



## Minutes of the APPG on Domestic Violence Meeting

### ***A Job Description for the Domestic Violence and Abuse Commissioner***

**4-5pm, Tuesday 20 February 2018**

Committee Room 13, House of Commons

**Chair:** Jess Phillips MP

The All Party Parliamentary Group (APPG) on Domestic Violence meeting on 20 February 2018 focused on the roles and responsibilities of the new Commissioner, which the Government have pledged to legislate for within the new Domestic Abuse (DA) Bill.

The meeting was chaired by Jess Phillips MP. Parliamentarians in attendance also included Gavin Newlands MP, Baroness Howe, Baroness Manzoor and Baroness Hamwee.

The APPG heard evidence from the following speakers:

- Kevin Hyland OBE, the UK's first Independent Anti-Slavery Commissioner
- Sara Ward - Executive Director, Black Country Women's Aid
- Cllr Simon Blackburn, Chair of the Local Government Association's Safer and Stronger Communities Board and Leader of Blackpool Council
- Katie Ghose - Chief Executive, Women's Aid

Due to limited time for discussion at the meeting, attendees were encouraged to submit evidence to the APPG following the meeting. Key points from submissions received are included on pages 4 and 5.

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#### **Jess Phillips MP**

Jess Phillips MP introduced the meeting by explaining that the Government had committed to legislate for a new Commissioner role in the DA Bill, building from proposals made by a range of parties and civil society organisations in the past. The APPG sought to develop a 'Job Description' which would set out a proposal for the scope, powers, functions and duties of this new role to be presented to Government. Jess stated that the recommendations of the APPG made a real difference - recently **the Prime Minister had requested the Law Commission to review the law on online communications, following a recommendation made by the APPG in their report on Online Abuse in 2017.**

#### **Kevin Hyland OBE, Independent Anti-Slavery Commissioner**

The Commissioner set out some of the links between the two crimes, highlighting that domestic violence could frequently be used to control women in modern slavery. He went on to set out the key provisions of the Independent Anti-Slavery Commissioner role, as legislated for in the Modern Slavery Act (2015). The Commissioner's remit covered the whole of the UK and supply chain, encouraged good practice in preventing, detecting, investigating and prosecuting offences and had a primary focus on victim care and identification.

The Commissioner's control of budget, staffing and strategy were critical for securing independence and effectiveness. In particular, the ability to recruit staff with expertise across all fields, including individuals from outside and within the civil service, ensured that the team had the right mix of skills and experience. Control of strategy and work planning meant that



the Commissioner could pursue important and emerging issues. For example, it had become evident that there were problems with the National Referral Mechanism - the UK's framework for identifying and referring victims of modern slavery for support - and the Commissioner had brought together stakeholders to develop recommendations for reform, which were being taken forward by Government. An independent workplan also meant that the Commissioner could work with a range of stakeholders and organisations - with recent examples including a campaign with the Evening Standard to raise public awareness. After questions about whether the role had an audit or complaints function, the Commissioner stated that although he was prevented from working on individual cases, he was able to work on themes and systemic issues that were raised. The Commissioner stated that the power to measure the performance of statutory agencies, such as the police, was a crucial function.

A number of learnings for the development of the DA Commissioner role were identified, including:

- Clear statutory responsibilities and accountability: with the ability to make recommendations to any public body and duties on public and statutory agencies to co-operate with the Commissioner.
- Reporting mechanisms: the Commissioner presents an Annual Report to Parliament. He considered that a more structured reporting process - for example presenting a report to a Select Committee, which could be questioned and scrutinised, would also be effective.
- Budget: adequate resourcing was a significant issue, and the Commissioner considered that there should be a mechanism for reporting back to Parliament on the budget and resourcing within the DA Bill, to ensure that this could be debated and considered. The Commissioner had an annual budget of £566,000, and eight members of staff.

