



## Domestic Violence

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Author: Pat Strickland  
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Domestic violence accounted for 15% of all violent incidents in 2011/12. Nearly one third of women and nearly one fifth of men say they have experienced domestic abuse since the age of 16.

From March 2013, the Government has extended the cross-government definition of domestic violence to include those aged 16-17 (currently only those over 18 are included) and also to include coercive control.

There is a range of legal remedies for victims of domestic violence. These include both civil and criminal sanctions. Key ones are non-molestation orders, occupation orders and the new Domestic Violence Protection Orders (so called “go orders” which can mean that suspected perpetrators have to leave their houses). The previous Government introduced the legislation, but the present Government brought it into force and is now evaluating pilots in three areas. The Government has also introduced two new stalking offences from November 2012 and these are the subject of separate Library Standard Note 6261, [Stalking](#).

The Government published a cross-departmental strategy on ending violence towards women and girls in November 2010, and has since published an action plan and a number of follow up documents.

There have been a number of reports detailing uneven service provision for victims of domestic violence, and a study of the impact of cuts in public expenditure on services was published in February 2012.

Library Standard Note 727, [Domestic violence: A Select Bibliography](#) provides sources of further reading. Library Standard Note 3989, [Labour policy on domestic violence: 1999-2010](#) provides information on the previous government’s policy.

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# 1 What is domestic violence?

## 1.1 The Government definition

There is no statutory definition of domestic violence, and the term covers a range of behaviour, much but not all of which is criminal. Historically there have been a number of different “official” definitions. However, in 2004, the previous Government introduced a common gender-neutral non-statutory definition for use across departments. This was:

“Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of sexuality.”<sup>1</sup>

On 31 March 2013, a [new cross-Government definition](#) was introduced which has been expanded to include 16 and 17 year olds and coercive control. The cross-Government definition is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. The abuse can encompass but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

This definition includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

This definition will be implemented by March 2013. This will be overseen by the Inter-Ministerial Group on Violence Against Women and Girls.<sup>2</sup>

This followed recommendations in a 2008 Home Affairs Committee report, which is discussed in more detail in Library Standard Note 3989.<sup>3</sup> This discussed whether limiting the cross-government definition to adults was problematic, and recommended that the

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<sup>1</sup> Home Office, *Domestic Violence A National Report*, March 2005

<sup>2</sup> Home Office, *Cross-government definition of domestic violence consultation: Summary of Responses*, September 2012, p19

<sup>3</sup> House of Commons Home Affairs Committee, *Domestic violence, forced marriage and “honour-based” based violence*, HC 263 of 2007-08, May 2008, p11

Government should consider extending the definition to cover victims under the age of 18<sup>4</sup> In its July 2008 response to the Committee's report, the previous Government acknowledged the issues raised about widening the definition of domestic violence to include under 18s and said it "continued to keep the definition under review."<sup>5</sup>

On 14 December 2011, the present Government launched a consultation on extending the cross government definition of domestic violence.<sup>6</sup> In its response document published on 18 September 2012 it announced that, from March 2013, the new cross- Government definition will be used.<sup>7</sup> On 18 March 2013 the Home Office produced an [information guide](#) for local areas on the definition of domestic violence and abuse to help them prepare for the change in definition.

## 1.2 Gender-based definitions

Beyond government, definitions vary. The United Nations uses a gender-based definition:

Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life.<sup>8</sup>

In its November 2010 strategy document, [Call to end violence against women and girls](#) (discussed below) the Government said that it would be using the UN definition for all its work across government to counter violence against women:

Violence against women and girls is a gender-based crime which requires a focused and robust cross-government approach underpinned by a single agreed definition. It is for this reason that we are using the United Nations (UN) Declaration (1993) on the elimination of violence against women to guide our work across all government departments: *'Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'*. The declaration enshrines women's rights to live without the fear of violence and abuse and the United Kingdom's ratification of the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) upholds this principle. This is the first time that government has agreed to work to a single definition and we will specifically include girls in our approach.<sup>9</sup>

## 2 How big is the problem?

Domestic violence is often a hidden crime, and it is difficult to assess the scale of the problem. Measuring the extent of domestic violence is hampered by the reluctance of victims to report their experiences. The absence of a single criminal offence covering domestic violence means that there is relatively little data available directly from the criminal

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<sup>4</sup> See [The Government reply to the sixth report from the Home Affairs Committee Session 2007-08 HC 263, Domestic Violence, Forced Marriage and "Honour"-based Violence](#), Cm 7450, July 2008, p33

<sup>5</sup> [The Government reply to the sixth report from the Home Affairs Committee Session 2007-08 HC 263, Domestic Violence, Forced Marriage and "Honour"-based Violence](#), Cm 7450, July 2008, p6

<sup>6</sup> Home Office, [Cross-government definition of domestic violence consultation](#), 14 December.2011; See also Home Office press release, [Extending domestic violence protection](#), 14 December 2011

<sup>7</sup> Home Office, [Cross-government definition of domestic violence consultation: Summary of Responses](#), September 2012, p19

<sup>8</sup> Article 1, [UN Declaration of Violence Against Women](#), December 1993, A/RES/48/104

<sup>9</sup> Home Office, [Call to end violence against women and girls](#)

justice system, since the categorisations of crime in official statistics tend to reflect legal definitions.

