



Home Office

Domestic Abuse Act 2021 Statutory Guidance Consultation

Government response



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Introduction and background

On 29 April 2021, the Domestic Abuse Act 2021 ('the 2021 Act') received Royal Assent. The statutory guidance will support the implementation of the definition of domestic abuse in the 2021 Act. The purpose of the guidance is to:

- provide clear information on what domestic abuse is, including its effects on adult and child victims, in order to assist with its identification;
- provide guidance and support to frontline professionals, who have responsibilities for safeguarding and supporting victims of domestic abuse; and
- convey some of the identified best practice for agency and multi-agency response and standards for commissioning responses.

Putting the definition, and the accompanying guidance, on a statutory footing aims to ensure that domestic abuse is properly and fully understood and that public agencies and relevant parties are applying a common definition in seeking to tackle this abhorrent crime type and provide support services to victims, including child victims.

The guidance is issued under section 84(2) of the 2021 Act and is aimed at statutory and non-statutory bodies working with victims and perpetrators of domestic abuse, and to those dealing with other consequences of abuse. Those exercising public functions to whom the guidance relates must have regard to it in carrying out their functions.

The public consultation on the Domestic Abuse Act 2021 Statutory Guidance began on 3 August 2021 and closed on 14 September 2021. It invited feedback from relevant stakeholders and interested parties on the draft statutory guidance ahead of the draft being finalised.

This document provides an overview of responses received, summarising the key themes which arose from the consultation responses, and how the responses informed the final statutory guidance document. Some matters raised were outside of the scope of the consultation, where possible this document refers to action the Government is taking in these areas.

Overview of responses

The public consultation received 1,013 formal consultation responses from a variety of organisations and individuals. Not all respondents answered every question. All responses have been analysed and given full consideration in the preparation of the final statutory guidance. We are grateful to everyone who took the time to respond particularly those with lived experience of abuse and who were brave in sharing their experience with us.

The majority of respondents received were from individuals. Responses were also received from service providers for forms of Violence Against Women and Girls¹ (VAWG) including specialist domestic abuse services, policing, local authorities, and community and faith groups. Consultation responses were received from all regions of England and Wales.

Table 1 below provides a breakdown of the consultation responses by type of respondent.

Table 1: Types of consultation respondent

Type of consultation respondent	Response Percent	Response Total
An individual	77%	775
An individual, as part of an organisation	8%	80
An individual, on behalf of an organisation	15%	153
Not identified		5
Total responses		1,013

Table 2 below provides a breakdown of the consultation responses by type of organisation, for those people who responded as part of or on behalf of an organisation.

Table 2: Type of organisation that responded

Type of organisation	Response Percent	Response Total
English local authorities	18%	22
Police forces	4%	5
Police and Crime Commissioners	3%	3
Prison and Probation services	1%	1
Criminal Justice System services	2%	2
Services for forms of VAWG, including any specialist domestic abuse services (including specialist services for men and boys)	26%	31
Local housing and homelessness teams, registered social landlords	3%	4

¹ The term 'violence against women and girls' refers to acts of violence or abuse that we know disproportionately affect women and girls. Crimes and behaviours covered by this term include rape and other sexual offences, domestic abuse, stalking, 'honour'-based abuse (including female genital mutilation, forced marriage, and 'honour' killings), as well as many others, including offences committed online. While the term 'violence against women and girls' is used this refers to all victims of these offences.

Early years, childcare, schools, colleges and higher education settings	3%	3
Children's social care providers	1%	1
Adult social care providers	3%	3
Clinical Commissioning Groups	2%	2
NHS Trusts and NHS Foundation Trusts	3%	3
Community and faith groups	10%	12
Other	23%	28
Not identified		893
Total responses		1,013

Table 3 below provides a breakdown of the consultation responses by type of consultation respondent and by region where the individual or the organisation is based.

Table 3: Responses by type of consultation respondent and by region where the individual or the organisation is based

Regions	Individual (%)	Individual (responses)	An individual, as part of an organisation (%)	An individual, as part of an organisation (responses)	An individual, on behalf of an organisation (%)	An individual, on behalf of an organisation (responses)	Total responses (%)	Total responses
North East	5%	31	2%	1	2%	1	4%	33
North West	11%	66	11%	6	7%	4	10%	76
Yorkshire and The Humber	6%	39	5%	3	8%	5	6%	47
East Midlands	3%	20	4%	2	3%	2	3%	24
West Midlands	8%	49	4%	2	7%	4	7%	55
East of England	7%	45	5%	3	8%	5	7%	53
London	19%	118	16%	9	17%	10	19%	137
South East	19%	115	14%	8	5%	3	17%	127
South West	13%	81	19%	11	8%	5	13%	97
Wales	5%	33	4%	2	3%	2	5%	37
National	4%	23	18%	10	32%	19	7%	52
Not identified		155		23		93		275
Total responses		775		80		153		1,013

The remainder of the document provides a summary of the consultation responses received. It does not attempt to capture every point made, nor does it cover comments on aspects of policy that fall outside the scope of the consultation. This document summarises changes the Government has made to the statutory guidance, following careful consideration of the points raised in the consultation.

