



## BRIEFING PAPER

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# Support for domestic abuse victims: Housing, health, education, social services and social security

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### Contents:

1. Definitions, prevalence and costs
2. Local authority duties
3. Family contact & child maintenance
4. Housing
5. Help with housing costs
6. Social security
7. Health services
8. Education
9. Scotland, Wales and Northern Ireland
10. Guidance and helplines (UK)



# Contents

<b>Summary</b>	<b>4</b>
<b>1. Definitions, prevalence and costs</b>	<b>6</b>
1.1 What is domestic violence and abuse?	6
1.2 How prevalent is domestic abuse?	7
1.3 The economic and social costs of domestic abuse	10
<b>2. Local authority duties</b>	<b>12</b>
2.1 Local authority safeguarding duties (adults)	12
2.2 New requirements in the Domestic Abuse Bill 2019-21	13
2.3 Safeguarding children	15
2.4 Troubled Families Programme	16
2.5 Changing Futures Programme	16
2.6 Other community-based support services	16
<b>3. Family contact &amp; child maintenance</b>	<b>18</b>
3.1 Child contact and domestic abuse	18
3.2 Child Maintenance	18
<b>4. Housing</b>	<b>21</b>
4.1 Sanctuary schemes to prevent homelessness	21
4.2 Homelessness assistance	21
4.3 Local authority housing registers	24
4.4 Social housing tenancies	25
<b>5. Help with housing costs</b>	<b>27</b>
5.1 Housing benefit and Universal Credit: temporary absences from home	27
5.2 Under-occupation deduction from HB/housing element of UC	27
5.3 Discretionary Housing Payments	28
5.4 Shared accommodation rate (SAR)	29
5.5 The benefit cap	29
<b>6. Social security</b>	<b>30</b>
6.1 Jobcentre Plus	30
6.2 Jobseeker's Allowance (JSA) and Employment and Support Allowance (ESA)	31
6.3 Work and Health Programme (WHP)	31
6.4 Universal Credit (UC)	32
6.5 Migrant partner support	37
<b>7. Health services</b>	<b>38</b>
7.1 Role of healthcare services	38
7.2 Guidance for healthcare staff	39
7.3 Initiatives to support survivors of domestic abuse	41
7.4 Support for children	46
<b>8. Education</b>	<b>48</b>
8.1 Schools & children	48
8.2 Higher Education	50
<b>9. Scotland, Wales and Northern Ireland</b>	<b>52</b>
9.1 Wales	52
9.2 Scotland	54
9.3 Northern Ireland	56
<b>10. Guidance and helplines (UK)</b>	<b>60</b>

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## Summary

**This paper outlines support for victims of domestic violence and abuse. It considers social services, housing, social security benefits, health services and preventative actions in education settings.**

The paper primarily focuses on those aged over 16 in England. Section 9 signposts support available in Wales, Scotland, and Northern Ireland.

The paper does not detail support for victims during court proceedings or police-led procedures.

The Domestic Abuse Bill 2019-21, expected to gain Royal Assent in April 2021, is currently progressing through Parliament. There are two Library papers on the Bill's content: [Domestic Abuse Bill 2019-21](#) (CBP8787) and [Domestic Abuse Bill 2019-21: Progress on the Bill](#) (CBP 8959).

### What is domestic violence and abuse?

There is currently no statutory definition of domestic violence and abuse, although the [Domestic Abuse Bill 2019-21](#) will, when in force, introduce a definition. A cross-Government [definition](#) was implemented from 2013. This definition covers those aged 16 and above and defines domestic violence and abuse as:

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.

“Abuse” can be psychological, physical, sexual, financial and emotional in form and can involve controlling or coercive 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 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.

### How prevalent is domestic abuse?

The Crime Survey for England and Wales [estimated](#) that in the year to March 2020, 2.3 million adults aged 16 to 74 years experienced domestic abuse in the previous year: 1.6 million women and 757,000 men. This is equivalent to around 5.5% of the 16-74 age group. A higher percentage of adults experienced abuse by a partner or ex-partner (4.0%) than by a family member (1.9%).

The SafeLives charity [estimated](#) that, on average, it takes three years for those experiencing domestic abuse to contact support services in England and Wales, and 6.5 years for those aged over 60. Abuse may also start, continue, or increase in severity on and after separation.

The Office for National Statistics has [published indicators](#) on the prevalence of domestic violence and use of domestic abuse services during the coronavirus pandemic, but noted that “it cannot be determined whether this increase [in police recorded crime] can be directly attributed to the coronavirus pandemic.”

### Overview of Support

Victims of domestic abuse may require support from multiple agencies. These agencies might include housing authorities to access temporary accommodation, followed by long-

term help in setting up a new home, Department for Work and Pensions (DWP) services and benefits to establish an independent income, and NHS services for health and counselling. Local authorities and educational institutions can play important roles through safeguarding and preventing abuse.

### **The Domestic Abuse Bill 2019-21 & expected strategies in 2021**

The [Impact Assessment](#) on the Domestic Abuse Bill 2019-21 says the UK Government intends the legislation to “underpin a lasting culture change” that will lead to “improved support for all victims of domestic abuse and the children who are affected by it” and a “reduction in prevalence, offending and reoffending”. The intended effects are to reduce the emotional and social costs to victims and their families and the financial costs to both the public and private sector.

The UK Government intends the [Domestic Abuse Commissioner](#), a position which will be given statutory footing by the Bill, to help improve the quantity and quality of services. The Bill would also introduce a requirement on local authorities to publish a [strategy for the delivery of support](#) within its area.

NHS England and NHS Improvement has [committed](#) to publishing a four-year plan on domestic abuse and supported a [Pathfinder pilot](#) to better identify domestic abuse victims in the health system.

The UK Government intends to [publish](#) a new Tackling Violence Against Women and Girls Strategy “early” in 2021, followed by consultation on a Domestic Abuse Strategy once the Domestic Abuse Bill 2019-21 receives Royal Assent. The [previous](#) strategy was launched in 2016 and refreshed in 2019 “to re-affirm commitments to tackling violence against women and children.”

A [call for evidence](#) on the Violence Against Women and Girls Strategy was launched on 10 December 2020, the purpose of which is to:

...understand the true scale of violence against women and girls crimes and their impact, the measures which may help identify and prevent these crimes, the extent to which current legislation and services are being used effectively to tackle them, and to identify examples of best practice.

Submissions are accepted up to 19 February 2021.

### **Other relevant Library publications:**

- [Domestic violence in England and Wales](#) (SN06377)
- [Coronavirus: Domestic Abuse](#) (Insight, April 2020)

# 1. Definitions, prevalence and costs

## 1.1 What is domestic violence and abuse?

### 2013 Definition

Currently, there is no statutory definition of domestic violence and abuse. A non-statutory, cross-Government [definition](#) was adopted in 2013. This covers those aged 16 and above and defines domestic violence and abuse as:

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 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 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.

- This definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.
- Whilst this is not a legislative change, the definition will send a clear message to victims about what does constitute domestic violence and abuse.<sup>1</sup>

### Proposed definition: The Domestic Abuse Bill 2019-21

The [Domestic Abuse Bill 2019-21](#), which is currently progressing through Parliament, would introduce a statutory definition of domestic abuse:

Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if –

- (a) A and B are each aged 16 or over and are personally connected to each other, and

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<sup>1</sup> Home Office (HO), [Circular 003/2013: New government domestic violence and abuse definition](#), 14 February 2013

(b) the behaviour is abusive.<sup>2</sup>

“Personally connected” covers the following relationships:

- (a) they are, or have been, married to each other;
- (b) they are, or have been, civil partners of each other;
- (c) they have agreed to marry one another (whether or not the agreement has been terminated);
- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- (e) they are, or have been, in an intimate personal relationship with each other;
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child [...];<sup>3</sup>
- (g) they are relatives.<sup>4</sup>

“Abusive” is defined in the following terms:

- physical or sexual abuse;
- violent or threatening behaviour;
- controlling or coercive behaviour;
- economic abuse [defined in clause 1(4) as behaviour that has a “substantial adverse effect” on a person’s ability to acquire, use or maintain money or other property; or obtain goods or services]; or
- psychological, emotional or other abuse.<sup>5</sup>

A child would be covered by the proposed definition of a domestic abuse victim if they see, hear or experience the effects of abuse and are either a relative of the adult subject to, or perpetrating, the abuse, or if one of the adults holds parental responsibility for the child.<sup>6</sup>

Further detail and commentary on the proposed definition can be found in section 2 of the Library’s [Domestic Abuse Bill 2019-20](#) (CBP 8787).

## 1.2 How prevalent is domestic abuse?

### Overall trends

The Library paper, [Domestic violence in England and Wales](#) (SN06377), includes statistics suggesting abuse has generally fallen in recent years.

The Crime Survey for England and Wales (CSEW), published by the Office for National Statistics (ONS), [estimates](#) that in the 12 months to March 2020:

- 2.3 million adults aged 16 to 74 years experienced domestic abuse in the previous year: 1.6 million women (7.3% of women) and 757,000 men (3.6%).

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<sup>2</sup> [Domestic Abuse Bill \(HL Bill 124\)](#), Part 1, clause 1(2) and (3). Note that clause numbers may change as the Bill progresses through the UK Parliament.

<sup>3</sup> “Parental relationship” means an individual holding parental responsibility for the child— clause 2(2) of the Bill.

<sup>4</sup> [Domestic Abuse Bill \(HL Bill 124\)](#), Part 1, clause 2 (1)

<sup>5</sup> [Domestic Abuse Bill \(HL Bill 124\)](#), Part 1, clause 1

<sup>6</sup> [Domestic Abuse Bill \(HL Bill 124\)](#), Part 1, clause 3

## 8 Support for domestic abuse victims: Housing, health, education, social services and social security

- This is equivalent to around 5.5% of adults (aged 16-74).
- A higher percentage of adults experienced abuse carried out by a partner or ex-partner (4%) than by a family member (1.9%).<sup>7</sup>

The CSEW asks people about their experience as victims. As a household survey, it identifies more crimes than those recorded in official police data as not all are reported to, or recorded by, the police.

### Prevalence amongst different groups

The ONS [Domestic Abuse victim characteristics for England and Wales: Year ending March 2020](#) (November 2020) uses CSEW data for those aged 16 to 74 to estimate:

- **Women aged 16 to 19 years were more likely to be victims of any domestic abuse in the last year** than women aged 25 years and over: 14.0% in the 16-19 category, compared to 7.7% in the 25-34 category and 4.4% in the 60-74 category.
- **Those in the Mixed Ethnic Group were more likely to experience domestic abuse** in the previous year compared to others, at 7.6% of men and women. This compared to 5.7% for the White Ethnic Group, 3.7% in the Black/Black British Ethnic Group and 3.6% in the Asian/Asian British Ethnic Group.
- **Adults who were separated or divorced were more likely to have experienced domestic abuse** compared with those who were married or civil partnered, cohabiting, single or widowed. For example, 18.6% and 12.5% of separated women and men, respectively, reported experiencing domestic abuse compared to 3.8% and 2.3% of married/civil partnered men and women.
- **Men and women aged 16 to 74 years with a disability<sup>8</sup> were more likely to have experienced domestic abuse** than those without: 14.7% and 7.5% of disabled women and men, respectively, compared to 6.0% and 3.2% of non-disabled women and men.
- **Unemployed persons were more likely to experience domestic abuse** than those employed or economically inactive: at 8.6% compared with 5.4% and 5.5%, respectively.<sup>9</sup>
- **Those with certain sexual orientations were more likely to be victims of domestic abuse:** 15.2% of all bisexual persons, 8.4% of gay/lesbian individuals and 5.2% of heterosexual/straight persons reported experiencing domestic abuse.<sup>10</sup>

A Stonewall survey of 800 trans and non-binary people in 2017 found that “more than a quarter of trans people (28%) in a relationship in the last year have faced domestic abuse from a partner”.<sup>11</sup>

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<sup>7</sup> ONS, [Domestic abuse in England and Wales: November 2020](#), 25 November 2020

<sup>8</sup> The ONS uses as a definition similar to that defined in the *Equality Act 2010*

<sup>9</sup> ONS, [Domestic Abuse victim characteristics for England and Wales: Year ending March 2020](#), November 2020

<sup>10</sup> ONS, [Domestic abuse prevalence and victim characteristics- Appendix Tables \[for year ending March 2020\]](#), 25 November 2020, Table 6

<sup>11</sup> Stonewall, [LGBT in Britain: Trans Report](#), 2017, p14



## Domestic violence and abuse can continue or intensify post-separation

In [Finding the Costs of Freedom](#) (2014), the Solace Women's Aid and Child and Woman Abuse Studies Unit at London Metropolitan University tracked a hundred women and their children who had previously experienced domestic abuse over three years. The research found that 90% experienced some form of post-separation abuse.<sup>12</sup>

Post-separation abuse included: physical, sexual and verbal abuse; stalking and harassment; abuse via their children (e.g. contact or maintenance arrangements); via social and family networks; using civil and criminal agencies (e.g. making false reports, delaying proceedings); and interference in financial assets or employment.<sup>13</sup>

The Ministry of Justice (MoJ) report [Assessing Risk of Harm: Children and Parents in Private Law Children Cases](#) (2020) noted "repeat applications for child arrangements orders being used as a means of ongoing abuse".<sup>14</sup> An MoJ-commissioned literature review into [Domestic abuse and private law children cases](#) (2020), conducted by the Brunel University academic Adrienne Barnett, found that abuse in private law children's cases was "considerably higher than in the general population, with findings and estimates ranging from 49% to 62%. In the vast majority of cases, the alleged or proven perpetrator was the father".<sup>15</sup>

## Domestic abuse during the Coronavirus pandemic

The ONS has published indicators on the [prevalence of domestic violence and use of domestic abuse services during the coronavirus pandemic](#) (November 2020).<sup>16</sup>

Police are required to flag when an offence is domestic abuse related. Excluding figures for Greater Manchester,<sup>17</sup> the police flagged 259,324 offences (excluding fraud) as domestic abuse-related in the period March to June 2020 in England and Wales.

This was a 7% increase on the same period in 2019. However, the ONS observes "it cannot be determined whether this increase can be directly attributed to the coronavirus pandemic," and may partly be driven by improvements in recording practices.<sup>18</sup>

## Services: helplines, refuge services and users' characteristics

The ONS report [Domestic abuse victim services, England and Wales: November 2020](#) provides information on the availability of domestic abuse services, including refuge beds, the incidence of multi-agency risk

During the pandemic, "Stay at Home" guidance has not applied to those experiencing, or feeling at risk of experiencing, domestic abuse in [England, Wales, Scotland](#) and [Northern Ireland](#).

<sup>12</sup> Solace Women's Aid and Child and Women Abuse Studies Unit, [Finding the Costs of Freedom](#), 2015, p5

<sup>13</sup> [Ibid](#), pp44-50

<sup>14</sup> Ministry of Justice (MoJ), [Assessing Risk of Harm to Children And Parents in Private Law Cases](#), June 2020, p125

<sup>15</sup> MoJ, [Domestic abuse and private law cases: A literature review](#), 2020, p20

<sup>16</sup> ONS, [Domestic abuse during the coronavirus \(COVID-19\) pandemic, England and Wales: November 2020](#)

<sup>17</sup> There are issues in the data supply for Greater Manchester due to new IT systems.

<sup>18</sup> ONS, [Domestic abuse during the coronavirus \(Covid-19\) pandemic, England and Wales: November 2020](#), 25 November 2020

## 10 Support for domestic abuse victims: Housing, health, education, social services and social security

assessment conferences (a meeting where information is shared on the highest-risk domestic abuse cases), and the number of independent domestic violence advisors. It also describes the characteristics of users.

The Home Office and MoJ's [Equality statement on the Domestic Abuse Bill](#) (February 2020) cited evidence that Black and Minority Ethnic individuals, disabled people and LGBT+ persons tend to access domestic abuse support services less than other groups.<sup>19</sup> Pages 15-16 of the statement summarise UK Government funding for specific groups who have experienced domestic abuse to February 2020.