The most reliable estimates of the extent of domestic violence in England and Wales come from the Crime Survey of England and Wales (CSEW; formerly known as the British Crime Survey). The CSEW asks people about their experience as victims. Being a household survey, it picks up more crime than the official police figures, as not all crimes are reported to the police, let alone recorded by them.

Two sets of figures are available from the CSEW: the first, collected from the survey's inception in 1981, come from the results of face-to-face interviews; the second, available from 2004/05, come from confidential self-completion modules, which respondents complete in private by responding to questions on a computer. The unwillingness of respondents to reveal experience of domestic violence to an interviewer means that the first measure significantly underestimates the extent of domestic violence.

The CSEW estimates of domestic abuse are based on a relatively broad definition covering male and female victims of partner abuse (non-sexual), family abuse (non-sexual) and sexual assault or stalking carried out by a current or former partner or other family member.

Detailed statistics on the extent of and trends in domestic abuse, based on the self completion module are published in chapter 4 of the following ONS bulletin:

[Focus on: Violent Crime and Sexual Offences, 2011/12](#), Office for National Statistics

The latest headline information is summarised below:

- 31% of women and 18% of men interviewed in 2011/12 had experienced any domestic abuse by a partner or family member since they were aged 16. These figures are equivalent to 5m female victims and 2.9m male victims.
- 7% of women and 5% of men interviewed in 2011/12 had experienced any domestic abuse by a partner or family member in the previous year. These figures are equivalent to 1.2m female victims and 0.8m male victims.
- Levels of domestic abuse experienced in the previous year have generally declined for both men and women since 2004/05. In 2004/05 there were just over 2.4m victims compared to approximately 2m in 2011/12, this is a statistically significant reduction of 18%.

### **3 Attrition**

In this context, the term “attrition” refers to the extent to which cases fail to make it through the criminal justice system and do not therefore result in criminal conviction. This is a widely recognised problem in domestic violence cases, despite a number of initiatives to reduce it.<sup>10</sup> A 2004 report by HM Inspectorate of Constabulary found that at each stage of the police investigation and prosecution process, there was a 50% reduction in the number of cases.<sup>11</sup> A 2009 review by the Association of Chief Police Officers summarised the research evidence

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<sup>10</sup> For a discussion of this see Marianne Hester, *Making it through the criminal justice system: Attrition and domestic violence*, Social Policy and Society 5(1) pp79-90, January 2006

<sup>11</sup> Her Majesty's Crown Prosecution Service Inspectorate/ Her Majesty's Inspectorate of Constabularies, *Violence at Home: A Joint Thematic Inspection of the Investigation and Prosecution of Cases Involving Domestic Violence*, February 2004

as showing that “about a quarter of incidents recorded by the police result in arrest, while only 1½-5% of incidents result in conviction.”<sup>12</sup> The police and the Crown Prosecution Service have taken steps to tackle the problem. For example, 2008 guidance issued by the National Policing Improvement Agency emphasises officers’ duty of positive action at all stages of the police response.<sup>13</sup> The Crown Prosecution Service’s policy document sets out in some detail the approach to be taken when victims withdraw support for the prosecution, including the possibility, in more serious cases, that the CPS might nevertheless proceed with the prosecution, once all the reasons for withdrawal have been carefully explored.<sup>14</sup>

The *Violence against women crime* report is an annual publication from the Crown Prosecution Service which contains a chapter on domestic violence crimes. The [Violence against women crime report 2011/12](#) is the fifth to be published.<sup>15</sup>

In 2011/12 there were 95,117 domestic violence cases in England and Wales that were referred to the CPS. This is not the same as the total number of people arrested for the offence. Between arrest and referral to the CPS the police may decide that no crime has been committed or that there is insufficient evidence to proceed.

Of the cases referred to the CPS the decision to charge was made in 66% of cases.

In 2011/12 79,268 defendants were prosecuted, a 3.5% increase on 2010/11, but a 59% increase on 2005/06.

The number of offenders successfully convicted in 2011/12 was 58,138. This represented 73% of completed prosecutions, a similar level to the three preceding years but higher than the 60% rate in 2005/06.

Further statistics are provided in the CPS report including reason for non-conviction and information on the gender, ethnicity and age of defendants and victims.