### **Sara Ward - Chief Executive, Black Country Women's Aid**

Sara set out the work of Black Country Women's Aid (BCWA) - an independent charity who support survivors of abuse and violence in the West Midlands. The charity delivers domestic violence and sexual violence services, and support for victims of forced marriage, honour based violence and modern slavery.

Sara highlighted that the current accountability system was not working for victims. There were numerous challenges in delivering high quality service provision that delivered positive outcomes for victims in the current landscape; BCWA delivered services through 46 different funding streams, which all had varied monitoring and accountability frameworks - wasting time and resources. The allocation and delivery of central funding streams, such as the Home Office VAWG Transformation Fund, didn't necessarily deliver the aims of Government - as set out in the VAWG Strategy. There was an inconsistent and uncoordinated approach between local authorities, which drove a 'postcode lottery' of support for victims. Local domestic abuse and VAWG services were working to try to tackle this - and had established a partnership in the West Midlands to improve the coordination of services and outcomes for victims.

Similarly, in modern slavery, Sara highlighted that the required triangulation of the health sector, police forces and support services locally had not been fully achieved - and that this was creating a real challenge in responding effectively to increasing reports and volumes of referrals for these crimes. The presence of a strategy didn't necessarily equate to delivery. She did stress, however, that the Commissioner had been influential in gathering the views of stakeholders and understanding the needs of victims - and that this convening role would be essential for the new DA Commissioner.

Sara recommended that it would be essential for the Commissioner to utilise the experience and expertise of specialist domestic abuse services, and the Women's Aid network, to challenge the postcode lottery and improve outcomes for victims. It was noted that this could potentially be delivered through an advisory board, or boards - currently the Anti-Slavery Commissioner had strategic, NGO and victims' advisory boards of influential experts.



### **Councillor Simon Blackburn - Chair of the Local Government Association's Safer and Stronger Communities Board and Leader of Blackpool Council**

Councillor Blackburn stated that domestic abuse caused devastating and lasting harm on families and victims, and that preventative action was an essential priority. He welcomed the Bill and new Commissioner role, stating that the Anti-Slavery Commissioner role was an excellent example of a single-issue commissioner that could be built on. The LGA worked closely with the Anti-Slavery Commissioner in order to share best practice and raise awareness, and Councillor Blackburn noted that the collaborative relationship between councils and the Commissioner's office was highly effective.

Independence was crucial - and Councillor Blackburn quoted SafeLives who have called for the Commissioner to be the 'ultimate critical friend' to Government, frontline professionals, and local agencies. Domestic abuse is a multi-sectoral issue - which requires partners across housing, health, community safety, children's services and adult social care to work together. It would be important for the DA Commissioner to facilitate learning, resources and information sharing across agencies.

Councillor Blackburn also stated that a complex web of multiple funding streams and reporting requirements did not deliver a coordinated response for victims. Ensuring a victim-led response was crucial, and Councillor Blackburn believed that more was needed to disrupt the lives of perpetrators. Although the safety of the victim was paramount, where it is safe and appropriate it should be perpetrators who have to leave the home - not victims. The Commissioner would have an important role in developing the research and evidence available in this regard - particularly with regards to effective interventions for perpetrators.

Councillor Blackburn stated that prevention and early intervention must be a core focus of the Commissioner. He stated that huge proportions of children in care had experienced or witnessed domestic abuse, and generations of girls and boys were growing up without any understanding of a healthy relationship all. The power of local authorities to tackle this was limited; it required significant investment in education and early years, at a time when councils were facing a funding gap of £5 billion by 2020. He stressed that the Commissioner should also have an advocacy role, to highlight the financial climate that statutory agencies are operating in, report on the impact of reforms such as the Homelessness Reduction Act and new supported and social housing funding models, and make the case for investment in domestic abuse services.

In terms of improving accountability and tackling the postcode lottery, Councillor Blackburn stated that an inspectorate body was not being proposed - but that it would be important to consider how the quality of commissioning and funding could be improved, particularly through combined authorities and partnership working across regions.

