



BRIEFING PAPER

Number 6337, 21 June 2017

Domestic Violence in England and Wales

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Summary

How big is the problem?

The Crime Survey for England and Wales (CSEW) estimates of domestic abuse are based on a relatively broad definition covering male and female victims of partner or family non-physical abuse, threats, force, sexual assault or stalking. The latest statistics show that:

- Some 7.0% of women and 4.4% of men were estimated to have experienced domestic abuse in 2015/16, equivalent to an estimated 1.2 million female and 651,000 male victims.
- Overall, 26.3% of women and 13.6% of men had experienced any domestic abuse since the age of 16. These figures were equivalent to an estimated 4.3 million female victims of domestic abuse and 2.2 million male victims between the ages of 16 and 59.

What legal remedies are there?

There are both civil and criminal remedies for victims of domestic violence.

Section 76 of the *Serious Crime Act 2015* came into force in December 2015 and criminalises patterns of coercive or controlling behaviour where they are perpetrated against an intimate partner or family member. A number of other criminal offences can apply to cases of domestic violence; these can range from murder, rape and manslaughter through to assault and threatening behaviour.

Civil measures include non-molestation orders, occupation orders and domestic violence protection orders (which can mean that suspected perpetrators have to leave their houses). The *Protection from Harassment Act 1997* (as amended) provides both civil and criminal remedies. These include non-harassment and restraining orders. A [Library briefing paper on the 1997 Act](#) discusses these in more detail.

What is the Government doing?

In March 2016, the Home Office published its [2016-20 strategy to end violence against women and girls](#). This included £80 million of dedicated funding to provide core support for refuges and other accommodation-based services, rape support centres and national helplines. A further £20 million was announced in the 2017 Spring Budget. Included within this £100 million total is a £15 million new Violence Against Women and Girls Service Transformation Fund to support local domestic abuse service provision.

On 17 February 2017, the Prime Minister [announced](#) "a major programme of work leading towards bringing forward a Domestic Violence and Abuse Act". [The Queen's Speech 2017](#) confirmed that there would be a draft Domestic Violence and Abuse Bill this session. It will:

- Establish a Domestic Violence and Abuse Commissioner;
- Definition of domestic abuse and bring in consolidated protection orders;
- Allow aggravated sentences where abusive behaviour involves a child.

The Courts Bill will re-introduce measures to prevent alleged abusers cross-examining victims directly in family courts.

Related Library briefing paper

The Library has published [Domestic violence: a select bibliography](#) and [Labour policy on Domestic Violence - 1999-2010](#).

1. How does the Government define domestic violence?

There is no statutory definition of domestic violence, but there is a non-statutory cross-government definition. In March 2013, the Home Office extended this definition.¹ As a result the definition includes young people aged 16 to 17 and coercive or controlling behaviour.² It is hoped that extending the definition in this way will raise awareness that young people can be victims of domestic violence and that they will come forward and get the support they need.³

There is a cross-government definition of domestic violence, which was extended in 2013

The definition of domestic violence and abuse is:

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

- psychological
- physical
- sexual
- financial
- emotional

Controlling behaviour

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

Coercive behaviour

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.⁴

¹ The new definition was introduced following a Home Office [consultation](#) between December 2011 and March 2012

² Home Office, [Cross-Government definition of domestic violence: a consultation – summary of responses](#), September 2012, p19

³ Gov.UK, [Domestic violence and abuse](#) [accessed 20 June 2017]

⁴ Ibid

2. How big is the problem?⁵

2.1 Crime Survey for England & Wales

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

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

2.2 CSEW data

The CSEW estimates of domestic abuse⁶ are based on a relatively broad definition covering male and female victims of partner or family non-physical abuse, threats, force, sexual assault or stalking. The latest statistics show that:⁷

- Some 7.0% of women and 4.4% of men were estimated to have experienced domestic abuse in 2015/16, equivalent to an estimated 1.2 million female and 651,000 male victims.
- Overall, 26.3% of women and 13.6% of men had experienced any domestic abuse since the age of 16. These figures were equivalent to an estimated 4.3 million female victims of domestic abuse and 2.2 million male victims between the ages of 16 and 59.

Over a quarter of women, and over 13% of men have experienced domestic abuse since the age of 16

The chart below shows the estimated number of victims of any domestic abuse reported in the self-completion module on intimate violence in the CSEW since year ending March 2005.⁸

Levels of domestic abuse have generally declined over the past decade. In the year ending March 2005 there were approximately 2.7m victims compared to just under 2.0m in the year 2015/16. This is a statistically significant reduction of 27%.

⁵ Grahame Allen, Social and General Statistics Section, House of Commons Library

⁶ Domestic abuse includes non-physical abuse, threats, force, sexual assault or stalking carried out by a current or former partner or other family member. 'Domestic abuse' is not directly comparable to the main CSEW 'domestic violence' category.

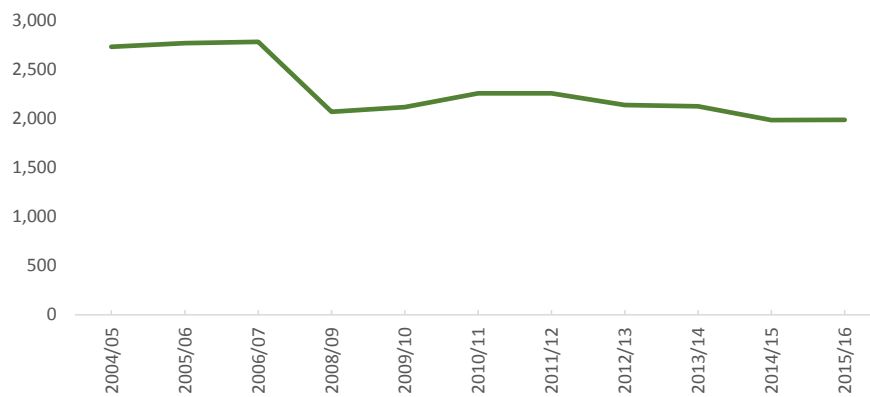
⁷ ONS, [Focus on violent crime and sexual offences, England and Wales: year ending Mar 2016](#), 9 February 2017

⁸ Data is not available for year 2007/08

6 Domestic Violence in England and Wales

Detailed breakdowns of domestic abuse can be found in Tables A1, A2, and A3 in the appendix.

