

Women's Aid Briefing for Report Stage and Third Reading of the Domestic Abuse Bill

Women's Aid welcomes the Domestic Abuse Bill as an opportunity to deliver a step change in the response to domestic abuse and other forms of violence against women and girls (VAWG). The COVID 19 crisis has laid bare the lack of protection for women and children experiencing domestic abuse and demonstrated the urgent need for a coordinated response. Despite some welcome changes made in Committee, we remain disappointed by the lack of government commitment to guarantee equal protection and support for migrant women and deliver all of the changes survivors need.

Women's Aid encourages MPs to attend the Third Reading of the Domestic Abuse Bill and highlight the following key issues:

- 1. Funding:** There is a 30% shortfall in the number of refuge spaces and 64% of total referrals to refuges were turned away in 2018-19.¹ Whilst welcome, emergency COVID 19 funding will end in October and life-saving services face a 'cliff edge' at this point. The absence of the planned Spending Review to date means that many budgets, at national and local level, are highly insecure. The statutory duty on local authorities to fund support in safe accommodation is welcome, but a commitment to sustainable funding is desperately needed to ensure services survive to see it. We estimate that £393 million is needed annually for a safe and sustainable national network of women's domestic abuse services, including £173 million for refuges.² Changes must also be made to the duty to guarantee it delivers the specialist support that women and children need.
- 2. Protection for all survivors:** COVID 19 is having the greatest impact on the most marginalised in society. Survivors facing additional forms of discrimination – including black and minoritised women, Deaf, disabled, and blind women, migrant women and LGBT survivors – face acute barriers to safety and support. Whilst the Bill crucially ratifies the Istanbul Convention, the legislation does not meet key commitments in this landmark treaty on VAWG – including, most urgently, equal protection and support for migrant women. No survivor should be left without access to a safety net and it is essential the Bill delivers reforms to 'no recourse to public funds' and to safe reporting for migrant women.
- 3. Coordinated government response:** the absence of joined up, high-level decision making and action to protect survivors during COVID 19 has been glaring. Whilst improvements to the criminal justice response proposed in the Bill are certainly needed, survivors' priorities for change are housing, the welfare system, the family courts and protection and support for their children. The Bill must go far wider to deliver the changes survivors need, including housing, welfare and health. The report of the MoJ panel on assessing risk of harm to children and parents in family law children cases³ makes very clear that fundamental reform of the family court system is needed. It is vital that we do not miss the opportunity provided by the Domestic Abuse Bill to deliver urgent reform.

This briefing sets out our recommendations for the Bill based on expertise developed with survivors - including a group of *experts by experience*⁴ from across the country - and Women's Aid's national network of member services across England. **For further information, or to arrange a meeting, please contact: Sophie Francis-Cansfield at Women's Aid – s.francis-cansfield@womensaid.org.uk**

¹ Women's Aid (2020) The Domestic Abuse Report 2020: The Annual Audit, Bristol: Women's Aid.

² Women's Aid (2019) Funding Specialist Support for Domestic Abuse Survivors Bristol: Women's Aid.

³ Ministry of Justice (2020). Assessing risk of harm to children and parents in private law children cases: [Final report](#).

⁴ Women's Aid's Law in the Making project: <https://www.womensaid.org.uk/what-we-do/campaigning-and-influencing/campaign-with-us/law-in-the-making/>.

1. Funding for life-saving services

241 women were killed in the year ending March 2019, a fourteen year high. A third of women were killed by their current or former partner.⁵ According to Counting Dead Women, since lockdown began on 23rd March 2020 26 women (and two young children) have been killed and details about the killings of a further seven women are also expected.⁶ The life-saving national network of refuges does not only provide essential shelter and safety for women and children no longer safe at home, but delivers expert support to enable survivors to cope, recover and rebuild a life free from abuse. Yet without urgent action these life-saving services will be overwhelmed by the scale of need.

"By running domestic abuse services to the bone we have not left any resilience for times like this"

Women's Aid Member Service

Services were unable to meet demand before COVID 19; 64% of referrals to refuges were declined in 2018-19, with one in five referrals refused because of lack of space. There is now a 'perfect storm' of staff shortages, lost income, reduced capacity, and practical challenges in delivering face-to-face services. **84% of services responding to our survey on COVID-19 reported that they have been forced to reduce or cancel one or more of their services, including 36% of refuge providers who had to do so.**

Whilst we have welcomed the government's funding announcements for domestic abuse charities, we are concerned that the total of £41million for domestic and sexual violence services will not be enough to sustain the sector. How effectively funds will reach the frontline is another key issue. There are now fragmented funding pots within government: £10million for refuges from the Ministry of Housing, Communities and Local Government; £15million from the Ministry of Justice (MOJ) for community based services; £13 million from MOJ for sexual violence services and a further £2million from the Home Office for domestic abuse services. All must be spent by the end of October.

The lack of funding and capacity within refuges has devastating consequences for survivors; **just under 40% of women we supported who were struggling to access refuge in 2020 were forced to sofa-surf or sleep rough while they waited for a space.**⁷ Women facing multiple forms of discrimination and disadvantage - including black and minority (BME) survivors, disabled survivors and women with insecure immigration status - face the most severe barriers to accessing refuge.

COVID 19 is increasing these barriers further still. Refuges are working around the clock to continue providing safety but continue to lack clear guidance from government about accepting new referrals, have no clarity about access to PPE and testing for women and children within their service, and are struggling to secure move-on housing for survivors ready to leave. We are highly concerned about the additional strain on refuge capacity, which was already unable to meet demand, resulting from COVID 19.

Women's Aid took a series of weekly snapshots from Routes to Support⁸ to show the number of refuge vacancies available in England from 25th March to 27th May 2020. We found there were an average of 92 vacancies available at any one time, this compares to an average of 182 over the same time period in 2019.

⁵ Office for National Statistics, Homicide in England and Wales: year ending March 2019

⁶ <https://kareningalasmith.com/2020/04/14/2020/>

⁷ Women's Aid (2020) Nowhere to Turn 2020 - Findings from the fourth year of the No Women Turned Away project, Bristol: Women's Aid

⁸ Routes to Support is the UK violence against women and girls directory of services and refuge vacancies, run in partnership by Scottish Women's Aid, Welsh Women's Aid, Women's Aid Federation of England and Women's Aid Federation of Northern Ireland

Whilst the Bill now contains an important legal duty on local authorities to deliver support to survivors of domestic abuse in accommodation based services, clarity about funding and a number of changes are essential for Women's Aid to fully support it:

- A commitment to **invest £393 million annually for domestic abuse services, including 173.8 million to ensure the national network of refuge services is sustainable, safe and can meet the needs of all survivors and their children.**⁹ Currently, the government's impact assessment states the duty will cost £90 million¹⁰ per year, yet there is no clarity about how this figure was calculated. We have published the methodology for our estimate, and are calling for funding to be ring-fenced, and include dedicated funding for specialist refuges led 'by and for' BME women and other marginalised survivors, as they face significant challenges in local funding systems. The new funding model must ensure sustainability for these services, which are often supporting survivors across the country but are not seen as 'local priorities'.
- **Obligations for councils to fund specialist refuge services**, not generic forms of accommodation which can be unsuitable and unsafe for women and children, and do not provide the expert support that survivors escaping abuse need to cope and recover from this trauma. There is a real risk that women and children could be placed in dangerous forms of accommodation with limited support unless this changes. During Committee Stage, the Minister stated that the wide definitions aim to ensure a range of accommodation types, including dispersed, can be funded through this duty. However refuge services are delivered in a range of accommodation types - from dispersed, to self-contained and communal. **It is the safety and expert support they deliver which distinguishes them from general 'accommodation'.**
- There are robust **national oversight arrangements** to ensure the national network of refuges can operate safely. With over two thirds of women resident in refuge coming from a different local authority area, a duty which places responsibility on local government to undertake local needs assessments alone just will not work for this national network of services¹¹. Services led 'by and for' black and minoritised women, migrant women, and disabled and LGBT survivors, are also typically run across different local authorities and meet the needs of survivors across wide geographic areas. **A national needs assessment for refuge services** is essential if the duty is to work.
- **Ban 'local connection' restrictions:** women often need to flee from their local area in order to be safe. The Minister stated during Committee Stage that existing legislation and guidance addresses this, but we continue to hear about dangerous 'local connection' restrictions placed on survivors' access to refuge services and other forms of accommodation. We are calling for a statutory bar on local authorities imposing such restrictions on survivors escaping domestic abuse within the Bill, to sit alongside the statutory duty.

2. Protection for all survivors

The Istanbul Convention

Domestic abuse is a devastating form of VAWG - a cause and consequence of women's inequality. By including measures to deliver extra-territorial jurisdiction over VAWG offences,

⁹ Women's Aid (2019) Funding Specialist Support for Domestic Abuse Survivors Bristol: Women's Aid

¹⁰ HO0353, The Home Office, Ministry of Justice, Impact Assessment: The Domestic Abuse Bill, February 2020

¹¹ Women's Aid (2018) Survival and Beyond: The Domestic Abuse Report 2017. Bristol: Women's Aid

the Bill enables the UK government to finally ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (the 'Istanbul Convention'). This landmark international treaty requires states to take comprehensive action to protect the rights of all victims but we are seriously concerned that the Domestic Abuse Bill itself fails to do so.

"We cannot help you because we don't have responsibility for you." I showed what had happened to me and explained that I did not have any place to go. The police officer turned to me and said, "We are not a hotel.."

**Survivor oral evidence,
Committee Stage**

Protection and support for migrant women

Ensuring full and equal protection and support for migrant survivors is an urgent priority for the Bill. During a public health emergency, it is crucial that every woman, regardless of her immigration status, is protected.

Perpetrators use immigration status as a form of coercive control - threatening to inform authorities, exploiting survivors' fears of deportation and destitution, and withholding information or documentation on their status. More than half of women surveyed by Kings College London and Latin

American Women's Rights Service, reported they felt they would

not be believed by the police because of their immigration status (54%), with more than half feeling that the police or the Home Office would support the perpetrator over them (52%).¹²

In many cases these abusive tactics and fears are upheld by the state through 'hostile environment' policies; data-sharing agreements between public services and immigration enforcement deter survivors without secure immigration status from accessing the services they need. Over half (27) of police forces in England and Wales confirmed in response to Freedom of Information requests that they share victims' details with the Home Office for immigration control purposes.¹³ During COVID 19 it is essential that no-one is deterred from accessing health care, in particular, due to a fear of facing enforcement as a result.

Migrant women with 'No Recourse to Public Funds' (NRPF) face insurmountable barriers to accessing support services, including refuges. The housing costs of refuge services are largely met through housing benefit, but women with NRPF due to their immigration status are unable to access welfare benefits. Due to the continuing funding crisis facing refuge services, most are unable to cover housing costs without benefits or other funding in place; only 5% of refuge vacancies are accessible to women with NRPF.¹⁴ The options facing women with NRPF unable to access a refuge space are shocking – homelessness or being forced to return to the perpetrator. The destitution of migrant women, who have no access to statutory support, is a severe concern within COVID 19.

"I have no benefits, nothing, and I cannot apply for indefinite leave ... My only chance is to go back to him."

Survivor

It is unacceptable government continues to state that they are 'reviewing' the response to migrant women, when there is clear evidence about the scale of the problem and the urgency of improving protection and support in accordance with the Istanbul Convention and during the current crisis. We recommend that the government:

¹² Kings College London and LAWRS (2019). *The Right to be Believed*. Available: <https://stepupmigrantwomenuk.files.wordpress.com/2019/05/the-right-to-be-believed-key-findings-final-1.pdf>

¹³ Liberty and Southall Black Sisters. Super-complaint. Available:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/767396/Super-complaint_181218.pdf

¹⁴ Women's Aid (2020) *The Domestic Abuse Report 2020: The Annual Audit*, Bristol: Women's Aid.

