Written evidence to the Home Affairs Committee’s inquiry on Domestic Abuse submitted by Respect, 5.7.18

1. Executive Summary

We recommend that:

- The government shine the spotlight on perpetrators and puts ‘preventing the perpetrator from causing further harm’ at the very centre of a whole system approach to domestic abuse
- Every area should have local multiagency arrangements such as the MATAC approach
- The government should adopt a coherent and strategic approach to justice; use survivors’ views on justice as guidance when deciding what changes to make to legislation, the criminal justice system and processes; carry out a wholesale review of all possible criminal and civil remedies, the effectiveness of enforcement, the joining up of the different courts and the resourcing of both court ordered activity for perpetrators and support for victims
- The police should focus on high quality evidence gathering, including the mandatory use of body worn cameras
- Out of Court Disposals should only be used when the threshold for charging has genuinely not been reached, and not as a diversion from prosecution
- The DAPO should be a Domestic Abuse Prevention Order focused on holding perpetrators to account which is both applied for and funded by statutory agencies
- All statutory agencies should be required to have appropriate processes for the identification of perpetrators and referral routes to a specialist organisation which can provide assessment and intervention
- Assessment of harm, capacity to change and need, is essential to ensure the right intervention (intensive case management, disruption, behaviour change) is given to the right individual; to make sure the most successful outcome is achieved in each case; and to guarantee that public money is spent wisely
- Perpetrators causing high levels of harm, particularly those with additional or complex needs and/or those who are resistant to change, require intensive case management, such as that provided by the Drive project coupled with disruption activities which limit a perpetrator’s ability to continue being abusive and controlling
- Every community should have a Respect accredited behaviour change programme as a resource for local agencies to refer to and for perpetrators themselves to get help directly
- All perpetrator interventions should be required to demonstrate that their work is safe, effective and working to Respect’s principles and standards; and all commissioners should use the standard and make it a requirement of commissioned services
- Every child should receive Relationships and Sex Education; and recovery work with children who have experienced domestic or sexual abuse should be a key priority
- Respect’s programmes for young people perpetrating child/adolescent to parent violence or intimate partner violence should be made widely available
- The government should fund a series of high profile public information/awareness campaigns particularly targeting perpetrators with the dual message of ‘you won’t get away with it’ and ‘you can get help to change’; and which explore concepts of toxic and healthy masculinity
- The Iris+ health response should be made widely available
- Each Government Department should demonstrate visible leadership and have a strategy for bringing about culture change
• The proposed Commissioner should be a Violence Against Women and Girls Commissioner, with clear and solid powers to make a real difference
2. About Respect

Respect is the UK domestic abuse charity providing the national voice on perpetrators, male victims and young people. We:

- Improve responses to domestic violence across government, the public, private and voluntary sectors;
- Collaborate with key partners to develop new and innovative practice, such as:
  - The Drive Project\(^1\) with SafeLives and Social Finance, piloting a response to high harm perpetrators
  - Change that Lasts\(^2\) (CtL) with Welsh Women’s Aid and Women’s Aid England, piloting an early intervention response
- Work closely with researchers to develop a robust evidence base
- Provide specialist training, toolkits, resources, practice and workforce development
- Set national standards focused on safety, effectiveness and accountability, and accredit organisations which meet these standards

Respect is a member of the End Violence Against Women Coalition and support their submission.

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3. The proposed Domestic Violence and Abuse bill

We welcome this bill and the government’s aim to ‘make domestic abuse everybody’s business’; its commitment to a gendered approach and a violence against women and girls strategy; its acknowledgement of the different needs of male victims; and its recognition that the postcode lottery must end. The proposed bill offers a real opportunity to not just make legislative change, but also to transform the culture, policy and practice of statutory service provision. We welcome the opportunity to work with the government to develop a comprehensive, ambitious and strategic vision coupled with a pragmatic whole system approach.

