

## CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

24 February 2022

### DOMESTIC ABUSE STRATEGY: UPDATE

#### Report of the Strategic Director for Children's Services

Strategic Aim:	Protecting the Vulnerable		
Exempt Information	No		
Cabinet Member(s) Responsible:	Cllr D Wilby, Portfolio Holder for Education and Children's Services		
Contact Officer(s):	Dawn Godfrey, Strategic Director for Children's Services	01572 758358	dgodfrey@rutland.gov.uk
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Ward Councillors	All		

#### DECISION RECOMMENDATIONS

That the Committee:

1. Notes the report which features the outcomes of the needs assessment and gives regard to the new duties placed upon the local authority following the introduction of the Domestic Abuse Act 2021 and endorses the Domestic Abuse Strategy 21-24.

## 1 PURPOSE OF THE REPORT

- 1.1 To raise awareness of the local authority responsibilities and duties following the introduction of the Domestic Abuse Act 2021 in April 2021 which came into force in October 2021.
- 1.2 To present the findings from the local strategic needs assessment and provide opportunity to review the subsequent Domestic Abuse Strategy.

## 2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 There are some 2.3 million victims of domestic abuse a year aged 16 to 74 (two-thirds of whom are women) and more than one in ten of all offences recorded by the police are domestic abuse related.
- 2.2 In December 2019 the Government was elected with a manifesto commitment to "support all victims of domestic abuse and pass the Domestic Abuse Bill" originally introduced in the last Parliament. The act aims to ensure that victims have the confidence to come forward and report their experiences, safe in the knowledge that

the state will do everything it can, both to support them and their children and pursue the abuser.

2.3 In spring 2018, the Government conducted a public consultation on Transforming the Response to Domestic Abuse which attracted over 3,200 responses.

2.4 The Government response to the consultation and a draft Domestic Abuse Bill were published in January 2019. The Government response set out 123 commitments, both legislative and non-legislative, designed to promote awareness of domestic abuse; protect and support victims and their families; transform the justice process to prioritise victim safety and provide an effective response to perpetrators; and to drive consistency and better performance in the response to domestic abuse across all local areas, agencies and sectors.

2.5 The aims of the Act are to:

- Raise awareness and understanding about the devastating impact of domestic abuse on victims and their families.
- Further improve the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice.
- Strengthen the support for victims of abuse by statutory agencies.

2.6 The Act will:

- create a statutory definition of domestic abuse, emphasising that domestic abuse is not just physical violence, but can also be emotional, controlling or coercive, and economic abuse
- establish in law the office of Domestic Abuse Commissioner and set out the Commissioner's functions and powers
- provide for a new Domestic Abuse Protection Notice and Domestic Abuse Protection Order
- place a duty on local authorities in England to provide accommodation-based support to victims of domestic abuse and their children in refuges and other safe accommodation
- prohibit perpetrators of abuse from cross-examining their victims in person in the civil and family courts in England and Wales
- create a statutory presumption that victims of domestic abuse are eligible for special measures in the criminal, civil and family courts
- clarify the circumstances in which a court may make a barring order under section 91(14) of the Children Act 1989 to prevent family proceedings that can further traumatised victims
- extend the controlling or coercive behaviour offence to cover post-separation abuse.
- extend the offence of disclosing private sexual photographs and films with intent to cause distress (known as the "revenge porn" offence) to cover threats to disclose such material
- create a new offence of non-fatal strangulation or suffocation of another person.

- clarify by restating in statute law the general proposition that a person may not consent to the infliction of serious harm and, by extension, is unable to consent to their own death
- extend the extraterritorial jurisdiction of the criminal courts in England and Wales, Scotland and Northern Ireland to further violent and sexual offences
- provide for a statutory domestic abuse perpetrator strategy
- enable domestic abuse offenders to be subject to polygraph testing as a condition of their licence following their release from custody
- place the guidance supporting the Domestic Violence Disclosure Scheme (“Clare’s law”) on a statutory footing.
- Provide that all eligible homeless victims of domestic abuse automatically have ‘priority need’ for homelessness assistance
- ensure that where a local authority, for reasons connected with domestic abuse, grants a new secure tenancy to a social tenant who had or has a secure lifetime or assured tenancy (other than an assured shorthold tenancy) this must be a secure lifetime tenancy
- prohibit GPs and other health professionals in general practice from charging a victim of domestic abuse for a letter to support an application for legal aid
- provide for a statutory code of practice relating to the processing of domestic abuse data for immigration purposes

