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Communities, Equality and Local Government Committee

Gender-based Violence, Domestic Abuse and Sexual Violence (Wales)

Bill : Stage 1

Response from: Anglesey and Gwynedd Community Safety Partnership

**Response to the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill from North Wales Domestic Abuse and Sexual Violence Co-ordinators**

1. A) The general principles of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill and the need for legislation to improve the Public Sector response in Wales to domestic abuse, gender-based violence and sexual violence, including:

The publication of national and local strategies

- I will be honest and state that I am extremely disappointed not to see any mention whatsoever of what will be included within the national and local strategies. I understand that the bill highlights arrangements for the prevention of domestic abuse etc., however I expected to see the MARACs (Multi-agency risk assessment conferences), IDVAs (Independent Domestic Violence Advisors), target hardening equipment and tenancy agreements (such as trying to ensure insofar as possible that the victims be supported in their own homes) enshrined within the Bill.

While I understand there may not be the ambit to recognise these services/bodies as statutory within the Bill, I nevertheless expected to see some mention of them as forming a crucial part of the national strategy's priorities for each area. While I appreciate that these areas of work may already be embodied within DA-related work streams, I would have liked to have seen these vital services given prominence within the strategies or at least highlighted that they will form part of the strategies, along with perhaps recognition of how these could work alongside new legislative changes such as the Claire's Law disclosure scheme and the Domestic Violence Protection Notices and Orders.

I also feel that the diversity of domestic abuse situations need to be taken into account. In my experience, I find that there is too much focus on the conventional portrayal of domestic abuse, such as violence against women, to the detriment of other sufferers, such as male victims, those from the LGBT community, BME sufferers, and disabled victims – many of whom do not recognise that they do actually qualify for domestic abuse assistance and thus, often lose out on vital support due to too much emphasis being placed on the conventional stereotype of domestic abuse and violence against women. I feel that the diversity of such domestic abuse situations needs to be reflected within the national and local strategies insofar as possible.

- I agree with the principle of universal data collection. Indeed, this has regularly been pointed out by Domestic Abuse Coordinators across Wales and I believe this might help to deduce a more accurate picture of domestic abuse in each area, identify where improvement and further investment is needed and possibly alleviate inequality as much as possible.

- On another note, provided there is consultation on the content of the strategies throughout Wales, I do see merit in having a universal strategy across Wales that all public services can aspire to fulfil in line with Welsh Government and service user expectations.

#### 1. B) The appointment of a Ministerial Adviser on Gender-based Violence, Domestic Abuse and Sexual Violence.

- I believe that it will be good to have a senior post for domestic violence which will inevitably give the subject matter a higher platform, give a voice to service users and accord leadership to this issue.
- I feel that any Minister should engage with Service Providers, the Police, Coordinators (if they will still be in post) and Service Users across the whole of Wales – giving due regard to North Wales also and taking into consideration, cultural issues, the Welsh language and rurality.
- I feel that the Ministerial Advisor must have a thorough knowledge of domestic abuse and understand issues such as barriers to disclosure, the impact of rurality and geographical location, culture, language, diversity issues and how all of these impact on disclosures and the incidences of domestic abuse in general.
- Also, as it will be the Minister's duty to draft the national strategy, I am of the opinion that they should be heavily involved with those listed above – due consideration should be given to MARACs, IDVAs, target hardening, and it is vitally important that all relevant legislation, regarding Child Protection and the Domestic Violence Crime and Victims Act is taken account of when forming new strategies.

#### 2. Any potential barriers to the implementation of these provisions and whether the Bill takes account of them

- One barrier I envisage is the continued culture of information sharing. While the issue is improving, I feel that the fact that the MARAC and IDVA lack statutory status is a contributing factor. CAADA reviews, the implementation of Information Sharing Protocols and the MARAC receiving enhanced status encourages agencies to improve information-sharing, however there is still huge issues with courts and Prison services not being able to share information in good time with relevant service providers in relation to changes to court dates, sentences and prisoners leaving custody. Although this is an issue for the criminal law, I thoroughly hope that the national strategy will try to capture this.
- There may be some challenges in relation to implementation due to individual cultural issues pertaining to each Local Authority area as well as their decision making processes. Also, cultural differences pertaining to rurality, Welsh language and other cultural factors need to be taken into consideration.

#### 3. Whether there are any unintended consequences arising from the Bill

- With regard to the Ask and Act programme, I am of the view that only those likely to come into direct contact with potential victims should be asking victims, and I am glad that the Bill has recognised this. Calls for extending this to all frontline staff including Waste Disposal officers and Home Carers are

foolhardy at best because it places undue burdens and responsibilities on those individuals, potentially places them in danger (if at the home of a potential sufferer) when they may not be qualified or equipped to deal with the added dangers, and may place the sufferer at greater risk too, if asking is not done in a confidential, and correct manner. Thorough training must be given to those individuals (which the Bill rightly recognises). However, my only fear is that this requirement is eventually extended to all staff members within public bodies. I don't think that this should ever be the case and that the strategies emphasise their focus on relevant professionals and not all frontline officers.

- One possible positive unintended consequence arising from the Bill could be the closer co-operation of Housing Services with Domestic Abuse Providers, which could also arise from the new "Renting Homes" Bill, making it easier for perpetrators to be evicted from the home under joint tenancies. I feel this is definitely needed especially given the fact that 15% of homeless statuses are due to domestic violence, and is an incredibly positive step. I hope that the Bill will lead to Housing officers becoming more proactive and ingrained within the field of domestic abuse.

#### 4. The financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum

- Any strategy must take account of the likely increased demand on services that Ask and Act is likely to have and provisions including perhaps funds must be put in place to ensure that the services can meet the additional demand.
- I agree with the development of the Ask and Act programme as well as the training of professionals via the All Wales National Training Framework and I am pleased that Welsh Government has recognised that these developments will be costly and will be providing funding to help meet the costs.
- Having analysed the document, I must make some comment with regard to the costs involved. While I do feel that there is benefit to be derived from appointing an Advisor who will take leadership and ownership of this subject area hopefully leading to affirmative action, I question the merits of developing a team for the Advisor in addition to the VAWG team already located within Welsh Government, as well as appointing Principal lead officers within health and local authorities. I question this on the basis of cost alone as it appears that the cost of developing these teams and officers will be high. I question whether there is any need to appoint officers on such a high scale when there is already a shortage of IDVAs across the country and further investment in the MARACs and target hardening equipment is required. I feel that these roles, if deemed essential, should ideally be restricted to an SO1 or SO2 level, due to the need for further investment in other frontline domestic abuse services, especially in the current economic climate and public service sector cuts.

#### 5. The appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)

- I have no comments to add with regard to this proposal.