

### Executive summary

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1. Agenda, the alliance for women and girls at risk, welcomes the opportunity to respond to this call for evidence from the Joint Select Committee on Human Rights. The Domestic Abuse Bill is a welcome opportunity to deliver lasting positive change for women and girls who experience extensive violence and abuse, and may go on to face multiple and overlapping disadvantages throughout their lives.
2. This submission outlines the challenges facing women who experience multiple disadvantage, highlighting issues which remain unaddressed in the draft Domestic Abuse Bill, and makes recommendations to ensure the rights of this group of women are adequately protected.
3. To support survivors of abuse to move beyond their experiences and thrive we must not only be concerned with those currently facing or fleeing domestic abuse, but understand the long-term legacy of trauma, which can lead to very complicated and challenging lifetime experiences which impact on both women and their children.
4. To truly transform the response to abuse there must be substantial investment in specialist support, including a network of women's centres across the country, for women and girls with the most complex needs. Women experiencing multiple disadvantage and abuse are likely to come in to contact with a range of publicly funded services, from the health system to social services. It is imperative that staff in are properly equipped to respond to women's experiences of trauma and abuse, and that these settings are able to work in a gender and trauma-informed way.

### Women facing domestic abuse and complex needs

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5. Agenda campaigns for some of the most socially excluded and marginalised women and girls in society: those who face multiple disadvantage. Agenda research reveals one in 20 women have experienced extensive physical and sexual violence as both a child and an adult: 1.2 million women in England alone.<sup>i</sup> These women face very high rates of problems like mental ill-health, addiction, homelessness, and poverty, and are often deeply traumatised.
6. There is currently insufficient support available to this group of women, who often face multiple and overlapping problems. The challenges women face tend to be treated and responded to separately by mental health, substance use, criminal justice and housing or homelessness services. Services set up for women such as domestic and sexual abuse services often lack the capacity or appropriate skills to work with women with the highest level of need.
7. 'Mainstream' and public services, such as for homelessness or substance misuse, tend to be male-dominated and do not have the expertise to respond to the specific issues women face, in particular histories of trauma and abuse. Often they fail to recognise the legacy of trauma or understand how problems in women's lives, such as addiction, may have developed as a response to trauma. They can even make bad situations worse, with women not listened to, blamed or treated as a problem.
8. Policy makers, commissioners and service providers do not sufficiently prioritise this group. *Mapping the Maze*, a report by Agenda and AVA, found that there is significant variation in support across England and Wales for this group of women.<sup>ii</sup> There is good evidence that what works for women who have experienced abuse and face multiple disadvantage is holistic gender and trauma-informed support.<sup>iii</sup> Services which offer this, such as women's centres, are few and far between, struggle for funding and many are currently under threat.

### Recommendations for further change: strategic direction

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#### Funding and Commissioning

9. Agenda welcomed the allocation of £20m to accompany the Domestic Abuse Bill, and were particularly pleased to see £2m allocated to female offenders, who we know have particularly complex needs and extensive histories of domestic and sexual abuse.

10. We are concerned, however, that the funding allocated to this Bill is insufficient to ensure either the longevity of existing services for women facing multiple disadvantage, or appropriate levels of investment to develop further provision to meet need. This includes support for groups of women particularly poorly served such as BAME (Black, Asian, Minority Ethnic and Refugee), LGBT (Lesbian, Gay, Bisexual and Trans) women or those living with disability. As the Government has estimated, the social and economic cost for victims of domestic abuse England and Wales is approximately £66 billion in one year alone; the funding allocated alongside the Bill is insufficient to tackle a problem of this scale.<sup>iv</sup>
11. There must be properly funded and commissioned services for women facing multiple disadvantage in both rural and urban areas across England and Wales. These should be modelled around the outcomes that make a difference to women's lives, and address gaps for women facing multiple disadvantage, in particular mental health, substance use, domestic abuse and those that respond effectively to the impact of trauma. Specialist expertise, including that provided by the specialist women's voluntary sector, must be prioritised in commissioning processes.