### **Funding for domestic abuse services during the coronavirus pandemic (England)**

The UK Government has announced additional funding for support services during the coronavirus pandemic. This includes:

- £76 million in May 2020 to support survivors of domestic and sexual abuse, vulnerable children and their families, and victims of modern slavery through providing more safe spaces, accommodation and provision of services remotely.<sup>20</sup>
- £11 million to support victim services during the 2020/21 Winter.<sup>21</sup>
- £40 million in February 2021 for more independent sexual violence and domestic abuse advisors, specialist support organisations helping disabled, LGBTQ+ and Black and Minority Ethnic victims, and remote support.<sup>22</sup>

Women's Aid's [The Domestic Abuse report 2021: The annual audit](#) (January 2021) reported that demand for refuge space was higher than that available and that financially the sector is "significantly propped up by a large proportion of services running outside those commissioned by local authorities."<sup>23</sup>

## 1.3 The economic and social costs of domestic abuse

The Home Office's [The economic and social costs of domestic abuse](#) (2019) sought to estimate the costs of domestic abuse in England and Wales in 2016/17. It estimated that:

- The cost of domestic abuse for victims was £66 billion.
- The largest component was the physical and emotional harms by victims (£47 billion), such as the fear, anxiety and depression experienced.
- Costs incurred by the Government included: £2.3 billion by health services, £1.3 billion by the police, and £0.7 billion by

<sup>19</sup> HO and MoJ, [Domestic Abuse Bill: Policy Equality Statement](#), February 2020, para 19, 29-30, 47

<sup>20</sup> MHCLG, HO, [Department for Digital, Culture, Media & Sport, Emergency funding to support most vulnerable in society during the pandemic](#), 2 May 2020; MHCLG, [More domestic abuse charities to benefit from government funding boost](#), 16 September 2020

<sup>21</sup> HO and MoJ, [Funding boost for rape and domestic abuse support](#), 18 November 2020

<sup>22</sup> MoJ, [Extra £40 million to help victims during the pandemic and beyond](#), 1 February 2021

<sup>23</sup> Women's Aid, [Over half of domestic abuse support services were running areas of work without dedicated funding](#), 27 January 2021

victim services (e.g. housing, charities and expenditure by the Department for Work and Pensions (DWP)).<sup>24</sup>

The analysis was based on CSEW data and estimates of costs incurred in anticipation of, and in response to, domestic violence, including in lost output.<sup>25</sup> Due to the repeated nature of domestic violence, the report did not estimate the cost of individual incidents, and made assumptions regarding the costs of subsequent incidents.<sup>26</sup>

The report did not include a breakdown by gender, or the financial costs of the impact of domestic abuse on children, domestic abuse-related suicides, or to victims, due to lack of evidence.<sup>27</sup>

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<sup>24</sup> HO, [The economic and social costs of domestic abuse](#), 2019, pp5-6, 29-33, 35

<sup>25</sup> [Ibid](#), section 2 for methodology

<sup>26</sup> [Ibid](#), p5

<sup>27</sup> [Ibid](#), p9

## 2. Local authority duties

The Home Office's [Violence Against Women and Girls: National Statement of Expectations](#) (2016) sets out what local areas are expected to put in place to support and protect victims of domestic abuse. This includes having a "robust consultation process for identifying which services are needed locally" and "sufficient local specialist support provision" with a "broad diversity" of providers for all social groups.<sup>28</sup>

In March 2019, the UK Government said it would be "undertaking a review" to ensure the statement remains "up to date and relevant". No update has been made to date.<sup>29</sup>

Age UK's [Safeguarding older people from abuse and neglect](#) (2020) summarises the law on safeguarding adults.

### 2.1 Local authority safeguarding duties (adults)

Under section 42 of the [Care Act 2014](#), where a local authority has "reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there)":

- (a) has needs for care and support (whether or not the authority is meeting any of those needs),
- (b) is experiencing, or is at risk of, abuse or neglect, and
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

the authority should "make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case", and if so, what and by whom.<sup>30</sup>

Chapter 14 of the Department of Health and Social Care's (DHSC) [Care and Support Statutory Guidance \(CASS\)](#) provides guidance for local authorities on their duties under section 42 of the *Care Act 2014*.

The guidance provides an illustrative guide to the sorts of behaviour which could give rise to a safeguarding concern, including domestic violence.<sup>31</sup>

#### **Safeguarding Adults Board**

Under section 43 of the *Care Act 2014*, each local authority is required to establish a Safeguarding Adults Board (SAB) for its area, the main objective of which "is to assure itself that local safeguarding arrangements and partners act to help and protect adults in its area who meet the criteria [in section 42 of the *Care Act*]" .<sup>32</sup>

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<sup>28</sup> HO, [Violence Against Women and Girls: National Statement of Expectations](#), December 2016, section 1.

<sup>29</sup> UK Government, [Ending Violence Against Women and Girls: Action Plan 2016-2020. Progress Update](#), March 2019, p24

<sup>30</sup> [Care Act 2014](#), section 42 (1) and (2)

<sup>31</sup> DHSC, [Care and support statutory guidance](#), June 2020, paras 14.17 & 14.20.

<sup>32</sup> [Ibid](#), para 14.133.

Membership of SABs include the local authority, local Clinical Commissioning Groups and the chief officer of police for that area. They may also include other members as the local authority considers appropriate. The CASS suggests that local authorities should consider inviting prison and probation staff to be members.<sup>33</sup>

### **Involvement of other agencies**

The CASS states that where criminal activity is suspected, early involvement of the police is likely to have benefits in many cases.<sup>34</sup>

Local authorities' duty to make enquiries supplements obligations on other organisations to look after people in their care effectively, and police-held responsibilities. Authorities should cooperate with relevant partners to protect adults in this position.<sup>35</sup> The statutory guidance states that those in a range of organisations should be "vigilant about adult safeguarding concerns":

Including, amongst others in health and social care, welfare, policing, banking, fire and rescue services and trading standards; leisure services, faith groups, and housing. GPs, in particular, are often well-placed to notice changes in an adult that may indicate they are being abused or neglected. Findings from serious case reviews have sometimes stated that if professionals or other staff had acted upon their concerns or sought more information, then death or serious harm might have been prevented.

[...]

Anyone can witness or become aware of information suggesting that abuse and neglect is occurring.<sup>36</sup>

The Local Government Association published [Adult safeguarding and domestic abuse](#) (2015) to guide practitioners and managers working with people needing care and support.

## **2.2 New requirements in the Domestic Abuse Bill 2019-21**

### **Requirement to assess needs**

The [Domestic Abuse Bill 2019-21](#), currently before Parliament, would introduce a duty on tier 1 local authorities (County and Unitary District Councils, Greater London & the Isles of Sicily) to:

- Assess the need for domestic abuse support amongst victims and their children in "relevant accommodation" within its area;
- Prepare and publish a strategy for the delivery of the support within the area; and
- Monitor and evaluate the effectiveness of this strategy.<sup>37</sup>

"Relevant accommodation" will be defined in statutory guidance. The [explanatory notes](#) to the Bill state that the UK Government intends the

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<sup>33</sup> [Care Act 2014](#), section 43 and schedule 2.

<sup>34</sup> DHSC, [Care and support statutory guidance](#), June 2020, para 14.83

<sup>35</sup> [Ibid](#), paras 14.10 and 14.12; [Care Act 2014](#), section 6(3)

<sup>36</sup> [Ibid](#), paras 14.36-37

<sup>37</sup> [Domestic Abuse Bill 2019-20, Explanatory Notes](#), 7 July 2020, para 224

## 14 Support for domestic abuse victims: Housing, health, education, social services and social security

definition to be “broad based encompassing dedicated specialist services”, namely refuge, specialist safe, dispersed, sanctuary and move-on or second stage accommodation.<sup>38</sup>

The [explanatory notes](#) provide examples of support for those in “relevant accommodation” that authorities may assess a need to cater for in their strategies (bold added):

- **Overall management of services within safe accommodation** – including, the management of staff, payroll, financial management of services and maintaining relationships with the local authority (such functions will often be undertaken by a service manager);
- **Support with the day-to-day running of the service**, for example scheduling times for counselling sessions, group activities etc.;
- **Advocacy support** – development of personal safety plans, liaison with other services (for example, GPs and social workers, welfare benefit providers);
- **Domestic abuse-prevention advice** – support to assist victims to recognise the signs of abusive relationships, to help them remain safe (including online) and to prevent re-victimisation;
- **Specialist support for victims with protected characteristics and / or complex needs**, for example, translators and interpreters, faith services, mental health advice and support, drug and alcohol advice and support, and immigration advice;
- **Children’s support** – including play therapy and child advocacy;
- **Housing-related support** – providing housing-related advice and support, for example, securing a permanent home and advice on how to live safely and independently; and
- **Counselling and therapy** for both adults and children.<sup>39</sup>

Further information can be found in section 4 of the Ministry of Housing Communities and Local Government’s (MHCLG) [Domestic Abuse Services: Future Delivery of Support to Victims and their Children in Accommodation-based Domestic Abuse Services: Consultation Response](#) (October 2019).

### **Appointment of a Domestic Abuse Local Partnership Board**

The Bill would also require local authorities to appoint a Domestic Abuse Local Partnership Board, to provide advice to the tier 1 authority on its support offer.

These boards will include representation from Police and Crime Commissioners, health bodies, children’s services, housing providers, and specialist domestic abuse service providers.<sup>40</sup>

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<sup>38</sup> [Ibid](#), para 226

<sup>39</sup> [Ibid](#), para 225

<sup>40</sup> [Domestic Abuse Bill \(HL Bill 124\)](#), clause 56

### **New Burdens funding**

The MHCLG announced £6 million of funding for councils in October 2020 to plan for the introduction of the new duty to assess and provide support and safe accommodation to victims and their children.<sup>41</sup>

It is expected that the new duty will be in force in April 2021.

The November 2020 Spending Review included additional funding, bringing the total to £125 million for councils to meet the duty.<sup>42</sup>

### **A new Domestic Abuse Commissioner**

In September 2019, the Government announced the appointment of Nicole Jacobs – former Chief Executive Officer of the charity Standing Together Against Domestic Violence – as the designate Commissioner.<sup>43</sup>

Part 2 of the [Domestic Abuse Bill 2019-21](#) provides the statutory framework for the Commissioner.

The Government intends that the Commissioner will encourage good practice in preventing and identifying domestic abuse, and assess the provision of related services, including the provision of:

Specialist services for victims and their children, such as refuges or other specialist support services; mainstream provision of statutory services, such as healthcare, which play a role in identifying victims, children and perpetrators and referring them onto more specialist services; and specialist provision for perpetrators, such as perpetrator behaviour change programmes.<sup>44</sup>

The Commissioner would also have the power to issue thematic reports and to cooperate with third sector organisations, public authorities, and other relevant Commissioners (e.g. The Commissioner for Victims and Witnesses and the Children’s Commissioner for England).<sup>45</sup>

## **2.3 Safeguarding children**

Children may also experience domestic abuse, either as a direct victim or due to the impact the abuse has on others (e.g. the non-abusive parent).

Under the [Children Act 1989](#) and statutory guidance issued by the Department for Education (DfE), [Working together to safeguard children](#) (2018), local authorities are under a duty to safeguard and promote the welfare of children (defined as those under 18). This emphasises that “safeguarding is everyone’s responsibility” and that organisations should collaborate to identify and meet any welfare or safeguarding needs of a child.

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<sup>41</sup> MHCLG, [Extra support for councils to expand services for domestic abuse victims and their children](#), 5 October 2020

<sup>42</sup> HM Treasury, [Spending Review 2020](#), November 2020, p73, para 6.61

<sup>43</sup> HO, [UK’s first domestic abuse commissioner announced as government pledges to tackle crime](#), 18 September 2019

<sup>44</sup> [Domestic Abuse Bill 2019-20, Explanatory Notes](#), 7 July 2020, para 89

<sup>45</sup> [Ibid](#), paras 89 & 91

## 16 Support for domestic abuse victims: Housing, health, education, social services and social security

Information can be found in the Library's [Overview of child protection legislation in England](#) (SN6787) and [Child protection: Duty to report concerns](#) (SN6793).

### 2.4 Troubled Families Programme

The Troubled Families Programme (TFP) is a programme in England administered by the MHCLG via local authorities. The TFP conducts targeted interventions for families experiencing multiple problems, including crime, anti-social behaviour, truancy, unemployment, mental health problems and domestic abuse.

Between April 2015 to April 2020, the Government funded around 399,960 families under the TFP.<sup>46</sup>

The MHCLG estimated that around 22% of families on the cohorts joining the TFP between September 2014 and June 2016 had at least one family member who had been affected by domestic abuse in the year before intervention.<sup>47</sup> The MHCLG said in 2019 that there was "insufficient evidence to assess the impact of the programme on the issue [of domestic violence and abuse]".<sup>48</sup>

The [November 2020 Spending Review](#) saw the programme extended to 2021-22. The Library briefing on the [TFP](#) (CBP 7585) provides an overview of the programme.

### 2.5 Changing Futures Programme

The MHCLG programme, [Changing Futures](#), seeks to incentivise coordinated local support for families experiencing multiple disadvantages, in a similar approach to that in the TFP. Disadvantages include homelessness, substance misuse, mental health issues, domestic abuse, and contact with the criminal justice system.<sup>49</sup>

The Changing Futures programme will bring together several local areas over an initial two-year period from 2021/22 to 2022/23. The MHCLG invited expressions of interest from authorities in December 2020.<sup>50</sup>

### 2.6 Other community-based support services

The Domestic Abuse Bill 2019-21 would place a duty on local authorities to provide support for victims in safe accommodation, rather than those accessing wider community-based services.

The shadow Minister for Domestic Violence and Safeguarding, Jess Phillips MP, moved an amendment in Public Bill Committee, stating most victims will not be covered by the duty.<sup>51</sup> The charity SafeLives

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<sup>46</sup> MHCLG, [Improving families' lives: Annual report of the TFP 2019-20](#), June 2020, p12

<sup>47</sup> MHCLG, [National evaluation of the Troubled Families Programme 2015-2020: Findings](#), March 2019, p19

<sup>48</sup> [Ibid](#), p19

<sup>49</sup> MHCLG, [Launch of £46 million "Changing Futures" scheme to support vulnerable people](#), 10 December 2020

<sup>50</sup> MHCLG, [Changing futures: Changing systems to support adults experiencing multiple disadvantages](#), 15 December 2020

<sup>51</sup> Public Bill Committee, [Domestic Abuse Bill \(Seventh sitting\)](#), 11 June 2020, c239



estimates nearly 70% of victim/survivors seek help through community-based services, rather than those based on accommodation.<sup>52</sup>

In response, the Home Office Minister, Victoria Atkins, said the Government would publish guidance for authorities on service delivery and how the duty interacts with other local authority responsibilities.<sup>53</sup>

The Domestic Abuse Commissioner designate, Nicole Jacobs, has agreed to undertake an exploration of community-based support in 2020/21.<sup>54</sup> Alongside the Children's Commissioner, Anne Longfield, and the Victims' Commissioner, Dame Vera Baird, the Domestic Abuse Commissioner said in February 2021 that the Government should include a statutory duty on authorities to fund community-based services in the Bill.<sup>55</sup> Barnardo's and others have also supported the proposal.<sup>56</sup>

In November 2020, the UK Government said it would be premature to legislate in this area before the Domestic Abuse Commissioner undertakes her exploration of community-based services. The Commissioner's initial conclusions are expected by the end of 2021:

While the initial scoping work is expected to be completed this financial year, the work on mapping the provision of community-based services across the country is expected to conclude by the end of 2021. The Government will then work with the Commissioner to understand the needs identified and develop options on how best to address them.<sup>57</sup>

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<sup>52</sup> SafeLives, [Briefing for the second reading of the Domestic Abuse Bill](#), 28 April 2020, para 4

<sup>53</sup> Public Bill Committee, [Domestic Abuse Bill \(Seventh sitting\)](#), 11 June 2020, cc246-7

<sup>54</sup> PQ HL 8769 [[Domestic Abuse: Victim support schemes](#)], 5 October 2020

<sup>55</sup> Children's Commissioner, [Our joint call on the government to include a statutory duty on local authorities to fund community-based services in the Domestic Abuse Bill](#), 2 February 2021

<sup>56</sup> Barnardo's, [House of Lords urges Boris Johnson to ensure community-based support services are included in the Domestic Abuse Bill](#), 2 February 2021

<sup>57</sup> PQ HL10249 [[Domestic abuse: Victim support](#)], 11 November 2020

## 3. Family contact & child maintenance

### 3.1 Child contact and domestic abuse

The following Library briefings detail **contact and residence arrangements for children** in Family Courts:

- [Children: child arrangements orders – when agreement cannot be reached on contact and residence \(Great Britain\)](#) (CBP8761)
- [Children: Parental alienation and the role of Cafcass \(England\)](#) (CBP 8763)
- [Children: Child arrangements orders—safeguards when domestic abuse issues arise \(England and Wales\)](#) (CBP 8764)

Information on **occupation and non-molestation orders** can be found in the Library briefing: [Domestic violence in England and Wales](#) (SN06337). An occupation order is a court injunction that regulates who can live in or access a family home. A non-molestation order prohibits an abuser from molesting another person they are associated with.

