

Response ID ANON-1WEK-14GT-R

Submitted to **Transforming the response to domestic abuse**

Submitted on **2018-05-23 13:53:54**

Personal details

A I understand that there are two versions of the consultation. If I have already completed the short version I will not answer the following questions again: 6, 7, 9, 12, 24, 25, 26, 32, 35, 39, 43.

Yes

B What is your name?

Name:

Robert Nettleton

C What is your email address?

Email:

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D What region are you in?

Please select your region:

Other

E Are you responding on behalf of an organisation or as a member of the public?

Please choose an option below:

Organisation

F If relevant, which, if any, best describes you/your organisation?

Please select one of the options that best describes you:

health professional

If none of the above please specify below:

G If applicable, please give the name of your organisation/ profession.

The name of your organisation, if relevant.:

Institute of Health Visiting

Introducing a new statutory definition of domestic abuse

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

Strongly agree

Please explain your answer.:

We welcome proposals for a broader statutory definition of domestic violence that will cover all forms of violence including 'economic abuse', controlling and coercive behaviour, both single incidents and patterns of behaviour and one that will be accompanied by statutory guidance for professionals with safeguarding responsibilities. We support changing the law in this respect to change attitudes.

We agree that the existing cross-government definition can be used as a basis for the new statutory definition. It is important that the definition of DVA is understood by everyone. Current definition does not account for the wider issues around VAWG in the context of abuse and gender inequality. We feel that the definition must recognise that men are also victims of domestic abuse and that no victim is excluded from protection. We will be disappointed not to see any measures to address women with complex needs including mental health problems; migrant and refugee women and their children impacted by abuse, victims with no recourse to public funds who we feel have equal access to specialist support. We feel that the harm domestic abuse inflicts on a child should be recognised in the definition.

We hope that this statutory definition will help ensure domestic violence services are properly resourced and that commissioners allocate sustainable funding so that services can respond to Domestic Abuse, in line with the legislative package. The Government must recognise that health professionals are well placed to assess local needs, to design good quality interventions, and to be held to account through democratic accountability. The existing system of DVA provision of services and governance is no longer fit for purpose and is long overdue a full review.

As it stands, services are focused on high risk victims and crisis intervention meaning that 'standard' and 'low' risk may not be a priority until they have escalated to crisis point. Domestic Violence and Abuse (DVA) is an important public health issue that impacts on the health and well-being of a significant minority of

individuals and their families. Health visitors, as providers of universal health services in pregnancy and the first five years of life, are particularly well-placed to offer early support and help to parents who may be at risk of or experiencing DVA. Improving practice in DVA has a real potential to improve the health and well-being of children, families and communities

2 Will the new definition change what your organisation does? Please select 1. (This question is for organisations only)

Yes, in a positive way

Explain how it will change what your organisation does.:

Health visitors (HVs) reach out to pregnant women and are highly trusted sources of advice and support. The broader definition will enable HVs to support victims to seek early help and support before and following the birth of a child. DV is known to escalate during this time. The change in definition will remove the deterrent to reporting or escalating low to medium levels concerns about DV.

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

Please provide your answer in the box provided:

By inclusion in multi-agency training programmes, locally based procedures and provision for supervision of staff to help them recognise and respond to DVA in all its forms.

- Health staff need knowledge, tools and guidance to intervene earlier to prevent violence and prevent escalation of abuse. They need regular training to help them to confidently identify and respond to coercive and controlling behaviours and signpost victims and perpetrators to appropriate services.
- They need trauma training, and how it presents, must also be fully recognised and understood by health professionals
- Efforts to improve understanding of, and prevent domestic violence must be embedded in training and education of staff, and included in statutory curriculum
- The assigned person from health background should be appointed within a Trust to work alongside an Independent Domestic Violence Advisor (IDVA) to oversee and monitor the provision of DV services within maternity and accident and emergency services. IDVA training does not meet this expertise.. The remit will be to set clear standards of practice, collate key data, support staff to identify key gaps and links, share best practice and look how services are commissioned. The role could prove key to service development.
- Health staff should recognise the harm Domestic Abuse inflicts on children and local authorities & CCGs should commission therapeutic programmes that support mother and child relationship.