### **3 STATUTORY GUIDANCE FOR LOCAL AUTHORITIES ACROSS ENGLAND – SUPPORT IN SAFE ACCOMMODATION**

- 3.1 Statutory Guidance was issued under the Domestic Abuse Act 2021 and relates to the requirements for local authorities to provide support to victims of domestic abuse in safe accommodation – Part 4 of the Domestic Abuse Act 2021.
- 3.2 Part 4 of the 2021 Act details duties on relevant local authorities to assess the need for accommodation-based support and prepare strategies to provide such support for victims.
- 3.3 The 2021 Act is clear that children of domestic abuse victims who have seen, heard, or experienced the effect of that abuse are victims in their own right.
- 3.4 The Guidance places duties on each relevant local authority in England to:
  - Appoint a multi-agency Domestic Abuse Local Partnership Board which it must consult as it performs certain specified functions (below).
  - Assess, or make arrangements for the assessment of, the need for accommodation-based domestic abuse support in their area for all victims and their children who reside in relevant safe accommodation, including those who come from outside of their area.
  - Prepare and publish a strategy for the provision of such support to cover their area having regard to the needs assessment.
  - Give effect to the strategy (through commissioning / decommissioning decisions).
  - Monitor and evaluate the effectiveness of the strategy.

- Report back annually to central government.

## **4 ASSESSING THE NEED FOR ACCOMMODATION-BASED DOMESTIC ABUSE SUPPORT**

- 4.1 Rutland County Council commissioned SafeLives, a leading organisation committed to ending domestic abuse, to carry out a local strategic needs assessment.
- 4.2 The Council and SafeLives agreed to collaborate in the delivery of consultancy assistance (both fee-based, and pro-bono) to strengthen the response to domestic abuse across the Local Authority area including a 'Whole Picture' review and needs assessment mapping for the Domestic Abuse Bill.
- 4.3 The needs assessment was concluded in October 2021 and the findings below presented to the Safer Rutland Partnership.
- 4.4 The findings of the needs assessment are:
- 4.4.1 Calculated using the SafeLives prevalence tool, an estimated 1690 adult victims experienced domestic abuse in the last year, with around 8% experiencing both partner and family abuse. This is higher than identified in the needs assessment. The number of victims reported by all agencies has decreased across the 3 years, which is not unexpected with the impact of Covid-19 and subsequent restrictions, reducing the opportunity for victims to reach out for support in ways that they might have done prior to the pandemic.
- The highest age categories across the period are 25-34 and 35-44 years.
  - There was an increase year on year in the number of 18–24-year-old victims.
  - Child victims under 18 years account for under 12% of all victims in 2020-21.
  - Children 0-5 years account for around half of all child victims.
  - There has been a decrease in reports to all agencies except for adult social care.
- 4.4.2 Data provided around protected characteristics has been inconsistent, and in some cases difficult to analyse effectively. However, it is evident that the number of victims with protected characteristics are under identified in data collection by most agencies. This would suggest that there are a significant number of hidden victims within Rutland that are not accessing appropriate support services. Implementing a more robust and consistent approach to data collection will ensure a clearer understanding of local need and enable more effective planning and commissioning of services.
- 4.4.3 There has also been an increasing trend with victims requesting homelessness assistance with the same number of victims seeking support in the first 4 months of the current year as there were in 2019-20. This increase suggests that more victims may present in need of safe accommodation, which consequently may increase the need for additional support.
- 4.4.4 There were no domestic homicides in Rutland, whilst in England and Wales there has been a dramatic increase. This national increase highlights the potential risk to victims who are unable to escape an abusive home environment, have recently separated or are attempting to separate.

