

Domestic Violence and Abuse Update

Date: 15th July 2021

Report of: Director of Communities, Housing and Environment

Report to: Scrutiny Board (Environment, Housing and Communities)

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- This report provides an update on the implementation of the Domestic Abuse Act 2021 and the progress made by the council in delivering against the statutory duties.
- It provides an update on the impact of the coronavirus pandemic on domestic violence and abuse and the council's response over the last year.
- This report does not require any decisions; it is presented for information and comment.

Domestic Abuse Act 2021

The Domestic Abuse Act received Royal Assent, becoming law, on 29 April 2021.

The Act aims to:

- Raise awareness and understanding about the devastating impact of domestic abuse on victims and their families.
- Further improve the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice.
- Strengthen the support for victims of abuse by statutory agencies.

The Act will:

- Create a statutory definition of domestic abuse, emphasising that domestic abuse is not just physical violence, but can also be emotional, controlling or coercive, and economic abuse.
- The definition also provides that a child who sees or hears, or experiences the effects of, domestic abuse and is related to the person being abused or the perpetrator is also to be regarded as a victim of domestic abuse.
- Establish in law the office of Domestic Abuse Commissioner and set out the Commissioner's functions and powers.
- Provide for a new Domestic Abuse Protection Notice and Domestic Abuse Protection Order.

- **Place a duty on local authorities in England to provide accommodation based support to victims of domestic abuse and their children in refuges and other safe accommodation.***
- Prohibit perpetrators of abuse from cross-examining their victims in person in the civil and family courts in England and Wales.
- Create a statutory presumption that victims of domestic abuse are eligible for special measures in the criminal, civil and family courts.
- Clarify the circumstances in which a court may make a barring order under section 91(14) of the Children Act 1989 to prevent family proceedings that can further traumatise victims.
- Extend the controlling or coercive behaviour offence to cover post-separation abuse.
- Extend the offence of disclosing private sexual photographs and films with intent to cause distress (known as the “revenge porn” offence) to cover threats to disclose such material.
- Create a new offence of non-fatal strangulation or suffocation of another person.
- Clarify by restating in statute law the general proposition that a person may not consent to the infliction of serious harm and, by extension, is unable to consent to their own death.
- Extend the extraterritorial jurisdiction of the criminal courts in England and Wales, Scotland and Northern Ireland to further violent and sexual offences.
- Provide for a statutory domestic abuse perpetrator strategy.
- Enable domestic abuse offenders to be subject to polygraph testing as a condition of their licence following their release from custody.
- Place the guidance supporting the Domestic Violence Disclosure Scheme (“Clare’s law”) on a statutory footing.
- **Provide that all eligible homeless victims of domestic abuse automatically have ‘priority need’ for homelessness assistance.***
- **Ensure that where a local authority, for reasons connected with domestic abuse, grants a new secure tenancy to a social tenant who had or has a secure lifetime or assured tenancy (other than an assured shorthold tenancy) this must be a secure lifetime tenancy.***
- Prohibit GPs and other health professionals in general practice from charging a victim of domestic abuse for a letter to support an application for legal aid.
- Provide for a statutory code of practice relating to the processing of domestic abuse data for immigration purposes.

*The items in bold are those that relate to local authority duties.

In addition to the Act, the Government has committed to bringing forward a new statutory domestic abuse perpetrator strategy as part of the domestic abuse strategy and announced £15 million of additional funding for perpetrator interventions in the 2021 Budget.

The Act also creates the Domestic Abuse Commissioner role to help drive consistency and better performance in the response to domestic abuse across all local areas and agencies. The Government also amended the legislation to require a person or body carrying out a domestic homicide review in England and Wales to send a copy of the report of the review to the Domestic Abuse Commissioner. Further to lobbying from the domestic abuse sector for greater investment in community-based support services, the legislation has now been amended so that the Domestic Abuse Commissioner is able to publish a report, under her new powers in the Act, on the provision of and need for community-based services.