The Domestic Abuse Bill 2019-21 was initially intended to introduce **special measures** solely for criminal courts (discussed in section 9 of the briefing paper [Domestic Abuse Bill 2019-20](#) (CBP8787)). These measures are aimed at helping vulnerable and intimidated witnesses give their best evidence in court and can take the form of separate waiting rooms, entrances and screens. During the Bill's passage, the UK Government agreed to make similar provision in Family Courts.<sup>58</sup>

More information on the presumption of parental involvement and the reform of the Family Court system can be found in sections 5 and 6 of the Library briefing [Children: Child arrangements orders—safeguards when domestic abuse issues arise \(England and Wales\)](#) (CBP 8764).

### 3.2 Child Maintenance

There are three forms of child maintenance: informal (agreed between parents); court-ordered and statutory (organised by the separate Child Maintenance Service (CMS) in Great Britain or Northern Ireland).

CMS arrangements are described in the Library's [Child maintenance: Calculations, variations and income \(UK\)](#) (CBP-7770).

#### Arranging maintenance

The CMS can arrange child maintenance without the parents turning to court action and take steps to ensure an individual's identity and address remains confidential:

**If you're experiencing domestic abuse or controlling behaviour**

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<sup>58</sup> MoJ, [Major overhaul of Family Courts to protect domestic abuse victims](#), 25 June 2020

[Tell the Child Maintenance Service](#). They can arrange payments with your child's other parent for you.

If you've changed your name, you can arrange child maintenance without the other parent knowing your new name.

If you do not want the other parent to know where you live, ask your bank to set up an account with a 'non-geographic' sort code. The Child Maintenance Service can give you a letter for your bank explaining why you need to set up this type of account.<sup>59</sup>

The CMS can also set up a direct maintenance payment arrangement between parents, involving no collection fees.<sup>60</sup>

The DWP has said that CMS staff should use the CMS Domestic Abuse Plan to guide them through appropriate actions to support victims (e.g. signposting to relevant services). The plan is not publicly available.<sup>61</sup>

## Waiving the application fee

The CMS will waive the £20 application fee for victims of domestic abuse or violence to set up a statutory maintenance arrangement.<sup>62</sup>

A full definition of domestic violence or abuse can be found in the [CMS guidance](#) but includes any "incident or pattern of incidents of":

Controlling, coercive or threatening behaviour, violence or abuse towards the applicant, which is between persons aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality.

This definition encompasses psychological, physical, sexual, financial and emotional abuse. Coercive behaviour can include the applicant witnessing the abuse of their child by a current or previous partner, a member of their own family, or by the partner's family.

Those applying for a fee exemption are required to present evidence, either over the phone or in writing, that they meet this definition.<sup>63</sup>

CMS [guidance](#) states that the person applying for maintenance must also have reported the abuse to "an appropriate person". This includes: courts, police, medical professionals, social services, a multi-agency risk assessment conference, a specialist domestic violence organisation (e.g. refuge), an employer, educational services, local authority, legal professional or a specialist support organisation (e.g. Citizens Advice).<sup>64</sup>

Since May 2018 the CMS has asked parents directly if they have experienced domestic abuse.<sup>65</sup>

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<sup>59</sup> DWP, [Manage your CMS case: Making and getting payments](#)

<sup>60</sup> [Public Bill Committee, Domestic Abuse Bill](#), 16 June 2020, c353

<sup>61</sup> PQ 61273 [[CMS](#)], 19 June 2020

<sup>62</sup> Regulation 4(3) of the [Child Support Fees Regulations 2014](#)

<sup>63</sup> DWP, [Child maintenance application fee: Exemption for victims of domestic violence](#), updated 1 August 2017

<sup>64</sup> DWP, [Guidance on regulation 4\(3\) of the Child Support Fees Regulations 2014: List of persons to whom an applicant must have reported domestic violence or abuse](#), updated 1 August 2017

<sup>65</sup> DWP, [National Tables: CMS statistics: Data to June 2020](#), September 2020, Table 2.

### Work and Pensions Committee report (2017) & DWP response

The Work and Pensions Committee's [CMS report](#) said that the service was particularly important to those experiencing domestic abuse, as the payment of child maintenance can be a means to exercise coercion. The Committee recommended that victims should be exempted from CMS Collect and Pay (C&P) fees.<sup>66</sup> On C&P, the CMS monitors when maintenance is not paid by the non-resident parent and can take collection or enforcement action.

The DWP in response said it believed there was no need for cases where there was a history of domestic abuse between parents to be moved automatically to C&P because its review of charging had "found that parents who had experienced domestic abuse were as least as likely to have an effective Direct Pay arrangement as other Direct Pay clients".<sup>67</sup>

The [review](#) found that after three months with a Direct Pay arrangement, payments were made on time, in full and the receiving parent perceived the arrangement to be working well with 49% of "all receiving parents" compared to 56% in the "domestic violence, frequent contact, unfriendly" group and 42% in the "'domestic violence, no contact' group".<sup>68</sup>

The review also noted that the provision for anonymity may need to be better publicised, stating that "just two per cent of Receiving Parents whose Direct Pay payments had started reported using a bank account with a central or national sort code".<sup>69</sup>

## Northern Ireland

A similar, but separate, system operates in Northern Ireland.

There is no application fee—the Northern Ireland Executive said this was to "ensure that the child maintenance statutory service remains accessible to those who need it".<sup>70</sup>

NI Direct's [CMS support in domestic abuse or violence](#) details steps to protect an individual's identity and location when using the CMS.

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<sup>66</sup> Work and Pensions Committee, [CMS](#), HC 587, paras 36-44

<sup>67</sup> DWP, [CMS: Government response to the Committee's Fourteenth Report of Session 2016-2017](#), 12 September 2017

<sup>68</sup> Government Social Research and DWP, [Survey of CMS direct pay clients](#), December 2016, p60

<sup>69</sup> [Ibid](#), p29

<sup>70</sup> [AQW 31387/11-15](#), 6 March 2014

## 4. Housing

Section 9 describes policy in Scotland, Wales and Northern Ireland.

### 4.1 Sanctuary schemes to prevent homelessness

Sanctuary schemes have been promoted by Governments since 2005. They are a multi-agency initiative to install security measures, with the intention of helping ensure that households at risk of domestic violence can remain in their own accommodation if they choose to do so.

The Department for Communities and Local Government (DCLG) published [Sanctuary schemes for households at risk of domestic violence: guide for agencies](#) in August 2010.

The MHCLG states that the “use of sanctuary is not appropriate if the perpetrator lives at, or retains a legal right to enter the home, or if the victim continues to be at risk in the vicinity around the home”.<sup>71</sup>

### 4.2 Homelessness assistance

Housing authorities are expected to have policies in place to identify and respond to domestic abuse as part of their approach to preventing homelessness. The [Homelessness code of guidance for local authorities](#) says they are “key partners in local domestic violence partnerships and should be represented at their local multi-agency risk assessment conference (MARAC).”<sup>72</sup>

Part 7 of the [Housing Act 1996](#), as amended, governs local authorities’ duties to homeless households. Applicants must be eligible for assistance.<sup>73</sup>

#### Homeless or threatened with homelessness

In the first instance, **authorities will assess whether someone seeking assistance is homeless or threatened with homelessness.** The *Housing Act 1996* provides that it is not reasonable for a person to continue to occupy accommodation if it is probable that this will lead to domestic violence against them by a person who normally resides with them as a member of their family, or any other person that might reasonably be expected to reside with that person.<sup>74</sup>

In this context ‘violence’ means:

Violence from another person or threats of violence from another person which are likely to be carried out. ‘Domestic violence’ is violence or threats of violence which are likely to be carried out by

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<sup>71</sup> MHCLG, [Homelessness code of guidance for local authorities](#), updated 31 December 2020, paras 21.28

<sup>72</sup> [Ibid](#), para 21.10

<sup>73</sup> Eligibility is determined by the applicant’s immigration status. Note that people with no recourse to public funds are not generally eligible but those fleeing domestic violence may obtain help under [Destitute Domestic Violence Concession](#).

<sup>74</sup> [Housing Act 1996](#), section 177 (1)

## 22 Support for domestic abuse victims: Housing, health, education, social services and social security

a person who is associated with the victim. Domestic violence is not confined to instances within the home.<sup>75</sup>

The Domestic Abuse Bill 2019-21 will amend references in section 177 of the 1996 Act to “domestic violence or other violence” to “violence or domestic abuse.” The Bill will also define domestic abuse with reference, when in force, to section 1 of the *Domestic Abuse Act*.

The [Homelessness code of guidance for local authorities](#), to which they must have regard when assessing homeless applications, states that the current definition of violence should not be used restrictively:

The term ‘violence’ should not be given a restrictive meaning, and ‘domestic violence’ should be understood to include physical violence, threatening or intimidating behaviour, and any other form of abuse which directly or indirectly may give rise to harm; between persons who are, or have been, intimate partners, family members or members of the same household, regardless of gender identity or sexual orientation.<sup>76</sup>

The code of guidance makes it clear that authorities should not have a blanket approach toward establishing if domestic abuse has occurred, or is at risk of occurring, which requires the victim to obtain a police report or approach the alleged perpetrator.<sup>77</sup>

An applicant may be treated as eligible for assistance (referred to as the relief duty) if they are threatened with homelessness. The code of guidance provides the following example:

A person at risk of domestic violence or abuse may be threatened with homelessness because a perpetrator is soon to be released from custody (and so the person is likely to become homeless within 56 days); but would be actually homeless if the perpetrator was in the community and presented a risk to them at their home (and so it is not reasonable for the person to continue to occupy the accommodation).<sup>78</sup>

A local housing authority may take several approaches to prevent or relieve homelessness for an eligible applicant:

[This] might include provision of sanctuary scheme or other security measures, assistance to find alternative accommodation, or help to access legal remedies such as injunctions where these might be effective. Single people might also be assisted to access supported housing, or helped to gain more support from family and friends through the intervention of the housing authority.<sup>79</sup>

Local authority landlords may seek to evict a perpetrator of domestic abuse from one of their tenancies to allow the victim to remain.<sup>80</sup> This approach should only be used where it is judged safe (bold in original):

However, where there would be a probability of violence if the applicant continued to occupy their present accommodation, the housing authority must treat the applicant as homeless and should not expect them to remain in, or return to, the

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<sup>75</sup> MHCLG, [Homelessness code of guidance for local authorities](#), updated 31 December 2020, para 21.17

<sup>76</sup> [Ibid](#), paras 21.3 and 21.19

<sup>77</sup> [Ibid](#), paras 21.10 – 21.15

<sup>78</sup> [Ibid](#), para 21.25

<sup>79</sup> [Ibid](#), para 21.27

<sup>80</sup> [Housing Act 1985](#), Schedule 2, ground 2A

accommodation. **In all cases involving violence the safety of the applicant and their household should be the primary consideration at all stages of decision making as to whether or not the applicant remains in their own home.**<sup>81</sup>

## Assessing priority need

Housing authorities have a duty to try and prevent or relieve homelessness for all applicants who are eligible for assistance, irrespective of whether they have a priority need for accommodation. However, a statutory duty to secure suitable accommodation will arise where an applicant is assessed as unintentionally homeless **and in priority need** where the authority has not been able to prevent or relieve homelessness within the given timeframe.

Section 189 of the [Housing Act 1996](#) sets out the priority need categories, including:

People who are vulnerable because they are fleeing violence.<sup>82</sup>

Paragraphs 21.31 to 21.34 of the [Homelessness code of guidance for local authorities](#) provide guidance on assessing the vulnerability of people fleeing violence.

There are concerns that the vulnerability test is used by local authorities as a gatekeeping tool.<sup>83</sup> In response, measures have been included in the Domestic Abuse Bill 2019-21 which, when in force, **will mean that those fleeing domestic abuse and facing homelessness will be automatically treated as in priority need.** Clause 71 of the Bill would substitute the definition of priority need set out above with:

A person who is homeless as a result of that person being a victim of domestic abuse.<sup>84</sup>

The Home Office Minister, Victoria Atkins, committed to updating the code of guidance to make it clear that applications for assistance can be made through a variety of means:

We will take the opportunity to ensure that the guidance is clear about the need to ensure that victims are appropriately supported by local authorities to make this application. We will reinforce to all local authorities that all homeless applicants, including victims of domestic abuse, are able to be accompanied by a friend, family member or support worker, if they wish.<sup>85</sup>

## Intentionality

As noted above, authorities only have a statutory duty to secure suitable housing for unintentionally homeless households who are in priority need. The MHCLG code of guidance states that applicants cannot be

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<sup>81</sup> MHCLG, [Homelessness code of guidance for local authorities](#), updated 31 December 2020 para 21.31

<sup>82</sup> Added by Article 6 of the [Homelessness \(Priority Need for Accommodation \(England\) Order 2002](#)

<sup>83</sup> All-Party Parliamentary Group on Ending Homelessness (APPGEH), [Safe Home: Breaking the link between homelessness and domestic abuse](#), May 2019, pp20-32

<sup>84</sup> [Domestic Abuse Bill \(HL Bill 124\)](#), Clause 71(5).

<sup>85</sup> Public Bill Committee, [Domestic Abuse Bill \(Ninth sitting\)](#), 16 June 2020, c298

treated as intentionally homeless unless it would have been reasonable for them to have continued to occupy the accommodation and goes on:

It will be necessary for the housing authority to give careful consideration to the circumstances of the applicant and the household, in each case, and with particular care in cases where violence and abuse has been alleged.<sup>86</sup>

## A duty to refer

A range of public bodies are subject to a duty to refer service users whom they consider to be homeless or threatened with homelessness within 56 days to a housing authority, with the service user's consent.

These include social services, emergency departments, hospitals providing patient care, probation services and youth offending bodies.<sup>87</sup>

## 4.3 Local authority housing registers

The allocation of council housing is governed by Part 6 of the [Housing Act 1996](#). New statutory guidance, [Allocation of accommodation: guidance for local authorities](#) (December 2020), replaced previous guidance on social housing allocations.

### Reasonable and additional preference

Local authorities have a great deal of discretion in framing their housing allocation schemes but they are required to give reasonable preference to certain categories of people.<sup>88</sup> Section 166A(3) of the 1996 Act gives housing authorities power to frame their allocation schemes to give additional preference to particular descriptions of people who fall within the statutory reasonable preference categories and have urgent housing needs.

Statutory guidance says this could include those who are homeless as “a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence”.<sup>89</sup>

### Residency requirements

In 2013, the DCLG issued statutory guidance, [Providing social housing for local people](#), which encouraged authorities to adopt a two-year residence test as part of their qualification criteria.<sup>90</sup>

The guidance advised authorities to retain flexibility in this requirement, in order to ensure they are “providing protection to people who need to move away from another area, to escape violence or harm”.<sup>91</sup>

In 2018 the MHCLG published statutory guidance for local authorities on [Improving access to social housing for victims of domestic abuse](#).

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<sup>86</sup> MHCLG, [Homelessness code of guidance for local authorities](#), para 9.22

<sup>87</sup> [Homelessness \(Review Procedure etc.\) Regulations 2018](#)

<sup>88</sup> Section 166A(3) of the 1996 Act

<sup>89</sup> MHCLG, [Allocation of accommodation: guidance for local authorities](#), 31 December 2020, para 4.13

<sup>90</sup> See the Library's [Allocating social housing \(England\)](#) for further detail.

<sup>91</sup> DCLG, [Providing social housing for local people: Statutory guidance](#), 2013, para 19



This went further than that previously issued to “ensure that those who need to move between local authority districts in order to escape domestic abuse are not disadvantaged by a residency or local connection test”:<sup>92</sup>

Many people escaping domestic abuse may seek a place of safety in a refuge or other form of temporary accommodation before they apply for social housing, which may be in a different part of the country to their original home. [...] The Secretary of State therefore strongly encourages all local authorities to exempt from their residency requirements those who are living in a refuge or other form of safe temporary accommodation in their district having escaped domestic abuse in another local authority area.<sup>93</sup>

The guidance also advises authorities to prioritise those in refuges to release space in this specialist accommodation for others:

It is also important that victims of domestic abuse who are provided with temporary protection in a refuge, or other form of temporary accommodation, are given appropriate priority under a local authority’s allocation scheme, to enable them to move into more suitable settled accommodation, releasing valuable refuge spaces for others.<sup>94</sup>

## 4.4 Social housing tenancies

### Fixed-term tenancies

Measures included in the *Housing and Planning Act 2016* were aimed at requiring local authorities in England to offer only fixed-term tenancies. On publication of the Social Housing Green Paper on 14 August 2018, [A new deal for social housing](#), the then-Government announced that it would not implement these provisions “at this time”. Prior to this announcement, the [Secure Tenancies \(Victims of Domestic Abuse\) Act 2018](#) ensured that if this measure was brought into force, certain victims of domestic abuse would be exempt:

Lifetime tenants of social homes who are victims of domestic abuse are granted a further lifetime tenancy where either a) they need to leave or have left their home to escape domestic abuse and are being re-housed by a local authority, or b) where they are a joint tenant and wish to remain a tenant of their social home after the perpetrator has left or been removed and the local authority decides to grant them a further sole tenancy in their current home.<sup>95</sup>

Following the announcement in August 2018, the 2018 Act has not been brought into force.