#### 4.5 Safe Accommodation Provision:

- 4.5.1 All referrals to UAVA enter through a single front door commissioned by Leicester, Leicestershire and Rutland (LLR), which includes referrals for Safe Accommodation.
- 4.5.2 The number of safe accommodation (dispersal units) spaces in Rutland of 9 is at the recommended level per 10,000 population, provided through Women's Aid. The Council of Europe recommendation is 1 family place per 10,000 population therefore this provision is above the recommended number.
- 4.5.3 Referrals for Safe Accommodation are increasing. 61% of referrals to UAVA were successful in 2020-21. The source of referrals has consistently been the Local Helpline and DA Services. The exception to this is in 2020-21 when there was one referral from Housing Services, one from the local authority and 3 Other.
- 4.5.4 The average length of stay in Safe Accommodation across LLR ranges from 102 days to 113. Consideration should be given to recovery support that will enable survivors to move on to suitable accommodation and free up space for higher risk victims to access. Not all victims referred for Safe Accommodation will access this for a variety of reasons to include the location of the safe accommodation which may disrupt the education of children and prevent travel to work. A further understanding of these reasons is required to ensure provision can meet the needs of victims, particularly to ensure victims can remain living safely in their own homes and communities.
- 4.5.5 No data was available regarding the ages of victims or the number of children within the dispersed accommodation or within households which have accessed the sanctuary scheme. When considering that children account for a large portion of all victims and particularly children aged 0-5 account for almost half of all child victims, a high number may also access safe accommodation. Support for children, such as play therapy and other therapeutic support, must be available in all forms of safe accommodation including Sanctuary Schemes/Target Hardening. Support for victims as Parents must also be available. It is also fundamental that support is received from statutory services such as midwifery, health visitors and school nurse whilst victims are within relevant safe accommodation.

### **5 DOMESTIC ABUSE LOCAL PARTNERSHIP BOARD**

- 5.1 Tier one authorities must appoint a Local Partnership Board consisting of key partners with an interest in tackling domestic abuse and supporting victims, including their children.
- 5.2 All Boards must include relevant representation from services and / or organisations that support the needs of children, ensuring the unique needs of child victims and children of domestic abuse victims staying with their parent in relevant safe accommodation are adequately considered and addressed.
- 5.3 As set out in the 2021 Act, Boards should support tier one authorities by providing advice on the exercise of the following functions:
  - Assessing the scale and nature of the needs for support within relevant safe accommodation for all victims, including their children, including those that require highly specialist support and those that come from out of area.

- Preparing and publishing a whole-area domestic abuse support in relevant safe accommodation strategy setting out the steps needed to meet the needs of diverse victims including their children, joining up strategies across local areas where appropriate.
- Giving effect to the strategy by making commissioning and decommissioning decisions of support within relevant safe accommodation at a local level.
- Monitoring and evaluating the effectiveness of the strategy, including local delivery of support within domestic abuse relevant safe accommodation.
- Reporting on progress and how funding has been used to DLUHC.
- Provision of any other local authority support being provided to victims of domestic abuse or their children in the authority's area.

5.4 Rutland County Council has sought to utilise the resource and expertise of the Safer Rutland Partnership to accommodate the requirement to create and maintain a Domestic Abuse Local Partnership Board with responsibility for overseeing the local response to domestic abuse. SafeLives are working with the Chair to develop this further to ensure the Board is fully compliant with the Act.

## **6 DOMESTIC ABUSE SUPPORT WITHIN RELEVANT SAFE ACCOMMODATION**

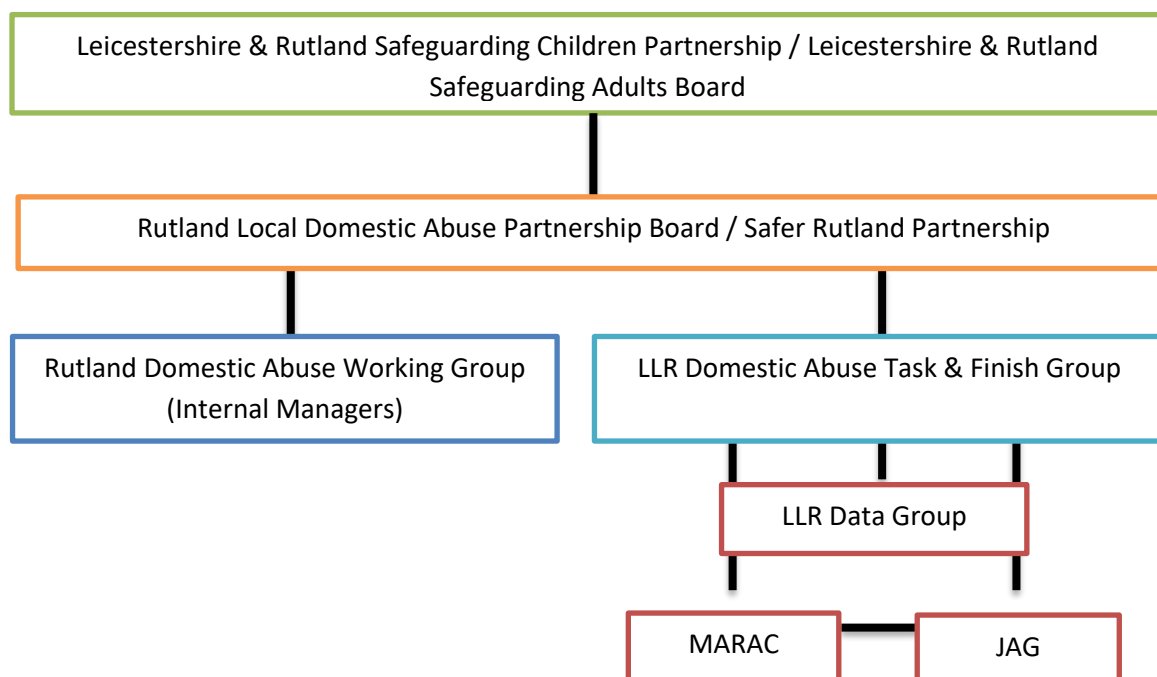
6.1 Such support is described as:

- Overall management of services within relevant safe accommodation – including capacity building, support and supervision of staff, payroll, financial and day to day management of services and maintaining relationships with the local authority (such functions will often be undertaken by a service manager)
- Support with the day-to-day running of the service – for example scheduling times for counselling sessions, group activities (such functions may often be undertaken by administrative or office staff)
- Advocacy support – development of personal safety plans, liaison with other services (for example, GPs and social workers, welfare benefit providers).
- Domestic abuse prevention advice – support to assist victims to recognise the signs of abusive relationships, to help them remain safe (including online), and to prevent re-victimisation.
- Specialist support for victims
  - Designed specifically for victims with relevant protected characteristics such as faith services, translators and interpreters, immigration advice, interpreters for victims identifying as deaf and / or hard of hearing, and dedicated support for LGBTQ+ victims.
  - Designed specifically for victims with additional and / or complex needs such as, mental health advice and support, drug and alcohol advice and support, including sign posting accordingly.
- Children's support – including play therapy, child advocacy or a specialist children worker

- Housing-related support – providing housing-related advice and support, for example, securing a permanent home, rights to existing accommodation and advice on how to live safely and independently.
- Advice service – including financial and legal support, including accessing benefits, support into work and establishing independent financial arrangements; and,
- Counselling and therapy – including group support for both adults and children, including emotional support.

## 7 DOMESTIC ABUSE GOVERNANCE IN RUTLAND

- 7.1 In order to exercise its functions under section 57 of the Domestic Abuse Act 2021, all relevant local authorities in England must appoint a section 58 Local Domestic Abuse Partnership Board.
- 7.2 Rutland's Local Domestic Abuse Partnership Board (LDAPB) incorporated within the Safer Rutland Partnership (SRP), has overall responsibility for the oversight of domestic abuse in Rutland including support within Safe Accommodation for victim-survivors and their children, and for the implementation and monitoring of the effectiveness of this strategy and action plan. The LDAPB / SRP meets each quarter and is chaired by the Portfolio Holder for Communities, Environment and Climate Change and attended by the Strategic Lead for Domestic Abuse (Strategic Director Children and Families).
- 7.3 Rutland is joined up with Leicester and Leicestershire in many of its functions and service delivery to include the delivery of specialist domestic abuse services and our additional local governance groups consist of the following:



## **8 COMMISSIONED SPECIALIST DOMESTIC ABUSE SUPPORT IN RUTLAND**

- 8.1 Rutland jointly commissions UAVA (United Against Violence and Abuse) to provide specialist domestic abuse support to victims and survivors across Rutland, Leicester City and Leicestershire.
- 8.2 UAVA is a consortium of three local specialist providers of domestic abuse and sexual violence services – Women’s Aid Leicestershire Ltd, FreeVA and Living without Abuse (LWA).
- 8.3 UAVA provides coordinated domestic and sexual violence services across Leicestershire, Leicester and Rutland for any female or male over 13 years.
- 8.4 A tendering process was entered into during 2021 to establish a new provider or contract to deliver the LLR domestic abuse support. LWA were successful in this bid and will continue to work across LLR to deliver this support to victims of domestic abuse with a new contract coming into effect from 1st April 2022.
- 8.5 The helpline and engagement service will be the main access point for victims of domestic abuse/sexual violence and as such it will offer a “front door” to other support services. The Helpline and Engagement service will include a telephone helpline including webchat, assertive engagement and provision of a dedicated worker who will help to guide individuals on their support journey. It will also act as a front door for perpetrators of domestic abuse.
- 8.6 The Domestic violence/abuse service will offer more intensive and specialist support and information to victims of domestic abuse/violence and their families. Support will be tailored to individual and specific needs including support throughout the criminal and civil justice system.