Key Questions

The consultation sought qualitative feedback on the statutory guidance. This feedback was used to inform and update the statutory guidance. A total of 15 questions were put forward as part of the consultation. Questions 1-6 were about the consultee and are summarised in the 'Overview of responses'. Questions 7-15 were about the draft statutory guidance and were designed to be open-ended to solicit information on content and clarity; these are set out as follows:

- Q7. Do you have any comments on Chapter 1 ('Objectives') in terms of content or clarity? Please enter 'No' if you do not have an opinion.
- Q8. Do you have any comments on Chapter 2 ('Understanding Domestic Abuse') in terms of content or clarity? Please enter 'No' if you do not have an opinion.
- Q9. Do you have any comments on Chapter 3 ('Impact on Victims') in terms of content or clarity? Please enter 'No' if you do not have an opinion.
- Q10. Do you have any comments on Chapter 4 ('Agency Response to Domestic Abuse') in terms of content or clarity? Please enter 'No' if you do not have an opinion.
- Q11. Do you have any comments on Chapter 5 ('Working Together to Tackle Domestic Abuse') in terms of content or clarity? Please enter 'No' if you do not have an opinion.
- Q12. Do you have any comments on Chapter 6 ('Commissioning Response to Domestic Abuse') in terms of content or clarity? Please enter 'No' if you do not have an opinion.
- Q13. Are there any overarching ways you think the guidance could be improved? Please provide comments. Please enter 'No' if you do not have an opinion.
- Q14. Do you think the case studies are helpful? If there are any case studies which you did not find helpful, please provide additional comments ensuring you refer to the case study to which your comment relates.
- Q15. Is there anything missing in the guidance that you would like to see included? Please enter 'No' if you do not have an opinion.

Respondents did not have to answer all of the above questions.

Key themes and issues

1,013 formal consultation responses² were received both from individuals and organisations. Responses were carefully reviewed and categorised under key themes and issues to allow for a thematic analysis. The recurring and most pertinent issues raised in the consultation pertained to the below outlined areas.

Description of abusive behaviours
Impact on victims, including children
Agency and multi-agency responses
Addressing the behaviour of perpetrators
Commissioning and funding

We have also included an explanation of specific feedback provided about the tone and language of the guidance and the case studies presented.

Description of abusive behaviours

- As required under section 84(2) of the Domestic Abuse Act 2021 ('the 2021 Act'), the draft statutory guidance had a focus on providing guidance as to the types of behaviours that amount to domestic abuse. As a result, many of the consultation responses submitted considered how forms of abuse and associated behaviours were described.** Overall responses to the consultation welcomed that a wide range of abuses were acknowledged in the 2021 Act and detailed in the guidance. Responses reflected, however, on the need to provide greater clarity and detail on some of the abusive behaviours. This included seeking: clarity on the legislative changes, more reference to the fact that abuse can continue post-separation, and where appropriate making links between different behaviours and the relationship contexts for abuse.
- These sections of the guidance have been reviewed and further clarification has been provided where possible, taking into account the responses received.** This includes in some cases amending or adding to the examples provided of behaviours that could indicate domestic abuse. For instance, further examples have been listed to illustrate what economic abuse could involve and convey what could constitute threatening behaviour. It has also been made clearer that where controlling or coercive behaviour meets the definition under section 76 of the Serious Crime Act 2015 it may amount to a criminal offence and that non-fatal strangulation³ can be a form of physical and sexual abuse. More emphasis has been placed on how 'honour'-based abuse,

² The summary data refers to all consultation responses received by email to the consultation mailbox or via Smart Survey that provided sufficient data about the consultee, responded to at least one consultation question about the statutory guidance and was submitted on time (i.e. before the deadline for response where no extension was agreed prior to the deadline). However, all consultation responses received were reviewed.

³ The criminal offence of non-fatal strangulation under section 70 of the 2021 Act.

forced marriage and female genital mutilation (FGM) relate to each other and more detail has been provided to explain how abuse can be facilitated by technology. In relation to controlling or coercive behaviour, the extension of the offence to include post-separation abuse, is expected to come into effect later this year and the statutory guidance for the offence will be updated. With respect to abuse facilitated by technology, we expect the Online Harms Bill to drive forward change to ensure that those perpetrating forms of VAWG online are held to account for their crimes.