Estimated number of victims of intimate violence (000s)



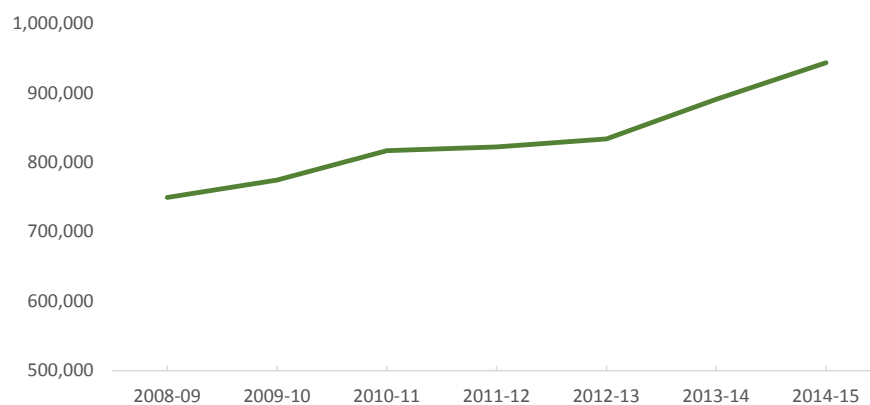
2.3 Police data

Domestic violence offences were not published within the centrally collected police recorded crime series. Most offences are not specifically defined by law and details of the individual circumstances of offences are not collected.

However prior to April 2015, police forces did collect domestic violence incident data at police force area level. This information has been collected by the Home Office, and a full breakdown by force can be found in the appendix, however, it is unaudited and has not been classified as an official statistic.

The chart below illustrates the number of domestic abuse cases recorded by the 43 police forces of England & Wales between March 2008/09 and March 2014/15:

Domestic abuse incidents recorded by the police



As can be seen the number of cases recorded by the police has increased year on year from 2007/08. In 2014/15 the number of cases recorded reached 943,628 – this was a 43% increase on 2007/08.

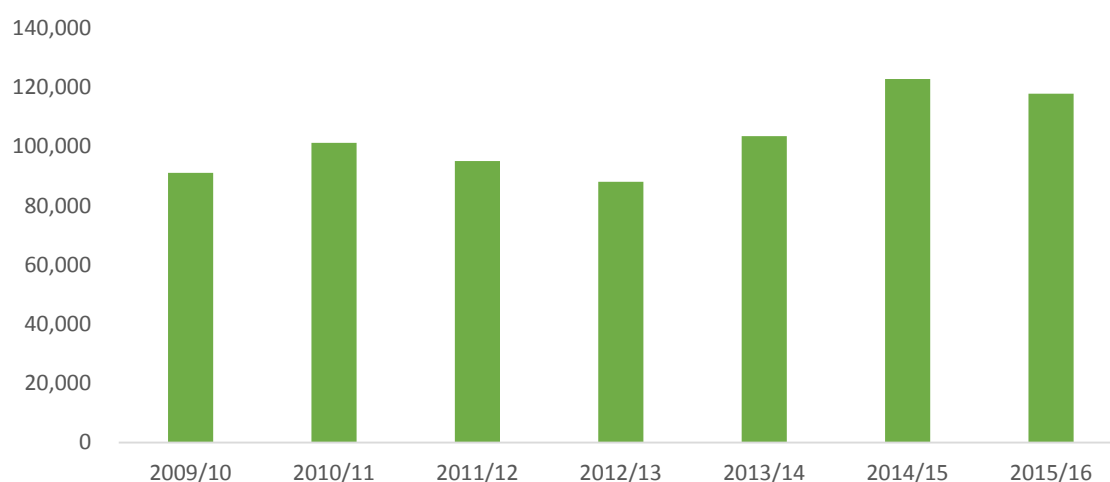
Data for 2015/16 is available but are not comparable to those published for previous years due to a change in the coverage of the data collection.⁹ According to this data, in 2015/16, there were just over 1 million domestic abuse-related incidents and crimes recorded by the 43 police forces of England & Wales. Data by police force is given in Appendix table A4.

2.4 Crown Prosecution Service

The Crown Prosecution Service (CPS) [Violence against Women and Girls crime report 2015-2016](#) is an annual publication which contains information on domestic violence crimes.

In 2015/16, there were 117,882 domestic violence cases referred to the CPS by the police – a fall of 4% on 2014/15. Compared to 2009/10 the number of cases referred to the CPS increased by 29%.

Volume of CPS referrals of domestic abuse from the police



This is not the same as the total number of people arrested for the offence. Between arrest and referral to the CPS the police may decide that no crime has been committed or that there is insufficient evidence to proceed.

Of the cases referred to the CPS the decision to charge was made in 69.7% of cases, a slight fall in proportion from 2014/15 when 68.9% were charged.

In 2015/16 just under 101,000 defendants were prosecuted, an increase of 9% on 2014/15 and a 50% increase on 2008/09.

⁹ ONS, [Focus on violent crime and sexual offences, England and Wales: year ending Mar 2016](#), 9 February 2017

CPS domestic violence prosecutions and convictions			
	Total prosecutions	Total convictions	Convictions as a % of prosecutions
2008/09	67,094	48,465	72.2%
2009/10	74,113	53,347	72.0%
2010/11	82,187	59,101	71.9%
2011/12	79,268	58,138	73.3%
2012/13	70,702	52,549	74.3%
2013/14	78,071	58,276	74.6%
2014/15	92,779	68,601	73.9%
2015/16	100,930	75,235	74.5%

The number of offenders successfully convicted in 2015/16 was just over 75,000. This represented 74.5% of completed prosecutions – a slight rise on the 73.9% obtained the year before.