## **4 What legal remedies are there?**

### **4.1 The criminal law**

Domestic violence is not a specific statutory offence. However, there are a number of possible criminal offences for which perpetrators could be prosecuted, ranging from murder, rape and manslaughter through to threatening behaviour.<sup>16</sup>

### **4.2 The civil law**

Civil remedies to deal with domestic violence have existed for many years. The *Family Law Act 1996* attempted to rationalise the system, which had been seen as inconsistent and anomalous.<sup>17</sup> The 1996 Act brought in two important civil law remedies – occupation orders and non-molestation orders. The *Domestic Violence Crime and Victims Act 2004* amended these with the intention of improving protection for victims. Two important remedies are non-

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<sup>12</sup> ACPO, [Tackling perpetrators of violence against women and girls, ACPO Review for the Home Secretary](#), September 2009

<sup>13</sup> NPIA on behalf of ACPO, [Investigating Domestic Abuse](#), 2008

<sup>14</sup> CPS, [Policy for prosecuting cases of domestic violence](#), undated

<sup>15</sup> [Further statistics are also published](#) alongside the annual report

<sup>16</sup> These are usefully discussed in Anna Matczak et al., [Review of domestic violence policies in England & Wales](#), 2011, pp10-12

<sup>17</sup> Background to this can be found in Library Research Paper 96/39, [Family Law Bill \(HL\): Domestic Violence](#), 21 March 1996

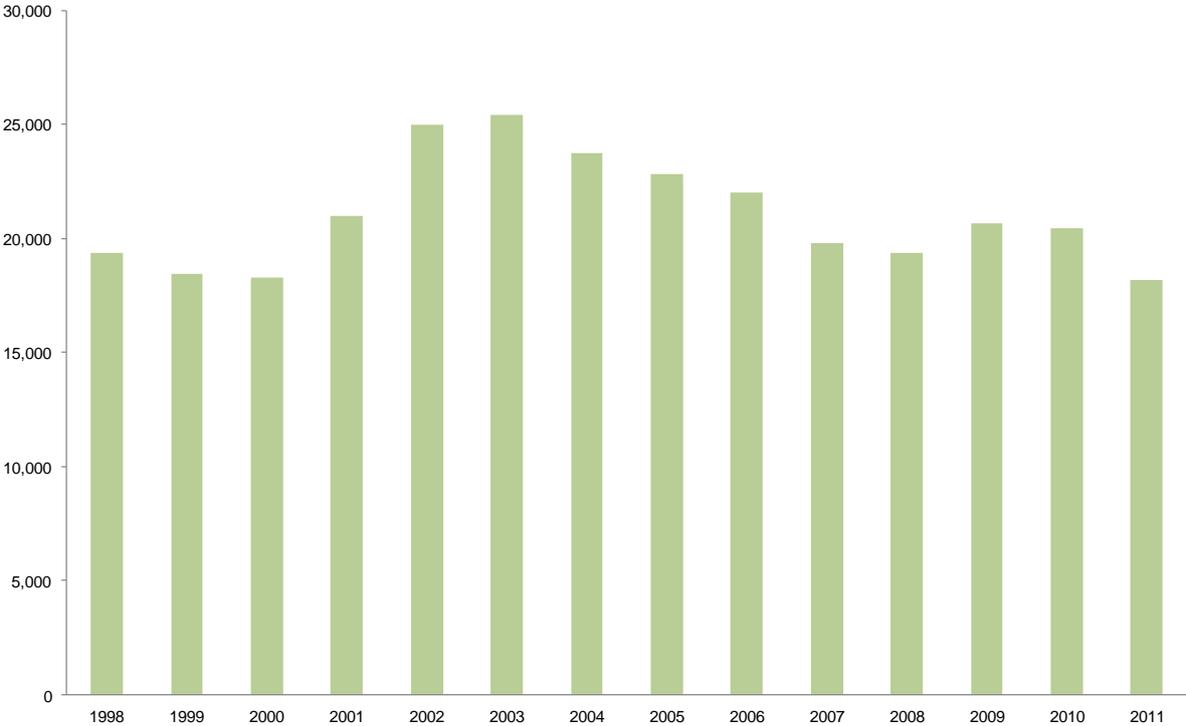
molestation orders and occupation orders, although the *Protection from Harassment Act 1997* also introduced important civil and criminal remedies, including restraining orders.

One issue which has caused concern has been the fall in some recent years in the number of applications for these civil protection orders, and in the number of orders made in some cases. Some commentators have suggested that this may have been due to an improved response from the criminal justice system, whilst others have argued that there are still plenty of obstacles in the criminal system, and that there are other explanations.<sup>18</sup>

**Non-molestation orders**

Non-molestation orders can prohibit either particular behaviour or general molestation.<sup>19</sup> The 2004 Act made breach of a molestation order a criminal offence with effect from 1 July 2007. There has been concern about the downward trend in applications for non-molestation orders. For example, the Conservative Party in their December 2008 strategy document *Ending violence against women* reported concerns from the judiciary that women might be less willing to apply for the orders for fear of criminalising their partners.<sup>20</sup> A literature review by the Legal Services Commission found that the downward trend in protection orders began before the *Family Law Act 1996* came into force, but also noted a sharp drop in the six months after the criminalisation of breaches in the 2004 Act came into force. It concluded that the impact of the 2004 Act would have to be kept “under review”.<sup>21</sup> The chart below shows changes in the numbers of orders made (as opposed to applied for) since 1998:

**Non-molestation orders made in the county courts, England and Wales**



<sup>18</sup> For a discussion of this see Mandy Burton, *Domestic Abuse Literature Review prepared for the Legal Services Commission*, September 2008, p13

<sup>19</sup> section 42, *Family Law Act 1996*

<sup>20</sup> p16

<sup>21</sup> Mandy Burton, *Domestic Abuse Literature Review prepared for the Legal Services Commission*, September 2008, p22

### Occupation orders

Occupation orders can define or regulate rights of occupation to the home – for example excluding a perpetrator from the family home, and also possibly from the surrounding area.<sup>22</sup> The numbers of applications and orders made have both been falling. The chart below shows the numbers of orders made (as opposed to applied for) in the county courts since 1998:



### 4.3 Remedies in the *Protection from Harassment Act 1997*

#### **Criminal offences**

Section 1 of the *Protection from Harassment Act 1997* prohibits people from pursuing a “course of conduct” which amounts to harassment of another person, and which they know or should know amounts to such harassment.

Sections 2 and 4 of the Act created two criminal offences of harassment, and of “putting people in fear of violence”. It also provided for restraining orders. These would forbid a perpetrator from pursuing further conduct against the victim amounting to harassment, or causing fear of violence. Breach without reasonable excuse is an arrestable offence. Originally, these orders were available to courts for people convicted of the criminal offences under the Act. However, changes made by section 12 of the *Domestic Violence Crime and Victims Act 2004*, which came into force (after some delays) on 30 September 2009 mean that the orders are now available for courts to restrain people convicted of *any* offence, and

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<sup>22</sup> sections 33-41 *Family Law Act 1996*

also people who have actually been acquitted, if the court decides that this is necessary “to protect a person from harassment by the defendant”.<sup>23</sup>

### **Civil remedies**

The civil remedies are covered by section 3, which creates a statutory tort of harassment. This does not expressly set out the power to make the injunction; this power is a general one, derived from other legislation. The important points are:

- Any one can instigate civil proceedings under the section for an “actual or apprehended breach” of section 1
- Damages may be awarded for (amongst other things) anxiety or financial loss
- The court hearing the civil proceedings – either the High Court or the County Court – can issue an injunction restraining the defendant from doing something which amounts to harassment
- If the plaintiff (i.e. the victim) considers the defendant has done something prohibited by the injunction, and the judge has reasonable grounds for believing that this is true, then a warrant can be issued for the defendant’s arrest
- Breach of an injunction under the Act without reasonable excuse may be treated either as a criminal offence or as contempt of court (but not both)
- If it is treated as an offence, the maximum penalty for a breach is five years’ imprisonment and/or a fine (if the case is heard in the crown court) or six months imprisonment or a £5,000 fine in the magistrates’ court. The maximum penalty for contempt of court would be two years imprisonment.

### **Role of the Act in relation to domestic violence**

A literature review, published in 2011, summarises the role of the Act as follows:

The Protection from Harassment Act (1997), which extends to both civil and criminal law, deals with violence from outside the home. Whilst the Protection from Harassment Act 1997 was originally designed to combat the problem of stalking, it is used by those who cannot apply for any order under the Family Law Act 1996 (Smartt, 2006). The Protection and Harassment Act 1997 is useful when dealing with post-separation harassment or violence with a non-cohabitant partner and for stalking (Harne, 2008). Hague (2005) argues that limitations of this Act are that it did not include occupation orders, or consider children; or the possibility that the attacker is a close relative (e.g. father, son or brother).<sup>24</sup>

### **New stalking offences**

The Government amended the *Protection from Harassment Act 1997* from November 2012 to introduce two new explicit offences of stalking. These are the subject of a separate Library Standard Note 6261, [Stalking](#).

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<sup>23</sup> *Protection from Harassment Act* sections 5 and 5A. For further background see Library Research Paper 04/44, [The Domestic Violence Crime and Victims Bill: Domestic violence provisions](#), 4 June 2004

<sup>24</sup> Anna Matczak et al., [Review of domestic violence policies in England & Wales](#), 2011

#### 4.4 Domestic Violence Protection Orders

The previous Government legislated in the [Crime and Security Act 2010](#) for the introduction of Domestic Violence Protection Notices (DVPN) and Domestic Violence Protection Orders (DVPOs) – dubbed “go orders” by some.

Under [section 24](#) of the Act, a senior police officer may issue a DVPN to a person over 18 if that officer has reasonable grounds for believing that the person “has been violent towards, or has threatened violence towards, an associated person” and that the DVPN is necessary to protect that person from violence or a threat of violence. The DVPN prohibits the suspected perpetrator from molesting the victim and, where they cohabit, may require the suspected perpetrator to leave those premises. The issue of a DVPN triggers an application for a Domestic Violence Protection Order (DVPO). This is a court order lasting between 14 and 28 days, which prohibits the perpetrator from molesting the victim and may also make provision about access to shared accommodation. The magistrates’ court must hear the application within 48 hours to limit the length of time for which the suspected perpetrator can be excluded from his home without the chance to defend himself.