Alienating behaviours

3. **An overwhelming number of consultation responses referred specifically to the matter of ‘alienating behaviours’, almost all putting forward views on either its inclusion or exclusion from the statutory guidance.** There is no official or commonly accepted definition of parental alienation. Cafcass defines it as when a ‘child’s resistance or hostility toward a parent is not justified and is the result of psychological manipulation by the other parent’. Many individuals and a wide range of bodies made representations on this issue.
4. **Responses relating to removing reference in the guidance to parental alienation and alienating behaviours raised issue with the concept of ‘parental alienation’.** Responses highlighted that ‘parental alienation’ and the related ‘alienating behaviours’ are widely contested terms. There is a growing body of evidence about false allegations and the impact that the fear of false allegations can have.⁴ It is argued that academic theories on the existence and prevalence of parental alienation should not be accepted without analysis of the impact on survivors of domestic abuse and their children. It was also highlighted that research indicates fears of such counter allegations have prevented survivors from disclosing domestic abuse to the court and accessing support services.
5. **Responses relating to parental alienation and alienating behaviours expressed that the behaviour is abusive, largely due to the potential impacts.** Some respondents suggested that parental alienation falls within the scope of the definition of domestic abuse, both as a means of abusing the parent and in relation to the child as a victim. The wide concern from proponents is that there is no or little available recourse for parents who are alienated from their child, that the behaviours are occurring with parents and professionals involved often unable to act. The effects of alienation were frequently cited by those in favour of its inclusion in the guidance as including significant trauma to both the adult and child. It was suggested that removing reference to alienating behaviours from the draft guidance could be perceived as legitimising this behaviour.
6. **The consultation responses highlighted a lack of shared understanding of ‘parental alienation’ - its definition and implications, and how to approach it in practice.** Therefore, explicit references to ‘parental alienation’ and ‘alienating behaviours’ have not been made in the finalised draft. The statutory guidance recognises that there are a range of ways that perpetrators may seek to emotionally or psychologically abuse a victim or control or coerce them, such as by isolating them and belittling them, including in front of third parties, and using children to exert control. In parallel the guidance recognises children as victims of domestic abuse in their own right and the scope for abuse to continue post-separation. With respect to such behaviours, it is noted that they are unlikely to exist in isolation. Instead, they are more

⁴ Cascade. [Review of research and case law on parental alienation](#), Commissioned by Cafcass Cymru: 2018.

likely to indicate a wider pattern of behaviour by the perpetrator. The draft Controlling or Coercive Behaviour statutory guidance outlines the impact of such behaviour on children in parental and familial relationships, as well as young people's intimate relationships. It also recognises how children can be used by a perpetrator to control a victim or make it harder for them to leave an abusive relationship. The guidance will support agencies in identifying and responding to controlling or coercive behaviour and reducing risk to victims, including children.

7. **This approach to finalising the guidance reflects findings from '[Assessing Risk of Harm to Children and Parents in Private Law Children Cases' Report \(June 2020\)](#), often referred to as the Harm Panel Report.** Research focussed on the experiences of children and parents in private law children's proceedings. The Report found that there was a 'pro-contact culture' within the family courts. One of the recommendations was that the presumption of parental involvement be reviewed. The review was announced in November 2020 and is focusing on the application of the presumption and the statutory exception in cases where there is evidence to suggest that parental involvement will put the child at risk of harm. The Report recommended establishing a national monitoring team within the office of the Domestic Abuse Commissioner to maintain oversight of and report regularly on the family courts' performance in protecting children and victims from domestic abuse and other risks of harm in private law children's proceedings.⁵
8. **In June 2020, the Ministry of Justice published its Implementation Plan⁶, which sets out the Government's commitments in response to the Panel's recommendations.** These commitments included the review of the presumption of parental involvement in family courts, and the establishment of a mechanism for monitoring cases in the family court that feature domestic abuse. In addition, they included the delivery of legislative change through the 2021 Act, the development of the Integrated Domestic Abuse Court Pilot, a review of Domestic Abuse Perpetrator Programmes, and work on the fees charged by police to disclose evidence. The Government, together with partners across the family justice system, are continuing work to deliver on these commitments made in response to the Harm Panel Report and are working closely with the domestic abuse sector to ensure survivor voices remain central to reform.

Abuse relating to faith

9. **Responses about abuse relating to faith put forward the risks that exist where belief systems are used to control or subjugate a victim.** The responses to the consultation conveyed that there is broad support for giving mention to this issue. The guidance has been updated to clarify that domestic abuse can occur in relation to, and through using, an individual's faith and belief system, and that this can occur where a perpetrator who is personally connected to the victim engages in behaviour that would constitute domestic abuse. The guidance indicates that such behaviours may for example be understood as emotional or psychological abuse or be part of a systematic pattern of controlling or coercive behaviour. Responses provided helpful feedback towards clarifying behaviours that can arise in this context. Some points raised, however, focused on scenarios where the victim and perpetrator would not be defined as "personally connected" and therefore were beyond the scope of this guidance. Most respondents who addressed this issue welcomed that withholding a religious divorce

⁵ Ministry of Justice. [Assessing Risk of Harm to Children and Parents in Private Law Children Cases - Final report](#): 2020

⁶ Ministry of Justice. [Assessing Risk of Harm to Children and Parents in Private Law Children Cases – Implementation Plan](#): 2020.

was an example of abuse relating to faith. Concerns were raised about individuals being coerced to remain in a marriage and this is reflected in the finalised statutory guidance.

Impact on victims, including children

10. **The document also has a focus on providing guidance on the effects of domestic abuse, particularly on children as required by section 84(2) of the 2021 Act. The impact of domestic abuse on victims was consistently raised in the consultation. This was in relation to the impact on specific groups and in terms of highlighting severity and the need for victims to be able to access the appropriate services when needed.** Respondents emphasised the profound and long-term effects of domestic abuse, including the impact of abuse on both mental and physical health, and, as experienced by victims, during the relationship and after it had ended. Feedback referred to the potentially life limiting nature of domestic abuse and calls were made for recognition to be given to suicide and the suicide rates amongst victims. Many responses subsequently indicated the need for better training for organisations to support early intervention and providing support to victims (explored further under 'Agency and multi-agency responses to domestic abuse'). Barriers to accessing services and lack of available specialist services in local areas were also raised as concerns. This was also raised as part of expressing concern about the experiences of different groups:
 11. **Migrant victims** – are at risk of abuse that exploits their immigration status and vulnerabilities and face significant barriers to accessing help. Responses highlighted that information sharing between the police and immigration services may have a deterrent effect.
 12. **Disabled victims** – face significant barriers to accessing justice and support services, including when these are not designed to meet their needs.
 13. **Elderly victims** – are underrepresented in official figures and that it should be highlighted that anyone can experience domestic abuse. Older people can be susceptible to specific risks, particularly where they also have disabilities, which may compound their vulnerability.
 14. **LGBT victims** – should not be treated as a homogenous group, more information should be provided on the different experiences of LGBT individuals.
 15. **Victims from ethnic minorities** – should also not be treated as a homogenous group. It was also said that there are legitimate concerns about racism and fear of racial stereotyping and that black and Asian women may be disproportionately impacted by 'honour'-based abuse. Some responses called for the provision of 'by and for' services for ethnic minority communities, in an effort to recognise their individual lived experiences of abuse and help address the barriers which prevent victims from seeking help.
 16. **Male victims** – are often disbelieved and dismissed when attempting to report domestic abuse, for example to the police, as they are stereotyped as the perpetrator of the abuse. Responses warned against reinforcing stereotypes and argued for gender neutral language and approaches to commissioning services. The guidance sets out that anyone can be a victim of domestic abuse, including men and boys and the particular barriers and impacts that male victims of domestic abuse may experience. In May 2022, the Home Office published a Supporting Male Victims document updating the 2019 'Position statement on male victims of crimes considered in the cross-Government strategy on ending VAWG.

17. **In the guidance further detail has been included about the effects on victims, including children. Detail has been added on suicide and suicide ideation** as a specific impact. Updates have also been made to provide data around prevalence for victims with different characteristics, where this is held and published, and to highlight specific risks that may exist in relation to certain characteristics or behaviours that may be adopted by perpetrators to victims with those characteristics.
18. **As part of a wider package of support for all victims of crime, including those of domestic abuse, the Ministry of Justice consulted on a new Victims Bill.** The Victims Bill will be a critical part of our plan to amplify victims' voices in the criminal justice process, strengthen accountability of criminal justice agencies and improve support for victims, including through ensuring criminals pay more towards it. For victims of domestic abuse, the consultation asked about provision of community-based services and about strengthening support available from Independent Domestic Violence Advisors (IDVAs) and Independent Sexual Violence Advisors (ISVAs). It also asked about what works for effective commissioning and coordination of community-based support services to understand how to improve pathways between services and ensure the right services are available to meet victims' needs. The consultation also sought views on how formalised collaboration structures and defined roles and responsibilities can help to improve service provision for all victims of crime. Feedback from the consultation will inform the provisions of the upcoming Bill.

Children as victims of domestic abuse

19. **Consultation feedback welcomed the recognition of children as victims of domestic abuse in section 3 of the 2021 Act. Some respondents raised that further information should be provided to clarify expectations around identifying child victims and the application of specialist interventions in relation to children.** Feedback also highlighted that further clarification is needed about how the Children Act 2004, and other related legislation, should apply. It was highlighted that the guidance could have greater emphasis on prevention and early identification of harmful behaviours through education to help children develop an understanding of healthy relationships and what may constitute abusive behaviour.
20. **Further information has been included in the guidance about children as victims, including on response, and early intervention measures, in social care and education settings. A specific section has also been added on multi-agency working to safeguard children.** The finalised guidance makes clearer that existing safeguarding risk assessment, referral processes, and procedures should be followed and that the statutory guidance 'Working Together to Safeguard Children' sets out the expectations for inter-agency working to safeguard and promote the welfare of children and specific duties under the Children Acts of 1989 and 2004 and Children and Social Work Act 2017. This guidance is expected to be updated later this year. Specific information will be provided to police forces, and for the reference of those working with police forces by the National Police Chiefs' Council and the College of Policing working with the Home Office.