3. What legal remedies are there?

3.1 Criminal law

Criminal offences

There is no specific criminal offence of domestic violence. Rather there are a number of possible offences for which perpetrators can be prosecuted. These can range from murder, rape and manslaughter through to assault and threatening behaviour.¹⁰

Coercive or controlling behaviour

A new criminal offence of coercive or controlling behaviour against an intimate partner or family member came into force on 29 December 2015. The offence was created, following [consultation](#), through section 76 of the *Serious Crime Act 2015*. The maximum penalty for someone found guilty is five years' imprisonment or a fine, or both.

A new offence of coercive or controlling behaviour was introduced in December 2015

A [Home Office factsheet](#) summarises the legal position prior to the new offence:

Non-violent coercive behaviour which is a long-term campaign of abuse, may fall outside common assault, which requires the victim to fear the immediate application of unlawful violence.

Some patterns of non-violent domestic abuse could be captured by legislation that covers stalking and harassment. However, the law on stalking and harassment does not explicitly apply to coercive and controlling behaviour in intimate relationships...[and] is not designed to capture the dynamic of sinister exploitation of an intimate relationship to control another, particularly where a relationship is ongoing. The element of control is not such a feature of stalking or harassment, which is generally intended to intimidate or cause fear.

Domestic abuse adds an extra layer to such intimidation, with perpetrators operating under the guise of a close relation or partner to conceal their abuse, safe in the presumption that the victim is likely to want to continue a relationship despite the abuse. For these reasons, domestic abuse may be said to be more subversive than stalking...¹¹

The factsheet said it was important that the new offence did not impact on "ordinary power dynamics in relationships":

(...) As such, the repeated or continuous nature of the behaviour and the ability of a reasonable person to appreciate that the behaviour will have a serious effect on its victim, are key elements of the new offence.

A defence is also included to provide a further safeguard against inappropriate use of the new offence. The defence will be available where the defendant can show that they believed they were acting in the victim's best interests and that their behaviour was objectively reasonable. This defence is intended to cover, for example, circumstances where someone was a carer for a mentally ill spouse, who by virtue of their medical condition, had to be kept in the home or compelled to take medication, for their own protection or in their own best interests. In this context, the spouse's behaviour might be considered controlling, but would

¹⁰ These are discussed in Anna Matczak et al., [Review of domestic violence policies in England & Wales](#), 2011, pp10-12; See also Annex A to the Home Office [guidance](#) on controlling or coercive behaviour (December 2015)

¹¹ Home Office, [Serious Crime Act 2015 Fact sheet: Domestic Abuse Offence](#), March 2015, p2

be reasonable under the circumstances. The defence will not be available in cases where the defendant has caused the victim to fear violence.¹²

The Home Office has published [guidance on the offence](#).¹³

The first statistics on coercive control published by the Crown Prosecution Service (in September 2016) showed five prosecutions were completed under the new offence between 29 December 2015 and end of March 2016.¹⁴

3.2 Civil law

There are two important civil law remedies under the *Family Law Act 1996* (as amended by Part 1 of the *Domestic Violence Crime and Victims Act 2004*) – occupation orders and non-molestation orders.

There is a range of civil remedies available, in various pieces of legislation.

Occupation orders

An occupation order is a court order which governs the occupation of a family home. It can be used to temporarily exclude an abuser from the home and surrounding area and give the victim the right to enter or remain. In certain circumstances, the court may attach a power of arrest to the occupation order.

Non-molestation orders

A non-molestation order is a court order which prohibits an abuser from molesting another person they are associated with. Molestation is not defined in the Act but has been interpreted to include violence, harassment and threatening behaviour. An order contains specific terms as to what conduct is prohibited and can last for however long is deemed appropriate by the court. Breach of a non-molestation order is a criminal offence.

Practical information about how to apply for court orders is available from the Women's Aid [Survivors Handbook](#) and the [Victim Support website](#).

3.3 Remedies in the Protection from Harassment Act 1997

The *Protection from Harassment Act 1997* (as amended) provides civil and criminal remedies. These include non-harassment and restraining orders. Library briefing paper 6648, [The Protection from Harassment Act 1997](#) discusses these in more detail.

The Government amended the 1997 Act from November 2012 to introduce two explicit offences of stalking. These are the subject of a separate Library Briefing Paper 6261, [Stalking: Criminal Offences](#).

¹² Ibid

¹³ Home Office, [Controlling or Coercive Behaviour in an Intimate or Family Relationship: Statutory Guidance Framework](#), December 2015; See also Crown Prosecution Service [guidance](#) (December 2015)

¹⁴ CPS, [Violence against Women and Girls Crime Report 2015-16](#), September 2016, p33; see also CPS Press Notice, [CPS prosecuting and convicting more cases of rape, domestic abuse, sexual offences and child abuse than ever before](#), 6 September 2016

3.4 Domestic violence protection orders

Domestic violence protection orders (DVPOs) were rolled out across England and Wales from March 2014.¹⁵

Under the DVPO scheme, the police and magistrates can, in the immediate aftermath of a domestic violence incident, ban a perpetrator from returning to their home and from having contact with the victim for up to 28 days. The scheme comprises an initial temporary notice (domestic violence protection notice, DVPN), authorised by a senior police officer and issued to the perpetrator by the police, followed by a DVPO that can last from 14 to 28 days, imposed at the magistrates' court. DVPOs are designed to help victims who may otherwise have had to flee their home, giving them the space and time to access support and consider their options.¹⁶

DVPOs were piloted in three police force areas in 2011/12. According to a Home Office evaluation of the pilot, "DVPOs were generally seen positively by practitioners and victim-survivors and were associated with a reduction in re-victimisation, particularly when used in 'chronic' cases."¹⁷

Home Office assessment of DVPOs

In March 2016, the Home Office published an [assessment of DVPOs](#)¹⁸ This includes details of a number of stakeholder workshops which found:

Perceptions of the DVPO scheme

- The DVPO was viewed as positive as it provides victims with the immediate protection from a violent and / or abusive situation.
- A high level of awareness of DVPOs was reported by the practitioners taking part in the workshops who viewed them as a useful tool in helping to tackle domestic abuse.
- Magistrates suggested that understanding of DVPOs in their sector could be further improved through clearer guidance around the court process and, in particular, sentencing guidelines for breaches.
- Police participants reported a reasonably high level of awareness of DVPOs amongst frontline officers. There was lower levels of awareness amongst officers who were not regularly using them. Police participants suggested refresher training to those officers who had had limited contact with the scheme.