The present Government reviewed the policy before bringing the provisions into force.<sup>25</sup> The November 2010 Strategy Document [Call to end violence against women and girls](#) (see below) announced that the Government would be proceeding with a pilot of these orders, and this began on 30 June 2011 in three police force areas: West Mercia, Wiltshire and Greater Manchester Police. The pilot closed on 30 June 2012, but all three forces will continue the scheme for a further year whilst the Home Office evaluates the pilot to assess whether or not a change in the law is needed. The evaluation of the pilot is expected to report in late summer 2013. In the meantime, the Government has produced interim guidance for the pilot schemes.<sup>26</sup>

Further information on the Domestic Violence Protection Orders pilot, including interim guidance for the police, is available on the [Domestic Violence and abuse](#) page on the Gov.UK website.

## 5 Strategies to combat violence against women and girls

Both the current Government and the previous one have published strategies on combating violence against women and girls.

The Labour Government’s strategy was called [Together we can end violence against women and girls](#) (November 2009). An overview of the strategy’s approach is available on the archived version of the Home Office website:

The strategy sets out a range of actions for the police, local authorities, the NHS and government departments across three key areas: protection, provision, and prevention.

These include:

- funding (over £13m) to help support victims of sexual and domestic violence
- increased investment delivering a four-fold increase in family intervention projects to support 10,000 families a year

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<sup>25</sup> [HC Deb 12 October 2010 c276-7W](#)

<sup>26</sup> Home Office, [Domestic Violence Protection Notices \(DVPNs\) and Domestic Violence Protection Orders \(DVPOs\): Interim Guidance Document for Police Regional Pilot Schemes June 2011 – June 2012](#), 29 June 2011

- development of a dedicated stalking and harassment helpline so emerging violence can be nipped in the bud
- a new online directory of services for victims of violence against women and funding for new 24-hour sexual violence helpline
- the piloting of domestic violence protection orders (or 'Go' orders) to exclude perpetrators from their homes<sup>27</sup>

The present Government has developed a similar cross-departmental strategy, which was launched by the Home Secretary in November 2010:

The Government's ambition is nothing less than ending all forms of violence against women and girls. This is a key priority for us and today, on the international day for the elimination of violence against women, we have set out our guiding principles for this over the coming spending review period. This includes a commitment to provide more than £28 million for specialist services for victims of domestic and sexual violence over the next four years.

We will take a cross-departmental integrated approach to ending violence against women and girls by tackling its root causes and dealing fully with its effects. For the first time we have also included the work that we do at an international level to promote women's rights globally and reduce the impact of conflict on women and girls.

We will publish the detail of the supporting actions in the spring.

The "Call to End Violence Against Women and Girls" strategic narrative is available on the Home Office website at <http://www.homeoffice.gov.uk/vawg> and a copy will be placed in the House Library.<sup>28</sup>

The "strategic narrative" referred to in the above statement is *Call to end violence against women and girls* (November 2010). It was followed up in March 2011 with publication of the *Call to end violence against women and girls: action plan*, which listed 88 separate actions the Government planned to take in this area. The archived Home Office website summarises the intention behind these measures as being to:

- prevent violence from happening by challenging the attitudes and behaviours which foster it and intervening early where possible to prevent it
- provide adequate levels of support where violence does occur
- work in partnership to obtain the best outcome for victims and their families
- take action to reduce the risk to women and girls who are victims of these crimes and ensure that perpetrators are brought to justice<sup>29</sup>

A progress review of these 88 actions, *Call to end violence against women and girls (VAWG): Action Plan Progress Review*, was published on 25 November 2011, and a further update, *Call to end violence against women and girls: Taking action – the next chapter* was published on International Women's Day, 8 March 2012. This set out progress on the 88 actions and sets out a further twelve, taking the total to 100. In a Written Ministerial

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<sup>27</sup> Archived Home Office website, *Together we can end violence against women and girls strategy*, 25 November 2009

<sup>28</sup> [HC Deb 25 November 2010 c52WS](#)

<sup>29</sup> Archived Home Office website, *Violence against women and girls* [accessed 14 May 2013]

Statement, the Home Secretary, Theresa May, noted that more than 88 actions had been completed “including the provision of almost £40 million of earmarked funding for specialist support services over the spending review period.”<sup>30</sup>

On 26 November 2012, to mark the United Nations’ [International Day for the Elimination of Violence against Women](#) the Government published a short summary of its “key activity” over the previous year. This included the following points on domestic violence and services for victims:

### **Stable Funding**

□ The government has ring-fenced nearly £40 million of stable funding up to 2015 for specialist local domestic and sexual violence support services, rape crisis centres, the national domestic violence help lines and the stalking helpline. This has been supplemented by additional funding to support frontline organisations to tackle female genital mutilation, and to support services focusing on male victims of sexual and domestic violence.