- As recommended by Southall Black Sisters¹⁵, **abolish the No Recourse to Public Funds (NRPF) condition, and extend eligibility for the existing Domestic Violence (DV) Rule**, to ensure all women with insecure immigration status, not only those on spousal visas, can access a life-saving refuge space, financial support and housing.
- As recommended by the Step Up Migrant Women campaign and the joint pre-legislative scrutiny committee, **establish a 'firewall' to separate immigration control from the vital public services survivors seek help from**¹⁶, alongside safe and confidential reporting systems for those with insecure status.
- **Reform the spousal visa process** to ensure that foreign spouses can access information about their partners' previous history and domestic abuse support services in the UK in their own language. As recommended by *experts by experience*, explore means to ensure serial perpetrators of domestic abuse are not able to apply for multiple spousal visas.

Protection for Deaf, disabled, and blind survivors

Disabled, Deaf and blind women face increased risks of gender-based violence.¹⁷ Domestic abuse is often perpetrated by those whom they rely on for care and support, and there are often many more barriers to escaping. Changes to the Care Act 2014 during the pandemic are a particular concern for women with disabilities, who are likely to see their usual support arrangements disrupted. It can often take numerous attempts to leave because of the lack of understanding of disability within statutory and non-statutory organisations, a lack of information available in alternative formats, and poor provision of accessible refuge space. During 2018–19 only 0.9% of refuge vacancies in England were in rooms fully accessible for wheelchairs and a further 1.0% were suitable for someone with limited mobility.¹⁸ The Bill must ensure disabled survivors have equal access to protection, support and justice.

"There was a lack of understanding in relation to disability and issues around gender-based violence. I found that services were not accessible. There was a lack of information in accessible formats."

**Survivor oral evidence,
Committee Stage**

- *Experts by experience* recommend a **duty on public sector bodies and support services to provide information in alternative formats** including braille, large print and audio. During the current COVID 19 crisis, all government communications must be made accessible for all, including translation into British Sign Language.
- We also support Stay Safe East's recommendations¹⁹ to ensure the proposed definition includes paid and unpaid carers within the list of a 'personal connection', and for the repeal of the 'carer's defence' clause in the 2015 Serious Crime and Domestic Violence Act.

Gendered approach

All victims of domestic abuse need support, but the response required for men and women is different because they have different experiences and needs. The Istanbul Convention also requires states to take a gendered approach when implementing laws and

"It is crucial that the gendered context of domestic abuse is recognised on the face of the Bill"

**Joint Committee on the Draft
Domestic Abuse Bill, June 2019**

¹⁵ Southall Black Sisters: Protection for All, March 2020 <https://southallblacksisters.org.uk/wp-content/uploads/2020/03/DA-Bill-Briefing-Paper-2.pdf>

¹⁶ Step Up Migrant Women, <https://stepupmigrantwomen.org/>

¹⁷ Office for National Statistics (ONS). (2018) Domestic abuse: findings from the Crime Survey for England and Wales: year ending March 2017. Published online: Office for National Statistics.

¹⁸ Women's Aid (2020) The Domestic Abuse Report 2020: The Annual Audit, Bristol: Women's Aid

¹⁹ <https://drive.google.com/file/d/1GBA95OxQHMzmx3n3Pztag03uHbt9gkD/view>

policies on domestic abuse.²⁰ However one of the key elements of the Bill, the statutory definition, does not do this.

The gendered dynamics, impact and consequences of domestic abuse must be included in the definition, or the preamble to the Bill, as a gendered definition is crucial for the right response. There is also no inclusion in the definition of the types of abuse disproportionately experienced by black and minority ethnic (BME) women²¹, including forced marriage and so-called 'honor based' violence, although there is a proposal to include these in statutory guidance.

3. Coordinated government response

Nationally, just one in five victims of domestic abuse will report it to the police.²² The harm caused by domestic abuse is far-reaching and includes impacts on housing and homelessness, health, finances and debt, employment and education. The mass experience of isolation as a result of COVID 19 is having severe impacts on survivors – not only leading to an escalation of abuse but closing down women's access to the support and safety they need. We are calling for coordinated, proactive action across government to prevent physical and emotional harm, and meet the increased and changing needs of survivors and their children, during this pandemic. It is now essential that the Bill delivers reform across the public sector if it is truly to make a difference to women and children experiencing domestic abuse.