The DVPO process

- Police should consider the risks of coercive control in domestic violence cases to ensure DVPOs are not just targeted at cases with obvious signs of physical abuse.
- Those taking part in workshops highlighted the importance of proper risk assessment. This was thought to be particularly relevant in incidents where the issuing of a DVPO impacts on a perpetrator's contact with children in the household.
- Practitioners agreed DVPO conditions need to be proportionate, clear, necessary and enforceable.

¹⁵ [HC Deb 25 November 2013 c5-6WMS](#); The Labour Government had legislated for DVPOs in the *Crime and Security Act 2010*

¹⁶ Home Office, *2010 to 2015 government policy: violence against women and girls*, May 2015

¹⁷ Home Office, *Evaluation of the pilot of Domestic Violence Protection Orders*, November 2013

¹⁸ Home Office, *Domestic Violence Protection Orders (DVPO) One year on – Home Office assessment of national roll-out*, March 2016

- Criminalisation of breaches of a DVPO would bring advantages but also limitations.
- Practitioners agreed that establishing and maintaining good inter-agency communication and referral processes were key to the effectiveness of DVPOs.

Support service provision

- Findings showed a need to ensure victims are routinely made aware of local support ¹⁹

Police data showed that from implementation up to 31 December 2014, 3,337 DVPOs had been authorised, with 3,072 DVPOs granted by magistrates. 565 (18%) of DVPOs had been breached.

Data from the 17 police forces that submitted returns from 1 January 2015 to 31 July 2015 showed that a further 1,384 DVPOs were granted during this period. ²⁰

The assessment said that the Home Office would consider holding a public consultation on criminalising the breach of a DVPO. ²¹

Women's Aid response

Women's Aid said that the breach of a DVPO "must become a criminal offence" and that any consultation should not "drastically delay" victims from getting the protection they need. ²²

3.5 Domestic violence disclosure scheme

The domestic violence disclosure scheme (DVDS), often referred to as Clare's law, was rolled out across England and Wales from March 2014. ²³

The scheme means that an individual can ask the police to check whether a new or existing partner has a violent past ("right to ask"). If police checks show that a person may be at risk of domestic violence from their partner, the police will consider disclosing the information ("right to know").

For further information and background see the Library briefing paper, [Clare's law: the Domestic Violence Disclosure Scheme](#).

Home Office assessment of DVDS

A Home Office [assessment of DVDS](#) was published in March 2016. ²⁴ This includes details of a number of stakeholder workshops which found:

Perceptions of the DVDS scheme

- The police and partner agencies were largely positive about the DVDS.
- Good practice was emerging, with some forces placing markers on the Police National Computer (PNC) following a disclosure to alert other officers to an individual potentially at high risk of domestic violence or abuse.

The disclosure process

¹⁹ Ibid, p4

²⁰ Ibid, p3

²¹ Ibid, p6

²² ["Women's Aid response to Home Office report on Domestic Violence Protection Orders \(DVPOs\)"](#), Press release, 8 March 2016

²³ [HC Deb 25 November 2013 c5-6WMS](#)

²⁴ Home Office, [Domestic Violence Disclosure Scheme \(DVDS\) One year on – Home Office assessment of national roll-out](#), March 2016

- Police officers working on the DVDS felt that specialist officers working in domestic violence and abuse had a good knowledge of the scheme and further awareness raising with all frontline officers would be beneficial in order to further promote the scheme to the public and how they might access it.
- Practitioners felt that there was some variation across the country in the number of disclosures made by forces under the DVDS. This may be as a result of the staged roll out rather than differing practice. There will need to be a further assessment of use to test this.
- Practitioners felt that there was some inconsistency in information given in disclosures and variation in the service provided to victims.

Support service provision

- The police felt that there could be better consistency between forces in the follow-up support given to those who received non-disclosures i.e. those who were told there was no information to disclose²⁵

Police data showed that from implementation up to 31 December 2014, a total of 4,724 applications had taken place with 1,938 disclosures made.

Data from the 15 police forces that submitted returns from 1 January 2015 to 31 July 2015 showed that a further 691 DVDS disclosure applications with 297 disclosures were made during this period.²⁶

New Home Office guidance

In December 2016, the Home Office produced [*Domestic Violence Disclosure Scheme \(DVDS\) Guidance*](#) covering:

- checks to be completed
- a set of minimum standards of information to be obtained from the applicant
- suggested forms of wording for communicating outcomes at each stage of the disclosure scheme process
- recommended minimum levels of knowledge and experience required by practitioners to discharge functions within the disclosure scheme effectively

²⁵ Ibid, pp4-5

²⁶ Ibid, p4

4. What is the Government doing?

Funding for domestic abuse intervention project

The Spending Review and Autumn Statement 2015 announced that a £15 million annual fund, equivalent to the VAT raised each year on sanitary products, would support women's charities.²⁷

In a joint press release of 25 November 2015, the Women's Aid and SafeLives charities announced that they had received £2 million from the fund to develop an early intervention project, "Sooner the Better":

This joint initiative will work across 10 sites in England to:

- Speed up the identification of domestic abuse and ensure victims and their families receive earlier help
- Provide proactive support to the whole family in the round, not just individual family members in isolation – ensuring that the right intervention from the right professional is available
- Understand and meet the needs of victim of domestic abuse, working towards long term recovery and independence
- Ensure better evaluation of what works to make families safe, and keep them safe
- Listen to women experiencing abuse, learning from their experiences and capturing the full costs of late intervention

Sooner the Better will result in the development of a replicable model which can be rolled out across the country from 2018.²⁸

Ending violence against women and girls strategy 2016-20

On 8 March 2016, the Home Office published its 2016-20 [strategy](#) for ending violence against women and girls (VAWG).²⁹

The current VAWG strategy was published in 2016

Progress under the Coalition Government

The document summarises progress that the Coalition Government made in tackling VAWG:

Since 2010 we have made real progress. The prevalence of domestic and sexual violence and abuse has dropped according to the Crime Survey for England and Wales (CSEW) and, in 2014/15, we saw total prosecutions for VAWG offences reach the highest levels ever recorded.

Significant new legislation is now in place including specific offences of stalking, forced marriage, failure to protect from Female Genital Mutilation (FGM), and revenge pornography, as well as the new domestic abuse offence to capture coercive or controlling behaviour in an intimate or family relationship.

We introduced a landmark Modern Slavery Act, and rolled out Domestic Violence Protection Orders (DVPOs) and the Domestic Violence Disclosure Scheme (DVDS) nationally. We have

²⁷ [Cm 9162](#), November 2015, para 1.144; For further detail on VAT on sanitary protection see [Library Paper 01128](#), 18 April 2016

²⁸ ["Women's Aid and SafeLives welcome government £2 million for domestic abuse intervention"](#), SafeLives press release, 25 November 2015; See also: Polly Neate, ["Tampon tax: men should share the burden of ending domestic abuse"](#), *Guardian*, 25 November 2015

²⁹ HM Government, [Ending Violence against Women and Girls Strategy 2016-2020](#), March 2016

introduced FGM Protection Orders and an FGM mandatory reporting duty, and strengthened measures to manage sex offenders or those who pose a risk of sexual harm.³⁰

Framework

The strategy's framework is based on:

- prevention
- the provision of services
- partnership working
- pursuing perpetrators³¹

What is the vision for 2020?

The strategy's vision is that by 2020:

- There is a significant reduction in the number of VAWG victims, achieved by challenging the deep-rooted social norms, attitudes and behaviours that discriminate against and limit women and girls, and by educating, informing and challenging young people about healthy relationships, abuse and consent;
- All services make early intervention and prevention a priority, identifying women and girls in need before a crisis occurs, and intervening to make sure they get the help they need for themselves and for their children;
- Women and girls will be able to access the support they need, when they need it, helped by the information they need to make an informed choice;
- Specialist support, including accommodation-based support, will be available for the most vulnerable victims, and those with complex needs will be able to access the services they need;
- Services in local areas will work across boundaries in strong partnerships to assess and meet local need, and ensure that services can spot the signs of abuse in all family members and intervene early;
- Women will be able to disclose experiences of violence and abuse across all public services, including the NHS. Trained staff in these safe spaces will help people access specialist support whether as victims or as perpetrators;
- Elected representatives across England and Wales will show the leadership, political will and senior accountability necessary to achieve the necessary change, and will champion efforts to tackle these crimes;
- Everyone in a local area will be able to hold their elected leaders to account through clear data on how local need is being met;
- There will be a lower level of offending through an improved criminal justice response and a greater focus on changing the behaviour of perpetrators through a combination of disruption and support; and
- A stronger evidence base of what works, and victim safety, will be embedded into all interventions to protect victims of VAWG.³²

³⁰ Ibid, executive summary; For other useful summaries of developments under the Coalition see: Home Office, [2010 to 2015 government policy: violence against women and girls](#) (May 2015) and Home Office, [A Call to End Violence against Women and Girls Progress Report 2010–15](#) (March 2015)

³¹ Ibid, p8

³² Ibid, p14

Funding

The Government is providing £80 million of dedicated funding over the spending review period:

(...) This funding will provide core support for refuges and other accommodation-based services, helping local areas ensure that no woman is turned away from the support she needs. It will include specific provision for women from BME backgrounds, and innovative services for the most vulnerable with complex needs. The funding will also support a network of rape support centres, and a network of national helplines.³³

A further £20 million to tackle domestic violence and abuse was announced in the 2017 Spring Budget.³⁴ From April 2017, this funding has also supported the launch of a £15 million VAWG Service Transformation Fund to “support, promote and embed the best local practice.”³⁵

A Home Office blog summarised funding developments:

1. On top of £80 million pledged to support the Violence Against Women and Girls (VAWG) Strategy, a further £20 million was announced in the Spring Budget - bringing the total funding to £100 million.
2. A £15 million VAWG Service Transformation Fund included within this funding was open to Police and Crime Commissioners, local authorities and health commissioners to support community-based services and promote best practice. The fund encouraged commissioners to make joint bids for funding with women's charities and VAWG service providers to encourage a joined-up approach with a focus on early intervention as well as crisis response.³⁶

Comment

[Women's Aid issued a press release welcoming](#) the VAWG strategy and its dedicated funding for refuges and accommodation-based services. The press release also said:

(...) We are pleased that the Government has promised a National Statement of Expectations. This will be a critical element of the VAWG strategy, setting standards to improve the country's response to and understanding of domestic abuse. We will work closely with the Government on it, and hope that it will contain not only clear expectations but also clear lines of accountability...

Finally, we welcome the reference in the VAWG strategy to our approach, Change that Lasts. At last there is recognition that creating a needs-led response to domestic abuse is the most effective and economically viable way to provide support to survivors. A focus on long-term independence and early intervention will help us prevent domestic abuse...³⁷

[SafeLives also welcomed](#) the Government's strategy.³⁸

Ratifying the Istanbul Convention?