Agency and multi-agency responses to domestic abuse

21. **Consultation feedback highlighted some cross-cutting issues about how organisations respond to domestic abuse. Issues raised included bias, victim-stereotyping, a lack of knowledge and understanding of victim experiences, and**

in some cases concerns about the adequacy of organisational processes in place. There was strong feeling that there should be mandatory training in place for professionals who work with victims and perpetrators and deal with certain consequences of domestic abuse, and that consideration should be given to consistent training standards. There was support for the different multi-agency approaches such as Multi-Agency Risk Assessment Conferences (MARAC), Multi-Agency Public Protection Arrangements (MAPPA), Multi-agency Safeguarding Hubs (MASH). A few responses raised concerns about over-reliance on some of these forums and resources and the focus on high-risk cases. Some respondents wanted to see greater deployment of Independent Domestic Violence Advisors (IDVAs), including co-locating them within other services. Many responses wanted to see greater accountability for different services and clearer, more transparent systems of accountability.

- 22. The guidance framework encourages best practice, as well as articulates statutory duties and responsibilities for services and signposts further relevant sources of information or support.** In finalising the guidance, the document has been updated to signpost more sector specific information, where this is relevant to help improve the consistency and efficiency of responses to domestic abuse. In addition, further detail has been incorporated on the multi-agency approaches. We remain committed to collaborating with partners to understand and to facilitate what works. The Home Office is investing £3 million to better understand what works to prevent VAWG – investing in high quality, evidence-informed prevention projects, including in schools, aiming to educate and inform children and young people about healthy relationships, violent and abusive behaviour and the consequences of abuse.

Courts and Crown Prosecution Service

- 23. Feedback on the courts and the Crown Prosecution Service focussed on improving their processes. Several responses called for strengthening domestic abuse training, guidance and judicial directions.** Some respondents highlighted examples of good practice, such as the introduction of special measures to protect victims who are defendants in criminal proceedings and London’s Specialist Domestic Abuse Court. The key concerns about process were about a lack of transparency, delays in accessing justice (exacerbated by the Covid-19 pandemic) and the re-traumatisation experienced by some victims because of the handling of their case. It was proposed by numerous respondents that data sharing practices between civil, criminal, and family courts could be improved, and that data could be made available to other agencies to allow for a more holistic understanding of cases. Respondents also commented on the difficulty in accessing legal aid, suggesting that this should be addressed in the guidance.
- 24. The guidance has been updated to further detail the special measures that are, or will be, introduced under the 2021 Act in criminal, family and civil proceedings to strengthen protections for victims. With regards to data sharing practices, in 2021 amendments were made to the Criminal Procedure Rules, these imposed a duty on parties to criminal proceedings, to alert the criminal court to any related family proceedings** and encourage the exchange of relevant information with a court dealing with those proceedings. In response to the issue of perpetrators using the family courts as a means to continue their abuse, the 2021 Act clarifies the availability of section 91(14) orders in the family courts to further protect victims of domestic abuse. The Government provides separate information on legal aid. The Ministry of Justice is currently carrying out a review of the means test. The review is planned to be published shortly. It will assess the effectiveness with which the means tests protect

access to justice. As part of this review, the experiences of victims of domestic abuse are being considered.

Policing

- 25. Consultation feedback on police responses to domestic abuse focussed on police conduct and expressed concern about inconsistencies.** Many responses considered how police actions could put victims at greater risk of harm and felt that discriminatory attitudes are conducive to a victim blaming culture which dissuades victims from continuing with prosecutions, or even reporting abuse. Respondents noted that more training on legal powers, tools, initiatives, and guidance for the police should be made mandatory to ensure greater understanding, consistency and to ultimately better protect victims. Respondents raised that police data recording and sharing practices could be improved through a centrally held data sharing system. It was noted that limitations in data sharing may lead to repeat victimisation or perpetrators not being identified proactively.
- 26. The statutory guidance emphasises the rights of victims under the Code of Practice for Victims of Crime ('The Victims' Code').** The guidance makes clear that the police are expected to follow relevant safeguarding procedures and it promotes taking a trauma-informed and trauma-responsive approach. The College of Policing is in the process of updating its guidance and training on domestic abuse. This guidance developed by the College for forces and sets out the principles and standards for officers in investigating domestic abuse. The Domestic Abuse Act 2021 Statutory Guidance has been updated to refer to both the governing and commissioning role of Police and Crime Commissioners. It outlines that Police and Crime Commissioners should consider how they work with other partners to provide an efficient and effective criminal justice system for their local areas, including in relation to domestic abuse related crime and incidents, to support prevention, early intervention and the provision of services in their local areas.

Local Authorities

- 27. Some consultation responses commented on inconsistencies with service provision within local authority areas and indicated that greater co-ordination is needed, for example, in relation to data-sharing.** These responses commented on inconsistencies in what support was being provided across the country and the quality of the support services. It was raised that clearer systems of accountability, and mechanisms for identifying and addressing discrepancies, could help ensure that the right services are being provided.
- 28. The guidance places an emphasis on collaboration and recognises the need for local authorities to work with different organisations and agencies in their areas to develop joined-up early interventions and services** based on a clear understanding of local needs. The Domestic Abuse Commissioner is carrying out a national mapping exercise to understand the provision of domestic abuse services across England and Wales.