### **Central strategic direction**

12. To support the development of a network of provision (described in points 10 and 11), a central cross-departmental funding pot must be established, drawn from the budgets of a number of government departments. This fund should promote local service redesign and incentivise local bodies to collaborate, break down silos and build better infrastructure to meet women's needs in the long-term.
13. Political leadership and a cross-government approach is needed to address the needs of women facing multiple disadvantage, violence and abuse. More must be done to ensure the needs of this group of women are recognised and considered, including ensuring that all government departments, actions plans, advisory groups and taskforces take account of the needs of this group, and all policies and services - including around mental health, criminal justice, addiction and homelessness – make reference to their role in tackling violence against women and girls (VAWG).

### **Domestic abuse Commissioner**

14. Agenda welcomes the introduction of a specific Commissioner to lead on tackling abuse, although we recommended that this role have responsibilities related to all forms of VAWG.
15. It is welcome, however, that the Commissioner will have a specific focus on the needs of victims and survivors from minority or marginalised groups, and will establish thematic leads for survivors who are BAME, LGBT, disabled or who have complex needs. This focus on a range of survivors, including the most disadvantaged women, must be clearly set out within the terms of their role and responsibilities to ensure this translates into material improvements.
16. The Commissioner must have sufficient power and resource to tackle domestic abuse. The Commissioner should have statutory powers including data collection, to undertake independent inquiries and investigations, alongside powers to intervene and hold bodies to account; assess, map and monitor provision of services against the National Statement of Expectations (NSE) on VAWG for survivors facing multiple disadvantage. This must involve reviewing the full suite of services that victim/survivors use, that includes refuge provision alongside other types of support services beyond this. The Commissioner should also play a role in promoting better commissioning practice, including addressing inconsistencies in requirements around data collection and promoting approaches that support holistic services and break down siloed funding.
17. For the role of the Commissioner to be effective, it will need to be well supported and resourced including with an advisory group, an audit and risk committee, a stakeholder group and sufficient specialist support.

### **Improving the service response**

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#### **Mental health**

18. Links between abuse and poor mental health are clear; more than half of women with mental health problems have experienced abuse.<sup>v</sup> The response provided by women presenting with mental health problems is often insufficient, however, and does not take account of these connections, as was made clear in evidence provided by peer researchers for the National Commission on Domestic and Sexual Violence and Multiple Disadvantage.<sup>vi</sup>

19. Agenda is concerned that insufficient attention has been paid in the draft Domestic Abuse Bill to the need to conduct routine enquiry in mental health settings – whereby trained staff ask service users whether they have experienced domestic violence and abuse. The Bill suggests this already takes place in maternity and mental health services, and makes no further commitments to embedding this further. The majority of mental health trusts who responded to an FOI by Agenda did not even have a policy on routine enquiry,<sup>vii</sup> despite NICE guidance recommending routine enquiry as clinical best practice.<sup>viii</sup> Robust work needs to be carried out to ensure that health providers make such enquiries, and the CQC should play a role in this.
20. In addition, women’s needs should be explicitly considered in national mental health policy and strategy, and the connections between women’s mental ill health and domestic abuse should be given more prominence in government’s work on mental health. Agenda recommends that all mental health trusts have a clinical lead for women’s mental health and a women’s mental health strategy. The Bill is an opportunity to consider and include mental health provision within the domestic abuse context. Government should consider introducing new duties on public services requiring them to ask about experiences of abuse, provide appropriate follow up support, and cooperate between agencies.