4 What impact do you think the changes to the age limit in the 2012 definition have had?

Positive

Please explain your answer.:

The inclusion of 16-18 year olds had a very positive impact, as it gave vital recognition to the fact that abusive relationships can and often do begin in the teenage years.

However there has been some confusion for service providers and service users between what should be dealt with as DVA, and what is child abuse, and this needs further clarification.

The government is promoting a prevention and early intervention strategy, which is exactly what is needed, but there is insufficient funding available to develop and sustain these services. Therefore, even when good services for young people are developed and successfully piloted, they remain patchy and insecure, and this is true across almost all kinds of DVA services,

The number of cases in this range group discussed at Multi- Agency Risk Assessment Conference (Marac) has increased since the changes to the age limit of 16 years. It should be noted that this has resulted in school health services with little training being disproportionately burdened with the task of providing additional services for which they are not resourced .

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

Agree

Please explain your answer.:

The primacy of the interests of children at risk of 'significant harm' needs to be maintained, but this should not be at the exclusion of recognition of the needs of others who may be the victims of the behaviour of a young person recognised as a child.

Educating young people on relationships

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?

Please provide your answer in the box below.:

The most effective learning about relationships is the modelling of healthy relationships within the immediate and wider circle a child's parents, family and beyond. Exposure to unhealthy conflictual relationships in this context normalises domestic violence and what leads to it. The Early Intervention Foundation has produced excellent guidance to commissioners on reducing the impact of interparental conflict on children:

<http://www.eif.org.uk/publication/eif-commissioner-guide-reducing-the-impact-of-interparental-conflict-on-children/>

The transition to parenthood is characterised by increased relationship strain, but is also a time of increased motivation to 'get things right' among new parents.

Health visitors are in a prime position to discuss relationship issues and offer support to families. Training in Brief Encounters®, focusing on active listening skills and a strength-based approach, has been shown to enable professionals to provide a timely intervention at a time of stress and prevent longer term decline and crisis. This lays the foundation for children from their earliest years to internalise healthy models of how conflict in relationships can be resolved or contained without recourse to violence or coercion. Health visitors are a trusted and non-stigmatising resource for all families with preschool children who have the skills to support couples to develop positive relationships and model them to their children. See: <http://www.oneplusone.org.uk/wp-content/uploads/2015/09/HV-guidance.pdf>

Reporting domestic abuse to statutory agencies

7 Which 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 tick your top 3 from the list.

Children's services, Health professionals, Police

If you selected other please add your response here::

Prioritising a 'top 3' has the potential to distort current emphasis on services that are oriented towards achieving criminal justice outcomes instead of meeting needs. Domestic violence is everyone's business. It must reach beyond a criminal justice system to include housing, education, health, social care, immigration and welfare system to name but a few so that victims/ survivors of domestic violence and abuse and their children get appropriate support where and when they need it.

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

Please explain your answer:

Strategically led and directed training on a multi-agency basis similar to Local Safeguarding Children Boards could help embed shared understanding across the wider system.

Unbalanced focus on outcomes by which the effectiveness or performance criminal justice system is measured can systematically distort understanding in terms of 'what helps us to achieve our targets' rather than what helps victims and children. Local strategy needs to reflect broader outcomes such as public health outcomes for children.

Alternative ways to report domestic abuse

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?

Please give answer below:

Integrated commissioning of services (local authority and CCG) would help overcome fragmentation of services and help well publicised multiple points of access lead directly to help and support.

Improving support services for all victims of domestic abuse and their children

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

Advocacy for victims to enable them to stay safely in their own home (Independent Domestic Violence Advisors or their equivalent), Helpline services for those affected by domestic abuse to call for advice and support, Interventions embedded in health

If you selected other please add your response here:

11 What more can the Government do to encourage and support effective multi-agency working, in order to provide victims with full support and protection? Please select up to 3.

Guidance, Sharing effective practice, Training

If you selected other please add your response here:

Supporting victims with specific needs

12 What more can the Government do to better support victims who face multiple barriers to accessing support?

Please give answer below:

A specific barrier is that, in the context of housing.