Jobcentres

- 29. Comments provided in relation to jobcentres and their staff focussed on the current measures in place and questioned whether they were adequate in helping victims to access welfare support.** Concerns were raised about the

requirement to disclose domestic abuse to jobcentre staff to access support. Respondents highlighted that this may act as a significant barrier for those accessing support, and questioned what training is provided to jobcentre staff in handling disclosures.

30. **The statutory guidance outlines the measures available at Jobcentres to support victims of domestic abuse. Each jobcentre is assigned domestic abuse points of contact who have undergone training to support the needs of anyone experiencing domestic abuse.** Other measures available include: advance payments, dual housing costs support, support for making a new claim to Universal Credit, and for making split Universal Credit payments on request. By default, Universal Credit is a single monthly payment, whereby if a claimant is cohabiting with a partner, they will need to make a joint universal credit claim as a household. In exceptional circumstances, payment of Universal Credit can be divided between two members of a household. No information about why the split payment request has been granted is given to the perpetrator. Domestic abuse points of contact within jobcentres are expected to work closely with local services to share knowledge and signpost victims to additional, external support. All staff within jobcentres undertake learning to support customers. Work Coaches and child maintenance staff receive mandatory training, developed with input from domestic abuse charities, on recognising the signs of abuse. Each claimant can be assigned to a single Work Coach, with the aim to help build a trusting relationship, and private rooms are available for use in almost all Jobcentres so individuals can discuss sensitive issues with their Work Coaches in confidence. Department of Work and Pensions (DWP) Domestic Abuse Points of Contact provide support in jobcentres for staff and the National Employer and Partnership Team provide masterclasses and information on a regular basis. Jobcentres now have an Advanced Customer Support Senior Leader in all districts across the UK who acts as a point of escalation to support agents with complex cases.

Education

31. **Several consultation responses welcomed compulsory Relationships, Health and Sex Education (RSHE). However, some consultation feedback highlighted that education in sexual and reproductive health should be more expansive to help children identify when they are a victim or identify the problems and effects of their own potentially harmful behaviour.** It was also raised that all educational material should be made accessible for disabled and special educational needs (SEND) students who may have a limited awareness of domestic abuse, putting them at greater risk. Some responses highlighted teachers should be trained in delivering domestic abuse education, and in more practical areas, such as recognising and responding to disclosures. Furthermore, there were concerns raised over how RSHE was going to be enforced and promoted in religious and unregistered schools.
32. **The guidance signposts the RSHE and makes clear the obligation for schools to have regard to it. The guidance sets out that where schools depart from parts of the guidance that is directive in what they should or should not do, they will need to have good reason for doing so.** Since September 2020, RSHE has been mandatory in all schools. The Government has developed a package of support to help teachers deliver the curriculum confidently to ensure young people understand the importance of healthy relationships. This includes teacher training modules, implementation guidance and teacher training sessions.⁷ Also, in response to the

⁷ Ofsted. [Review of sexual abuse in schools and colleges](#): 2021.

Ofsted review of sexual abuse in schools, the Department for Education are developing further non-statutory guidance and running webinars and regional events for teachers. The Government will make sure that teachers of vulnerable pupils, such as those with special educational needs and disabilities, and those in care or in need, have the right support to deliver the curriculum. A RSHE teacher training module has been produced to support delivery of the curriculum to pupils with SEND together with webinars for teachers to ensure they understand how to differentiate the curriculum appropriately.

Employers

33. **Consultation responses commenting on the role of the employer were received broadly positively, as it was felt that the guidance rightly recognises that employers have a part to play in supporting victims of domestic abuse.** Other feedback detailed that this section of the guidance could be more expansive, for example referencing employers' legal duties in relation to victims of domestic abuse and providing details about what policies organisations should have in place.
34. **The guidance signposts a range of support and tools available to employers in developing their policies and supporting victims of domestic abuse.** This approach aims to recognise the need for policies to be appropriately tailored and emphasises that, as best practice, policies on the approach to domestic abuse within workforces should include: signposting to specialist services, the practical support on offer, any education and training and the approach to perpetrators in the workplace. The guidance also makes clear that employers have legal obligations to ensure as far as reasonably practical the health, safety and welfare at work of their employees. The Department for Business, Energy, and Industrial Strategy (BEIS) has undertaken a review of workplace support for victims of domestic abuse which has highlighted the importance of having flexibility at work for those experiencing domestic abuse. BEIS have consulted on proposals to reform flexible working regulations with a view to making flexible working the default unless employers have good reasons not to. Feedback to this consultation is currently being analysed with a response to the consultation to be provided in due course. By making it easier for everyone to access flexible working, we hope to help those who may need it most, for example, victims of domestic abuse. BEIS and the DWP will also be monitoring the levels of interest and sign up from employers to the Employers Domestic Abuse Covenant (EDAC) and the Employers' Initiative on Domestic Abuse (EIDA).