Responsibilities of the Local Authority

The Act places a statutory duty on tier one local authorities relating to the provision of support to victims of domestic abuse and their children residing within refuges and other safe accommodation. It also places a duty on each tier one local authority in England to:

- Appoint a multi-agency Domestic Abuse Local Partnership Board which it will consult as it performs certain specified functions.
- Assess the need for accommodation-based domestic abuse support in their area for all victims or their children, including those who come from outside the area.
- Develop and publish a strategy for the provision of such support to cover their locality, having regard to the needs assessment.
- Give effect to the strategy (through commissioning / de-commissioning decisions).
- Monitor and evaluate the effectiveness of the strategy.
- Report back to central government.
- Require tier two councils (district or borough councils, and London Boroughs) to co-operate with the lead local authority as far as is reasonably practicable.
- Require the Secretary of State to produce statutory guidance, having consulted the Domestic Abuse Commissioner, local authorities and such as other persons as considered appropriate.
- Require local authorities to have regard to the statutory guidance in exercising their functions.

Domestic Abuse Local Partnership Board

In preparation for the Domestic Abuse Act and the ambition of senior leaders to further integrate the city's partnership response to DVA, Safer Leeds established a shadow Domestic Abuse Local Partnership Board (DALPB) in October 2020. This Board is now fully established and has been engaged in the development of the funding proposals for the current financial year, development of the needs assessment and strategy/action plan and maintaining oversight of existing work streams.

The board works collaboratively and has formed strategic alignments with Safeguarding Boards, the Children's Trust Partnership Board, the Health and Wellbeing Board and the Strategic Migration Board. The new strategic working arrangements will also have cognisance of the work of Women's Lives Leeds and the plans to develop a Strategy for Ending Violence Against Women and Girls and the West Yorkshire work of the PCC/WY Combined Authority relating to both Domestic Abuse and Honour Based Abuse.

The Board is supported by the Domestic Abuse Voice and Accountability Forum (DAVA) – a group of 40+ third sector agencies who deliver support to DVA victim-survivors either as specialist providers or providers for whom DVA is part of the needs of their service users. The DAVA acts as a critical friend to the DALPB offering support and challenge. It will have a quality assurance role in relation to equality issues. It will ensure that the board is fully apprised of the views of victim-survivors and their families and that it uses this knowledge in delivering the strategy.

Assessing need, developing the strategy and giving effect to the strategy.

The MHCLG have stated that the needs assessment must inform the development of the strategy/action plan and that the strategy/action plan will be published by 31st October 2021. In order to align with this timeframe, a phased approach has been adopted. Phase one will focus on collating and analysing the information for the needs assessment that will be required in order to meet the statutory duty in relation to support in safe accommodation; this will be complete by autumn 2021. Phase two will build on this assessment and include broader needs including, but not limited to, support to children and young people, the needs of those causing harm in relationships/perpetrators of abuse, community based support for all groups and understanding the opportunities and gaps in relation to preventative work.

Phase one of the needs assessments is well underway. It has focussed on gathering three sets of information:

- Contributions from a range of victim-survivors and their families;

- Qualitative data from the third sector, statutory agencies and relevant boards;
- Numerical data and narrative from relevant services.

A range of partners have been involved in the process to date and have contributed to shaping the scope of the assessment and to gathering and collating the information from a range of sources.

A working group to develop the strategy and action plan has been established. The strategy will also be developed in two phases to ensure that Leeds City Council is meeting its statutory duties in the first phase and considering wider needs in the second phase. The strategy for safe accommodation-based domestic abuse support will be published by 31st October 2021 and is due to be presented to the Executive Board in November 2021.

Allocating funding for 2021/22

In this current financial year, Leeds has been allocated £1.8 million by the MHCLG to fund the duty to provide accommodation based support to victim-survivors and their families. As outlined, this funding is not able to support community based provision as it is targeted at providing support to victim-survivors when they are in safe accommodation. In future years, the Local Authority will have access to the needs assessment and strategy/action plan to inform decisions relating to the allocation of funding to give effect to the strategy. However, as this is not yet available, the Board approved an approach to allocating the funding in an open and transparent manner for this year's funding, using existing commissioning needs information. Safer Leeds and the Adults and Health Commissioning Team have completed a process of engagement with partners and victim-survivors and an analysis of current presenting need in safe accommodation, and have developed a set of projects to be funded in this current year. These include:

- Enhancing the support at current specialist refuge and dispersed accommodation commissioned and non-commissioned.
- Enhancing sanctuary scheme support for adults and children
- Enhance support for domestic abuse victims living in other supported housing services
- Enabling the LA to carry out its burdens duties under the Act.
- An allocation to allow more time for providers who are new to this area to develop proposals and partnerships linked to safe accommodation models.