Measures have been included in the Domestic Abuse Bill 2019-21 to require local authorities, where they exercise discretion to introduce a

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<sup>92</sup> MHCLG, [Improving access to social housing for victims of domestic abuse in refuges or other types of temporary accommodation: statutory guidance](#), 2018, para 24

<sup>93</sup> [Ibid](#), para 19

<sup>94</sup> [Ibid](#), para 24

<sup>95</sup> [Explanatory notes to the Secure Tenancies \(Victims of Domestic Abuse\) Act 2018](#), para 1

## 26 Support for domestic abuse victims: Housing, health, education, social services and social security

fixed-term tenancy scheme, to provide that a 'lifetime' secure tenancy is offered to victims of domestic violence in certain circumstances.<sup>96</sup>

### **Joint tenancies**

In response to a proposed amendment moved by Jess Phillips MP during consideration of the Domestic Abuse Bill 2019-21 to remove one joint tenant from a tenancy agreement where there has been domestic violence, the Government said that the MHCLG "are engaging with the domestic abuse sector and other relevant stakeholders on these issues [...] with a view to arriving at a workable solution".<sup>97</sup>

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<sup>96</sup> [Domestic Abuse Bill \(HL Bill 124\)](#), Clause 72

<sup>97</sup> Public Bill Committee, [Domestic Violence Bill 2019-21](#), 17 June 2020, cc451, 460

## 5. Help with housing costs

### 5.1 Housing benefit and Universal Credit: temporary absences from home

Where a victim of domestic violence is entitled to claim Housing Benefit (HB) towards the rent on their home, there is provision for them to receive HB on that home and towards the cost of temporary accommodation if they are temporarily absent from home due to fear of domestic violence:

If you intend to return to your former home, you can receive Housing Benefit for both a former permanent home and temporary accommodation. Your former home must not have been sublet and all accommodation must meet the [Housing Benefit conditions](#)

It will be paid:

- for up to 52 weeks within England, Scotland and Wales
- for up to 26 weeks outside England, Scotland and Wales

If you don't intend to return to your former home, you can receive Housing Benefit for up to 4 weeks if you have an unavoidable rental liability on the former home.<sup>98</sup>

The housing element of Universal Credit (UC) has a similar provision:

#### **Housing element**

There is special provision for the housing element of Universal Credit when you are temporarily absent from your home through fear of domestic violence and abuse.

If you intend to return to your former home, you can receive the housing element of Universal Credit for both a former permanent home and temporary accommodation. Your former home must not have been sublet and all accommodation must meet the [Universal Credit housing element conditions](#).

It will be paid:

- for up to 12 months within England, Scotland and Wales
- for up to 6 months outside England, Scotland and Wales.<sup>99</sup>

### 5.2 Under-occupation deduction from HB/housing element of UC

#### **Exempt accommodation**

The under-occupation deduction, also referred to as the Removal of the Spare Room Subsidy and the Bedroom Tax, does not apply to claimants living in exempt accommodation. Exempt accommodation is supported accommodation provided by a non-metropolitan county council in England, a private registered provider of social housing, a charity, or voluntary organisation, where that organisation or someone acting on

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<sup>98</sup> HO and DWP, [Help available from the DWP for people who are victims of domestic violence and abuse](#), February 2019, accessed 26 January 2021.

<sup>99</sup> [Ibid](#)

their behalf provides the claimant with care, support or supervision.<sup>100</sup> This might include refuges, hostels and other supported housing for victims of domestic abuse.

### **Panic/safe rooms**

A claimant living in a home with a specially adapted panic room (installed due to risk of violence from a former partner) launched judicial review proceedings against the Secretary of State for Work and Pensions in May 2013.

The case reached the European Court of Human Rights. In October 2019 in a 5/2 split decision the Court held that treating the panic/safe room as a bedroom for the purposes of regulation B13 of the Housing Benefit Regulations amounted to unjustified discrimination.<sup>101</sup>

44 MPs wrote to the Secretary of State for Work and Pensions in March 2020 to “call on the Government to act now and create an exemption for this very vulnerable group.” The DWP said it was “carefully considering” the court’s decision and “in the meantime, for people in particular circumstances who may require more support, Discretionary Housing Payments (DHPs) are available.”<sup>102</sup>

## **5.3 Discretionary Housing Payments**

Where a claimant is eligible for HB or the housing element of UC, but experiences a shortfall between the rent due and their benefit entitlement (e.g. because they live in a property that is deemed to be too large for their needs, or the rent charged is higher than the Local Housing Allowance rate), they can apply to the local authority for a Discretionary Housing Payment (DHP).

There is no obligation on local authorities to pay DHPs and the method of allocation and decision-making process lies with authorities.

The DWP [guidance manual](#) (2019) states that one DHP scheme objective at the local level could be “ensuring that domestic abuse victims who are trying to move to a place of safety are supported”.<sup>103</sup> Schemes could aim to help specific groups, such as the below, stay in their homes:

- People who have had to flee domestic abuse or have moved because of the threat of violence in another area
- People affected by domestic abuse who remain in a property which has been adapted under a sanctuary scheme.<sup>104</sup>

Information on sanctuary schemes can be found in section 4.1, above.

The guidance manual states that authorities should seek to publicise DHPs to domestic abuse victims and ensure that those “trying to move to a place of safety through contact with external welfare organisations

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<sup>100</sup> Regulation A13(2)(d) *Housing Benefit Regulations 2006* SI 2006/213

<sup>101</sup> [Case of J. D. and A. v United Kingdom 32949/17 34614/17](#). For an analysis of the case see [Nearly Legal](#), 27 October 2019

<sup>102</sup> [MPs oppose “bedroom tax” being applied to domestic abuse survivors](#), BBC News, 10 March 2020; PQ 26913 [[Housing benefit: Social rented housing](#)], 12 March 2020

<sup>103</sup> DWP, [DHP: Guidance manual](#), updated 27 August 2019, para 1.13, 4.4

<sup>104</sup> [Ibid](#), para 6.14

and refuges are supported”.<sup>105</sup> In circumstances where a victim of domestic abuse has moved from one local authority area to another to seek safety, the guidance states it “may be useful for respective LAs [local authorities] to collaborate and agree which authority will support which home.”<sup>106</sup>

There is a Library briefing on [Discretionary Housing Payments](#) (SN6899).

## 5.4 Shared accommodation rate (SAR)

HB/Housing element of UC for most single, childless tenants aged under 35 years living in the private rented sector is limited to the Shared Accommodation Rate (SAR), irrespective of the actual accommodation that the tenant occupies. Some categories of claimant are exempt from the SAR—see the Library’s [Housing benefit: Shared accommodation rate](#) (SN05889).

In the 2020 Spring Budget, the UK Government said that an exemption from the SAR would be extended to victims of domestic abuse.<sup>107</sup>

The exemption is expected to be in place from October 2023. The MHCLG says the policy will require changes to legislation and IT systems before implementation.<sup>108</sup> Future legislation will set out the categories of people to whom the exemption will apply.<sup>109</sup>

## 5.5 The benefit cap

The [benefit cap](#) was introduced in 2013. It limits the maximum amount in benefits a household can receive.

Recipients of certain benefits (e.g. Carer’s Allowance or Disability Living Allowance) are exempt from the cap.

Housing support for exempt accommodation (see 5.2) is excluded from the calculation of the benefit cap for victims of domestic abuse.<sup>110</sup>

Section 1.4 of the Library briefing paper: [The benefit cap](#) (SN06294), provides further information.

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<sup>105</sup> [Ibid](#), para 4.7

<sup>106</sup> [Ibid](#), para 4.22

<sup>107</sup> HM Treasury, [Budget 2020](#), HC 121, 11 March 2020, para 1.190

<sup>108</sup> PQ 27994 [[Shared Housing: Local Housing Allowance](#)], 11 March 2020

<sup>109</sup> PQ 67572 [[Local Housing Allowance](#)], 1 July 2020

<sup>110</sup> HO and DWP, [Help available from the DWP for people who are victims of domestic violence and abuse](#), 22 February 2019

## 6. Social security

Home Office and DWP guidance, [Help available from the DWP for people who are victims of domestic violence and abuse](#) (February 2019) summarises a range of DWP measures designed to support victims.

### Providing evidence

To access support, victims of domestic violence or abuse must provide written evidence from a person acting in an official capacity:

You will need written evidence from a person acting in an official capacity showing that:

- your circumstances are consistent with those of a person who has had domestic violence or abuse inflicted, or threatened, upon them, during the 6 months prior to you notifying DWP
- you have made contact with the person acting in an official capacity to tell them about any incidents that have occurred in the past 6 months

A person 'acting in an official capacity' means:

- a health care professional
- a police officer
- a registered social worker
- your employer or a representative of your trade union
- any public, voluntary or charitable body which has had direct contact with you about the domestic violence or abuse

You must provide your evidence to Jobcentre Plus as soon as possible but no later than one calendar month after you first told us about the domestic violence and abuse.<sup>111</sup>

### 6.1 Jobcentre Plus

Individuals can contact a Work Coach at Jobcentre Plus about domestic violence and abuse to receive additional support and signposting towards services.<sup>112</sup> By summer 2019, advocates for domestic abuse services were to be implemented in every Jobcentre to raise awareness of domestic abuse and to support staff.<sup>113</sup>

All Work Coaches, the Department said in 2019, "receive training on how to support claimants with complex needs, which includes a module on identifying, supporting and signposting victims of abuse".<sup>114</sup>

Individuals may also request an appointment with a Work Coach in a private room.<sup>115</sup>

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<sup>111</sup> HO and DWP, [Help available from the DWP for people who are victims of domestic violence and abuse](#), February 2019

<sup>112</sup> PQ 45230 [[UC: Coronavirus](#)], 11 May 2020

<sup>113</sup> PQ 272899 [[Social security benefits: Females](#)], 3 July 2019

<sup>114</sup> PQ 278514 [[Jobcentre Plus: Training](#)], 17 July 2019

<sup>115</sup> PQ 278515 [[UC: Domestic abuse](#)], 17 July 2019

## 6.2 Jobseeker's Allowance (JSA) and Employment and Support Allowance (ESA)

Home Office and DWP [guidance](#) states that victims of domestic violence and abuse receiving JSA or ESA can “have a break from job seeking and work preparation requirements for up to 13 weeks to give [them] the space and time needed to stabilise [their] life”.<sup>116</sup>

The 'easement' is split into two parts:

- An initial 4-week period starting on the day you tell Jobcentre Plus [coach, either by phone or face to-face] that you have been threatened with or subject to domestic violence and abuse
- An extension from 4 to 13 weeks if you provide evidence during the initial 4 week period.

To be eligible for the initial 4-week break, the requirements are:

- The incident of domestic violence or abuse occurred in the last 26 weeks
- The incident must meet the definition of domestic violence
- You must not be living at the same address as the abuser
- You have not had another break due to domestic violence or abuse within the last 12 months

The work coach will inform the individual of the evidence needed to receive the full 13-week easement.

The 4 or 13 week easement, the DWP states, will “only be available once in any 12 month period and will run for 4 or 13 weeks consecutively whether or not you are entitled to JSA or ESA for the whole of that period”, though in “extreme cases” the length of the break may be extended by the Work Coach.<sup>117</sup>

The DWP previously commissioned a [Report into the awareness, understanding and implementation of the Jobseeker's Allowance Domestic Violence \(JSA DV\) Easement and the Destitute Domestic Violence \(DDV\) Concession](#), which were introduced in 2012. The DWP said the report had informed service improvements, including refreshing guidance and communications.<sup>118</sup>

## 6.3 Work and Health Programme (WHP)

The WHP seeks to help individuals find and retain work if they are unemployed. Additional support includes identifying employment

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<sup>116</sup> HO and DWP, [Help available from the DWP for people who are victims of domestic violence and abuse](#), February 2019

<sup>117</sup> [Ibid](#)

<sup>118</sup> DWP, [Domestic violence: Implementation of JSA DV easement and DDV concession - small scale qualitative research](#), RR 843, June 2013; PQ 168584 [[JSA: Domestic violence](#)], 12 September 2013

needs, putting individuals in touch with employers, organising training, and managing health problems to reduce their impact on work.<sup>119</sup>

The WHP is mandatory for the long-term unemployed group and for JSA or UC claimants who have reached 24 months of unemployment.

The WHP gives “priority” early access to victims of domestic abuse.<sup>120</sup>

Individuals can be referred by a Work Coach to the programme when the following criteria are met:

- That the claimant is able to achieve the goal of finding employment within one year;
- The [individual] can be helped by the offer;
- That Jobcentre Plus has already helped the individual with their core job search activity; and
- The [claimant] needs more support than can be provided within the standard Jobcentre Plus offer (or through other available services and provision).<sup>121</sup>

## 6.4 Universal Credit (UC)

### Protecting privacy

A response to a Parliamentary Question on preserving the privacy of the individual when discussing their experience and needs states:

All [UC] claimants have a named Case Manager or Work Coach which they can contact through the Freephone UC helpline or face to face in Jobcentres. These channels allow the Department to provide more immediate and bespoke support to the vulnerable partner without risk of the interaction being captured on the journal and viewed by the partner.

All UC staff receive training on complex needs, including on identifying and supporting victims of abuse and signposting to expert partner organisations, such as Women's Aid.<sup>122</sup>

### “Switch off”/Easement of work-related requirements

Individuals who state that they have been a victim of domestic violence and abuse are eligible to have their work-related requirements

“switched off” for 13 weeks if:

- The domestic violence and abuse occurred within the previous 6 months;
- The incident meets the definition of domestic violence;
- They are not living at the same address as the abuser;
- They have not had a 13-week break from work-related requirements as a result of previous domestic violence within the last 12 months; and
- They can provide written evidence within one month of the date you discussed the matter with a work coach.

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<sup>119</sup> Gov.UK, [WHP](#), accessed 26 January 2021

<sup>120</sup> [Ibid](#)

<sup>121</sup> PQ 137388 [[WHP](#)], 24 April 2018

<sup>122</sup> PQ HL8771 [[UC: Domestic abuse](#)], 5 October 2020



The break starts on the date they notify UC. Evidence must come from a person acting in an official capacity (e.g. healthcare professional, registered social worker) stating that individual has experienced domestic violence in the previous six months.<sup>123</sup>

The duration of the easement may be extended for carers of a child:

- All claimants in any conditionality regime:
  - Must not have work-related requirements imposed for up to 13 weeks
  - Any requirements undertaken must be on a voluntary basis and no sanction will apply within this 26-week period if a claimant does not undertake any work-related requirement
- A responsible carer of a child, in the Intensive Work Search regime:
  - Must not have work search and availability requirements imposed for a further 13 weeks (bringing the total up to 26 weeks)
  - After the first 13 weeks, claimants must be offered voluntary review to see whether they want to take up the offer of work-related support on voluntary basis
- A responsible carer of a child in any other conditionality regime:
  - Must not have any work-related requirements imposed for 26 weeks<sup>124</sup>

### **Child distress & work-related requirements.**

A person who is the main carer of a child up to 16 years of age, who is in considerable distress due to domestic violence and abuse, may also be eligible for a temporary break from work-related requirements.<sup>125</sup>

The DWP guidance describes the easement's duration and frequency:

If the claimant has not had their work-related requirements switched-off for any other reason, they can be switched-off for one month if they are responsible for a child who is in considerable distress.

This can be applied once every 6 months for a total period of 2 years after the incident that triggered the child's distress (a maximum of 4 one month periods)<sup>126</sup>

This easement can be in addition to the domestic abuse easement:

If the claimant has had their work-related requirements switched-off because of domestic violence and abuse (and they are the main carer for a child switch-off as long as they have not had a previous domestic violence and abuse switch-off period within the last 12 months). A claimant can have their requirements switched-off for additional periods of 1 month if their child is in distress. These additional periods can be applied once every 6 months over the next 18 months, a two-year period in total.