The [Convention on preventing and combating violence against women and domestic violence](#) (the “Istanbul Convention”) was adopted in April 2011. The Council of Europe website explains what the Convention means for state parties:

(...) Governments that agree to be bound by the Convention will have to do the following:

- train professionals in close contact with victims;

³³ Ibid, p11

³⁴ HM Treasury, [Spring Budget 2017: support for women unveiled by Chancellor](#), 8 March 2017

³⁵ Ibid, p11; see also [PO 33771](#), answered 19 April 2016

³⁶ Home Office Blog, [Home Office in the media: 9 March 2017](#)

³⁷ [“Women's Aid welcomes Government's VAWG strategy”](#), Press release, 8 March 2016;

³⁸ [“Government's new VAWG strategy is an important moment - women need both early intervention and crisis support to be available”](#), Press release, 8 March 2016

- regularly run awareness-raising campaigns;
- take steps to include issues such as gender equality and non-violent conflict resolution in interpersonal relationships in teaching material;
- set up treatment programmes for perpetrators of domestic violence and for sex offenders;
- work closely with NGOs;
- involve the media and the private sector in eradicating gender stereotypes and promoting mutual respect...³⁹

Amnesty International has urged governments across Europe to ratify the Convention.⁴⁰ Twenty one states have ratified the Convention so far.⁴¹

Although the UK signed the Convention in June 2012, it has been criticised for not ratifying it.⁴²

The Government has said that amendments to domestic law - to take extra-territorial jurisdiction over a range of offences - are necessary before the Convention can be ratified:

(...) this Government remains committed to ratifying it but have made it clear that we will not do so until we are absolutely satisfied that we fully comply with all articles but amendments to domestic law, to take extra-territorial jurisdiction over a range of offences (as required by Article 44), are necessary before the Convention can be ratified...⁴³

The Government has also said that the "UK already complies with the vast majority of the Convention's articles through its comprehensive work to protect women and girls."⁴⁴

On 27 April 2017, the [Preventing and Combating Violence Against Women and Domestic Violence Act 2017](#) received Royal Assent. It is due to come into force on 27 June 2017.⁴⁵ It requires the Secretary of State to lay a report before Parliament setting out the steps to be taken to enable the UK to ratify the Convention and the expected timetable, and to report each year on progress.

A Private Member's Bill, which gained Royal Assent in April 2017, will require the Government to report to Parliament on progress on ratifying the Istanbul Convention.

This legislation began as a Private Members Bill introduced in the Commons by Dr Eilidh Whiteford, although the Government amended it on Report. Background is in Library Briefing Paper 7829, [UK policy on ratifying the Istanbul Convention on preventing violence against women](#) and Lords Library In Focus LIF 2017/22, [Preventing and Combating Violence Against Women and Domestic Violence \(Ratification of Convention\) Bill: Briefing for Lords Stages](#).

4.1 Suspects cross examining victims

The previous Conservative Government introduced provisions in the Prisons and Courts Bill 2016-17 to deal with the problem of alleged abusers being able to cross examine their victims in the family courts. Background is in [section 3.5](#) of Library Briefing Paper 7907, [The Prisons and Courts Bill](#). However, the Bill fell at the General Election.

³⁹ Council of Europe website, [The Istanbul Convention in brief](#) [accessed 5 May 2016]

⁴⁰ ["Europe must ratify the Istanbul Convention to fight violence against women"](#), Amnesty International News, 1 August 2014

⁴¹ Council of Europe website, [Chart of signatures and ratifications of the Istanbul Convention](#) [accessed 5 May 2016]

⁴² ["Istanbul Convention: Britain drags its feet over women's rights"](#), *Independent*, 2 August 2015

⁴³ [PQ 26764](#) [on implementing the Istanbul Convention], answered 22 February 2016

⁴⁴ [PQ 10888](#) [on ratifying the Istanbul Convention], answered 14 October 2015

⁴⁵ Section 3

The [Queen's Speech 2017](#) promised a Courts Bill which will "end direct cross examination of domestic violence victims by alleged perpetrators in the family courts and allow more victims to participate in trials without having to meet their alleged assailant face to face".⁴⁶

The forthcoming Courts Bill will end direct cross examination of domestic violence victims by alleged perpetrators.

⁴⁶ Prime Minister's Office, [Queen's Speech and Associated Background Briefing, on the Occasion of the Opening of Parliament on Wednesday 21 June 2017](#) p40

Background

There have been press reports of cases where abusers have cross examined their victims in the family courts.⁴⁷ In 2014, the President of the Family Division set up a working group, one of the aims of which was to address the “issue of vulnerable people giving evidence in family proceedings, something in which the family justice system lags woefully behind the criminal justice system”.⁴⁸

Women’s Aid has been campaigning on this issue, and in April 2016, the All Party Parliamentary Group on Domestic Violence (for which Women’s Aid is the secretariat) published a report which called for “an immediate end to survivors of domestic abuse being cross-examined by, or having to cross-examine, their abusers in the family court.”⁴⁹ One reason why this issue has been growing in importance is the increase in litigants in person following cuts to legal aid.⁵⁰ Part 1 of the *Legal Aid, Sentencing and Punishment of Offenders Act 2012* (LASPO) was intended substantially to reduce the civil legal aid budget by removing whole areas of law from scope and changing the financial eligibility criteria. The Act took most private law, children and family proceedings out of scope for legal aid, but made provision for legal aid to continue to be available for victims of domestic abuse.⁵¹ These special provisions did not extend availability of legal aid to alleged perpetrators.