The proposed provision is additional to the arrangements that are currently in place to provide accommodation and support to victim-survivors in Leeds.

Homelessness provision and secure lifetime tenancies

In Leeds, homeless victims of domestic abuse would be considered vulnerable and therefore given priority need for homelessness assistance and for rehousing. Therefore this measure in the Act does not require any change in process for how people are assessed in Leeds.

Housing Leeds aim to rehouse victims/survivors of domestic abuse a safe distance away from the perpetrator, once a tenancy has been awarded an appropriate support package is put in place (with the tenants consent) to support them in their new home.

For those victims/survivors who wish to stay in their current home the sanctuary service is offered alongside a package of housing support.

Maintaining progress against DVA Breakthrough priorities.

The Board continues to have oversight of the former four priorities of the DVA Programme Board namely:

1. Support to victims
2. Challenging perpetrators

3. Service improvement and workforce development
4. Awareness raising.

It continues to oversee a number of operational groups to continue to ensure accountability for ongoing service delivery arrangements. These arrangements will be reviewed in accordance with emerging Government guidance for local governance arrangements and the development of a longer term strategy for the partnership response to DVA. Key achievements this year include:

- Improvements to the arrangements for managing high risk DVA through changes to the Multi Agency Risk Assessment Conference (MARAC) Daily DV meeting and successfully accessing Government funding for additional IDVA provision at the Front Door Safeguarding Hub.
- Development of a framework of perpetrator services and implementation of the actions from the Leeds Strategic Review of Perpetrator services and successfully being awarded Government funding for a perpetrator project as part of the Front Door Safeguarding Hub.
- Development and delivery of online training resources across the partnership and ongoing co-ordination and roll-out of learning from domestic homicide reviews.
- White Ribbon accreditation and a series of social media campaigns to promote commissioned DVA services and sources of support in Leeds.

By building on existing strong partnerships, the city is well placed to deliver its statutory duty and broader ambitions to reduce the prevalence and impact of domestic abuse in Leeds.

Domestic Abuse and responding to the Pandemic.

The following information has been put together to provide the board with an understanding of the prevalence of Domestic Abuse in the city and how we have responded during the pandemic.

Since the start of the Covid-19 epidemic there has been a significant increase of domestic violence and abuse in Countries across the world and the same is happening in England too. The National Domestic Abuse helpline reported a 49% increase of calls to the helpline and Refuge (UK's largest domestic abuse charity has reported a 120% increase in calls. The Men's advice line, for male victims of domestic abuse has seen a 35% increase in calls and a 42% increase in website traffic. The Respect phone line, which provides confidential advice to perpetrators of abuse has seen calls increase by a quarter and website visits by over 125%.

Very sadly, there has been a national increase in domestic homicides during three weeks of March and April. During this period there were 16 victims some of who were children.

Why is this the case?

The increase in household tensions and domestic violence and abuse is most likely a result of forced coexistence, economic stresses and fear about the virus.

Isolation - there has perhaps never been a more dangerous or frightening time for victims of domestic abuse trapped in lockdown with an abusive partner or family member. Victims and families are now spending much more time at home with their abuser and are much more isolated from help and support which significantly increases their risk of harm. Home is not a safe place to be for people living with an abusive partner or family member. Their ability to seek help is extremely compromised as they cannot leave the house as they wish or make a phone call without been overheard.