Health and social care

35. **Consultation feedback on health responses focussed on mandatory training for health care professionals to ensure they respond appropriately and effectively in cases where a patient may be a victim of domestic abuse.** Feedback expressed that this section would be strengthened by detailing specific best practice, for example, regarding routine enquiries in health services and protocols to identify different types of abuse. Almost all representations about social services focused on adequate training for social care staff as key contacts in many domestic abuse cases.
36. **The statutory guidance has been updated to reflect the structural changes being brought in by the Health and Care Act 2022. The legislation will create Integrated Care Systems across England which will allocate resources and coordinate services.** It will also introduce Integrated Care Boards and Integrated Care Partnerships. The guidance sets out that Integrated Care Board senior leadership will have statutory safeguarding responsibilities and be subject to a statutory requirement

to contribute to needs assessment for safe accommodation. Integrated Care Partnerships will have a statutory responsibility to develop a plan covering health, public health and social care needs, to address the needs identified in the Joint Strategic Needs Assessment which should cover domestic abuse. The Department of Health and Social Care (DHSC) has published an online domestic abuse resource for health professionals and has developed e-learning and training modules with the Institute of Health Professionals and the Royal Colleges of Nursing and GPs. The National Institute for Health and Care Excellence published its Quality Standard for Domestic Abuse, the purpose of this is to ensure all healthcare professionals are adequately trained to provide an appropriate and consistent response to domestic abuse disclosures. All NHS staff must undertake mandatory safeguarding training which includes focus on domestic abuse.

37. **Approaches to training in healthcare services are increasingly becoming trauma-informed, including mental health, community care and sexual assault and abuse services.** Work is ongoing to build on this and to ensure trauma-informed practice is embedded across healthcare settings. DHSC are working with NHS England and NHS Improvement to develop guidance for Integrated Care Boards and Integrated Care Partnerships on evidence-based approaches to violence and abuse. As part of this, they will explore how local domestic abuse data collection can better inform place-based provisions for victim and perpetrators of domestic abuse (for use at the local domestic abuse partnership boards and consideration of the NHS input into local domestic abuse strategies). The guidance highlights the primary relevant legislation for adult and child social care services, such as the Care Act 2014 and the Children and Social Work Act 2017 and the regulation of social care through Social Work England including the setting of professional standards for social workers.

Housing

38. **Respondents who raised issues relating to housing commented on inefficiencies and lack of accessibility within the current emergency housing system.** Some contributions noted that to enhance the guidance, this section should detail the different types of housing needs, what is available and explain local authorities' duties. Some responses emphasised that a statutory duty should be placed on local authorities to have a minimum requirement of refuge spaces in each authority area to ensure they are being equally considered and provided with adequate safe housing.
39. **The guidance sets out some of the different forms of accommodation that may be available to victims with a particular focus on the measures in place to address homelessness and priority need. It has been updated to reflect, and signpost, Part 4 of the 2021 Act which places a duty on local authorities to provide suitable and safe accommodation for all domestic abuse victims and sets out the appropriate quality standards of what constitutes suitable accommodation.** This duty and its reference in the guidance indicates the emphasis on local authorities to understand the needs and demands in their respective areas. From July 2021, the 2021 Act has given those who are homeless, due to being a victim of domestic abuse, priority need for accommodation secured by the local authority. This will help to ensure victims do not remain with an abuser for fear of becoming homeless.

Addressing the behaviour of perpetrators

40. **Several responses called for more detail about effective perpetrator management and behaviour change interventions. It was expressed that effective approaches would include consideration of the variety of perpetrators in their design, what interventions may be associated with different offending behaviour, and the family context.** Feedback highlighted that the tactics of perpetrators can be sophisticated and nuanced, and that recognition ought to be given to this and how to address this through perpetrator services. It was fed back that perpetrator services should be available in all areas and indicated that, in general, better understanding and awareness of perpetrator motives is needed.
41. **The guidance provides information about responses through Multi-agency Risk Assessment Conferences, Multi-Agency Public Protection Arrangements, Perpetrator Panels, Perpetrator Programmes, and other behaviour change interventions.** The document has been updated to reflect that it has a focus on support for victims however it brings together some of the information available on addressing the behaviour of perpetrators. We have published, through the Tackling Domestic Abuse Plan, the strategy for the prosecution and management of domestic abuse perpetrators, this strategy includes empowering local areas to develop local perpetrator strategies and supporting the rollout of a toolkit to support needs assessments and commissioning. We recognise that we still do not have enough evidence on what works to prevent offending, including knowledge on the causes, drivers, and risk factors associated with perpetrators' behaviour. We also need to know more about what happens when domestic abuse continues over a period time and whether the harm caused increases as a result. Therefore, we intend to expand and evaluate interventions such as the Drive Project and other perpetrator programmes, in addition to conducting further research on abusers.