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<sup>123</sup> [DEP2020-0646/49, Domestic violence and abuse, v. 15.0](#), October 2020, pp6-7

<sup>124</sup> [Ibid](#), p8

<sup>125</sup> [Ibid](#), p8

<sup>126</sup> [DEP2020-0646/24, Child in considerable distress, v. 4.0](#), October 2020, pp3-4

### Alternative Payment Arrangements (e.g. split payments)

In Great Britain, UC is by default paid as a single, monthly payment covering all the household's needs, into a bank or other account.<sup>127</sup>

[Alternative Payment Arrangements](#) (APAs) may be made if claimants cannot manage with single monthly payments and there is a risk of financial harm to them and/or their family.<sup>128</sup> APAs can be considered at any point during the UC claim.<sup>129</sup>

APAs can include:

- Housing costs being paid directly to a claimant's landlord;
- Receiving twice monthly instead of monthly payments;
- Allocating a higher percentage to the person with primary caring responsibilities
- Having the UC award split between two members of a couple.<sup>130</sup>

Regarding split payments, the DWP states this can be requested in multiple ways:

Both members of a couple do not need to be present to arrange a split payment and consent is not required from the other partner to authorise a split payment. Claimants can request a split payment during a face to face meeting, a phone call, or online via their journal and do not have to provide evidence of abuse in order to be granted a split payment.<sup>131</sup>

In response to the Joint Committee's recommendations on the Domestic Abuse Bill in 2019, the DWP committed to review the effectiveness of a new feature to encourage payments of UC to the main carer.<sup>132</sup> In July 2019, the Government said "currently around 60% of UC payments go to the main carer, usually a woman – and this summer we will begin to make changes to the claimant messaging to support this".<sup>133</sup>

#### Work and Pensions Committee on split payments and UK Government's response

The Work and Pensions Committee report, [UC and domestic abuse](#) (2018), argued the DWP could "learn from the Scottish experience" in the planned automatic use of split payments.<sup>134</sup>

<sup>127</sup> The situation is different in Northern Ireland, where UC is by default paid twice monthly, and the housing costs element is paid direct to the landlord, although claimants can opt out of either arrangement. See Nidirect, [Universal Credit payments and advance payments](#) for information on payment flexibilities including the possibility of split payments between members of a couple

<sup>128</sup> APAs are available throughout Great Britain, but UC claimants in Scotland can also request twice-monthly payments and/or payment of the housing costs element to their landlord under more flexible rules known as [Scottish Choices](#).

<sup>129</sup> HO and DWP, [Help available from the DWP for people who are victims of domestic violence and abuse](#), February 2019; DWP, [Alternative payment arrangements](#), updated 13 May 2020

<sup>130</sup> [Ibid](#) and PQ HL9478 [UC], 22 October 2020

<sup>131</sup> PQ 253650 [UC], 13 May 2019

<sup>132</sup> PQ 278516 [UC: Domestic abuse], 17 July 2019

<sup>133</sup> HO, [The Government response to the Report from the Joint Committee on the Draft Domestic Abuse Bill](#), CP 137, July 2019, para 20

<sup>134</sup> Work and Pensions Committee, [UC and domestic abuse](#), HC 1166, 18 July 2018, p4, pars 58-60, 67

Whilst stating that accountability for abuse remains with the perpetrator, the Committee argued the DWP had a “moral duty to ensure the benefit system does not in any way facilitate abuse”:

We have heard evidence that, for a minority of claimants, single household payments as default make it easier for perpetrators to abuse and control their victims. At one stroke, perpetrators can take charge of potentially the entire household budget, leaving survivors and their children dependent on the abusive partner for all of their basic needs.

Split payments cannot prevent financial abuse. Some abusers will find a way to control their partner’s finances, whatever systems the DWP puts in place. Nevertheless, the Department must give serious consideration to any changes which might offer some protection, albeit limited, to survivors of abuse.<sup>135</sup>

The [DWP “noted”](#) the recommendation to observe the implementation of split payments in Scotland as a “policy [that] will be applied to a sufficiently large area for us to obtain strong data, allowing us to explore both the potential advantages of such a policy, as well as any previously unidentified challenges.”<sup>136</sup>

In 2020, Neil Couling, Change Director General and Senior Responsible Owner for UC at the DWP, told the House of Lords Economic Affairs Committee’s inquiry on [Universal Credit isn’t working: proposals for reform](#) (July 2020), that he had doubts over the usefulness of split payments, saying that domestic abuse is a “criminal act [and] [...] a benefit system cannot fix that problem”.<sup>137</sup>

### The two-child limit

Families receiving UC do not receive an additional amount for a third or subsequent child born on or after 6 April 2017, unless [special circumstances apply](#).<sup>138</sup> The same applies to Child Tax Credit (CTC).<sup>139</sup>

Circumstances exempting individuals from this rule, allowing them to receive UC or CTC for a third or subsequent children in their household, include if the child is likely to have been conceived as a result of rape, or in a controlling or coercive relationship (a “non-consensual conception”).<sup>140</sup> A “controlling or coercive” relationship is one where the victim feared that violence would be used against them on at least two occasions, or experienced serious alarm or distress that had a substantial adverse effect on their day-to-day activities.

Unless there has been conviction or compensation award for rape or for controlling or coercive behaviour, an individual must complete a [non-consensual conception form](#) with the help of a third-party professional

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<sup>135</sup> [Ibid](#), paras 52-3

<sup>136</sup> DWP, [UC and domestic abuse: Government response to the Committee’s seventeenth report](#), 28 September 2018, para 32

<sup>137</sup> Economic Affairs Committee, [Universal Credit isn’t working: Proposals for reform](#), HL 105, 31 July 2020, p84

<sup>138</sup> HO and DWP, [Help available from the DWP for people who are victims of domestic violence and abuse](#), 22 February 2019; HM Treasury, [Summer Budget 2015](#), HC 264, July 2015, para 1.146.

<sup>139</sup> See Commons Library briefing CBP-7935, [The two child limit in tax credits and Universal Credit](#), 10 April 2017

<sup>140</sup> Schedule 12, para 5 of the [Universal Credit Regulations 2013](#), SI 2013/376, as amended

## 36 Support for domestic abuse victims: Housing, health, education, social services and social security

(e.g. a health professional, a specialist support worker from an approved organisation, or a registered social worker):<sup>141</sup>

Tell DWP if you want to apply for this exception either by phone or using your Universal Credit online account.

If you contact us by phone or using your online account, and you don't already have any supporting documents, you'll be asked to download the [support for a child conceived without your consent form](#). If you don't have internet access you can collect the form from your work coach.

You'll need to complete the form along with your chosen [third party professional](#).

In order to apply for this exception you must no longer be living with the other biological parent of the child.

The guidance states DWP staff “won't question you about the incident other than to take the claim and receive the supporting documents”.<sup>142</sup>

### Work and Pensions Committee on the two-child limit & Government response, 2019

The [Work and Pensions Committee](#) in 2019 argued that a “disproportionate burden” of the two-child limit is “likely to fall on survivors of rape and domestic abuse”:<sup>143</sup>

Only a minority of third children result from planned pregnancies. Some are conceived as a result of rape or coercive control—and with only 510 survivors receiving the exemption for such cases, it is inevitable that some are being affected by the two-child limit, despite the Government's stated intentions.<sup>144</sup>

The DWP's [response](#) in December 2020 said that the “the exception will be delivered in the most effective, compassionate way, with the right safeguards in place”. The DWP recognised “the sensitivities surrounding disclosure” and had implemented a process to allow third-party confirmation of a claimant's circumstances:

Claimants in this situation will be able to contact a third party professional, which includes GPs and other health care professionals they are likely to already be in contact with, as well as registered social workers and more specialist organisations who may be able to provide or signpost to further support. [...] The claimant will not need to produce any evidence to support their claim to the third party professional. [...] Once confirmation is received from the third party, the Department will apply the exception.<sup>145</sup>

### UC advances

New UC claimants can request a repayable UC advance worth 100% of their estimated award as soon as they claim.<sup>146</sup>

Individuals who have left an abusive relationship, the DWP states, can be helped by their work coach to claim a “rapid advance” of their monthly entitlement. A decision can be reached on the same day this is requested.<sup>147</sup> In answer to a April 2019 PQ, the DWP Minister, Will

<sup>141</sup> These are listed in full at DWP and HMRC guidance, [Approved third party professionals who can complete these forms](#), updated 30 October 2019

<sup>142</sup> DWP, [Guidance: UC: support for maximum of 2 children: information for claimants](#), updated 22 July 2020

<sup>143</sup> Work and Pensions Committee, [The two-child limit](#), HC 51, 3 November 2019, p3

<sup>144</sup> [Ibid](#), para 41

<sup>145</sup> [UK Government response to the two-child Limit](#), HC 1079, 14 December 2020, p3

<sup>146</sup> DWP, [Guidance: UC advances](#), updated 1 April 2020

<sup>147</sup> [“Already Claimed: 7. Domestic abuse”](#) from UnderstandingUniversalCredit.gov.uk; PQ 253650 [\[UC\]](#), 13 May 2019

Quince, said access to funds can be achieved in “2-3 hours” for those fleeing domestic abuse arriving in a Jobcentre and opening a new claim with a rapid advance.<sup>148</sup>

If a UC claimant has “been forced into claiming an advance through domestic abuse”, the DWP advises the individual contacts them and that some discretion may be possible:

If the advance was taken whilst part of a couple claim, 50% of the outstanding balance would be apportioned upon pursuing a single claim. Additionally, the Department offers deferrals of advance repayments by up to 3 months in exceptional circumstances and will apply discretion wherever possible with the rates of repaying other government debts.<sup>149</sup>

Currently, advances should be paid back within 12 months from which the first UC payment is received, though in “exceptional” circumstances this can be delayed for up to 3 months.<sup>150</sup> From October 2021, the maximum period over which advances can be recovered is to be extended to 24 months.<sup>151</sup>

### **Economic Affairs Committee & five week wait, 2020**

The House of Lords [Economic Affairs Committee](#) in 2020 raised concerns that the five-week wait for UC has a detrimental impact on those experiencing domestic abuse:

The five-week wait can make it difficult for an individual to leave an abusive relationship and can entrench poverty amongst those who have suffered from financial and domestic abuse. Refuge, a charity, said that the five-week wait typically coincides with the point at which people flee from abuse.<sup>152</sup>

The Committee recommended a non-repayable, two-week initial grant to all claimants and initially administer the grant as an advanced payment.<sup>153</sup>

The DWP’s [response](#) said support was already available in the form of rapid advances and the extension of the repayment period.<sup>154</sup>

## **6.5 Migrant partner support**

Individuals have come to the UK on a family visa as a spouse, civil partner or unmarried partner and need to leave home through fear of domestic violence and abuse, can apply for a [Destitution Domestic Violence \(DDV\) concession](#).

This will allow them to claim benefits for up to 3 months while UK Visas and Immigration considers their application to settle in the UK.<sup>155</sup>

<sup>148</sup> PQ 220205 [[UC: Domestic abuse](#)], 18 April 2019

<sup>149</sup> PQ 100279 [[UC: Domestic abuse](#)], 7 October 2020

<sup>150</sup> DWP, [Guidance: UC advances](#), updated 1 April 2020

<sup>151</sup> HM Treasury, [Budget 2020](#), HC 121, March 2020, para 2.9

<sup>152</sup> Economic Affairs Committee, [Universal Credit isn’t working: Proposals for reform](#), HL 105, 31 July 2020, para 65

<sup>153</sup> [Ibid](#), paras 72-4

<sup>154</sup> DWP, [Memorandum to the Economic Affairs Committee. Government response to \[the report on\] the Economics of UC](#), 15 October 2020, p2

<sup>155</sup> HO, [DDV concession, v.1.0](#), 5 February 2018; HO, [Apply for a DDV concession](#), 14 October 2019

## 7. Health services

### 7.1 Role of healthcare services

ONS data for the year ending March 2018 found that around one third of survivors of domestic abuse reported receiving medical attention because of abuse in the last 12 months.

Most survivors (83.1%) said they received medical attention from a GP, whilst 36.4% went to a specialist mental health or psychiatric service and 12.2% went to A&E.<sup>156</sup>

In 2010, a [Government taskforce](#) investigating the health aspects of violence against women and children concluded that “the NHS has a vital role to play in dealing with violence and abuse and its consequences, both short and long-term”.<sup>157</sup>

Healthcare services may provide support to survivors of domestic abuse in many ways. In some instances, healthcare service involvement will be limited to identifying the signs of abuse and directing victims to relevant specialised support following a disclosure. Specialised victim support services are increasingly provided in a healthcare setting, such as a hospital, and healthcare services can play an active role in supporting victims through the treatment of physical and mental harms caused by domestic abuse. NHS England is also the lead commissioner of Sexual Assault Referral Centres.

It has been suggested that health services could play a key role in reaching survivors of domestic abuse who may not engage with other services. SafeLives state that health settings “encourage higher rates of disclosure including from groups who face additional barriers to getting support such as BAME, disabled, older and LGBT+ communities”.<sup>158</sup>

Research has found that around 30% of domestic abuse begins during pregnancy.<sup>159</sup> It has also been estimated that between 40-60% of women experiencing domestic abuse are abused during pregnancy.<sup>160</sup> Organisations such as SafeLives have emphasised the important role maternity services can play in identifying domestic abuse:

Given that the evidence shows domestic abuse of women increases during pregnancy, it is important that these victims are identified at the earliest opportunity within maternity services to prevent adverse birth outcomes, ranging from foetal loss, to early onset of labour, to an increase in maternal stress, which can lead to delayed foetal growth.<sup>161</sup>

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<sup>156</sup> ONS, [Partner abuse in detail, England and Wales: year ending March 2018](#), 25 November 2020

<sup>157</sup> Taskforce on the Health Aspects of Violence Against Women and Children, [Responding to violence against women and children – the role of the NHS](#), March 2010, p58

<sup>158</sup> SafeLives, [SafeLives’ 2019 survey of domestic abuse practitioners in England and Wales](#), 2019, p15

<sup>159</sup> SafeLives, [A Cry for Health: Why we must invest in domestic abuse services in hospitals](#), November 2016, p36

<sup>160</sup> [Ibid](#), p36

<sup>161</sup> [Ibid](#), page 41

Despite the key role healthcare services have in identifying and responding to domestic abuse, research published in the [British Journal of Nursing](#) in July 2020 identified potential barriers preventing health professionals from screening women for domestic abuse and identified “lack of training and education” as the most prevalent barriers.<sup>162</sup>

NHS England has asserted it “actively engaged” in the consultation process on the Domestic Abuse Bill 2019-21 and will be “producing a 4-year plan in response”.<sup>163</sup> This plan will include:

Recommended training programme and awareness raising for all staff. One of the tenets of the action plan will be that any and all victims and survivors of domestic abuse and their children will not be unduly disadvantaged in accessing physical and mental health services when they are forced to move to new accommodation in a different area.<sup>164</sup>

NHS England has also published a [Strategic direction for sexual assault and abuse services](#) covering 2018 to 2023.

## 7.2 Guidance for healthcare staff

### NICE guidance

The National Institute of Clinical Excellence (NICE) have published a [Domestic violence and abuse overview](#) which summarises all the NICE guidance on this issue in an interactive flowchart. It includes guidance on various aspects of identifying, preventing and reducing domestic violence and abuse, such as planning services, training and ensuring adults have the best care experience.<sup>165</sup>

#### **Domestic violence and abuse: multi-agency working**

NICE published the public health guideline (PH50) [Domestic violence and abuse: multi agency working](#) on 26 February 2014.

The guidance is for “health and social care commissioners, specialist domestic violence and abuse staff and others whose work may bring them into contact with people who experience or perpetrate domestic violence.”<sup>166</sup>

NICE make 17 recommendations in total, including to “ensure trained staff ask people about domestic violence and abuse” and to “develop an integrated commissioning strategy”.

#### **NICE quality standard**

NICE published a [Domestic violence and abuse](#) quality standard (QS116) on 29 February 2016.