## **9 OUR DOMESTIC ABUSE PRIORITIES FOR 2021 – 2024**

- 9.1 A delivery plan, responding to the conclusions of the needs assessment will be developed which details how the objectives within this strategy will be met and will focus on the short and long-term actions identified, and address any identified gaps in relation to the new duties.
- 9.1.1 Raising awareness of domestic abuse and the prevalence locally
- Ensuring professional curiosity to explore hidden harm and potential under reporting of abuse in Rutland to protect and support more victims.
  - Awareness raising campaigns in order that our community recognises domestic abuse to support a change in attitude.
- 9.1.2 Safeguarding people at risk and providing support for victims and survivors
- Work more effectively with agencies to ensure we listen to the voice of victims and survivors that enables the shaping of services and support, to meet local need.
  - Victims will have the confidence to report incidents of domestic abuse and receive the right support from relevant agencies.



- Recognising that young people in their own relationships can become victims of domestic abuse to ensure they receive the right support early.

#### 9.1.3 Changing behaviours of perpetrators and preventing reoffending

- Consideration given to perpetrator management programmes, which could enable victims and children to remain in their homes and communities, reducing disruption and trauma already experienced.

#### 9.1.4 Ensuring all agencies/partners work together to provide a multi-agency response to tackling domestic abuse

#### 9.1.5 Support for victim and survivors in relevant safe accommodation

- Providing specific targeted support for victims of domestic abuse that empowers victims and builds confidence, develops resilience and independence, and increases safety.

### **10 CONSULTATION**

#### 10.1 None required.

### **11 ALTERNATIVE OPTIONS**

#### 11.1 None required.

### **12 FINANCIAL IMPLICATIONS**

#### 12.1 The local authority has received funding to exercise its new duties to provide support in safe accommodation. Rutland County Council is in receipt of Building Capital Funding of £50,000 to carrying out administration tasks associated with completion of the needs assessment, and a further £62,000 to provide support in safe accommodation.

#### 12.2 The needs assessment highlighted gaps in the provision of safe accommodation for victims of domestic abuse in Rutland, relating to the availability of safe accommodation for single individuals, people with disabilities and older people experiencing elder abuse. Work is currently in progress to look at ways we can increase capacity which may have a cost implication to the Council to provide such provision based on the needs assessment.

### **13 LEGAL AND GOVERNANCE CONSIDERATIONS**

#### 13.1 The Council is required by law to comply with the duties introduced by the Domestic Abuse Act 2021.

### **14 DATA PROTECTION IMPLICATIONS**

#### 14.1 In order to gather information from agencies to complete the needs assessment an information sharing agreement was produced together with SafeLives. All victims/survivors of domestic abuse were identified through our data collection exercise to ensure their safety.

### **15 EQUALITY IMPACT ASSESSMENT**

- 15.1 The needs assessment highlighted gaps in provision of support and safe accommodation for people with protected characteristics and older people, and therefore the local authority must give due consideration to maintaining the rights of individuals under the Equality Act 2021.

## **16 COMMUNITY SAFETY IMPLICATIONS**

- 16.1 This legislation requires oversight from the community safety team in Rutland to ensure that the duties under the Act are being achieved. Community Safety data and information need to continue to shape the offers in relation to domestic abuse priorities in Rutland.

## **17 HEALTH AND WELLBEING IMPLICATIONS**

- 17.1 The Domestic Abuse Strategy seeks to ensure appropriate support is offered to victims of domestic abuse to maintain their health and wellbeing.

## **18 ORGANISATIONAL IMPLICATIONS**

- 18.1 Human Resource implications – highlighted the need to ensure there is a joined approach to supporting staff who identify as victims of domestic abuse to ensure they receive the support needed.

## **19 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 19.1 It is recommended that Scrutiny Committee endorses the Domestic Abuse Strategy and the development of the Local Domestic Abuse Partnership Board incorporated within the Safer Rutland Partnership, providing oversight of domestic abuse within the locality, ensuring appropriate support is offered to victims in safe accommodation, by the monitoring of the effectiveness of the strategy.

## **20 BACKGROUND PAPERS**

- 20.1 No background papers.

## **21 APPENDICES**

- 21.1 A – Domestic Abuse Strategy  
21.2 B – Domestic Abuse Needs Assessment

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.