### **Improving services for Victims and Witnesses:**

□ Following public consultation, we are making wide-ranging improvements to support provided to victims and witnesses. These include moving to a model of commissioning focussed on outcomes; refreshing the Victim’s Code; increasing and extending the Victim Surcharge to raise an additional £50m from offenders for victims’ services and looking at ways to improve support at court for victims.

### **Domestic Violence**

□ Domestic Violence Definition: We announced that the definition would be extended to include those aged 16-17 (currently only those over 18 are included) and include coercive control. The new definition will be implemented by the end of March 2013.

□ Domestic Violence Disclosure Scheme (Clare’s Law) pilot: We launched four domestic violence disclosure scheme pilots in Gwent, Wiltshire, Nottinghamshire and Greater Manchester Police to enable the police to disclose information about a person’s previous violent offending to help protect new partners from future abuse.

□ Domestic Violence Protection Order (DVPO) pilot: The one year pilot of Domestic Violence Protection Orders ended on 30 June and will be evaluated by summer 2013. The three pilot forces are continuing to operate DVPOs without funding from the Home Office.

□ Domestic Homicide Reviews: We launched a £150,000 fund for Domestic Homicide Reviews to help local areas prevent future domestic violence tragedies.

□ Teenage relationship abuse campaign: Campaign adverts will run from 14 February through to April 2013. The aim of the campaign is to prevent teenagers from becoming victims and perpetrators of abusive relationships. The campaign originally ran from March to April 2010 and again from September to December 2011.<sup>31</sup>

On 8 March 2013 the Home Office published a “further refreshed version” of the [Ending violence against women and girls: action plan 2013](#). The report states that more than 40 of the 100 actions included in the March 2012 Action Plan were closed, and that “significant

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<sup>30</sup> [HC Deb 8 March 2012 c72WS](#)

<sup>31</sup> Home Office, [What the Government has done to tackle Violence against Women and Girls](#), 2012

progress” had been made on the remainder.<sup>32</sup> The Action plan is due for review in March 2014.<sup>33</sup>

## 6 Services for victims

### 6.1 The Map of Gaps

A national campaigning coalition *End Violence Against Women* (EVAW) published a report in 2007 documenting uneven distribution of support services for women experiencing domestic violence, with over one third of local authorities providing no services at all.<sup>34</sup> EVAW published its second *Map of Gaps: The postcode lottery of Violence Against Women support services in Britain* in January 2009, in conjunction with the Equality and Human Rights Commission. It summarised its findings as follows:

Many women are still left without the local support they need:

- The latest picture shows that over one in four local authorities in Britain have no specialised support services at all.
- Ethnic minority women are especially poorly served. Of the 408 local authorities in England, Scotland and Wales, just one in 10 have a specialised service for ethnic minority women. These services are uniquely suited to deal with women facing a very particular set of circumstances, for example those fleeing forced marriage or female genital mutilation, or those with insecure immigration status.
- Glasgow has the best provision in Britain, whereas the East and South East of England are particularly poorly served.
- Of the new services opened in 2008, 60% were in statutory sector. These services, like Sexual Assault Referral Centres and Specialist Domestic Violence Courts respond to recent incidents reported to the criminal justice system. While welcome, the majority of women still choose not to report the violence to the police. Thus statutory provision only deals with a tiny fraction of the problem.
- Levels of provision in the voluntary sector, which provides a wider range of services for all women, including those who do not seek help until years after they have experienced violence, have remained static or in some cases diminished. A survey of Rape Crisis England and Wales centres conducted for this year’s report indicated that almost a quarter (24.1%) face closure this financial year and almost two-fifths (39.3%) fear closure in 2009/10 because of a lack of funding.
- The United Nations has called for the UK to do far more to support women who are victims of violence. Violence against women costs the NHS an estimated £1.2 billion a year for physical injuries and £176 million for mental health support. Despite this the Department of Health has made no significant investment in specialised violence against women services nor made reference to violence against women in its departmental strategic plans.
- In Scotland, the Government has extended provision through a national Violence Against Women Fund for over five years. But this fund is now at risk since responsibility for funding violence against women services has been devolved to local

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<sup>32</sup> Home Office, *Ending violence against women and girls: action plan 2013*, March 2013, p7

<sup>33</sup> Home Office, *Ending violence against women and girls: action plan 2013*, March 2013, p12

<sup>34</sup> Maddy Coy, Liz Kelly and Jo Foord, *Map of Gaps: The Postcode Lottery of Violence Against Women Support Services*, End Violence Against Women/Equality & Human Rights Commission, November 2007

authorities, a system which, as this year's report shows, isn't working for victims of violence in the rest of Britain.

The funding crisis faced by local women's services means not only that current gaps are unlikely to be filled but also that there will be a significant decline in services to respond to women's needs. Women who suffer violence will find themselves increasingly alone. The overall impact that will have on their health and wellbeing is immeasurable.<sup>35</sup>

## 6.2 Supporting People

Refuges receive funding from a mixture of sources, including rental income and charitable donations but a substantial element has been delivered through the *Supporting People* framework, which was launched by the Government in April 2003 and provides housing related support services to vulnerable people.