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<sup>162</sup> British Journal of Nursing, [What barriers prevent health professionals screening women for domestic abuse? A literature review](#), Vol.29, No.13, 10 July 2020

<sup>163</sup> NHS England, [Workstreams: Domestic abuse and violence Bill](#), accessed 31 January 2021

<sup>164</sup> HO, [The Government response to the report from the Joint Committee on the Draft Domestic Abuse Bill](#), CP 137, July 2019, para 140

<sup>165</sup> NICE, [NICE Pathways: Domestic violence and abuse overview](#), Accessed on 30 January 2021

<sup>166</sup> NICE, [Domestic violence and abuse: multi-agency working](#), Public health guideline (PH50), Introduction, 26 February 2014

## 40 Support for domestic abuse victims: Housing, health, education, social services and social security

The quality standard lists the following quality statements:

- 1 [Statement 1](#) People presenting to frontline staff with indicators of possible domestic violence or abuse are asked about their experiences in a private discussion.
- 2 [Statement 2](#) People experiencing domestic violence and abuse receive a response from level 1 or 2 trained staff.
- 3 [Statement 3](#) People experiencing domestic violence or abuse are offered referral to specialist support services.
- 4 [Statement 4](#) People who disclose that they are perpetrating domestic violence or abuse are offered referral to specialist services.

The SafeLives report [Safe and Well: Mental health and domestic abuse](#) highlights that the importance of the health response to domestic abuse is recognised in NICE guidelines but claims the “implementation of these guidelines is inconsistent.”<sup>167</sup>

During an evidence session held by the Joint Committee on the Draft Domestic Abuse Bill in 2019, the then-Health Minister, Jackie Doyle-Price, confirmed that the NICE guidelines are “about generating awareness and good practice throughout the system” and they are not mandatory.<sup>168</sup> As such, the Minister stated “it is not monitored so much”.<sup>169</sup>

In response to a [Parliamentary Question](#) on best practice and consistency in health settings, Nadine Dorries, Minister of State at the DHSC, said:

[...] Best practice is already shared in a number of ways, including through events, guidance and resources such as the National Institute for Health and Care Excellence quality standards. Accountability and regulatory structures are also in place to ensure commissioned health services meet high standards of quality and safety.

In this case, the new Domestic Abuse Commissioner will help drive further consistency and better performance in the response to domestic abuse across all local areas and agencies.<sup>170</sup>

### Department of Health guidance

Department of Health published guidance, [Responding to domestic abuse: A resource for health professionals](#), in March 2017 which draws on the recommendations made in the NICE guideline [Domestic violence and abuse: multi agency working](#).

The resource is “for all NHS staff and those providing services funded by the NHS” and aims to “help practitioners identify potential victims, initiate sensitive routine enquiry and respond to disclosures of abuse”.<sup>171</sup>

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<sup>167</sup> SafeLives, [Safe and Well: Mental health and domestic abuse](#), May 2019, p46

<sup>168</sup> Joint Committee on the Draft Domestic Abuse Bill, [Oral evidence: Draft Domestic Abuse Bill](#), HC 2075, 22 May 2019, Q372

<sup>169</sup> [Ibid](#), Q372

<sup>170</sup> PQ 77657 [[Health Services: Domestic Violence](#)], 21 July 2020

<sup>171</sup> Department of Health, [Responding to domestic abuse: A resource for health professionals](#), March 2017, p7



As set out in the guidance, routine enquiry into domestic abuse is recommended in some health environments, including maternity services, sexual health services, mental health services, and substance misuse services. This means all patients are asked about domestic abuse, regardless of any visible signs of abuse.<sup>172</sup>

The [guidance](#) goes on to highlight how there is a strong link between being a survivor of domestic abuse and certain physical and mental health issues, and patients exhibiting such symptoms “should always be asked about abuse”:

Some physical and mental health issues, such as anxiety, depression, chronic pain, difficulty sleeping, facial or dental injuries, chronic fatigue and pregnancy and miscarriage have a strong link to being a victim/survivor of domestic abuse. Patients who present with such symptoms should always be asked about abuse. In addition, in heterosexual relationships abusive perpetrators often exert control over a woman’s reproduction; GPs should be alert to indicators such as urinary tract infections, unprotected sex, lesion of nipple, STIs, pregnancy and requests for a termination.<sup>173</sup>

## 7.3 Initiatives to support survivors of domestic abuse

### Pathfinder Project

The [Pathfinder project](#) was a three-year pilot which ran from 2017 to 2020 led by Standing Together, as part of a consortium of partners including Against Violence and Abuse (AVA), Imkaan, IRISi and SafeLives.<sup>174</sup>

The pilot involved locating specialist domestic abuse services within healthcare settings, providing domestic abuse training to healthcare professionals, reviewing NHS Trust Domestic Abuse policies and introducing Domestic Abuse Champion Networks in NHS Trusts, amongst other measures.<sup>175</sup>

Findings of the Pathfinder pilot informed the ‘Whole Health Model’. This reportedly aims to “transform healthcare’s response to domestic abuse by ensuring a coordinated and consistent approach across the health system including acute, mental health and primary care services.”

### Pathfinder Toolkit

Drawing upon the pilot, the [Pathfinder Toolkit](#) was launched in June 2020. The Pathfinder Toolkit brings together the key components of the Whole Health Model and is “designed as a stand-alone practical guide for commissioners and strategic professionals in the health sector.”<sup>176</sup>

The [Pathfinder Toolkit](#) provides guidance on:

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<sup>172</sup> BASHH, [Responding to Domestic Abuse in Sexual Health Setting](#), February 2016, p1

<sup>173</sup> Pathfinder, [Guidance for General Practitioners responding to domestic abuse](#), 2020

<sup>174</sup> Pathfinder, [Pathfinder Toolkit](#), June 2020

<sup>175</sup> Pathfinder, [Pathfinder Key Findings Report](#), June 2020, p7

<sup>176</sup> Pathfinder, [Pathfinder Survivor Toolkit](#), June 2020, p6

## 42 Support for domestic abuse victims: Housing, health, education, social services and social security

Organisational structure and strategy; policy development; the co-location of a Health Based IDVA, the establishment of a Domestic Abuse Coordinator and Domestic Abuse Champions Networks; specialist guidance around how to respond to the needs of BAME, LGBT+, older and disabled survivors; staff training; data collection; patient information campaigns; and establishing referral pathways to local services.<sup>177</sup>

In response to a [Parliamentary Question](#), Nadine Dorries drew attention to the Pathfinder Toolkit as an example of best practice:

[...] The Department will continue working with our partners to share best practice. The Pathfinder project developed a toolkit which is available for free online and aims to support development of a model health response to domestic abuse.<sup>178</sup>

### Health-based Independent Domestic Violence Advisers

Independent Domestic Violence Advisers (IDVAs) are professionally qualified, specialist domestic abuse workers, who support high-risk victims of domestic abuse.<sup>179</sup> IDVAs are often the main point of contact for victims of domestic abuse and “work to assess level of risk, discuss options and develop safety plans alongside the police.”<sup>180</sup>

IDVAs can also help direct victims to support on other issues, such as housing, mental health or counselling.<sup>181</sup>

Research has been conducted to assess the effectiveness of basing IDVAs in health settings, such as hospitals.

SafeLives published [A Cry for Health: Why we must invest in domestic abuse services in hospitals](#) in November 2016.

The report states that co-locating IDVA services within a hospital setting can significantly improve health and wellbeing outcomes for victims of domestic abuse.<sup>182</sup> Specifically, the research found that having hospital based IDVAs led to more referrals to specialist support services, faster identification of vulnerable ‘hidden’ groups of victims, and quicker links with specialist services.<sup>183</sup>

Studies, such as the [LINKS pilot](#) have also investigated locating IDVAs in other health settings including Mental Health trusts. Further information about the role of a Mental Health IDVA is set out in [A view from the frontline: the role of the Mental Health IDVA](#).

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<sup>177</sup> IRISi Interventions, Pathfinder toolkit: [New model launched to transform health system’s response to domestic abuse](#), 25 June 2020

<sup>178</sup> PQ 77658, [[Health Services: Domestic Violence](#)], 1 September 2020

<sup>179</sup> ONS, [Domestic abuse victim services, England and Wales: November 2020](#), 25 November 2020

<sup>180</sup> SafeLives, [SafeLives’ 2019 survey of domestic abuse practitioners in England and Wales](#), 2019, p4

<sup>181</sup> SafeLives, [A Cry for Health: Why we must invest in domestic abuse services in hospitals](#), November 2016, p13

<sup>182</sup> [Ibid](#), p14

<sup>183</sup> [Ibid](#)

The [Pathfinder Toolkit](#) recommends that every NHS Trust should employ at least two co-located Health Based IDVAs depending on the size of the Trust, and embed them effectively within the NHS staff team.<sup>184</sup>

The [Government response](#) to the Joint Committee report on the draft Domestic Abuse Bill said that from April 2020, NHS England are planning for IDVAs to be integral to every NHS Trust Domestic Violence and Abuse Action Plan, as part of the NHS Standard Contract.<sup>185</sup>

## Identification and Referral to Improve Safety (IRIS)

The IRIS model has been cited as best practice in general practice for responding to domestic violence and abuse by the Department of Health.<sup>186</sup>

The model was first trialled in a pilot which ran from September 2007 to October 2009 and saw a six-fold increase in referrals to specialist domestic abuse services.<sup>187</sup> The model has subsequently been rolled out to an increasing number of GP practices.<sup>188</sup>

IRIS offers training, education and support to GPs alongside enhanced referral pathways into specialist domestic abuse support.<sup>189</sup> The initiatives focuses on supporting female victims of domestic abuse.

The latest data finds that from November 2010 to March 2020, 48 areas have commissioned IRIS in total, more than 1,000 general practices have been fully trained and IRIS programmes have received referrals for 20,544 women.<sup>190</sup>

The IRISi [Improving the General Practice Response to Domestic Violence and Abuse](#) report for 2020 provides further detail regarding what the IRIS model entails.

Following widespread adoption of the IRIS model, research has been undertaken to investigate whether it can be applied more widely, including to other groups and in other healthcare settings.

For example, [Enhanced Identification and Referral to Improve Safety](#) (known as IRIS+) aims to enlarge the IRIS model beyond female victims of domestic abuse. The initiative aims to explore the viability of an adaptation of IRIS to work with both male and female victims, male and female perpetrators, and children.<sup>191</sup> IRIS+ aims to bring together initiatives for different groups into “an integrated training and intervention package with a ‘one-stop shop’ referral route”.<sup>192</sup>

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<sup>184</sup> Pathfinder, [Pathfinder Survivors Toolkit](#), June 2020, p80

<sup>185</sup> HO, [The Government response to the report from the Joint Committee on the Draft Domestic Abuse Bill](#), CP 137, July 2019, para 167

<sup>186</sup> Department of Health, [Responding to domestic abuse: A resource for health professionals](#), 8 March 2017

<sup>187</sup> IRISi, [IRIS Response to the Covid-10 Pandemic: A Rapid Research](#), November 2020

<sup>188</sup> The Health Foundation, [Improvement in practice: The IRIS case study](#), February 2011

<sup>189</sup> RISi, [Improving the General Practice Response to Domestic Violence and Abuse](#), 2020

<sup>190</sup> [Ibid](#)

<sup>191</sup> University of Bristol, [REPROVIDE: IRIS+](#)

<sup>192</sup> University of Bristol, REPROVIDE: IRIS+, [IRIS+ development](#)

[IRIS ADVISE](#) (Assessing for Domestic Violence in Sexual Health Environments) sought to adapt the IRIS model to sexual health clinics.

The [evaluation](#) of the pilot found that over the 3 months, the domestic abuse enquiry rate was 61% and domestic abuse was identified in 7% of cases.<sup>193</sup> The evaluation report notes that even though routine enquiry wasn't implemented for all patients, it demonstrated a "marked improvement" in relation to the three months preceding the intervention pilot where no cases of domestic abuse were identified at either location.<sup>194</sup>

[Research](#) is also reportedly underway to investigate whether the IRIS model can be adapted for use in pharmacy settings.

## Initiatives in mental health services

During debate on the Domestic Abuse Bill 2019-20, Baroness Williams of Trafford highlighted:

You cannot decouple domestic abuse from mental health trauma. Surely the two go hand in hand, not only for the woman—it is usually a woman—who is suffering abuse at the hands of an abusive partner but also, usually, for her children, who feel those effects and the trauma for a very long time, if not the rest of their lives.<sup>195</sup>

Due to the association between domestic abuse and mental health, several initiatives have been trialled to improve responses to domestic abuse in mental health services.

[Promoting Recovery in Mental Health](#) (PRIMH) aimed to improve mental health service responses to domestic and sexual violence.<sup>196</sup> The PRIMH intervention had the following aims:

- Develop clear policies and care pathways for service users and staff who disclose experiencing or perpetrating domestic and/or sexual violence
- Promote the message that domestic and sexual violence is 'core business' for Trusts
- Create a workforce that is knowledgeable, skilled and confident in enquiring about and responding to disclosures of domestic and sexual violence
- Develop closer links with relevant local domestic and sexual violence multi-agency partnership structures and service providers.<sup>197</sup>

The evaluation report made 10 recommendations, which included embedding domestic abuse training into long-term training provision

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<sup>193</sup> IRISi, [The IRIS ADVISE Programme: Assessing for Domestic Violence and Abuse in Sexual Health Environments](#), 2019

<sup>194</sup> Horwood J, Morden A, Bailey JE, et al, [Assessing for domestic violence in sexual health environments: a qualitative study](#), *Sexually Transmitted Infections*, 94:88-92, 2018

<sup>195</sup> HL Deb, [Domestic Abuse](#), 11 November 2020, c1030

<sup>196</sup> Against Violence and Abuse, [Promoting Recovery in Mental Health](#)

<sup>197</sup> King's College London, [Promoting Recovery in Mental Health: Evaluation Report](#), August 2016, p49

and improving the identification and response to domestic and sexual violence perpetration.<sup>198</sup>

### **Linking abuse and recovery through advocacy (LARA)**

The [LARA](#) pilot involved reciprocal training between mental health and domestic violence services, and a direct referral pathway to domestic violence advocacy for psychiatric service users.<sup>199</sup>

Following the pilot, clinicians had “improved knowledge, attitudes and behaviours” and service users “reported reductions in the frequency/severity of violence and unmet needs and an increase in social inclusion at follow-up”.<sup>200</sup>

Following the LARA intervention, King’s College London published the LARA-VP (Linking Abuse and Recovery through Advocacy for Victims and Perpetrators) manual in 2018. The [LARA-VP manual](#) aims to help mental health professionals identify and respond to historical as well as current domestic abuse, and “emphasises the importance of taking a whole family approach”.<sup>201</sup>

## **Pharmacy schemes**

### **Safe Spaces**

The charity Hestia’s [UK Says No More](#) campaign partnered with Boots UK, Superdrug, Morrisons and independent pharmacies in May 2020 to provide Safe Spaces in their consultation rooms for people experiencing domestic abuse to contact specialist domestic abuse services.<sup>202</sup>

Both the General Pharmaceutical Council and Royal Pharmaceutical Society have encouraged all pharmacies to consider taking part in the scheme.<sup>203</sup>

In October 2020, Hestia published a [report](#) which estimated that 1 in 4 pharmacies across the UK facilitated a Safe Space in their consultation rooms, and since the launch of the scheme there were at least 3,700 visits to a Safe Space.<sup>204</sup>

### **Ask for ANI**

The [Ask for ANI](#) (Action Needed Immediately) scheme was launched on 14 January 2021. The GOV.UK website sets out that “by asking for ANI, a trained pharmacy worker will offer a private space where they can understand if the victim needs to speak to the police or would like help

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<sup>198</sup> [Ibid](#), p54

<sup>199</sup> K. Trevillion, S. Byford, M. Cary, D. Rose, S. Oram, G. Feder, R. Agnew-Davies and L. M. Howard, [Linking abuse and recovery through advocacy: an observational study](#), Epidemiology and Psychiatric Sciences, Published online 30 April 2013

<sup>200</sup> [Ibid](#), p10

<sup>201</sup> King’s College London, [LARA-VP: A resource to help mental health professionals identify and respond to Domestic Violence and Abuse \(DVA\)](#), 2018

<sup>202</sup> Hestia, [Domestic Abuse in Lockdown](#), October 2020, p4

<sup>203</sup> General Pharmaceutical Council, [Pharmacies encouraged to become Safe Spaces for victims of domestic abuse](#), 1 May 2020; Royal Pharmaceutical Society, [Pharmacies as safe spaces from domestic abuse](#), 1 May 2020

<sup>204</sup> Hestia, [Domestic Abuse in Lockdown](#), October 2020, p4

## 46 Support for domestic abuse victims: Housing, health, education, social services and social security

to access support services such as national or local domestic abuse helplines.”<sup>205</sup>

In response to a [Parliamentary Question](#) on 25 January 2021, Victoria Atkins said “there are currently more than 2,600 pharmacies participating” and there is an on-going sign up process.<sup>206</sup>

The Government published a series of documents to support the rollout of the scheme, including [guidance for pharmacies](#) and an [Understanding domestic abuse](#) document. This document suggests pharmacies may also wish to adopt the Safe Spaces scheme alongside Ask for ANI.<sup>207</sup>

Concerns were raised, such as by Women’s Aid, that pharmacists would not receive sufficient training to administer the scheme.<sup>208</sup>

### 7.4 Support for children

The Government accepted amendments to the Domestic Abuse Bill which recognise children as victims of domestic abuse if they see, hear or experience the effects of domestic abuse and are related to the person being abused or the perpetrator.<sup>209</sup>

The Welsh Government published guidance in June 2019 [Impact on children of experiencing domestic abuse](#) which provides a summary of the impact domestic abuse can have on child development:

In situations where a child’s stress levels are high, such as in situations of domestic abuse, persistent elevations of stress hormones and altered levels of key brain chemicals produce an internal physiological state that disrupts the structure of the developing brain and can lead to difficulties in learning, memory and self-regulation.<sup>210</sup>

[Action for Children](#) commissioned research from the University of Stirling into specialist support services available for children and young people affected by domestic abuse across England and Wales.