### **Children and young people**

21. We welcome commitments to support child survivors of Domestic Abuse, as well as the funding specifically allocated to this group. Agenda, among other women’s and children’s charities, is concerned, however, by a lack of meaningful measures to support children and young people affected by abuse, as well as insufficient funding allocated to provide a sustainable future for vital projects working with children. The percentage of domestic abuse services providing dedicated support to children and young people fell from 62 per cent in 2010, to 52 per cent in 2017<sup>ix</sup>, however, so this is unlikely to go far enough to address this shortfall.
22. The current children’s social care system frequently places too great a responsibility on mothers to protect their children from abusers. We would like to see a set of principles of practice on understanding and responding to VAWG for children’s services developed and incorporated into training and continuing professional development. In their current form, written agreements, which require victims to sign contracts with terms around their contact with the perpetrator, are highly problematic and should not be used.
23. The current scarcity of resources for families requiring specialist support services in the community compared against the significant increase of children being taken into care, is a grave area of concern.<sup>x</sup> Far greater levels of support are needed for women to be able to parent safely, particularly where domestic abuse, mental health and substance misuse are present. Multi-disciplinary teams should be in place in all local areas - drawing on the skills of substance misuse, mental health and domestic abuse practitioners - to work alongside children and adult social workers. Steps should be taken to develop alternatives to permanent child removal that protect the child from short term risk whilst recognising the long terms harm to both mother and child of permanent removal into care.
24. Whilst the draft bill recognises that the impact of domestic abuse on young people, and identifies the different ways in which this can be experienced, there are specific commitments to supporting young victims. An estimated 15 per cent of girls (compared to 5 per cent boys) experience some form of sexual abuse before the age of 16,<sup>xi</sup> and young women aged 16 to 19 are the group most at risk of having experienced domestic abuse in the last year.<sup>xii</sup> Far greater support that recognises the impact of trauma is needed for young people who are in abusive relationships. Sufficient funding must be made available to ensure this can be delivered in a sustainable, gender and trauma-informed way.

### **Substance use**

25. We were pleased to see Government reference learning from a recent roundtable on women’s substance use coordinated by Agenda, about the importance of multi-agency women-only provision that is commissioned collaboratively, and the need to address women’s specific needs in drug and alcohol policies. It is particularly positive to see commitments to allocate funding for training to promote greater joining-up between substance misuse and domestic abuse services; to identify gaps in the evidence base on the relationship between substance misuse and domestic abuse by

continuing to work with academia and improving the data available; and to consider the impact of alcohol on domestic abuse and develop a response as part of the department's alcohol policy work.

26. We must see further commitments, however, accompanied by sufficient funding, for the provision of gender specific and gender sensitive substance misuse treatment made universally available in all areas. This must include services that work with and support mothers in order to participate in treatment programmes and to reduce the risk of children being removed in to care as a result of drug use that is related to abuse or coping mechanisms in response to trauma.

### **Criminal justice**

27. Commitments to improve the awareness of criminal justice professionals of the connections between abuse and women's offending are welcome. Proposals to develop training for probation services and CRCs, as well as supporting the rollout of trauma-informed training for probation and prison staff, are steps in the right direction.
28. Much more could be done to embed proper recognition and support for women throughout the criminal justice system, however. The connection between women's experience of victimisation and their offending is frequently overlooked in court and when sentencing, and being a victim of domestic abuse is not sufficiently taken into account as a mitigating factor in sentencing. Agenda recommends the introduction of sentencing guidelines that make the links between experience of domestic abuse and offending explicit, alongside the Crown Prosecution Service policy that underpins this, supported by pre-sentence reports to include reference to any experiences of abuse.
29. We were disappointed to see no reference to women involved in prostitution or sexual exploitation in the draft Bill or consultation response. Responses to prostitution should be framed through a VAWG lens, providing support-based approaches to women, and steps should be taken to ensure consistency in approach across police force areas to prevent the criminalisation of women. We hope that the refreshed VAWG strategy reflects this emphasis.

