

Domestic Abuse Commissioner

Purpose of Report

For discussion.

Summary

The Domestic Abuse Commissioner is an independent statutory office holder appointed to provide public leadership on tackling domestic abuse and oversee and monitor the provision of services to victims of domestic abuse in England and Wales. The current Domestic Abuse Commissioner, Nicole Jacobs, will attend the meeting of the Board to outline her current priorities in relation to children and families experiencing domestic abuse, and her current and future work.

LGA Plan Theme: Putting people first

Recommendation

That the Board consider the presentation by the Domestic Abuse Commissioner and offer perspectives from their own authorities or views on the Commissioner's current and future work.

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Domestic Abuse Commissioner

Background

1. In June 2017, the Government made a [commitment](#) to deliver protections for victims of domestic abuse through a new landmark Domestic Abuse Bill. This included a commitment to enshrine a definition of domestic abuse in law and to create a domestic abuse commissioner.

Domestic Abuse Act 2021

2. The Domestic Abuse Act 2021 defined “domestic abuse” in law for the first time. This states that the behaviour of one person (“A”) towards another person (“B”) is domestic abuse if both are 16 or over and personally connected to each other (for example, through marriage, intimate personal relationship or being relatives), and the behaviour is abusive.
3. Abusive behaviour, under the Act, includes physical or sexual abuse; violent or threatening behaviour; controlling or coercive behaviour; economic abuse; psychological, emotional or other abuse.
4. The Act also specifies that A’s behaviour may be “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).
5. The Act also specified that children can be victims of domestic abuse in their own right, despite the definition of domestic abuse referring to those aged 16 or over. Children are considered victims of domestic abuse where they are related to person A or Person B and see, hear or experience the effects of the abuse.

Appointment and role of the Domestic Abuse Commissioner

6. The Domestic Abuse Commissioner is an independent statutory office holder and while sponsored by the Home Office, the Commissioner operates independently of the Department and Government generally. More information on governance, funding and staffing, as well as the exercise and scrutiny of the Commissioner’s activities, is available in the [framework document for the Domestic Abuse Commissioner](#).
7. The core role is to provide public leadership on tackling domestic abuse and to oversee and monitor the provision of services to victims of domestic abuse in England and Wales. Under the Domestic Abuse Act 2021, the Domestic Abuse Commissioner has a number of statutory functions. These include:

- 7.1. Encouraging good practice in the prevention, detection, investigation and prosecution of offences involving domestic abuse, and the provision of protection and support to those affected by domestic abuse (including children).
 - 7.2. Receiving copies of all domestic homicide reviews.
 - 7.3. Preparing and publishing a strategic plan setting out how the Commissioner intends to exercise the Commissioner's functions, including priorities and objectives.
 - 7.4. Submitting an annual report to the Secretary of State including an assessment of the extent to which the Commissioner's objectives and priorities have been met in that year.
8. The Act also gives the Commissioner powers to request that specified public authorities – including English local authorities - co-operate with the Commissioner, and those authorities must comply with requests made as far as reasonably practicable.
 9. In September 2019, Nicole Jacobs was appointed as designate Domestic Abuse Commissioner. Ms Jacobs was the former Chief Executive Officer at charity Standing Together Against Domestic Violence and has more than two decades of experience working to reduce domestic abuse. During her career, Ms Jacobs has worked in a number of roles linked to domestic abuse, including as a frontline practitioner, in senior operational and management roles, and as a trainer and strategic leader.

Support for victims and survivors of domestic abuse

10. The Commissioner has recently published a report, "[A Patchwork of Provision: How to meet the needs of victims and survivors across England and Wales](#)" This sets out the key findings from research by the Commissioner's office to map the provision of support services for victims and survivors of domestic abuse across England and Wales, along with recommendations for improvement. Key findings include:
 - 10.1. Specialist services are effective in enabling victims and survivors to feel safer and more in control of their lives following abuse, with victims and survivors needing a range of types of support;
 - 10.2. Most victims and survivors from minoritised communities want to receive support delivered "by and for" their own community, and these are more effective at supporting those from minoritised communities;
 - 10.3. The independence of services is critical, with survivors speaking of their fears of statutory services, in particular social services and the Family Court.

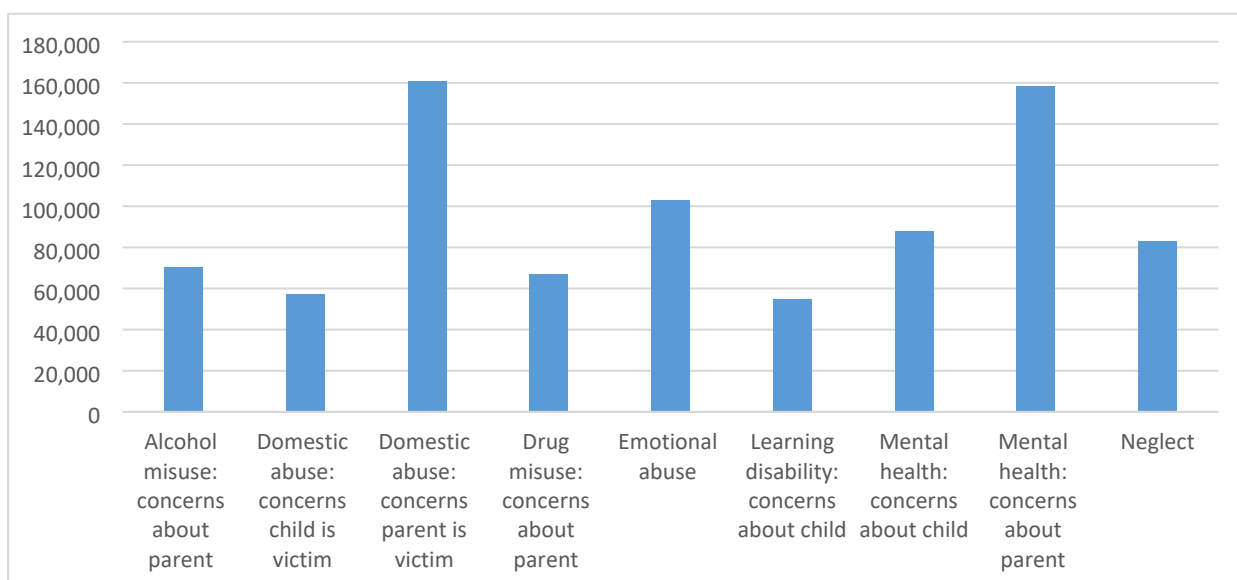
- 10.4. There is a ‘postcode lottery’ for accessing specific types of support, particularly for those from minoritised communities, and only a minority of people report finding it easy to access the help they want. Those from minoritised communities or with multiple disadvantages or additional needs found it particularly difficult. 82 per cent of men reported finding it difficult to access help.
- 10.5. Only 29 per cent of victims and survivors were able to get support for their children. This varied from 18 per cent in the South West to 40 per cent in the North East.
- 10.6. A “considerable injection” of long-term funding is needed for services to meet demand.
11. The report made a specific recommendation around support for children:
- “The Department for Education, working with the Department for Levelling Up, Housing and Communities, Home Office and Ministry of Justice, should develop a national strategy to address the lack of specialist support available for children affected by domestic abuse. They should work closely with the specialist domestic abuse, VAWG (Violence Against Women and Girls) and ‘by and for’ sectors, as well as the children’s sector, to ensure funding is available to meet the needs of children affected by domestic abuse.”
12. The report also recommends that “Local commissioners should work with statutory agencies and services in their area to develop join-up and seamless pathways of support for victims and survivors with multiple needs, particularly for those facing multiple disadvantages. This should also be closely aligned with work to introduce an ambitious ‘duty to collaborate’ through the Victims Bill, and the new Serious Violence Prevention Duty.”

Children and domestic abuse

13. Domestic abuse has been the most common factor identified at the end of assessments for children in need for some years in England. In the year ending 31 March 2022, the most common factors identified were:

Factor	Number
Alcohol misuse: concerns about parent	70,310
Domestic abuse: concerns child is victim	57,260
Domestic abuse: concerns parent is victim	160,690

Drug misuse: concerns about parent	67,010
Emotional abuse	102,900
Learning disability: concerns about child	54,670
Mental health: concerns about child	87,750
Mental health: concerns about parent	158,330
Neglect	82,950



14. The Child Safeguarding Practice Review Panel, in its report into [safeguarding children under 1 from non-accidental injury caused by male carers](#), found that domestic abuse (either current or historical) was a strong risk factor, featuring in 59 of the 92 cases considered by the Panel.

15. In its report, “[improving services for children affected by domestic abuse](#)”, the Early Intervention Foundation (EIF) notes that “around one in five children in the UK experience domestic abuse during their childhood...[which] can have wide-ranging long-lasting impacts. Children who have experienced domestic abuse are significantly more likely to experience abuse in their own adult relationships, to misuse drugs or alcohol and to have lower levels of wellbeing. The impact on children and young people’s mental health can also be profound.”

16. In the same report, the EIF finds that there is a significant lack of evidence around what works to support children who have experienced domestic abuse, making it extremely

challenging for councils to plan for and commission much-needed services. The Government's Tackling Domestic Abuse Plan (below) includes a commitment to comparably measure the effectiveness of different interventions to support children.

Tackling Domestic Abuse Plan

17. In March 2022, the Government published its [Tackling Domestic Abuse Plan](#). This sets out how the Government intends to deliver various aspects of the Domestic Abuse Act 2021, including prevention, support and options for dealing with domestic abusers. The plan identifies four major problems that it intends to address:

- 17.1. Problem One: The high prevalence of domestic abuse
- 17.2. Problem Two: the significant loss of life caused by domestic abuse, with 114 domestic homicides in 2020-21 and harms sometimes resulting in victims taking their own lives
- 17.3. Problem Three: the negative health, emotional, economic and social impact faced by victims and survivors
- 17.4. Problem Four: improvements required by the current system to tackle domestic abuse, including better identification, greater collaboration and coordination between and within organisations, and better data.

18. The Plan notes that being younger and having low levels of education are two significant risk factors. A refreshed Relationships, Sex and Health Education (RSHE) curriculum includes ensuring that children know what healthy relationships look like, as well as challenging poor attitudes towards relationship behaviours.

19. The Plan also identifies ring-fenced funds for support services and perpetrator interventions.

The LGA and work to tackle domestic abuse

20. Overarching responsibility for the LGA's work on tackling domestic abuse rests with the Safer and Stronger Communities Board. Minutes from today's meeting will be shared with SSCB to facilitate join up across the two boards.

21. The Domestic Abuse Commissioner has engaged with the SSCB since she came to office, including attendance at the Board and presenting at the LGA's Annual Conference. The LGA is represented by its Domestic Abuse Champion Councillor Louis Samuel on the Commissioner's strategic reference group on perpetrators, and the LGA joins the Commissioner's monthly calls with the domestic abuse sector and Government departments.

22. The Commissioner and the LGA are both members of the National Expert Steering Group overseeing the implementation of part 4 of the Domestic Abuse Act, which sets out a statutory duty for councils to provide accommodation-based support and services to victims of domestic abuse. Members of the Expert Steering Group have joined the LGA to share best practice through webinars for local authorities, including sessions with Women's Aid, Refuge, National Housing Federation, Mankind and others.

Implications for Wales

23. The Domestic Abuse Commissioner operates across England and Wales. The Domestic Abuse Act 2021 and the Government's Tackling Domestic Abuse Plan also apply to both England and Wales.

Financial Implications

24. There are no financial implications to the LGA of this item.

Equalities implications

25. The Tackling Domestic Abuse Plan includes a range of data at [Annex B](#) on domestic abuse, which is summarised below. This is drawn from the Crime Survey for England and Wales and is gathered via a self-completion module, therefore relies on victims and survivors self-reporting abuse.
26. **Sex:** Women are significantly more likely than men to be victims and survivors of each type of domestic abuse with the exception of sexual assault by a family member. It is estimated that the prevalence rate for the year ending March 2020 was 7.3 per cent for women and 3.6 per cent for men.
27. **Age:** Data is limited on the prevalence of children exposed to domestic abuse, though domestic abuse of a parent is the most common factor identified at the end of children in need assessments. Young women are more likely to have experienced domestic abuse in the previous year than older women. There are fewer observable differences by age for men, though those ages 16-19 are more likely to have experienced domestic abuse in the last year than men aged 20 and above.
28. **Marital status:** in the year ending March 2020, adults aged 16-74 who were separated (16.4 per cent) or divorced (11.4 per cent) were more likely to have experienced domestic abuse than those who were married or civil partnered (3 per cent), cohabiting (5.5 per cent), single (8.4 per cent) or widowed (3.2 per cent).
29. **Sexual orientation:** Bisexual adults aged 16-74 were more likely to have experienced domestic abuse in the last year (15.2 per cent) than gay or lesbian (8.4 per cent) or heterosexual adults (5.2 per cent).

30. **Employment status:** people who were unemployed or ill were more likely to have experienced domestic abuse in the last year (8.6 and 14 per cent respectively) compared to those in employment (5.4 per cent).
31. **Disability:** Adults aged 16-74 with a disability were more than twice as likely to have experienced domestic abuse in the last year than those without (11.8 per cent compared with 4.6 per cent). For disabled women, the prevalence was 14.7 per cent compared to 7.5 per cent for disabled men.
32. **Ethnicity:** Those from a mixed ethnic background are more likely to have experienced domestic abuse within the last year (7.6 per cent) than those from white (5.7 per cent), black (3.7 per cent) or Asian (3.6 per cent) ethnic backgrounds.
33. **Religion:** Those reporting their religion was Buddhist or “other” (10 and 9 per cent respectively) were more likely to report domestic abuse in the last year. This compared to 6 per cent of those with no religion, 5 per cent of Christians, 4 per cent of Muslims and 3 per cent of Hindus.
34. **Gender reassignment, pregnancy and maternity:** There are currently no nationally representative figures on the prevalence of domestic abuse by characteristics of gender reassignment, pregnancy and maternity in the UK.

Next steps

35. Members of the Board are recommended to consider the presentation by the Domestic Abuse Commissioner and offer perspectives from their own authorities or views on the Commissioner’s current and future work.
36. Areas for discussion may include:
 - 36.1. Specific work to support child victims of domestic abuse
 - 36.2. How the Commissioner works with local authorities
 - 36.3. How the Commissioner works with the Children’s Commissioners to join up work across the two offices
 - 36.4. How councils and the LGA can support the work of the Domestic Abuse Commissioner
 - 36.5. Emerging trends that councils should be aware of.