From April 2009, the ring fence on funding for the Supporting People programme was lifted and, from April 2010, funding was paid through the 'Area Based Grant', which local authorities are able to spend however they see fit, according to their own local priorities. There were concerns about the impact of the changes upon women's refuges at the time. The *Communities and Local Government Committee* investigated the effects of the changes to *Supporting People* in a report, *The Supporting People Programme* (HC 649 2009-09) published in October 2009. Overall, the Committee agreed with the policy of lifting the ring fence, although they did acknowledge the concerns of many witnesses:

211. With the lifting of the ringfence, we are concerned that many 'protections' of Supporting People are being lost simultaneously in particularly challenging economic circumstances. Nonetheless, we are supportive of the Government's overall policy of reducing ring-fenced funding, and consider that there is much to be gained from the greater flexibility which it offers. We do not, therefore, recommend the reimposition of the ringfence on Supporting People funding.

212. We conclude that fears about the loss of funding to Supporting People services can best be countered by ensuring that it is clear to all concerned how much money has been allocated to a council for those services; and how much the council has actually spent on them. We therefore recommend continued transparency in the allocation of Supporting People funding in the Area-Based Grant. Local authorities should not be required to spend funds allocated on the basis of assessed need for housing-related support on those services if they consider that it would be better spent elsewhere. They should, however, be required to justify, and account for, any decision to do so. This local accountability, combined with the retention and enhancement of the other protections which we have recommended, should ensure that the Supporting People programme continues to deliver vital services to some of the most vulnerable in our society.

Although the *Supporting People* grant was ring fenced until April 2009 in the sense that it was separated from other grants to local authorities, it did not specify how much local authorities had to spend on particular group. Consequently, funding for domestic violence refuges was not ring-fenced *within* the programme. The Government's October 2010 Spending Review announced that the Supporting People national funding levels would decrease from £1.64 billion in 2010/11 to £1.59 billion in 2014/15. Further background on this is in Library Research Paper 12/40, *The Supporting People Programme*.

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<sup>35</sup> Maddy Coy, Liz Kelly and Jo Foord, *Map of Gaps The postcode lottery of Violence Against Women support services in Britain*, End Violence Against Women/ Equality and Human Rights Commission, January 2009

### 6.3 Impact of spending cuts on services more generally

In February 2012 a report by Professor Sylvia Walby, UNESCO Chair in Gender Research, and Jude Towers at Lancaster University was published which looked at the impact of current public expenditure cuts on specialist services for women who have been victims of violence.<sup>36</sup> Its key findings are as follows:

- Substantial reductions in national budgets are leading to cuts in local services to prevent and protect against gender-based violence against women and girls. These cuts in service provision are expected to lead to increases in this violence.
- The effect on local services is both dramatic and uneven across localities.
- Thirty-one percent of the funding to the domestic violence and sexual abuse sector from local authorities was cut between 2010/11 to 2011/12, a reduction from £7.8 million to £5.4 million. (Data obtained using Freedom of Information Act requests by the False Economy project, and analysed by the research team).
- The organisations with smaller budgets from the local authorities had more substantial budget cuts than larger ones: among those with local authority funding of less than £20,000 the average cut was 70% as compared with 29% for those receiving over £100,000, between 2010/11 and 2011/12. (Data obtained using Freedom of Information Act requests by the False Economy project, and analysed by the research team).
- 230 women, just under 9% of those seeking refuge, were turned away by Women's Aid on a typical day in 2011 due to lack of space. (Data from surveys conducted annually by Women's Aid of their affiliated organisations, analysed by the research team).
- The number of Independent Domestic Violence Advisers (IDVA) has been reduced: in 2011 among 8 major IDVA service providers supporting 13,180 clients, 2 faced funding cuts of 100%, 3 cuts of 50%, 3 of 40% and 2 of 25%. (Data from a poll carried out by Coordinated Action Against Domestic Abuse - CAADA).
- IMKAAN, who run services for women from Black, Asian and Minority Ethnic groups, report the closing of two of their six specialist refuges and cuts to local authority funding for two more. (Data from IMKAAN).
- RESPECT services working to reform male perpetrators of domestic violence suffered budget cuts so that between 2010 and 2011 78% of services reduced the number of clients they were able to assist. (Data from RESPECT London).
- Statutory provision, including those police and court services that involve specialised expertise, has also been reduced following funding cuts. This includes cuts in the operating levels of Domestic Abuse Officers, a unit on female genital mutilation and domestic violence courts. (Data from Home Office and Ministry for Justice).<sup>37</sup>

In November 2012, Women's Aid, a national charity working to end domestic violence against women and children, released figures from its annual survey showing nearly 28,000

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<sup>36</sup> Towers and Walby, *Measuring the impact of cuts in public expenditure on the provision of services to prevent violence against women and girls*, 1 February 2012

<sup>37</sup> Towers and Walby, *Measuring the impact of cuts in public expenditure on the provision of services to prevent violence against women and girls – Key Findings*, 1 February 2012

women had had to be turned away from the first refuge service they approached because of lack of space:

An estimated 27,900\* women have had to be turned away by the first refuge service that they approached, in the last year, because there was no space, according to new figures from Women's Aid.