4. Preventing the perpetrator from causing further harm is the key to ending domestic abuse

We should all live in communities where domestic abuse is not tolerated, where perpetrators are held to account and dealt with effectively in ways which prioritise survivor safety. Strategies and actions to address domestic abuse have rightly focused on the needs of survivors, but for too long, perpetrators have been invisible or ignored, their behaviour minimised, excused, colluded with, and sometimes even enabled by, a fragmented system. For too long, too many have been getting away with it. We are calling on the government to shine the spotlight on the perpetrator, to put preventing the perpetrator from causing further harm at the very centre of a whole system approach.

5. Who are the perpetrators?

Very little data is kept specifically on perpetrators of domestic abuse, but what we do know is that the whole cohort of perpetrators is a large and diverse group. Mainly men, but some women, and

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\(^1\) [http://driveproject.org.uk/](http://driveproject.org.uk/)
\(^2\) [https://www.womensaid.org.uk/our-approach-change-that-lasts/about-change-that-lasts/](https://www.womensaid.org.uk/our-approach-change-that-lasts/about-change-that-lasts/)
including those in same sex relationships. All backgrounds, ages, religions, social classes and ethnicities. Perpetrators of intimate partner abuse and of abuse against parents, siblings and other family members. Multiple perpetrators abusing and controlling the same victim. Serial perpetrators with multiple victims. Some perpetrators just at the beginning of what could escalate, others entrenched in years, even decades of violent, abusive, controlling behaviour. Many causing high levels of harm with severe impacts. Some totally resistant to admitting and taking responsibility for their behaviour, others seeking help and determined to change. Some ready, willing and able to take part in behaviour change programmes, others with complex needs which act as barriers to engagement. Some in plain sight and well known to agencies, others invisible and yet to be identified. All require a response which is safe and effective in preventing them from causing further harm.

6. Prevention

The best way to address domestic abuse is through a comprehensive prevention strategy – to stop it ever happening in the first place. We welcome the proposed changes to how Relationships and Sex Education (RSE) is taught in schools and look forward to implementation. There should be no opt-out for academies, free schools or independent schools. Every child needs this education – it is their right and should not be dependent on the school they attend or the family they grow up in.

We would particularly like to see high profile domestic abuse awareness campaigns which address toxic/healthy masculinity and target perpetrators with the dual message of ‘you won’t get away with it’ and ‘you can get help to change’.

7. Coordinated multi-agency action

The system counts. Domestic violence and abuse cannot be addressed by one agency alone and work with perpetrators should never take place in isolation. Every area should have local multiagency arrangements such as the MATAC³ approach currently being trialled in Northumbria, bringing together all agencies – public sector, voluntary sector and private sector – who have contact with perpetrators to agree an action plan to address their behaviour and its impacts, and to reduce future harm.

8. Justice

Protection of victims and the punishment, rehabilitation and management of perpetrators are the 4 key components of the justice system. Recent research findings⁴ show that victims/survivors of domestic and sexual violence also want:

- Fairness
- Recognition by perpetrators
- To be listened to
- To get a genuine (public) apology for the harm done
- To be given a voice

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⁴ Hester et al. 2018 ‘Justice, Inequality and Gender Based Violence’, research funded by ESRC Grant Number ES/M010090/1  http://www.bris.ac.uk/sps/research/projects/current/justiceinequality/
We encourage the government to use these findings as guidance when deciding what changes to make to both legislation and the criminal justice system and processes.

9. Coherent, strategic approach to criminal, civil and family courts

There are currently multiple possible remedies across criminal, civil and family courts, but little coherence between them. We are aware of cases where one court has undermined another (for example the family court has issued contact without reference to bail conditions or a protective order). We are also aware of the lack of enforcement of breaches which undermines the whole process. We recommend a wholesale review of all possible remedies, the effectiveness of enforcement, the joining up of the different courts and the resourcing of both court ordered activity for perpetrators and support for victims. At the moment we fear a piecemeal approach which tinkers but is not radical and may end up achieving very little.

