, the vast majority of domestic abuse victims- an estimated 70% of those who seek support<sup>1</sup>- never set foot in a refuge and rely on services that support them within the community.

There is currently no statutory duty on any authority to deliver community-based domestic abuse services, despite their vital role in keeping victim-survivors safe. Examples of community-based services include protective measures and action taken to protect persons against domestic abuse, counselling and other support; perpetrator programmes with a priority outcome of increased safety and freedom for victims; advocacy services; specific children’s support services; helplines; legal services and welfare support services.

Last year, the Domestic Abuse Commissioner released findings from mapping of domestic abuse services across England and Wales<sup>2</sup>. The research demonstrated a huge discrepancy in community-based services available across England and Wales, and an acute lack of funding that prevents services being able to meet demand. The report found that:

- Fewer than half of survivors were able to access the community-based support that they wanted, and only 28% said accessing help was easy or straightforward.
- Just 29% of survivors who wanted support for their children were able to access it – this varied from 49% in the North East to 18% in the South West.
- Only 7% of survivors who wanted their perpetrator to receive support to change their behaviour were able to get it.

Pre-legislative scrutiny of the draft Victims Bill expressed concern “that the duty to collaborate does not go far enough to ensure that vital, community-based support services are available to victims of domestic and sexual abuse” and recommended that “The duty must be strengthened to require the agencies described to collaborate and commission community-based services”<sup>3</sup>. However, the government did not consider that any changes to the duty were necessary in the amended Bill now before Parliament.

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<sup>1</sup> SafeLives <https://safelives.org.uk/community-services-consultation>

<sup>2</sup> Domestic Abuse Commissioner, ‘A patchwork of provision’ (2022)

<sup>3</sup> House of Commons Justice Committee, Pre-legislative scrutiny of the draft Victims Bill, Second Report of Session 2022–23, Paragraph 110

## **A holistic and strategic response to domestic abuse**

Recent government policy has placed a welcome emphasis on developing a strategic and coordinated approach to preventing domestic abuse, supporting victims and tackling perpetrator behaviour in a holistic way. The Tackling Domestic Abuse Plan, published in 2022, set out how ‘Prioritising Prevention’ and ‘Pursuing Perpetrators’ were central to the Government’s approach to driving down the prevalence of domestic abuse and supporting victims<sup>4</sup>. Further positive policies have been implemented, such as the provision of £75 million of dedicated funding for domestic abuse perpetrator interventions, the introduction of minimum national standards, and the planned introduction of Domestic Abuse Protection Orders (DAPOs), which alongside protective conditions for a victim can mandate perpetrators to take part in a perpetrator or behaviour change programme.

Whilst the Victims and Prisoners Bill “aims to join up commissioning processes, and to make best use of resources across the services they commission”<sup>5</sup> we are concerned that, as currently drafted, the duty to collaborate could undermine attempts to develop a more holistic and strategic response to domestic abuse in local areas. We believe this could be addressed through an amendment to the Bill which is explicit that in discharging their duty to collaborate, in the case of domestic abuse services, they should consider the full range of community-based DA services.

## **The role of domestic abuse perpetrator interventions**

The primary focus of all quality-assured domestic abuse perpetrator interventions<sup>6</sup> is enhancing the safety and freedom of victims (including children). Interventions targeting the whole cohort of perpetrators have been piloted and proved to be successful at reducing levels of risk and harm. These include targeted prevention, early intervention work, high-risk, complex needs interventions, women’s and young people’s use of violence, and abuse by those in same-sex relationships. These interventions work directly with the perpetrator but also operate in multi-agency settings to share intelligence, undertake risk assessments, and assist with safety planning for victim-survivors.

The current duty to collaborate also overlooks the fact that in the case of DA perpetrator interventions, all quality-assured interventions include specialist, separate but parallel, support for victims. This can be provided in-house by the same provider who is running the perpetrator intervention, or it can be provided externally by a separate survivor service. This expert provision ensures survivors have the support and information they need, and that the organisation can monitor the perpetrator’s progress and any emerging risks. In some cases, due to repeated abuse by a single perpetrator of multiple partners, these services will identify and support more victims than perpetrators.