Children and the family courts

Domestic abuse can have a devastating impact on children and young people and is the most common factor in cases where children are at risk of serious harm in the country.²³

Recognition of the serious impacts to children, however, remains severely lacking within the family justice system - where the approach to child contact is undermining the safety and welfare of children experiencing domestic abuse.²⁴ Women's Aid's research demonstrates that safeguarding concerns resulting from domestic abuse are still not believed or understood within the child contact system - leading to potentially unsafe contact decisions which, in the most extreme cases, has resulted in children being seriously harmed and murdered.²⁵

Survivors and their children are falling between two court systems, and often report that they are re-victimised and re-traumatised within the family courts. 24% of survivors surveyed by Women's Aid in 2017 had been directly cross-examined by their perpetrator in the family courts, and 61% had no access to special measures.²⁶ Whilst the government's commitment to widen access to this ban to all those who have 'evidence' of domestic abuse is progress, we remain concerned that this will not work for all survivors. 'Evidence' of domestic abuse requires reporting it, and many survivors never talk to anybody about the abuse they've experienced.

"My experience of family courts - horrific, traumatic, psychological warfare. Mind games replicate the abuse from the relationship."

Survivor

²⁰ [Article Six](#), Council of Europe Convention on preventing and combating violence against women and domestic violence (2011)

²¹ Forced marriage, FGM, so-called 'honour-based' violence, dowry-related abuse and transnational marriage abandonment.

²² Office for National Statistics (2018) [Domestic abuse in England and Wales: year ending March 2018](#)

²³ Ofsted, HMICFRS, CQC, HMIP, [The multiagency response to children living with domestic abuse](#), 2017

²⁴ Dr Ravi Thiara and Dr Christine Harrison, Safe Not Sorry: Key issues raised by research on child contact and domestic violence, University of Warwick 2016.

²⁵ Women's Aid (2016), *Nineteen Child Homicides*, Bristol: Women's Aid

²⁶ Birchall, J. and Choudhry, S. (2018), "What about my right not to be abused?" Human rights, domestic abuse and the family courts.

On 25th June the Ministry of Justice published the final report of its panel on assessing risk of harm to children and parents in family law children cases.²⁷ Women's Aid was a member of the panel, and we warmly welcome its findings. The panel concludes that the family courts do not effectively protect many child and adult victims of domestic abuse from further harm. It calls for fundamental reform of the child arrangements programme, arguing that the system should be redesigned to be safety focused and trauma aware, taking an investigative, problem solving approach, working in a joined up, connected and consistent manner with other areas of justice and agencies, with adequate resources. The panel makes a number of recommendations to achieve this change, which Women's Aid supports.

The government has committed to introducing two amendments to the Bill that will make victims of domestic abuse automatically eligible for special measures in the family and civil courts.²⁸ We warmly welcome these new clauses which we have fought for through our Child First: Safe Child Contact Saves Lives campaign, but we urge for the Bill to go further on the presumption of contact. We call for:

"The judge said 'a father has a right to see their child.'...The psychology report stated my husband's actions were causing further trauma...but this took nearly 6 months which in the meantime meant that my son further suffered."

Survivor

- As recommended by the MoJ panel, **extend the welcome ban on cross-examination in the Bill** to ensure that it applies in any family cases involving domestic abuse (including where abuse has been admitted or is being established). This extension should also apply to the newly added provision in civil cases, and should not be subject to an 'evidence test', as this will not protect all survivors.
- As recommended by *experts by experience* group, **reverse the legal aid cuts** delivered in the Legal Aid, Sentencing and Punishment of Offenders Act 2012, and make non-means tested legal aid available for all domestic abuse cases.
- **Change the legal presumption of parental involvement** in the Children Act 1989 through the Domestic Abuse Bill. This presumption should be ended in cases where children are at risk of harm from domestic abuse, with contact arrangements in domestic abuse cases based on informed judgement of a child's best interests and safety.
- **Prohibit unsupervised contact** for a parent waiting for trial, or on bail for, a domestic abuse related offence, or where there are ongoing criminal proceedings for domestic abuse.
- We welcome the Government's amendment to recognise children as victims in the proposed statutory definition, and in addition we are clear the **Children Act 1989 needs to name coercive control as 'harm to children'**.
- As recommended by the MoJ panel, include in the Bill measures to reverse, amend or supplement the 'exceptionality' requirement in the Children Act 1989 for **section 91(14) orders ('barring orders')**.
- Statutory guidance delivers a clear **cross-government strategy** for protecting and supporting child survivors.
- As recommended by *experts by experience* and the MoJ panel, **a national and accredited training programme**, and on-going competency checks, for all CAFCASS officers, judges and magistrates, and child contact centre staff.