Despite this huge demand, almost one in five Women's Aid member services has reported severe funding difficulties, leading to the closure of vital services for vulnerable women and children.

In the last financial year, Women's Aid saw 14 independent services close as their domestic and sexual services were put out to tender. Of these, two services were not replaced and six were taken over by housing associations.

Nicki Norman, Deputy Chief Executive of Women's Aid, said:

"It is devastating to see that decisions on domestic and sexual violence services have been short term financial decisions, not what is the safest option.

Already, nearly 30,000 women were turned away from refuge services last year because there was no bed space at the service they contacted and now 1 in 5 of our members are being forced to reduce their level of provision, with some being forced to close completely.<sup>38</sup>

## 7 The future of funding for victims

On 30 January 2012, the Ministry of Justice published a consultation document, *Getting it right for victims and witnesses*.<sup>39</sup> This proposes a whole raft of changes, including developing a commissioning framework for support services for victims of crime. One of the proposals on which sought views was whether Police and Crime Commissioners (for whom elections were held in November 2012) should be responsible for commissioning services for victims at a local level. The document indicated that the new system would be introduced from 2013/14 and the consultation ran until 22 April 2012.

In its response to the consultation, published in July 2012, the Government made it clear that it would continue to commission some national services including some support services for victims of domestic violence:

The Ministry of Justice will commission those services which are to be commissioned nationally.

We will continue to nationally commission services providing support for:

- victims of trafficking;
- those bereaved by homicide;
- victims of rape (through rape support centres);

In addition we will also nationally commission:

- the witness service;

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<sup>38</sup> Women's Aid Press Release, *Cuts in refuge services putting vulnerable women and children at risk*, 27 November 2012

<sup>39</sup> Cm 8288

- some national helplines.

Work will be undertaken to determine which helplines should be commissioned nationally.

All national services will be commissioned through a competitive process.

In addition to rape support centres some other support services for victims of sexual and domestic violence will also be nationally commissioned. We will undertake further work, engaging with victims' groups and support providers, to determine which ones.<sup>40</sup>

The *Anti-social Behaviour, Crime and Policing Bill* (Bill 7 of 2013-14) was introduced in the Commons on 9 May 2013. The Government has produced [Explanatory Notes](#) to the Bill. Clause 123 of the Bill gives Police and Crime Commissioners the power to provide or commission services, in particular support services for victims of crime and anti-social behaviour. The Impact Assessment on this part of the Bill gives the following information:

10 Whilst some services will continue to be commissioned at the national level, the majority will be commissioned locally, by local policing bodies (Police and Crime Commissioners and in London, the Mayor's Office for Policing and Crime and the Common Council for the City of London) using the funding that will be provided to them from Government for that specific purpose, resulting in more targeted support for these groups, and support that meets the requirements of the local community. The funding for victims and witness services will be up to £100m. A proportion of this will be spent on those services that will be nationally commissioned with the remaining budget

11 In addition, provision is being made to enable PCCs also to provide services to victims of and witnesses to anti-social behaviour, should they consider it necessary or desirable to do so in response to local need, drawing on their other available funding.

12. The kinds of services that PCCs will provide or commission may include practical measures such as the provision of information, refuges or shelters, financial support and guidance<sup>4</sup>, and advice and assistance on security measures. They may also include emotional support services and counselling, treatment for post-traumatic stress disorder and peer support groups. They may also include restorative justice measures involving interaction with the offender.<sup>41</sup>

## 8 Sources of advice for victims

Basic information and advice for victims of domestic violence is set out on the Gov.UK [Report Domestic Abuse](#) page. Helplines include:

- The [National Domestic Violence Helpline](#) (0808 2000 247) which is run in partnership between [Women's Aid](#) and [Refuge](#)
- [Men's Advice Line](#): 0808 801 0327
- [Wales Domestic Abuse Helpline](#): 0808 80 10 800
- [Dyn Wales/Dyn Cymru](#) (for men in Wales): 0808 801 0321
- [Scottish Domestic Abuse Helpline](#): 0800 027 1234

<sup>40</sup> Ministry of Justice, *Getting it right for victims and witnesses: the Government response*, July 2012

<sup>41</sup> Ministry of Justice, *Anti-social Behaviour, Crime and Policing Bill – Impact assessments: Commissioning Witness Services*, p7

- [Northern Ireland Women's Aid 24-hour Domestic Violence Helpline](#): 0800 917 1414
- [Broken Rainbow Helpline](#) (for lesbian, gay, bisexual and transgender people): 0300 999 5428
- [Respect Phonenumber](#) (for people who are abusive to partners and want help to stop): 0808 802 4040
- [Forced Marriage Unit](#): 020 7088 0151