The Ministry of Justice published research in January 2017 which acknowledged the role these cuts have played.⁵²

4.2 A draft bill

Domestic violence and abuse

The Conservative Manifesto repeated a promise to bring forward a Domestic Violence and Abuse Bill in “the next Parliament”.⁵³ On 21 June 2017, the [Queen’s Speech confirmed](#) that a draft Bill would be introduced this session which would:

- Establish a Domestic Violence and Abuse Commissioner
- Introduce a statutory definition of domestic violence and abuse
- Create a “consolidated new domestic abuse civil prevention and protection order regime”
- Create a new aggravated offence if behaviour is directed at a child.⁵⁴

The Government has said it will introduce a draft Domestic Violence and Abuse Bill in this session of Parliament.

⁴⁷ See for example, [“Revealed: how family courts allow abusers to torment their victims”](#), Guardian, 22 December 2016

⁴⁸ [Interim Report of the Children and Vulnerable Witnesses Working Group](#), July 2014, p1

⁴⁹ All Party Parliamentary Group on Domestic Violence/ Women’s Aid, [Domestic Abuse, Child Contact and the Family Courts](#), Parliamentary Briefing, April 2016

⁵⁰ See Library Briefing Paper 7113, [Litigants in person: the rise of the self-represented litigant in civil and family cases in England and Wales](#)

⁵¹ Schedule 1, paragraph 12

⁵² MoJ, [Alleged perpetrators of abuse as litigants in person in private family law The cross-examination of vulnerable and intimidated witnesses](#), January 2017

⁵³ [Conservative Party Manifesto 2017, p58](#)

⁵⁴ Prime Minister’s Office, [Queen’s Speech and Associated Background Briefing, on the Occasion of the Opening of Parliament on Wednesday 21 June 2017](#), p37

The Prime Minister, Theresa May, had previously announced “a major programme of work leading towards bringing forward a Domestic Violence and Abuse Act” on 17 February 2017:

Domestic violence and abuse shatters lives but the way we deal with it at the moment does not go far enough – with a plethora of different offences and procedures scattered across the statute book.

This lack of clarity has led to an unacceptable diversity across the country in terms of the degree of effort put in to try and tackle it. Although the prosecution of, and convictions for, such offences have started to improve in recent years, there is inconsistency in the use and effectiveness of the various law enforcement measures across the country.⁵⁵

⁵⁵ Prime Minister’s Office, Home Office, Ministry of Justice and the Rt Hon Theresa May MP, [*Prime Minister’s plans to transform the way we tackle domestic violence and abuse*](#), 17 February 2017

5. Further sources of information

The Crown Prosecution Service has published a [guide](#) for victims and witnesses of domestic violence. The CPS has also published [guidelines](#) for prosecutors.

The College of Policing (the professional body for policing) has published [authorised professional practice](#) on domestic abuse.

Some of the main sources of advice for victims are listed below:

- **Refuge:** <http://www.refuge.org.uk/>
- **Women's Aid:** <http://www.womensaid.org.uk/>
- **SafeLives:** <http://www.safelives.org.uk/>
- **Welsh Women's Aid:** <http://www.welshwomensaid.org.uk/>
- **National Centre for Domestic Violence:** www.ncdv.org.uk
- **Solace Women's Aid:** <http://solacewomensaid.org/>
- **Respect:** <http://respect.uk.net/>
- **Broken Rainbow:** www.brokenrainbow.org.uk
- **Woman's Trust:** <http://www.womanstrust.org.uk/>
- **Southall Black Sisters:** <http://www.southallblacksisters.org.uk/>
- **Action on Elder Abuse:** <http://www.elderabuse.org.uk/>

6. Appendix

A1: Estimated number of victims of intimate violence in the last year, by headline category, year ending March, 16-59 years old (000s)

Year	Any domestic abuse (1)	Any partner abuse (2)	Any family abuse (2)	Partner abuse (non-sexual)	Family abuse (non-sexual)	Sexual assault (any, including attempt)	Stalking
TOTAL							
2004/05	2,732	2,113	1,059	2,061	935	804	2,419
2005/06	2,769	2,142	1,073	2,089	948	815	2,451
2006/07	2,784	2,172	1,094	2,151	971	915	1,916
2007/08	..	..	..	1,967	652	812	..
2008/09	2,070	1,570	854	1,479	755	685	1,302
2009/10	2,119	1,650	791	1,591	700	664	1,336
2010/11	2,258	1,765	820	1,525	738	745	1,343
2011/12	2,258	1,685	866	1,754	708	777	1,389
2012/13	2,138	1,576	811	1,432	726	621	1,180
2013/14	2,126	1,608	717	1,428	640	482	1,132
2014/15	1,985	1,513	671	1,373	587	558	1,200
2015/16	1,989	1,517	682	1,342	611	645	1,210

A2: Estimated number of victims of intimate violence in the last year, by headline category, year ending March, 16-59 years old (000s)

Year	Any domestic abuse (1)	Any partner abuse (2)	Any family abuse (2)	Partner abuse (non-sexual)	Family abuse (non-sexual)	Sexual assault (any, including attempt)	Stalking
MALE							
2004/05	1,000	752	389	713	352	154	1,423
2005/06	986	748	374	703	333	137	1,047
2006/07	1,017	769	406	760	359	154	908
2007/08	..	..	..	734	242	97	..
2008/09	666	470	322	448	299	85	586
2009/10	655	485	284	463	256	129	612
2010/11	763	569	313	488	280	128	659
2011/12	788	564	316	611	274	96	660
2012/13	708	492	298	442	284	131	413
2013/14	737	492	300	454	281	116	406
2014/15	643	448	254	413	231	113	395
2015/16	716	489	322	451	296	111	450

A3: Estimated number of victims of intimate violence in the last year, by headline category, year ending March, 16-59 years old (000s)