²⁷ Ministry of Justice (2020). Assessing risk of harm to children and parents in private law children cases: Final report.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/895173/assessing-risk-harm-children-parents-pl-childrens-cases-report_.pdf

²⁸ Ministry of Justice (2020). Assessing risk of harm to children and parents in private law children cases: Implementation plan.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/895174/implementation-plan-assessing-risk-children.pdf

Housing

Domestic abuse is, by its very nature, a housing issue. Lack of access to safe, secure housing is a major barrier to escaping and factors strongly into a survivors' decision making about whether they stay in, or leave, a perpetrator. Women are most at risk at the point of, or shortly after, separating from a perpetrator; 68% of women killed by men in 2018 were killed in their own home, or in the home they shared with the perpetrator.²⁹

In 2020 Women's Aid's No Woman Turned Away project supported 243 women struggling to access a refuge space, 40% of whom were forced to sofa-surf while they waited and 7% slept rough - of which one woman was pregnant and five women had their children with them.³⁰ The report found that the response of local authority housing teams to women made homeless due to domestic abuse is inconsistent, with women often being told they weren't in priority need or the local authority refusing them help as they were from outside their 'local area'³¹.

The extension of automatic priority need through the Bill is therefore warmly welcome, and especially important during COVID 19, as the number of women seeking to escape domestic abuse is anticipated to increase and refuges struggle to meet demand. However alongside priority need, a number of other housing reforms are also required, including a ban on 'local connection' rules and residency requirements must extend to wider homelessness duties and housing allocations too to ensure all survivors are able to access safe housing. Ensuring adequate provision of safe accommodation for women and children escaping domestic abuse, alongside support, is also urgently needed. Whilst the government have clearly directed councils to house rough sleepers during the pandemic, there has been no comparable requirement or funding to ensure women and children escaping domestic abuse are required to be housed in suitable, safe, single-sex accommodation.

We recommend:

- We welcome that after years of cross-sector campaigning, **that the Bill will ensure survivors of domestic abuse will be automatically considered in 'priority need' for housing.** We do, however, urge for the Government to revise their amendment to ensure that priority need status for settled housing can be granted, even if the homelessness application is not made directly by the individual who was experiencing domestic abuse in a household but with the survivors' consent, and for this to include those with no recourse to public funds.
- **The Bill delivers a statutory ban on local authorities imposing 'local connection restrictions'** on refuge services, which threaten the operation of the national network of refuges, and extend residency requirements to wider homelessness duties and housing allocations too to ensure all survivors are able to access safe housing.
- As recommended by Latin American Women's Aid, prevent the service of family court orders on refuge residential addresses, and **ensure that refuge residential addresses and the identity of refuge workers remain confidential.**
- As recommended by *experts by experience* group, **a duty on local authorities to ensure that housing allocation for survivors is safe and suitable. This must take into account the impact of trauma, physical safety, and additional needs** – including

"After a year of fallout, I'm still homeless...it feels like I'm worse off for having gone through 'the system'."
Survivor

²⁹ Femicide Census (2018) *The Femicide Census: Annual Report on UK Femicides 2018*. Published online: nia

³⁰ Women's Aid (2020) *Nowhere to Turn 2020: Findings from the fourth year of the No Woman Turned Away project*, Bristol: Women's Aid

³¹ Inside Housing (2020). *Hundreds of vulnerable people refused temporary housing, exclusive data reveals*. Published online:

<https://www.insidehousing.co.uk/news/news/hundreds-of-vulnerable-people-refused-temporary-housing-exclusive-data-reveals-65145>

suitable accommodation for women with disabilities, and the provision of women-only spaces.