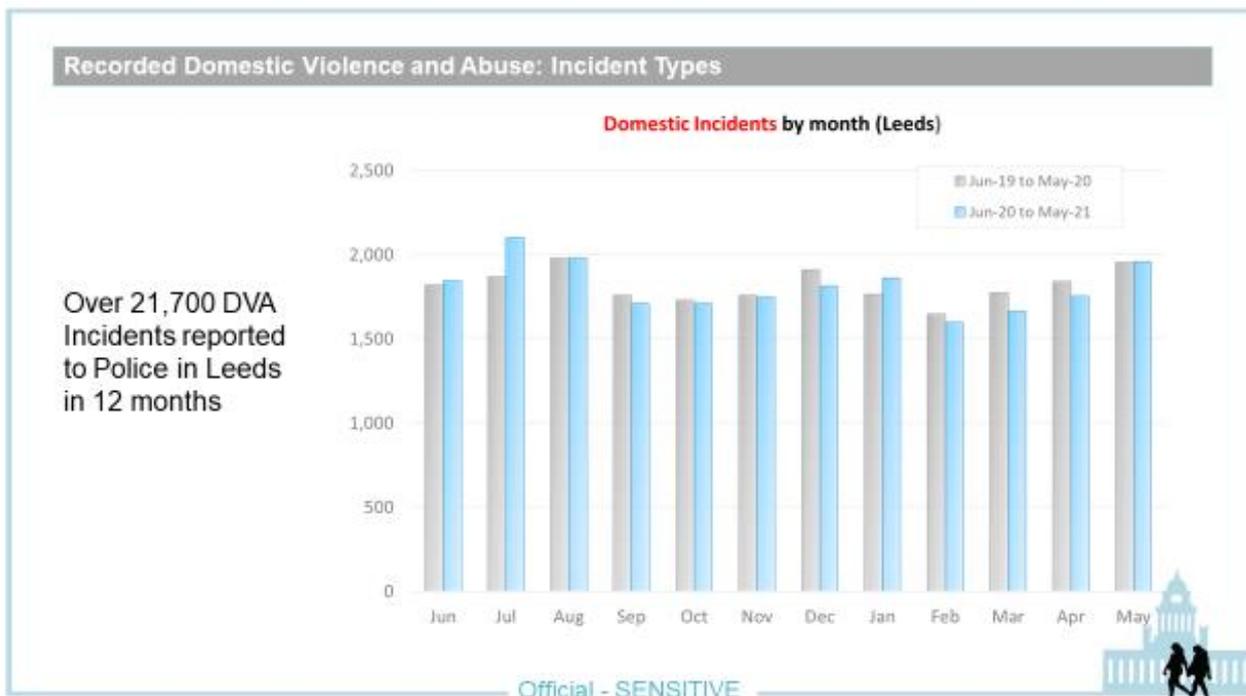
During lockdown there is also less opportunity for professionals, agencies or family and friends to pick up on signs of abuse as there is such a reduction in both face to face and telephone contact. In the current climate of self-isolation including from friends or family outside the same household, whilst necessary to reduce the spread of coronavirus, will also impact on the opportunity for victims of domestic abuse to escape control and seek and obtain such help.

What does this look like in Leeds?

The graphs below shows the monthly volume of reported police incidents over a 12 month period and peaks times. The volume during lockdown, in April and May, was a little above the same month in the previous year. The uplift in July is particularly notable, but has more recently reduced.

Within Leeds, the volume of Domestic Incidents varies significantly between wards. Whilst any person in Leeds could be impacted by Domestic Violence and Abuse, we could generalise that more economically deprived areas experience a higher volume.

1,437 Domestic Incidents were recorded in Middleton Park in the last 12 months. This was the highest volume ward in Leeds. Armley, Middleton Park, Killingbeck & Seacroft, and Burmantofts & Richmond Hill all have a domestic incident population rate of over 50 incidents per thousand population.

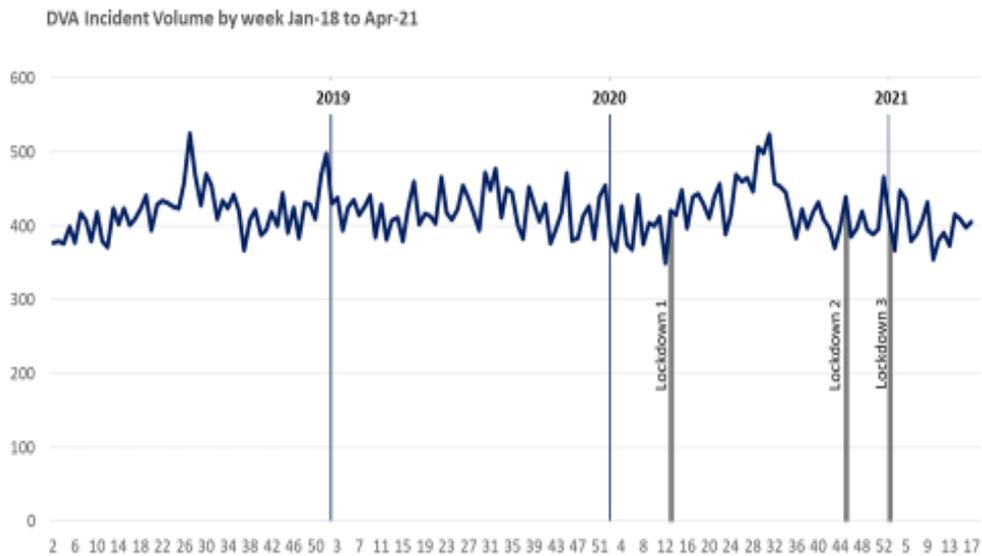


Domestic Violence and Abuse: Weekly Volume

Week to week variation

Uplift summer 2020

Impact of key dates, e.g. Christmas



Official - SENSITIVE



Other figures of note are as follows;

- 40% of all DVA incidents are repeat calls.
- Around 25% have a child present in the home.
- Around 10% are high risk incidents.