### **Katie Ghose - Chief Executive, Women's Aid**

Katie stated that improving accountability for the response to survivors was crucial. There was currently poor national oversight to ensure that survivors were getting the response required - so a Commissioner with the right duties, powers and resources could make a real difference. The scope of the Commissioner role should reach across all forms of VAWG - as the crimes are interlinked, and a cause and consequence of women's inequality. In the best local areas VAWG services are planned and delivered in an integrated way, and the UK is committed to international treaties - including the Istanbul Convention and CEDAW – which cover all forms of VAWG. The Commissioner should not operate in silo, but work with the international bodies responsible for monitoring compliance with these treaties.



In terms of duties, Women's Aid wanted the Commissioner to comprehensively monitor and assess the response to domestic abuse and VAWG at all levels. Nationally, this would be assessing progress in delivering the VAWG Strategy and making recommendations to government. Locally, the Commissioner would need to monitor and assess how local areas and statutory agencies were delivering the National Statement of Expectations (NSE) for VAWG Services. Katie noted serious concerns at the level of divergence in responding to domestic abuse - which resulted in a complete lottery for survivors in accessing support. Whilst performance on responding to domestic abuse was monitored by Her Majesty's Inspectorate of Constabulary, Fire & Rescue Services, it was impossible to know how well local Clinical Commissioning Groups responded to domestic abuse. It would be important for the Commissioner to oversee how these bodies are driving the culture change needed, and ensure that local authorities or agencies failing to deliver for survivors can be held accountable.

Katie stated that the Commissioner must represent the range and diversity of survivors - including particularly marginalised or vulnerable groups, and those with protected characteristics - such as BME women, disabled women, gypsy and traveller women, and older women. They could also be tasked to look at specific issues - such as online abuse, or the response of employers and the private sector.

Resources and capabilities to deliver effective research, and assess national data, would be critical, and reporting back to Government and Parliament with recommendations was also needed. Katie called for meaningful consultation and engagement - with an advisory group that incorporated the expertise and insights of survivors and specialist services. Finally she concluded that it would be critical for the role to not only deliver assessment and research, but drive improvements - this would require statutory powers to ensure that statutory bodies would cooperate with them, and comply with data collection obligations, requests and recommendations.

## Discussion

Issues raised during the Q&A and discussion included:

- The critical importance of ensuring that survivors are at the heart of the work of a Commissioner. Survivors are repeatedly re-victimised by multi-agency responses and solutions, including MARACs and family courts which failed to support them to escape and recover effectively. The Commissioner role who would need a 'survivor shadow' to ensure it is really delivers accountability for survivors.
- The wide and significant scope and remit that would be required by the role, and the very significant resourcing requirements that this would entail.
- The need for the Commissioner to focus on prevention and early intervention, as currently the system focuses on spending money on emergency responses to crisis.
- The need for the Commissioner's remit to be broad and strategic - not 'reinventing the wheel', but taking forward best practice recommendations and learnings to drive progress, and keep victims and survivors central to work.
- The importance of the Commissioner's role in improving public awareness and understanding of domestic abuse
- The critical need for real independence, and measures to ensure that the Commissioner doesn't become a body that the Government can blame for failings.
- The importance of ensuring that the Commissioner has a focus on holding perpetrators accountable.
- The need for the Commissioner to have a convening role for interlinking issues, bringing together sectors to ensure that agencies are delivering a good response - including within health, education and child safeguarding.



## Evidence Submitted

Due to limited time for discussion, attendees were encouraged to submit evidence to the APPG after the meeting which could feed into the development of a Job Description for the Commissioner. A summary of evidence received by the APPG to date is set out below:

- The need to look at the Job Description for the National Adviser for Violence against Women in Wales, which was legislated for within the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.
- The Commissioner to have a specific focus on the response to domestic abuse for isolated and vulnerable communities - including the Gypsy, Roma and Traveller (GRT) communities. It is estimated that 61% of English gypsy women and 81% of Irish Traveller women have been victims of domestic violence during their married life, and GRT women face significant cultural and community barriers to reporting violence and seeking help.