Commissioning and funding

42. **Respondents called for the relevant commissioning authorities to prioritise investment in responding to domestic abuse, including more commitment towards commissioning specialist voluntary and community-based support.** In addition, responses expressed that more detailed guidance on this topic would be beneficial for example on procurement and how organisations of different sizes can be supported through commissioning processes. In relation to funding, it was expressed that services should be funded in line with increased demands, and that funding could also be prioritised towards IT capacity (to support data sharing for example), to victim support (such as specialist services and IDVAs) and funding for multi-agency structures (such as Multi-Agency Tasking and Coordination processes).
43. **The document now signposts that information about commissioning is included within the recently refreshed VAWG National Statement of Expectations and the VAWG Commissioning Toolkit which underpins the Statement.** These documents provide clear and consistent guidance for local areas on how to commission all forms of victim support services to ensure the response to VAWG crimes is as collaborative, robust and effective as it can be.
44. **Funding was largely outside of the scope of the guidance and consultation, however the Tackling Domestic Abuse Plan, published in March this year, announced an investment of over £230 million to tackling this abuse.** This

includes over £140 million for supporting victims and over £81 million for addressing the behaviour of perpetrators. In recognition of how important support services are, the Ministry of Justice have committed to ringfencing £47.1 million over three years for community-based services and the number of Independent Domestic Violence Advisers and Independent Sexual Violence Advisers will increase to over 1,000.

Tone, language and approach

45. **Responses also considered the tone, language and overall approach of the guidance.** It was felt that the guidance could be more directive to those individuals and agencies exercising public functions and be clearer in its objectives and audience. Some responses expressed that further consideration should be given to applying language that avoids putting the onus on the victim but rather holds perpetrators firmly to account. Comments were also made for consideration to be given to the language used in relation to children; for example, where children engage in abusive behaviour and the potential negative consequences in referring to children as ‘perpetrators’. The opening information in the guidance has been updated to provide further clarity on who the guidance is aimed at and its application to Wales. It has also been reviewed to more clearly articulate the objectives of the guidance and what each chapter covers. Consideration has been given as to where language can be strengthened to convey expectations. The guidance makes more reference to the need to hold perpetrators to account and further reference to the legal duty for persons exercising public functions, to whom guidance issued relates, to have regard to the guidance in the exercise of the functions. The language relating to children and young people has been updated to ensure consideration is given to what responses are appropriate for this age group.
46. **It was also advocated by some that the guidance ought to take a gender-informed approach throughout and by others that a gender-neutral approach is required, giving due recognition to male victims of domestic abuse.** In line with the requirement under section 84(3) of the 2021 Act, the guidance seeks to take into account, so far as is relevant, that the majority of victims of domestic abuse in England and Wales are female. The Crime Survey for England and Wales for the year ending March 2020 estimated that 1.6 million females and 757,000 males aged 16 to 74 years experienced domestic abuse in the previous year. According to the survey, around one in four women aged 16 to 74 had been a victim of domestic abuse in their lifetime. The majority of domestic homicide victims are also women. Survey data for the year ending March 2018 to 2020 showed that 276 women were killed in domestic homicides, and in 97% of cases the suspect was male. Data and evidence in the guidance has been reviewed with more data incorporated to provide further insight, for example, about the different characteristics of victims and the different experiences that victims may have. The guidance makes clearer that domestic abuse is a hidden crime, recognising that it is underreported. It notes that professionals should be aware that for male victims there may be concerns about not being believed and within some ethnic minority communities there may be language and cultural barriers to reporting. Moreover, the guidance highlights specific concerns about racial stereotyping. It encourages frontline professionals and practitioners to consider how to respond appropriately in all cases and to be aware of the different experiences and needs of victims. It reiterates that domestic abuse can affect anyone, regardless of age, disability, gender identity, gender reassignment, race, religion or belief, sex, or sexual orientation.

Case studies

47. **Whilst 45% of Smart Survey respondents had no opinion or did not state whether they found the case studies useful, the majority who did express an opinion (30% of respondents), said they did find the case studies useful.**⁸ The positive feedback received on the case studies detailed that they provided a greater understanding of certain issues and the application of different processes. Respondents did raise that most of the case studies portrayed women as victims and men as perpetrators of domestic abuse. Whilst this reflects the gendered nature of domestic abuse, in finalising the guidance, a further case study has been provided detailing the experience of an elderly male victim of intimate partner abuse and the response and support provided by the involved services.

⁸ These figures are representative of the 704 complete responses submitted to the consultation using the Smart Survey made available on GOV.UK.

Conclusion and next steps

The consultation highlighted areas for further consideration in subsequent updates as more evidence is collected on the different forms of abusive behaviours, on the impacts on victims and the implementation of changes to agency responses through the provisions of the 2021 Act and other reforms.

The 2021 Act and this accompanying statutory guidance forms part of the action this Government is taking to transform the response to domestic abuse and violence against women and girls. In July 2021, we published an updated cross-Government Tackling Violence Against Women and Girls Strategy, which commits to driving a step-change in the response to these crimes, with a whole system approach focusing on prioritising prevention, supporting victims and pursuing perpetrators, underpinned by a stronger system. In March 2022, we published a complementary Tackling Domestic Abuse Plan which further shifts the dial towards preventing domestic abuse from happening in the first place through early intervention, increasing our focus on tackling perpetrators of abuse to reduce reoffending and reaffirming our commitment to supporting victims. The Tackling Domestic Abuse Plan sets out the detail on the range of measures HM Government is taking to enable the whole system to operate with greater coordination and effectiveness.

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