Children who witness domestic violence or are victims of abuse themselves are at serious risk for long-term physical and mental health problems. Children exposed to violence in the home may also be victims of physical abuse. There is a suggestion that children who witness violence between parents may be at greater risk of being violent in their own future relationships.

In the last 12 months, 6,054 Domestic Incidents identified a Child Present. This means that one or more children were at home during 27% of Domestic Incidents in Leeds.

This increased during lockdown, in April and May 2020 almost 30% of Domestic Incidents were recorded as Child Present.

Domestic Violence and Abuse: COVID ~ Service Level Volume Trends

Children's Social Care	Total	Week avg.	Week max.	Week min.	Peak week
DVA primary contact	6,468	103	245	17	20-Jul-20
DVA additional factor contact	8,922	142	261	36	20-Jul-20
DVA primary assessment	2,072	33	65	5	03-Aug-20
DVA additional factor	3,629	58	99	5	30-Mar-20

*23/03/20 to 31/05/21 ~ 13 month volume

Official - SENSITIVE



These figures only show the cases that are reported to the police and then flagged as a DVA incident. We know that because of fear, shame and many other issues, people may be reluctant to seek help from the police. 40% of reports are from white victims, however 37% is not stated and a further 16% is unknown with Asian, Black and Mixed at single figures (3%, 2% and 1%) so this suggests that recording, disclosure and under reporting may all be affecting the numbers of ethnic minority people affected by abuse.

From the first week of lockdown, Safer Leeds has co-ordinated the collation of weekly Domestic Incident volume information from a number of service providers in Leeds. The volume information and summarised trend information is shown in the table.

Between April and September, in Leeds, there was a weekly average of 452 Police reported Domestic Incidents, 97 calls to the Leeds Domestic Violence Service, 74 multi-agency MARAC reviews, 30 individuals contacting Leeds Housing Options, and 9 Adult Social Care Referrals.

Domestic Violence and Abuse: COVID ~ Service Level Volume

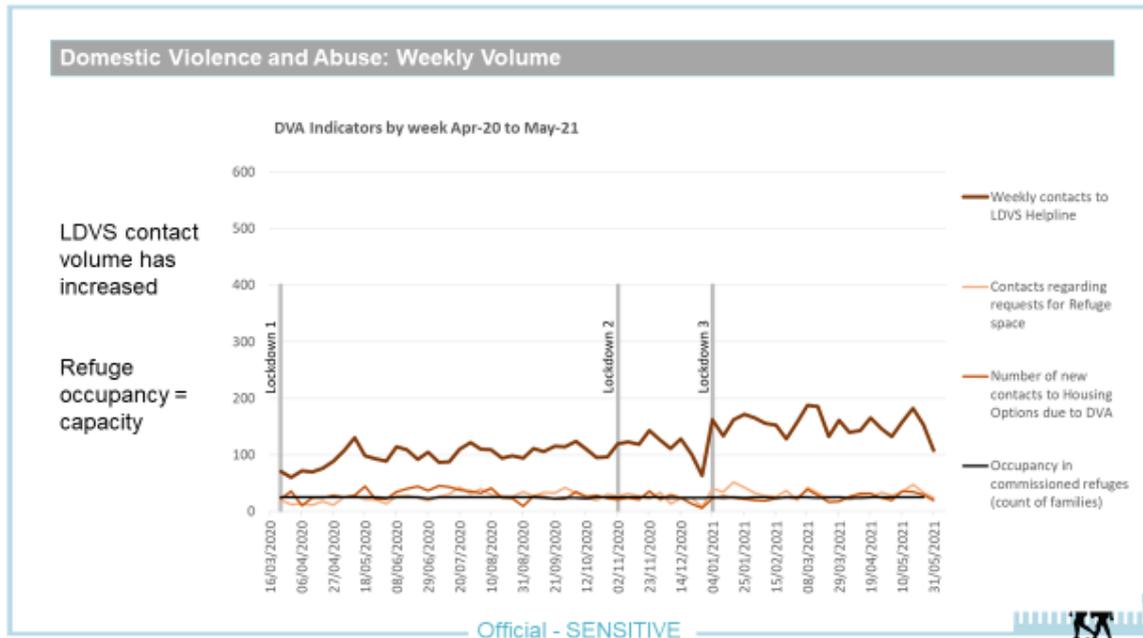
Source	Total	Week avg.	Week max.	Week min.	Peak week
Police DVA Incidents [provisional]	23,188	438	533	373	27-Jul-20
LDVS calls*	7,587	120	188	60	25-Jan-21
MARAC referrals*	3,688	70	88	48	27-Jul-20
Housing Options new contacts*	1,456	27	46	6	06-Jul-20
Contacts for Refuge spaces*	1,759	28	52	8	18-Jan-21