10. Addressing attrition in the criminal justice system

Despite improvements, the attrition rate for domestic and sexual violence is still far too high. We suggest a focus on high quality evidence gathering, including the mandatory use of body worn cameras to ensure successful prosecution.

11. Out of court disposals

In cases where there isn’t enough evidence to prosecute, other sanctions such as Out of Court Disposals and a range of protective orders may be a useful way to restrict and manage perpetrators (particularly as part of a coordinated disruption approach – see 16). However, it is essential that these options are only used when the threshold for charging has genuinely not been reached, and not as a diversion from prosecution.

12. DAPOs

Respect is concerned that current and proposed protective orders put the onus on the victim to both apply for and even fund an order to protect her/himself. We’d like to explore the viability of creating a new order focused on preventing perpetrators from causing further violence, abuse, coercion or control, rather than protecting victims. We propose therefore that the DAPO is a Domestic Abuse Prevention Order focused on holding perpetrators to account which is both applied for and funded by the police, social services etc as part of the multi-agency approach to reducing the harm the perpetrator is causing, rather than a Domestic Abuse Protection Order applied for mainly by victims.

Any requirements to attend programmes need to be significant and use accredited programmes only (see 18). A 28-day order would be very limited and unlikely to create meaningful behaviour change, but could create an unrealistic expectation, both in the victim and in the courts, that this will happen. We suggest the focus be on perpetrator management.

13. Early intervention

Every community should aim to address domestic abuse at the earliest possible opportunity when there is most chance of preventing abuse from escalating. We recommend that all statutory agencies be required to have appropriate processes for the identification of perpetrators, such as a ‘recognise, respond, refer’ model, and referral routes to a specialist organisation which can provide assessment (see 14) and intervention (15-18).

14. Assessment of harm, capacity to change and need
The diverse cohort of perpetrators described above (see 5) don’t all require the same response. Communities, commissioners and services will want to target the right intervention to the right individual, to ensure the most successful outcome in each case and guarantee that public money is spent wisely. An intervention for someone who is just beginning to be abusive, who recognises they have crossed a line and wants to stop before it gets worse, is very different to an intervention for a perpetrator who has been abusive for decades, is in denial about their behaviour and has no motivation to change.

We are developing a new assessment tool based on these 3 key factors:

1. **Harm**
   Are they perpetrating high levels of harm – not just physical injuries, but controlling and abusive behaviour which has a high impact on victims? Is there risk of further high levels of harm, including risk of lethality? Agencies will want to identify those whose behaviour needs to be addressed most urgently.

2. **Capacity to change**
   To what degree are they ready, willing and able to change versus being entrenched in their behaviour, in denial and resistant to change?

3. **Need**
   Do they have additional / complex need(s) which act as barriers to engagement and contribute to the likelihood of a continuation of abusive behaviour? Perpetrators with poor mental health, drug and alcohol abuse, Post Traumatic Stress Disorder (PTSD), homelessness and/or unemployment may require additional support to stabilise their lives. Those on the autistic spectrum, with brain injuries, cognitive impairments, learning disabilities, Alzheimer’s or other such conditions will all require additional support.

15. **Intensive case management**
Perpetrators causing high levels of harm, particularly those with additional or complex needs and/or those who are resistant to change, require intensive case management, such as that provided by the Drive project⁵, which:

- continues to assess harm, capacity to change and need, and coordinates risk management and safeguarding plans
- oversees a support plan to deal with additional needs
- coordinates disruption activities
- motivates the perpetrator to engage with a behaviour change programme

16. **Disruption activities**
Particularly in cases where the perpetrator refuses to engage with behaviour change and where the criminal justice system has failed to hold them to account, a range of disruption activities can be considered, which restrict the perpetrator’s space for action and limit their ability to continue to be abusive and controlling. For example, this could be the arrest or recall of a perpetrator for breach of

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⁵ [http://driveproject.org.uk/](http://driveproject.org.uk/)
restraining order or bail conditions, completing a house call and welfare checks, or placing flags on the perpetrator’s vehicle. In order to disrupt perpetration of abuse, the knowledge of the perpetrator’s whereabouts, activity and risk factors are absolutely crucial and the information that can be shared by the police with other agencies is key to facilitating this activity.