### **Housing and Homelessness**

30. Agenda welcomes commitments in the Bill to ensure social tenants fleeing abuse maintain secure lifetime tenancies, as well as ongoing work at MHCLG to review the local commissioning and funding of domestic abuse services. Survivors fleeing domestic violence should automatically be classified as in "priority need" for housing, rather than the current system which requires survivors to demonstrate they meet additional vulnerability criteria.
31. The Bill and refreshed VAWG strategy provides an important opportunity to go further in explicitly recognising women and survivors of VAWG in all housing and homelessness strategies. We would like to see further steps taken to ensure that all existing provision takes account of women's needs. This includes the Rough Sleeping Strategy ensuring that local areas take account of women's needs through the provision of sufficient levels of women-only accommodation and support, and women-specific Housing First programmes rolled out nationally.

### **Training**

32. Whilst the draft Domestic Abuse bill included some promising reference to improving the skills and training of front line staff who come in to contact with women who have experienced violence and abuse, Agenda would like to see further development of gender and trauma-informed training for staff across all across publically funded services. This must be accompanied by appropriate trauma-informed support and pathways into care, alongside recording of this data to measure the true scale of the problem.

### **Welfare**

33. Welfare reform and cuts to services have had a disproportionate impact on women, leaving many more vulnerable to economic abuse and making their ability to achieve economic independence more challenging. While it is positive to see commitment in the draft Domestic Abuse Bill to establish the practicalities to delivering split payments in Universal Credit in Scotland, we remain concerned this does not go far enough soon enough to ensure no more women are put at risk by this damaging system.

### **Data collection**

34. There are a number of welcome commitments in the Bill to better collect, report and track domestic abuse data, as well as improve data collection in the criminal justice system, and at the Department for Work and Pensions around people facing complex needs including domestic abuse specifically. We want to see all relevant departmental (and arms-length body) data disaggregated by gender and other equality characteristics, including socio-economic background and support needs where possible, to enable an intersectional reading that helps build a picture of the true scale and nature of violence against women and girls.

15 February 2019

## About Agenda

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[Agenda](#), the alliance for women and girls at risk, is working to build a society where women and girls are able to live their lives free from inequality, poverty and violence. We campaign for women and girls facing abuse, poverty, poor mental health, addiction and homelessness to get the support and protection they need. We work to get systems and services transformed, to raise awareness across sectors and to promote public and political understanding of the lives of women and girls facing multiple disadvantage.

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<sup>i</sup> Scott, S. & McManus, S. 2016. (DMSS research for Agenda) [Hidden Hurt: Violence, abuse and disadvantage in the lives of women. DMSS research for Agenda.](#)

<sup>ii</sup> Agenda and AVA (2017) [Mapping the Maze: services for women experiencing multiple disadvantage in England and Wales](#)

<sup>iii</sup> Agenda and AVA (2017) [Mapping the Maze: a review of the literature](#)

<sup>iv</sup> Home Office (2019) [The economic and social costs of domestic abuse](#). Research Report 107

<sup>v</sup> Scott, S. & McManus, S. (2016) *Hidden Hurt: Violence, abuse and disadvantage in the lives of women. DMSS research for Agenda.*

<sup>vi</sup> AVA & Agenda (2019) [Hand in Hand: Survivors of Multiple Disadvantage](#). A report by Peer Researchers for the National Commission on Domestic and Sexual Violence and Multiple Disadvantage.

<sup>vii</sup> Agenda (2016) *Women's needs in mental health services: a response to an FOI*

<sup>viii</sup> NICE (2016) *NICE pathways: Domestic Violence and Abuse Overview*

<sup>ix</sup> Women's Aid (2017) *Survival and Beyond: Annual Survey*

<sup>x</sup> House of Commons Library (2018), [Findings of the Care Crisis Review](#)

<sup>xi</sup> Kelly, L. and Karsna, K. (2017) [Measuring the scale and changing nature of child sexual abuse and child sexual exploitation](#)

<sup>xii</sup> ONS (2017) [Domestic abuse in England and Wales: year ending March 2017](#)