*23/03/20 to 31/05/21 ~ 13 month volume

Official - SENSITIVE



There is an ongoing concern, that the demand on the Leeds Domestic Violence Service (LDVS) helpline has increased and we're working with them to identify ways to increase their capacity.



There has been a wide range of activity across Leeds in order to manage risk during the pandemic.

- An initial tactical group was set up to provide a strategic level way of monitoring and responding to trends, monitoring weekly data from key partners. This was to support ongoing delivery concerns and ensure the MARAC arrangements could work digitally with all key partners engaged.
- The Safeguarding and Domestic Violence team delivered a series of briefings to members in order to update about the local authority response for DVA and to ensure they had information to provide to the public about local services.
- Messages to community included social media campaign, help cards being made available digitally, posters in 12 languages, leaflet to volunteers in food hubs to encourage them to look for and flag concerns around DVA, information shared with the faith sector. Leeds actively supported the national Safe Spaces scheme via pharmacies and later through supermarkets by providing details of local services for support around DVA.
- Ongoing work with agencies to share resources, good practice, details of service changes or online training and guidance on how to make safe phone calls. Social media activity and messages increased over White Ribbon Day and the 16 days of action.
- MARAC and other multi agency meetings moved online to continue to manage risk. The MARAC arrangements in Leeds are key to ensuring a robust response where risk is highest. It's a broad partnership that's strategically supported by Safer Leeds. Demand on the MARAC process has increased since it has been established, this is a credit to the work done by police and partners to recognise high risk.
- Leeds City Council also worked in partnership with LDVS to support them to secure funding from the MHCLG for an extra 7 properties to expand the capacity of the refuge. LDVS have developed good links with Housing Associations. LDVS and partners also worked with the Emergency Accommodation Panel to free up refuge space and to provide hotel accommodation for those in crisis. Housing Leeds and other corporate partners were key to making sure we were able to meet demand across the city. Although challenging, our

partnership arrangements were able to respond and put measures in place to mitigate where possible.

- Safer Leeds have worked closely with offender services such as The National Probation Service and Community Rehabilitation Company throughout the pandemic to maintain contact with their clients that are deemed to be the highest risk.

Recommendations

- a) The Scrutiny Board is asked to note the content of this report.

Why is the proposal being put forward?

- 1 This is not a decision making report.

What impact will this proposal have?

Wards Affected:

Have ward members been consulted? Yes No

- 2 This is not a decision making report.

What consultation and engagement has taken place?

- 3 This is not a decision making report.

What are the resource implications?

- 4 This is not a decision making report.

What are the legal implications?

- 5 This is not a decision making report.

What are the key risks and how are they being managed?

- 6 This is not a decision making report.

Does this proposal support the council's 3 Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

- 7 DVA contributes to improving outcomes in many of the Best City Priorities, for example, Building Safer Strong Communities, Inclusive Growth, Health and Wellbeing, Child Friendly City, Age Friendly Leeds and Housing priorities. The specific KPI relating to DVA is 'increasing the number of self-reported incidents of DVA'. DVA work therefore contributes to the city's highest level outcomes.

Options, timescales and measuring success

- a) What other options were considered?

- 8 N/A

b) How will success be measured?

9 N/A

c) What is the timetable for implementation?

10 N/A

Appendices

11 None.

Background papers

12 None.