**17. Behaviour change programmes**

Perpetrator behaviour change is the best long-term solution to domestic abuse. For those ready, willing and able to change there is clear evidence from the Mirabal research findings\(^6\) that Respect accredited\(^7\) programmes have a positive effect, particularly in reducing physical and sexual violence. We are pleased to see the government’s commitment to ratify the Istanbul Convention. Article 16\(^8\) includes that “Parties shall take the necessary legislative or other measures to set up or support programmes aimed at teaching perpetrators of domestic violence to adopt non-violent behaviour in interpersonal relationships with a view to preventing further violence and changing violent behavioural patterns.” Every community should have such a programme as a resource for local agencies to refer to and for perpetrators themselves to get help directly.

**18. Principles and standards to ensure safety, effectiveness and accountability**

The question we are asked the most about interventions with perpetrators is ‘do they work?’. Obviously, it is essential that any response to perpetrators is effective, but even more important is that it is safe. Respect has developed the Respect Standard\(^9\) with principles and standards for specialist service provision (which can also be applied to any response to perpetrators across the public, voluntary and private sectors) designed to ensure just this. We recommend that all perpetrator interventions be required to work within these principles and standards and become accredited and we would like to explore ways of ensuring commissioners use the standard and make it a requirement of commissioned services. We believe that the new Commissioner role (see 23) should have oversight of this.

**19. Recovery work with children should be a key priority**

Linked to prevention work in schools (see 6) is the knowledge that some young people will already be traumatised by abuse and violence they have experienced at home, or in their fledgling intimate partner relationships. Their need is not so much for prevention as intervention, particularly recovery work, but this is rarely available. We recommend making recovery work with children a key priority.

**20. Young people who use violence and abuse need to be included**

Young people (under 18) who are abusive – be it child/adolescent to parent violence (C/APV) or intimate partner violence (IPV) – are not mentioned in the consultation. They are at a stage of development where they need a different response to adults, one that works with the trauma they have experienced / are experiencing alongside the risk they pose. Respect has developed young people’s programmes for both C/APV and IPV which have been successfully evaluated and we recommend that these are further rolled out.

**21. Health responses need to be prioritised**

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\(^6\) [https://www.dur.ac.uk/resources/criva/ProjectMirabalfinalreport.pdf](https://www.dur.ac.uk/resources/criva/ProjectMirabalfinalreport.pdf)
Health is one of the least stigmatised public services, where large numbers of both victims and perpetrators seek early help. We would like to see Health engaging fully with the non-legislative programme of work, particularly Iris+ which builds on Iris (GP identification, documentation, and referral of female victims) to include male victim/survivors and perpetrators, female perpetrators and children.

22. Culture change, leadership and a well-trained workforce

Improvements have been seen across the criminal justice system because of sustained leadership, demands for internal and external accountability and a focus on training and cultural change. Respect would like to see: domestic abuse, or indeed violence against women and girls, become a core part of undergraduate training for all relevant professionals; and each Government Department to have a strategy for bringing about culture change; and visible leadership on this issue beyond the Home Office.

23. The new Commissioner and the scope of the bill needs a broader VAWG brief

Alongside other VAWG sector organisations, we believe the Commissioner should be a VAWG Commissioner, with clear and solid powers to make a real difference, including to map the national provision of services across all forms of VAWG, ensure data collection is comprehensive, oversee local commissioning and quality standards are adhered to.

We also think the bill and related programme of work would benefit from being broader than domestic abuse, including other forms of violence against women and girls.