Year	Any domestic abuse (1)	Any partner abuse (2)	Any family abuse (2)	Partner abuse (non-sexual)	Family abuse (non-sexual)	Sexual assault (any, including attempt)	Stalking
FEMALE							
2004/05	1,712	1,337	670	1,333	583	648	1,163
2005/06	1,810	1,452	686	1,382	593	790	1,169
2006/07	1,751	1,380	689	1,372	613	761	1,076
2007/08	..	..	..	1,201	411	710	..
2008/09	1,422	1,118	534	1,046	456	597	756
2009/10	1,484	1,183	509	1,153	446	539	767
2010/11	1,461	1,196	506	1,040	458	617	738
2011/12	1,469	1,117	551	1,140	433	680	780
2012/13	1,433	1,086	514	992	443	492	768
2013/14	1,389	1,115	417	973	358	366	726
2014/15	1,340	1,063	417	957	356	444	803
2015/16	1,272	1,028	360	891	315	533	759

Notes:

(1) partner or family non-physical abuse, threats, force, sexual assault or stalking

(2) non-physical abuse, threats, force, sexual assault or stalking

... indicates not available

Source:

ONS, *Focus on Violent crime and sexual offences*, various editions, Appendix tables (Table 4.06 & 4.07)

Table A4: Domestic abuse incidents recorded by the police, year ending March

		2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16 (4)
England	Avon & Somerset	14,906	15,695	15,648	15,356	15,290	18,653	23,065	24,974
	Bedfordshire	8,095	8,721	9,137	8,250	8,235	7,951	10,740	11,075
	Cambridgeshire	10,764	11,589	12,830	11,249	11,286	11,760	11,144	12,680
	Cheshire	5,606	5,648	5,887	4,186	4,537	4,112	4,666	8,003
	Cleveland	12,205	13,381	15,042	14,883	12,726	11,515	15,268	15,182
	Cumbria	4,718	5,279	6,455	6,422	6,547	6,932	7,060	8,490
	Derbyshire	17,145	17,841	17,912	17,345	17,631	18,558	18,509	19,275
	Devon & Cornwall	25,846	26,419	25,846	26,238	26,516	29,624	29,424	28,200
	Dorset	6,519	6,654	6,946	7,425	8,183	8,487	9,362	11,109
	Durham	11,958	12,819	13,025	13,330	12,301	12,787	13,570	19,757
	Essex	24,658	22,472	21,385	26,876	26,917	28,181	28,009	30,667
	Gloucestershire	9,057	8,424	7,639	7,076	5,652	4,861	6,456	11,638
	Greater Manchester	53,363	54,311	54,626	47,514	47,636	50,881	48,803	65,792
	Hampshire	21,313	24,391	24,009	24,206	25,140	26,621	28,930	47,995
	Hertfordshire	11,780	11,675	12,037	12,644	12,240	13,229	15,532	20,779
	Humberside	14,042	15,365	16,409	17,049	15,020	15,884	15,749	18,780
	Kent	20,710	21,332	21,633	22,509	23,275	25,419	28,213	33,196
	Lancashire	25,413	27,604	27,615	29,465	30,505	28,903	25,939	23,890
	Leicestershire	10,776	10,843	12,492	17,172	17,806	18,283	17,206	12,414
	Lincolnshire	7,125	7,038	7,232	8,762	9,984	10,242	10,327	10,276
	London, City of	106	131	107	90	106	86	132	167
	Merseyside	30,169	27,319	31,069	32,511	33,261	32,330	31,522	30,036
	Metropolitan Police	111,738	119,884	121,314	118,079	118,391	132,941	145,230	152,823
	Norfolk	7,178	9,129	8,546	9,878	10,288	10,753	12,481	15,880
	Northamptonshire	5,937	3,235	7,504	7,336	9,513	10,209	10,200	10,754
	Northumbria	7,385	7,040	7,277	8,108	8,611	9,588	10,159	14,125
	North Yorkshire	26,809	27,951	28,167	27,406	27,096	28,927	29,962	30,534
	Nottinghamshire	18,645	18,278	17,025	20,007	21,011	20,020	18,773	14,228
	South Yorkshire	15,825	20,129	23,725	24,079	28,601	33,431	33,135	32,135
	Staffordshire	22,307	22,334	22,486	20,412	20,331	20,940	18,590	25,280
	Suffolk	6,087	7,404	7,586	7,498	7,145	7,936	8,915	8,774
	Surrey	10,779	12,349	12,731	11,755	12,485	13,931	14,389	13,179
	Sussex	14,902	15,905	17,384	16,732	17,735	20,165	23,105	23,559
Thames Valley	27,306	30,966	32,320	32,821	34,125	37,174	41,846	26,910	
Warwickshire	7,908	7,961	7,855	7,805	7,434	7,079	7,045	9,794	
West Mercia	15,657	15,606	16,559	16,633	15,504	15,646	18,064	21,485	
West Midlands	40,980	46,829	41,494	30,137	27,853	41,886	49,047	52,042	
West Yorkshire	28,444	27,830	34,742	36,725	37,635	38,668	40,774	45,062	
Wiltshire	6,242	5,722	4,584	4,413	5,139	9,072	9,926	10,744	
England Total	720,403	753,503	776,280	770,382	779,691	843,665	891,267	971,683	
Wales	Dyfed-Powys	2,201	1,983	2,004	2,325	2,264	2,760	3,500	4,440
	Gwent	..	..	..	8,948	10,694	11,585	11,531	15,311
	North Wales	11,059	10,797	10,766	12,901	13,745	11,566	8,630	11,292
	South Wales	15,858	8,352	28,016	27,656	27,537	21,246	28,700	27,666
Wales Total	29,118	21,132	40,786	51,830	54,240	47,157	52,361	58,709	
E&W Total 43 Forces Total	749,521	774,635	817,066	822,212	833,931	890,822	943,628	1,030,392	

Notes:

(1) Police recorded crime data are not designated national statistics

(2) Domestic abuse incidents are defined as any incidence of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or family members, regardless of gender or sexuality

(3) Variations in figures may be due to changes in recorded practices over the time period shown

(4) Data for 2015/16 are not comparable to those published for previous years due to a change in the coverage of the data collection

.. Indicates data not available

Source:

ONS, *Focus on Violent crime and sexual offences*, various editions, Appendix tables (Table 4.08)

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