The resulting report notes that two levels of response are required to adequately support children affected by domestic abuse; a universal route focused on early intervention and prevention, and a specialist resource with an emphasis on recovery from trauma.<sup>211</sup> Further information on early intervention and prevention can be found in the Library’s [Early Intervention](#).

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<sup>205</sup> GOV.UK, [Pharmacies launch codeword scheme to offer ‘lifeline’ to domestic abuse victims](#), 14 January 2021

<sup>206</sup> PQ 140857 [[Domestic Abuse](#)], 25 January 2021

<sup>207</sup> HM Government, [Understanding domestic abuse for the Ask for ANI codeword scheme](#), 1 December 2020, p18

<sup>208</sup> Women’s Aid, [Women’s Aid responds to Ask for Ani codeword launch](#), 14 January 2021

<sup>209</sup> Victims Commissioner, [Recognition of children as victims of Domestic Abuse, and improved protections for victims in Family Courts announced](#), 30 June 2020

<sup>210</sup> Welsh Government, [Impact On Children Of Experiencing Domestic Abuse](#), June 2019, p4

<sup>211</sup> Action for Children, [Patchy, piecemeal and precarious: Support for children affected by domestic abuse](#), November 2019

## Child and Adolescent Mental Health Services

As noted above, domestic abuse is linked with a range of negative mental health outcomes for children. SafeLives [Children's Insights](#) data revealed in 27% of cases there were concerns for the child's mental health, and of these children, nearly half (48%) had anxiety.<sup>212</sup>

However, concerns have been raised regarding long waiting lists to access support from Child and Adolescent Mental Health Services (CAMHS).

The Victims' Commissioner's report, [Sowing the Seeds: Children's experience of domestic abuse and criminality](#) (April 2020) highlighted a "post code lottery" of CAMHS provision and noted stakeholder concerns regarding access.<sup>213</sup> The report states:

Thresholds for accessing CAMHS services are reported as being extremely high in some areas and this can lead to children not being able to get the support they need or abused parents getting into debt to fund counselling services for their children. [...]

Stakeholders expressed concern that such high thresholds imply that statutory services are engaged in crisis management rather than supporting children and young people through more consistent lower level abuse. Services are more likely to be involved if there is physical harm, not taking into account the impacts and long-term effects of psychological abuse and coercive control.<sup>214</sup>

Action for Children's [Patchy, piecemeal and precarious: Support for children affected by domestic abuse](#) report also states there is "a gap in the 'middle range level' of support for children, between universal services and CAMHS".<sup>215</sup>

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<sup>212</sup> SafeLives, [Children's Insights dataset 2019-20](#), p14

<sup>213</sup> Victims' Commissioner, [Sowing the Seeds: Children's experience of domestic abuse and criminality](#), April 2020, p34

<sup>214</sup> [Ibid](#), p34

<sup>215</sup> Action for Children, [Patchy, piecemeal and precarious: Support for children affected by domestic abuse](#), November 2019, p19

## 8. Education

### 8.1 Schools & children

#### Statistics

In a survey of around 1,350 young people in eight schools in Great Britain, a 2009 [report](#) by the National Society for the Prevention of Cruelty to Children (NSPCC) found that those aged 13-18 in intimate relationships, especially young girls, can experience physical violence at a young age:

Boys' experiences of physical violence generally increased as age increased, peaking at the 16 years and over age group, with 28 per cent of this group reporting physical victimisation. In contrast, incidence rates for girls were more evenly spread across the age range, from 21 per cent for 13-year-olds to 26 per cent of girls aged 16 and over. Consequently, girls as young as 13 were as likely as those aged 16 to have experienced physical violence from their partners.<sup>216</sup>

The Crown Prosecution Service (CPS) said that in 2018/19, for domestic abuse complaints where age was recorded by the CPS, 3.1% of complainants were aged 14-17, 0.9% aged 10-13 and 0.2% were under 10.<sup>217</sup> Note this data refers only to defendants flagged by the CPS and complainants at post-charge stage.<sup>218</sup>

#### Safeguarding responsibilities

Schools can identify concerns early and prevent them from escalating. The DfE has published statutory guidance as [Keeping children safe in education](#) (September 2020). This states that schools and colleges should be "particularly alert" to the "potential need to provide early help for a child" in a family where domestic abuse is occurring.<sup>219</sup>

The Library paper, [Safeguarding in English schools](#) (CBP8023) provides further detail.

Local authorities are under general duties to safeguard children—relevant briefings and documents are listed in section 2.3 of this paper.

#### Relationships and Sexuality Education

Section 34 of the [Children and Social Work Act 2017](#) provides for relationships and sex education to be taught in all schools in England. These changes are compulsory from September 2020, although many schools have been teaching the reformed subjects already. Schools [may delay introduction](#) of the new requirements until summer 2021, if preparations were impacted by the coronavirus outbreak.<sup>220</sup>

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<sup>216</sup> NSPCC, [Partner Exploitation and Violence in Teenage Intimate Relationships](#), 2009, pp26, 33, 49-50

<sup>217</sup> Around 93% of complainant ages were recorded in 2018-19: CPS, [Violence Against Women and Girls Report, 2018-19](#), 2019, pA14

<sup>218</sup> [Ibid](#), pA7 and A10

<sup>219</sup> DfE, [Keeping children safe in education](#), September 2020, para 18

<sup>220</sup> DfE, [Implementation of relationships education, relationships and sex education and health education 2020 to 2021](#), updated 9 July 2020



All primary schools in England will teach “Relationships Education”, whilst secondary schools will teach “Relationships and Sex Education”.

Statutory guidance has been issued as [Relationships and sex education \(RSE\) and health education](#) (updated June 2020).

The guidance states that by the end of primary school, children should know (amongst other areas):

- How to recognise if family relationships are making them feel unhappy or unsafe, and how to seek help or advice from others if needed.
- How to recognise and report feelings of being unsafe or feeling bad about any adult.
- How to ask for advice or help for themselves or others, and to keep trying until they are heard.
- How to report concerns or abuse, and the vocabulary and confidence needed to do so.<sup>221</sup>

By the end of secondary school, children should also know:

- That some types of behaviour within relationships are criminal, including violent behaviour and coercive control.
- What constitutes sexual harassment and sexual violence and why these are always unacceptable.
- The concepts of, and laws relating to, sexual consent, sexual exploitation, abuse, grooming, coercion, harassment, rape, domestic abuse, forced marriage, honour-based violence and FGM, and how these can affect current and future relationships.<sup>222</sup>

There are parental rights to withdraw children from sex education in England – this does not apply to relationships education.<sup>223</sup>

Library briefings on [Relationships and Sex Education in Schools \(England\)](#) and [Personal, social, health and economic education in schools \(England\)](#) provide further information.

## School admissions

The Joint Committee’s [report on the draft Domestic Abuse Bill](#) of June 2019 primarily focused on an analysis of the Bill’s provisions. The Committee argued that there was a need to find school places for the children of domestic abuse survivors more quickly.<sup>224</sup>

In response, the Government said it would take forward changes to the School Admissions Code to “strengthen and improve the Fair Access Protocols, and as a minimum, ensure these can be used to admit

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<sup>221</sup> DfE, [Relationships education, relationships and sex education \(RSE\) and health education](#), updated June 2020, pp20-2

<sup>222</sup> [Ibid](#), pp27-9

<sup>223</sup> [Ibid](#), paras 45-7

<sup>224</sup> Joint Committee on the Draft Domestic Abuse Bill, [Draft Domestic Abuse Bill, HL 378/HC 2075](#), 11 June 2019, para 231

children in refuges”, following the [Review of children in need](#) (June 2019).<sup>225</sup>

## 8.2 Higher Education

A report by the ONS, [Domestic Abuse victim characteristics for England and Wales: Year ending March 2020](#) (November 2020) assessed CSEW data on domestic abuse amongst students— the report estimated that of full-time students in the 16-74 age group, 10.5% of female students experienced domestic violence in the previous year compared to 4.8% of full-time male students.

A report from the University of Bath, [What Is To Be Done About Sexual and Domestic Abuse at UK Universities?](#) (2019) discussed the issue of domestic abuse and sexual violence among students and said “no study has investigated domestic abuse specifically at UK universities, but there are indicators that it occurs amongst students and staff.”

Universities should have policies and practices in place to support staff and students who are experiencing domestic violence and abuse, as examples see: University of Leeds policy [Domestic Abuse: Protecting and Supporting Staff and Students](#) and University of Nottingham webpage [Domestic violence and unhealthy relationships](#).

The following articles discuss support for students affected by domestic abuse during the pandemic:

- Wonkhe, [Covid-19, domestic abuse and what universities can do for students](#), 29 July 2020
- The Guardian, [“My place wasn't safe': the universities sheltering women from domestic abuse”](#), 12 October 2020

### Universities UK (UUK) Guidance, 2020

In April 2020 UUK, the representative organisation for the UK's universities, published [Beginning the Conversation, responding to domestic violence and abuse in higher education communities during the Covid-19 pandemic](#). The publication said that universities should be aware that students were at greater risk of domestic abuse during the pandemic. The guidance acknowledged that the nature and level of support for students was a decision for individual universities, but said that they could consider the following areas:

- Providing safe spaces and accommodation support for those not eligible, or able to access, a refuge.
- Appointing a local domestic abuse champion to provide signposting advice.
- Participating in local multi agency risk assessment conferences (MARAC). These are meetings where information is shared on the highest risk domestic abuse cases between representatives

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<sup>225</sup> HO, [The Government response to the report from the Joint Committee on the Draft Domestic Abuse Bill](#), CP 137, July 2019, para 133, 136, paras 137, 138

of different organisations with the intention of safeguarding the victim.<sup>226</sup>

UUK published a second briefing, [Continuing the conversation](#), in October 2020. This made additional recommendations, including partnering with local domestic abuse charities or domestic abuse services, raising awareness of online harms, and designing preventive policies.<sup>227</sup>

This second report noted that Covid-19 had impacted on the way universities could support those experiencing domestic abuse:

Changes to student living arrangements have also occurred with some students returning to their parental home and others such as international students, care leavers or estranged students remaining in, or moving into university accommodation. Alongside these developments, we have seen significant increases in the levels of domestic and technology-mediated abuse in society.<sup>228</sup>

Speaking to UUK, the Domestic Abuse Commissioner for England and Wales, Nicole Jacobs, reported an increase in domestic abuse incidents, including “relating to people of university age such as LGBT+ students moving home and experiencing multiple forms of abuse”.<sup>229</sup>

Previously, in 2014, the National Union of Students published [Hidden Marks: A study of women students’ experiences of harassment, stalking, violence and sexual assault](#).

### **Student finance changes for some victims of domestic abuse**

In the Spring Budget 2020 the Government announced that from 2020/21 they would remove the three-year ordinary residence requirement for student finance for individuals granted Indefinite Leave to Remain as victims of domestic abuse.<sup>230</sup>

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<sup>226</sup> UUK, [Beginning the conversation: Responding to domestic violence and abuse in HE communities during covid-19 pandemic](#), April 2020, pp7-9.

<sup>227</sup> UUK, [Continuing the conversation: Responding to domestic violence and technology mediated abuse in HE communities during the Covid-19 pandemic](#), October 2020, p10

<sup>228</sup> [Ibid](#), p4

<sup>229</sup> [Ibid](#), p9

<sup>230</sup> HM Treasury, [Budget 2020](#), HC 121, 11 March 2020, para 2.56

## 9. Scotland, Wales and Northern Ireland

This section summarises key material and policy in devolved administrations. Some support described in previous sections (e.g. Universal Credit, Universities UK guidance) is applicable across the UK. Some guidance, for example Family Court and NICE guidance, applies in both England and Wales.

### 9.1 Wales

#### Overview

The [Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015](#) requires local authorities and local health boards to prepare a strategy for their authority area for tackling violence against women, domestic abuse and sexual violence. This is aimed at improving prevention, protection and support services.<sup>231</sup>

The strategies should take into account of the objectives set out in the [National Strategy](#). Welsh Ministers expect to achieve the following objectives by November 2021:

- Increasing awareness and challenging attitudes, including amongst children.
- Increasing focus on holding perpetrators to account and provide opportunities to change their behaviour (based around victim safety).
- Making early intervention and prevention a priority and ensure that professionals are trained to provide effective advice.
- Providing victims with equal access to appropriately resourced, high quality, need, strength based, gender responsive services across Wales.<sup>232</sup>

Wales Centre for Public Policy published an evaluation of the 2015 Act in June 2020: [Domestic abuse interventions in Wales](#).

A summary of the support available can be found on the Welsh Government's [Domestic abuse Wales](#) page. More detailed policy, guidance and evaluations are available on its [Violence against women and domestic abuse](#) page.

#### “Ask and Act” programme

“Ask and Act” is a national programme which aims to help public sector professionals, including those in health, housing and social care, identify and support victims of domestic abuse.<sup>233</sup>

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<sup>231</sup> Welsh Government, [The Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015: Guidance for Local Strategies](#), February 2018

<sup>232</sup> Welsh Government, [National Strategy on Violence against Women, Domestic Abuse and Sexual Violence - 2016-2021](#), November 2016, pp18-19

<sup>233</sup> Welsh Government, [Identifying violence against women, domestic abuse and sexual violence: Ask and Act](#), 29 November 2017

## Housing

*The Housing (Wales) Act 2014* governs the duties of local authorities to homeless people. Applicants who are “homeless as a result of being subject to domestic abuse” are automatically deemed to be in a priority need category.<sup>234</sup> Domestic abuse is defined in section 58 of the Act. As in England, risk of domestic abuse is a factor that must be considered when determining whether it is reasonable for an applicant to continue to occupy their home.

The *Renting Homes (Wales) Act 2016* contains provisions, which when in force, will assist victims of domestic abuse by enabling the landlord to terminate the occupation rights of the perpetrator where they occupy under a joint contract and are in breach of section 55 of the Act (anti-social behaviour and other prohibited conduct).<sup>235</sup>

The Library briefing [Comparison of homelessness duties in England, Wales, Scotland and Northern Ireland](#) describes the legal frameworks of the four UK nations to April 2018.

## Financial Support

Individuals may be eligible for payments from the Discretionary Assistance Fund (DAF). The DAF includes an Emergency Assistance Payment for help with essential costs if an individual is over 16, lives in Wales, is “in a crisis situation and in need of immediate financial support”, has no savings and is awaiting their first benefit payments.<sup>236</sup>

Individuals can apply [online](#).

## Health

‘[Domestic Violence: A Resource Manual for Health Care Professionals in Wales](#)’ was published in 2001. The guidance states:

The NHS has an important role to play in Wales in helping those who suffer domestic violence to gain access to the help and support they need.<sup>237</sup>

As noted above, the [Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015](#) requires local health boards to work alongside local authorities to prepare a strategy for tackling violence against women, domestic abuse and sexual violence.