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<sup>4</sup> Home Office, Tackling Domestic Abuse Plan - Command paper 639

<sup>5</sup> Pre-legislative scrutiny of the draft Victims Bill: Government Response to the Committee's Second, Report Paragraph 52

<sup>6</sup> The Respect Standard, 4<sup>th</sup> Edition, 2022. [Accessed here](#).

## **Relationship with other duties**

Throughout the passage of the Domestic Abuse Act, concerns were raised about the impact which the introduction of the duty placed on local authorities to provide accommodation-based domestic support would have on the provision of community-based services. Specifically, organisations were concerned that this change would introduce a two-tier system, with funding diverted from the community-based domestic abuse services which the majority of victims rely on. Ministers at the time expressed their support for “a holistic approach to ensuring that adult and child victims of this terrible crime receive the support they need, no matter where they reside, and that perpetrators can access programmes to address their behaviour” and recognised “the vital role that community-based services play in supporting victims”<sup>7</sup> However, in now potentially excluding perpetrator interventions from the definition of a “relevant victim support service” for the purposes of the duty to collaborate, the government further risks creating a three-tier system in responding to domestic abuse, where victims are not supported in a holistic way.

## **Interaction with the serious violence duty**

Further consideration should also be given to how the duty to collaborate relates to the newly implemented serious violence duty. It has been suggested that domestic abuse perpetrator interventions could be considered, and their commissioning coordinated, via this duty. However, we believe that this duty is not sufficient to enable coordinated commissioning of high-quality perpetrator interventions that prioritise reducing risk and enhancing the safety of victims and that perpetrator interventions must be considered as part of the duty to collaborate within the Victims and Prisoners Bill instead.

Whilst the serious violence duty requires specified authorities to undertake a joint strategic needs assessment and prepare a joint strategy setting out what measures they will take to prevent and reduce serious violence, the duty leaves local areas to define ‘serious violence’ and there is no requirement for local areas to consider domestic abuse. That the duty is framed to address ‘serious violence’ rather than the wider legal definition of domestic abuse- which incorporates a range of abuses beyond physical violence, including emotional, coercive or controlling behaviour, and economic abuse- also undermines its ability to enable more effective and coordinated responses to domestic abuse perpetrators.

Furthermore, the guidance accompanying the serious violence duty states that “action on domestic abuse and sexual offences is particularly encouraged where preventative activity is directed at risk factors which are shared between these crimes and public space youth violence. Such risk factors might include, but are not limited to, growing up in a violent home, substance abuse, social isolation and adverse childhood experiences”<sup>8</sup>. This does not reflect current best practice within quality-assured earlier intervention perpetrator responses, which focus on working with those causing harm to allow them to identify and address harmful and

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<sup>7</sup> Correspondence from Baroness Williams to Lord Polak - Domestic Abuse Bill: Community Based Services. [Accessed here.](#)

<sup>8</sup> Serious Violence Duty - Preventing and reducing serious violence, Statutory Guidance for responsible authorities, 2022

controlling behaviours before they manifest in physical violence, rather than any link with public space youth violence.

## **Perpetrator interventions should be included explicitly within the duty to collaborate**

In correspondence, The Rt Hon Edward Argar MP, Minister of State for Justice, has stated that “statutory guidance will set out clearly how the duty to collaborate should interact with the Serious Violence Duty, which aims to prevent and reduce serious violence, including through perpetrator programmes... We will also consider how we can include references to perpetrator programmes as part of the relevant services that commissioners should consider when preparing their joint commissioning strategy under this duty [the duty to collaborate]<sup>9</sup>”.

We believe that in order to enable the development of a holistic, strategic and coordinated response to domestic abuse in local areas, Government should clarify on the face of the bill that the duty to collaborate will encompass quality-assured perpetrator programmes with a priority outcome of increased safety and freedom for victims. The only exception to this should be where local serious violence strategies have specifically recognised identifying and responding to perpetrators of domestic abuse, including through the commissioning and provision of dedicated perpetrator programmes, as a priority. This measure would avoid duplication across duties and strategies, but ensure these vital services are considered.

*June 2023*

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<sup>9</sup> Correspondence dated 14<sup>th</sup> June 2023 from The Rt Hon Edward Argar MP to The Drive Partnership