Economic abuse, welfare and work

We welcome the government's proposal to include economic abuse in the new statutory definition of domestic abuse. Economic abuse is a common part of the coercive control that survivors experience and can happen to any woman, but disproportionately impacts women in poverty. It is a fundamental barrier to escaping; over half of survivors surveyed by Women's Aid and the TUC could not afford to leave an abuser.³² These concerns are acute during COVID 19; our member services are reporting serious concerns about women's access to the money they need to leave an abuser, including concerns about access to food and basic essentials.

However the Bill also must take practical steps to tackle the risk, and impact, of economic abuse in practice. Access to financial assistance, through welfare benefits, is vital for women survivors of domestic abuse – particularly for those who are forced to flee their homes. During Committee Stage, the Minister noted that the Department for Women and Pensions are obliged to consider the impacts of its policies through existing equality assessments. However we are highly concerned that despite this, welfare reforms are restricting survivors' access to safety and increasing the barriers they face in leaving abusers. This includes single payments of Universal Credit, the five-week wait for payment, and the 'two child tax credit limit' and benefit cap which disproportionately impact single women with children. We are calling for:

- **The Bill to place a duty on the government to assess all welfare reforms** for their impact on women's ability to escape abuse, deliver separate payments of Universal Credit by default, and an end to the benefit cap and end the two child tax credit limit.
- Include a **statutory right for employees affected by domestic abuse to vary their working arrangements** in the Bill - including a period of paid leave - to help cope with its impact.
- The Department for Work and Pensions to build on work with Women's Aid to train all Jobcentre Plus managers on domestic abuse with a full roll-out of specialist training for all work coaches and reforms to Universal Credit to ensure it is safe for survivors.

Criminal justice response

Domestic abuse now accounts for 14% of police recorded crime.³³ Whilst national policing bodies are prioritising their response to survivors during COVID 19, we know that delays to investigations and charging, court closures, and stretched probation teams and early releases from prison will all pose threats to survivors' safety. It is important that the Bill strengthens the power of the police response and ensure that survivors' safety is always paramount.

³² Howard, M and Skipp, A, Unequal, trapped and controlled, Women's Aid and TUC, 2015 - from 126 respondents to this survey.

³³ Office for National Statistics, Domestic abuse in England and Wales overview: November 2019

- In light of the serious capacity constraints facing the police in responding to domestic abuse, **we share the joint committee's concerns about how the new Domestic Abuse Protection Order (DAPO)** will be implemented safely and effectively. Further clarity is needed to ensure these new orders - which will introduce a range of positive requirements and prohibitions on perpetrators - can be robustly monitored and enforced by the police and other agencies. Our *experts by experience* group remain unconvinced the DAPO will resolve the barriers they have faced, and recommend **a review into the criminal justice system response to breaches of restraining and non-molestation orders**, and ensure sufficient resourcing, capacity and legislation to enforce these now.
- "My last 11 years were built on 13 harassment warnings, 4 restraining orders, and 1 non molestation order - averaging a breach a month. It's not easy to get a protection order, and when we do get them they are not enforced time and time again."*

Survivor
- A more effective response to perpetrators is needed. **We call for the removal of measures to enable pilots of polygraph testing** with high risk perpetrators from the Bill, as they are not evidence based and were not consulted on with the domestic abuse sector. The government must deliver **high quality probation service** for supervising perpetrators, alongside measures to **ensure all responses to perpetrators funded by government or statutory agencies are safe** - Respect accredited, led by experienced staff who receive ongoing specialist training, and delivered alongside separate support for survivors.
 - Changes in the Policing and Crime Act 2017 have led to a dangerous drop in the use of pre-charge bail in domestic abuse cases, and dangerous offenders being released under investigation with no conditions attached.³⁴ The government's consultation on revising the Act is welcome, and must lead to swift changes to ensure pre-charge bail is routinely used in domestic abuse and sexual offences cases to safeguard victims.

³⁴ BBC, [Thousands of violent crime suspects released without conditions](#), 30 March 2018