The Welsh Government has an agreement in place with NICE covering the Institute’s guidelines. The ‘[Good Practice Framework for Violence Against Women, Domestic Abuse, Sexual Violence and Substance Misuse](#)’, published by the Welsh Government, highlights the NICE guidance and quality standards related to domestic abuse and states:

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<sup>234</sup> Section 70(1)(e) of the *Housing (Wales) Act 2014*

<sup>235</sup> Section 230 of the *Renting Homes (Wales) Act 2016*

<sup>236</sup> Welsh Government, [Discretionary Assistance Fund](#)

<sup>237</sup> NHS, [Domestic Violence: A Resource Manual for Health Care Professionals in Wales](#), October 2001

## 54 Support for domestic abuse victims: Housing, health, education, social services and social security

There is an expectation that NHS bodies in Wales take full account of the recommendations made by the Institute when commissioning and delivering services to patients.<sup>238</sup>

The Welsh Government published guidance in June 2019 '[Impact on children of experiencing domestic abuse](#)' which includes information on the health impact.

### Education

All maintained Welsh secondary schools are currently required to include [sex education as part of their curriculum](#), whilst it is discretionary in primary schools. The Welsh Government has also published a framework for [Personal and social education for 7 to 19 year olds](#).

A new [Welsh curriculum](#) will be introduced from 2022, in which Relationships and sexuality education will be mandatory.<sup>239</sup>

## 9.2 Scotland

### Overview

The Scottish Government's [Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls](#) (2018) provides an overview of the Government's policy intentions.

The [Domestic Abuse \(Scotland\) Act 2018](#) introduced a statutory definition of domestic abuse and made changes to criminal law procedure.

The [Domestic Abuse \(Protection\) \(Scotland\) Bill](#) is currently before the Scottish Parliament. The Bill focuses on additional protection for people who are at risk of domestic abuse.

Mygov.scot provides information at [Domestic abuse: support](#).

### Housing

In Scotland, local authorities have a duty to secure housing for all unintentionally homeless applicants—see, [Comparison of homelessness duties in England, Wales, Scotland and Northern Ireland](#).

The [Domestic Abuse \(Protection\) \(Scotland\) Bill](#) contains provisions which would enable social landlords to take eviction against tenants who engage in domestic abuse:

Part 2 of the Bill creates one new ground for recovery of possession by a landlord, namely that the tenant, who is a sole tenant, has engaged in behaviour which is abusive of a partner or ex-partner. This is to allow the landlord to enter into a new tenancy with the partner or ex-partner who is the victim of the abusive behaviour. It also allows a landlord to apply for an order terminating a tenant's interest in a Scottish secure tenancy, where that tenant is a joint tenant with the partner or ex-partner, and

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<sup>238</sup> Welsh Government, [Good Practice Framework for Violence Against Women, Domestic Abuse, Sexual Violence and Substance Misuse](#), June 2018, page 10

<sup>239</sup> Welsh Government, [Children in Wales will have universal access to the full curriculum](#), 21 January 2020

has an engaged in behaviour which is abusive of the partner or ex-partner.<sup>240</sup>

## Financial support

The Scottish Welfare Fund can provide a **Crisis Grant** to cover the costs of an emergency. This includes if “you're a victim of domestic abuse and you need help with things like moving away from an abuser”.<sup>241</sup>

Individuals can apply for the discretionary grant through their council and must be aged 16 or over, on a low income, and unable to get financial support from any other appropriate source.

Individuals subject to domestic abuse can also apply for a **Community Care Grant** via their local authority. They must have a low income and are “less likely” to receive the grant if they have savings of over £700.<sup>242</sup>

## Health

In 2008, the Chief Executive of NHS Scotland published a '[Gender-based Violence Action Plan](#)'. The document set out “expectations for Boards to develop a 3-year action plan” and to implement routine enquiry in six priority areas of service delivery: maternity, community nursing, substance misuse services, mental health, sexual health and emergency departments. All women accessing these services were to be asked about their experience of domestic abuse. Men were also to be asked when using substance misuse and mental health services.<sup>243</sup>

Further information on routine enquiry can be found on the Public Health Scotland webpage '[Routine enquiry of domestic abuse training](#)'.

An update on the 'Gender-based Violence and Health Programme' was set out in a [letter to NHS Scotland Board Chief Executives](#) in 2012:

The role of national boards is important in taking this forward and we will work with NHS NES, HIS and NHS Health Scotland to determine the most effective means of incorporating gender-based violence into their existing workstreams.<sup>244</sup>

In 2017, the Scottish Government convened a [Task Force for the Improvement of Services for Victims of Rape and Sexual Assault](#), chaired by the Chief Medical Officer. The Force's vision, to be delivered by 2022, is:

Consistent, person-centred, trauma-informed healthcare and forensic medical services and access to recovery, for anyone who has experienced rape or sexual assault in Scotland.<sup>245</sup>

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<sup>240</sup> [Explanatory notes to the Domestic Abuse \(Protection\) \(Scotland\) Bill](#), SP Bill 84-EN (2020)

<sup>241</sup> Mygov.scot, [Help with living costs- Scottish welfare fund: Crisis grants](#), 24 November 2020

<sup>242</sup> Mygov.scot, [Help with living costs- Scottish welfare fund: Community Care Grants](#), 24 November 2020

<sup>243</sup> Scottish Government, [Healthcare Policy and Strategy Directorate, Gender-based Violence Action Plan](#), 29 September 2008

<sup>244</sup> Scottish Government, [Letter from the Chief Executive of NHS Scotland to NHS Scotland Board Chief Executives](#), Gender-based Violence and Health Programme, 18 January 2012

<sup>245</sup> NHS Ayrshire & Arran, [Gender Based Violence – NHS Ayrshire & Arran Action Plan 2018-21](#), 31 July 2018

The Scottish Government published '[Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls](#)' in 2014 and it was subsequently updated. The [Delivery Plan](#) runs until 2021.

A [report](#) was published in November 2020 outlining the progress to date and outlines a number of health service examples. For example, the report highlights that the ASPEN project has been developed in Dundee, which it describes as "an innovative collaboration between NHS Tayside and the third sector".<sup>246</sup> The project has funded a clinical psychologist to be based within Dundee Women's Aid in order to offer psychological assessment and treatment interventions.<sup>247</sup>

The report also notes the following health related priorities will be taken forward over 2020/21:

Progress legislation through the Scottish Parliament on domestic abuse protection orders and forensic medical services [...]

Progress a review of the funding and commissioning of front line specialist services, with an initial twin focus on domestic abuse and sexual violence [...]

Continue, through the CMO Rape and Sexual Assault Taskforce, to create a Scottish Sexual Assault Response Coordination (SSARC) service in each territorial Health Board supported by Scottish Government funding towards infrastructure and workforce.<sup>248</sup>

Public Health Scotland have published guidance '[Gender based violence, Domestic abuse – What health workers need to know](#)'. The guidance highlights some of the main sources of support for survivors of domestic abuse. This includes Independent Domestic Abuse Advisers (IDAAs) and [ASSIST](#).

## Education

Current statutory guidance on [Relationships, sexual health and parenthood education](#) (RHSP) states children should be provided with "knowledge and understanding of healthy, safer, respectful and loving relationships" and that schools should be mindful of the needs of children who have experienced abuse.

## 9.3 Northern Ireland

### Overview

The Northern Ireland Department of Health's [Stopping Domestic and Sexual Violence and Abuse in Northern Ireland Strategy](#) (2016) set out a strategy to 2023. A mid-term review was published in October 2020, which made recommendations in 12 areas, including a need for "improved information and front-line engagement with service

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<sup>246</sup> Scottish Government, [Equally Safe: Final report](#), Key achievements: Priority Three, 24 November 2020

<sup>247</sup> [Ibid](#)

<sup>248</sup> [Ibid](#)



providers and users” and a “greater emphasis on prevention and early intervention”.<sup>249</sup>

The UK Parliament’s [Joint Committee on the Draft Domestic Abuse Bill 2019-21](#) (2019) noted that several witnesses raised concerns about the legal position in Northern Ireland, including in relation to a lack of a statutory definition of abuse and its exclusion from the remit of the Domestic Abuse Commissioner.<sup>250</sup>

The Northern Ireland Assembly Bill [Domestic Abuse and Family Proceedings Bill 03/17-22](#) would provide for a new definition of domestic abuse. It would not create a Domestic Abuse Commissioner. The Northern Ireland Assembly Research and Information Service prepared a [paper on the Bill](#) (NIAR 105-20). Also relevant is the Committee for Justice’s [report](#).<sup>251</sup>

NI Direct’s [Domestic violence and abuse](#) and the Department of Justice and Department of Health’s [Coronavirus \(Covid-19\)- Support for victims of domestic abuse](#) provide a brief overview of current support.

## Housing

The governing legislation for homelessness in Northern Ireland is the *Housing (Northern Ireland) Order 1988* (as amended). Unlike the other three UK nations, housing is allocated by the Northern Ireland Housing Executive (NIHE), which covers the whole of Northern Ireland, rather than by local authorities.

An applicant for housing assistance is considered to have priority need if they are homeless and meet any of the criteria set out in the 1988 Order, including:

...a person without dependent children who satisfies the Executive that he has been subject to violence and is at risk of violent pursuit or, if he returns home, is at risk of further violence

The NIHE allocates housing according to an applicant’s point score on a waiting list. The full points schedule is published in the [Housing Selection Scheme Rules](#). The NIHE has conducted a review of social housing allocations, the [results of which were published in December 2020](#).<sup>252</sup> The original consultation had proposed the removal of ‘intimidation points’ from the scheme. The DfC said that this would not be taken forward:

This proposal will not proceed.

The Department is instead considering an alternative proposal and will commence work to investigate how to:

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<sup>249</sup> Department of Justice, [Mid-Term Review of the Stopping Domestic and Sexual Violence and Abuse Strategy](#), October 2020, p7

<sup>250</sup> Joint Committee on the Draft Domestic Abuse Bill, [Draft Domestic Abuse Bill](#), HL 378, HC 2075, 14 June 2019, para 13

<sup>251</sup> Northern Ireland Assembly Research and Information Service Bill Paper, [Domestic Abuse and Family Proceedings Bill](#), NIAR 105-20, April 2020; Committee for Justice, [Report on the Domestic Abuse and Family Proceedings Bill](#), NIA 48/17-22, October 2020

<sup>252</sup> Department for Communities (DfC), [Consultation Outcome Report A Fundamental Review of Social Housing Allocations](#), December 2020

- strengthen the verification process to ensure that those who are genuinely being intimidated receive the priority they deserve and to prevent any abuse of the system; and
- address the current inconsistencies where other victims of trauma or violence, for example, victims of domestic abuse, do not currently receive intimidation points.

Protecting the most vulnerable in our society is central. Therefore, the immediate personal safety of those who have suffered intimidation will remain front and centre. Robust, clear and consistent processes are required and tightening of these will be considered.

Given the new exploratory work required for this amended proposal, it is anticipated that this will involve a long term timescale (24+ months from project commencement). The current system will remain in the interim but with improvements to the verification process as and when these are identified.<sup>253</sup>

In July 2020, the Minister for Communities responded to a question on support available for men who suffer domestic violence:

The 24 hour Domestic Violence and Sexual Abuse Helpline is co-funded by my Department, the Department of Health and the Department of Justice. It is available for all victims of Domestic Violence and abuse.

My Department is responsible for oversight of the Housing Executive's Supporting People (SP) programme, which funds homeless temporary accommodation services, most of which cater for the housing support needs of men (86 total homelessness schemes, of which 15 are women only). As part of the implementation of the SP review, an evidence-based assessment of need for housing support services is due to be completed by September 2020, and this will inform a three year strategy for 2020-2023, which will consider the existing needs and emerging demands on housing support services.

In addition, the Sanctuary Scheme is available to all Housing Executive tenants who are victims of domestic violence. A 'Sanctuary' comprises enhanced security measures designed to enable households to remain safely in their homes and where applicable a Sanctuary room.

The Department of Justice has advised that a range of services and support mechanisms are available to victims of domestic abuse regardless of their gender. This includes the 24hr Domestic and Sexual Abuse Helpline, Multi Agency Risk Assessment Conferences as well as plans to introduce a new advocacy support service in 2021/22. Advertising campaigns to raise awareness around domestic abuse, and the support available, apply to victims irrespective of gender.

The Department of Health has confirmed that the Men's Advisory Project (MAP) are commissioned by the Health and Social Care Board to provide counselling support services to male victims of domestic abuse.

They are also piloting the IRIS (Identification and Referral to Improve Safety) programme with GP practices in two GP Federation areas (East Belfast and the Newry/Down district). IRIS provides GPs with training and support to help identify patients

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<sup>253</sup> [Ibid](#), p47

(male and female) affected by domestic and sexual abuse and refer them to specialist support. The pilot, which is being delivered through a 'consortium' approach by Women's Aid, MAP, Nexus NI and Victim's Support Service, is running for 12 months and will be evaluated at the end of the year to inform consideration of any further roll out.

Further information, including the contact number for the 24 hour helpline, is available through the following links:

<https://www.nihe.gov.uk/Housing-Help/Homelessness/Finding-local-services>

<https://www.psni.police.uk/crime/domestic-abuse/who-can-help-me/><sup>254</sup>

## Financial Support

The Discretionary Support Fund, administered by the Department for Communities, includes provision for an unlimited number of awards to the victims of domestic abuse under its provision for disaster, subject to the person meeting the relevant eligibility criteria.<sup>255</sup>

## Health

The Department of Health published the '[Stopping Domestic and Sexual Violence and Abuse in Northern Ireland Strategy](#)' alongside the Department of Justice. The [Year 5 Action Plan](#) covers 2020/21 and sets out priorities. This includes actions related to health interventions:

Complete and evaluate the Identification and Referral to Improve Safety ('IRIS') pilot in East Belfast and Newry/Down GP Federations and consider findings to inform wider advocacy support [...]

Pilot a Domestic Violence and Abuse Worker within a Southern HSC Trust Acute Emergency Department to enable victims to receive immediate advice/support and be signposted/referred to relevant services, as well as consider findings to inform wider advocacy support.<sup>256</sup>

['Progress under the Stopping Domestic and Sexual Violence and Abuse Strategy's Year Four Action Plan 2019/20'](#) summarises progress in 2019/20.

## Education

The Northern Ireland Council for the Curriculum, Examinations and Assessment (CCEA) has published guidance on [Relationships and Sexuality Education](#), for which all grant-aided schools are required to develop a teaching policy. At post-primary level, this states pupils can "explore sensitive issues such as domestic violence and sexual abuse in an age-appropriate way, and develop appropriate behaviour to protect themselves".<sup>257</sup>

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<sup>254</sup> AQW 5389/17-22 [[Domestic abuse](#)], 30 July 2020

<sup>255</sup> AQW 7568/17-22 [[Discretionary Support Fund](#)], 7 October 2020

<sup>256</sup> Department of Health Northern Ireland, [Stopping Domestic and Sexual Violence and Abuse Strategy: Year 5 Action Plan](#), Last updated 27 November 2020

<sup>257</sup> CCEA, [Relationships and Sexuality Education Guidance: An Update for Primary Schools](#), October 2019, pp2, 37

## 10. Guidance and helplines (UK)

Gov.UK has published [Domestic abuse: Get help during the coronavirus \(COVID-19\) outbreak](#).

This includes links to advice and further material, specialist services for people from ethnic minorities, services for disabled persons, sources of help for young children, and helplines.

The Crown Prosecution Service has published domestic abuse [Guidelines for prosecutors](#) (updated April 2020) and a [Guide for victims and witnesses](#) (2011).

The **Scottish** Government's [Domestic abuse: Support](#) provides information for male and female victims and helplines.

The **Welsh** Government's [Domestic abuse: Wales](#) provides helplines, FAQs and help for children and adults.

For **Northern Ireland**, NI Direct's [Domestic violence and abuse](#) and [Support domestic abuse victims during Coronavirus \(Covid-19\)](#) provides links to information and support.

### Helplines

- Refuge's National Domestic Abuse Helpline : 0808 2000 247 (24-hours) and [online chat](#)
- Rape Crisis (England and Wales): 0808 802 9999 and [online chat](#)
- Live Fear Free helpline (Wales): 0808 80 10 800 (24-hour), [info@livefearfreehelpline.wales](mailto:info@livefearfreehelpline.wales) and [online chat](#)
- Scotland's Domestic Abuse and Forced Marriage Helpline: 0800 027 1234, [helpline@sdafmh.org.uk](mailto:helpline@sdafmh.org.uk) and [online chat](#)
- Women's Aid Federation (Northern Ireland) has [local helplines](#) and [online chat](#).
- Respect: The Men's Advice Line: 0808 801 0327, [info@mensadviceline.org.uk](mailto:info@mensadviceline.org.uk) and [online chat](#)
- Galop (for lesbian, gay, bisexual and transgender people): 0800 999 5428, [help@galop.org.uk](mailto:help@galop.org.uk) and [online chat](#)

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