Current focus remains on assistance in support of rehousing/ refuge help; particularly on housing through rental agreements. The focus should shift to also support those living in their own home, for which a mortgage pays (or they own outright). If the perpetrator has already left this home, the remaining family should be supported in keeping safe within it. This would minimise effect on children, ensuring they were still surrounded by their own friends and could still attend their familiar school. The issue that the perpetrator may be named as joint legal owner (often through mortgage). Joint ownership allows the perpetrator to re-enter the home as they wish. Legal action is required to prevent this (an 'occupation order'). Applying for this financially impacts the victim. Calculations for financial aid to

support this application should take into account if the home has any equity. If it doesn't (mortgaged to house value or in negative equity) financial support should reflect this.

Another barrier is that re-homing also needs to be facilitated by children being guaranteed a place in a local school. Currently Looked After and disabled children are prioritised; not victims escaping domestic abuse.

Supporting female offenders

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

Please select your top 3.

Criminal justice agencies to adopt appropriate enquiries into history of abuse at each stage of the criminal justice process, Encourage the use of schemes which divert vulnerable women out of the criminal justice system (where appropriate) and into services, Other - please explain

If you selected other please add your response here::

Fund more early intervention and support services, especially therapeutic recovery services to help women deal with the trauma caused by abuse at a much earlier stage, to prevent them getting into these situations in the first place .

14 How can we make greater use of women-specific services to deliver interventions in safe, women-only environments? Please select your top 3.

Delivery of health interventions such as mental health and substance misuse treatment at women-only services, Improving access to benefits, finance and accommodation advisors at women-only services

If you selected other please add your response here::

Supporting those with difficulties getting financial support

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

Please give answer below:

Keeping victims safe – creating a new domestic abuse protection order

16 Do you agree that the Domestic Abuse Protection Notice issued by the police should operate in broadly the same way as the existing Domestic Violence Protection Notice (except that it would also be able to be issued in cases of abuse which do not involve violence or the threat of violence)?

Yes

Please explain your answer.:

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

The victim, Certain persons associated with the victim (for example certain family members) on behalf of the victim, The police (following the issue of a Domestic Abuse Protection Notice or at any other time), Relevant third parties, who would be specified by regulations, on behalf of victims (see Question 18 for further details), With permission of the court, any other person or organisation

If you selected other please add your response here::

18 Which persons or bodies should be specified by regulations as 'relevant third parties' who can apply for a Domestic Abuse Protection Order on a victim's behalf? Please select all that apply.

Local authority safeguarding or social care professionals, Providers of probation services, Specialist domestic abuse advisers/ Independent Domestic Violence Advisers (IDVAs), Specialist non-statutory support services (for example refuge support staff)

If you selected other please add your response here::

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

Yes

If you chose Yes or No, please explain your answer.:

20 Do you agree that family, civil and criminal courts should be able to make Domestic Abuse Protection Orders of their own volition during the course of any proceedings.

Yes

If you selected Yes or No, please explain your answer:

Because sometimes the victim still doesn't recognise DA is the issue.

21 Do you agree that courts should be able to impose positive requirements as well as prohibitions as part of the conditions attached to the proposed order?

Yes

If you selected Yes or No, please explain your answer:

22 Do you agree that courts should be able to require individuals subject to a domestic abuse protection order to notify personal details to the police?

Yes

If you selected Yes or No, please explain your answer::

Domestic abuse can span many years. The perpetrator may abuse someone else, it is vital that previous behaviour is acknowledged and that the incident isn't a 'one off'.

23 If you selected 'Yes' to question 22 what personal details should the courts be able to require individuals to provide to the police? Select all that apply.

Name/change of name, Home address/change of home address, Change of circumstances relating to household - including where a new child is born or otherwise joins the household, Details of child arrangements orders for where and with whom a child is to live and with whom a child is to spend time or otherwise have contact.

If you selected other please add your response here::

24 Do you agree that breach of the proposed order should be a criminal offence?

Yes

If you selected Yes or No, please explain your answer:

25 If you do agree that breach of the proposed order should be a criminal offence, should it be possible for breach to alternatively be punished as a contempt of court?

Not Answered

If you selected Yes or No, please explain your answer:

26 Do you agree that courts should be given an express power to impose electronic monitoring as a condition of a Domestic Abuse Protection Order?

Not Answered

If you selected Yes or No, please explain your answer:

27 Which particular statutory safeguards relating to the use of electronic monitoring with Domestic Abuse Protection Orders should be put in place?

Please give your answer below:

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?

Please give your answer below:

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

Please give your answer below: