

## Isle of Wight Domestic Abuse Forum

### Domestic and Sexual Abuse Newsletter

Spring 2016

Welcome to the 1<sup>st</sup> quarterly newsletter dedicated to bringing readers up to speed with current matters relating to domestic and sexual violence services on the Island.

Two new members of staff have recently joined Fleur Gardiner and Rachel Watson in the Local Safeguarding Adult Board team. Emma Coleman joined the team in September as a Senior Administrator, and Dave Huggins joined the team in October as the Domestic Abuse Co-ordinator. Based at Jubilee Stores, the new team now have greater capacity to deal with Adult Safeguarding Board matters, Domestic and Sexual Abuse/Violence policy, multi-agency working and a co-ordinated approach to ensure that training needs are met for professionals dealing with these subject areas.

It's been a busy winter period, with the new co-ordinator meeting key partners from the statutory and voluntary sector to assess the current service provision for survivors of domestic and sexual violence, identifying gaps where improvement may be achieved and maintaining current effective services. A key purpose for this newsletter is to ensure all agencies are kept up to date with what's going on within the domestic/sexual abuse spheres, assist inter agency communication and minimise the creation of organisational silos. Current and ongoing financial constraints will be a key threat to effective service provision over the next 12 months and beyond. Expecting current services to be maintained and improved on a reducing budget will be a challenge for our third sector providers and close collaborative working with our key statutory partners will be essential to maintain these essential services for some of our most vulnerable citizens.

Keep up to date with our news and training courses at: [www.iwight.com/domesticabuse](http://www.iwight.com/domesticabuse)

### DAF Annual Report

The DAF annual report 2014/15 is now agreed and available. Highlighting the great work and achievements by partner agencies over the past 12 months, the full document can be viewed by following the below link:

[www.iwight.com/domesticabuse](http://www.iwight.com/domesticabuse)

Stop Domestic Violence

Stop Domestic Violence

Stop Domestic Violence

#### How can I get help?

If you don't tell anyone about the abuse it is likely to continue and get worse over time. By telling someone, a friend, family member or one of the organisations listed in this, you will be able to start protecting yourself and your children.

There are many different agencies you can call depending on the help you need. If you are in immediate danger you should always call 999.

#### Further Support:

Island Women's Refuge and Outreach team: 01983 825981 (24 hour helpline)

Police Public Protection: 01983 538707

National Domestic Abuse Helpline: 07930 932249 (24 hour helpline)

Broken Rainbow (for LGBT victims): 0300 999 5428

Men's Advice Line: 08088010327

## Legislation update

### **Section 76 and 77 Serious Crime Act 2015 enacted 29/12/15**

A new criminal offence was introduced on the 29th December 2015 of 'Controlling or Coercive Behaviour in an intimate or Family Relationship' which carries a maximum sentence of 5 years imprisonment, a fine or both.

The offence closes the gap in law around patterns of controlling or coercive behaviour that occurs during a relationship between intimate partners, former partners who still live together or family members and sends a clear message that this form of domestic abuse can constitute a serious offence.

While the legislation is gender neutral, statistics consistently show that women and girls are disproportionately affected by crimes of domestic violence and abuse. In 2014/15 92.4% of defendants in Domestic Abuse flagged cases were male.

Victims of 'Controlling or Coercive Behaviour' may not recognise themselves as such. It is therefore important that agencies dealing with and supporting victims of domestic abuse recognise the potential evidence that can identify this offence. The types of behaviour a perpetrator might demonstrate might include:

- Isolating a person from their family and friends;
- Depriving them of their basic needs;
- Monitoring their time;
- Depriving them of access to support services, such as specialist support or medical services;
- Repeatedly putting them down such as telling them they are worthless;
- Enforcing rules and activity which humiliate, degrade or dehumanise the victim;
- Financial abuse which includes the controlling of finances, such as only allowing a punitive allowance.

There may be other forms of behaviour or abuse that will constitute offences in their own right such as assault, rape, criminal damage or threats to kill.

The police and specialist services are available to support victims of 'Controlling and Coercive Behaviour' and it is important for agencies to consider making a referral or signposting a victim when identified.

For further information click here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/482528/Controlling\\_or\\_coercive\\_behaviour\\_-\\_statutory\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/482528/Controlling_or_coercive_behaviour_-_statutory_guidance.pdf)

## **Female Genital Mutilation**

On 31 October 2015 a new duty was introduced that requires health and social care professionals and teachers to report 'known' cases of FGM in girls aged under 18 to the police.

For example, if a doctor sees that a girl aged under 18 has had FGM they will need to make a report to the police. Or, if a girl tells her teacher that she has had FGM, the teacher will need to report this to the police.

It is critical that all agencies understand their legal responsibility where a case of FGM is disclose or discovered.

For further guidance please click here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/496415/6\\_1639\\_HO\\_SP\\_FGM\\_mandatory\\_reporting\\_Fact\\_sheet\\_Web.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496415/6_1639_HO_SP_FGM_mandatory_reporting_Fact_sheet_Web.pdf)

**ABUSE**  
is not confined  
to **FIST**  
and **BRUISE**,  
if he knows  
emotional  
**CONTROL**  
is all he needs  
to use.

From the anthology of poems 'Singing in the Storm' written by anonymous victims and survivors of domestic abuse. For more information visit [www.brighton.com/domesticabuse](http://www.brighton.com/domesticabuse)

**END DOMESTIC VIOLENCE AND ABUSE**

## Funding for Domestic and Sexual Abuse services 2016/17

Funding for the financial year 2016/17 has now been confirmed from OPCC (Office of the Police and Crime Commissioner), Public Health, Adult Social Care and Housing Supporting People, which will support the continuing provision of the following services:

- Island Womans Refuge (IWR)
- IWR Outreach
- IDVA (Delivered by IWR)
- Freedom Programme (Delivered by IWR)
- Childrens Domestic Abuse Support Project (Delivered by IWR)
- Purple Petals Young Women's Project (Delivered by IWR)
- ISVA (Hampton Trust)
- Specialist Adult Counselling Service (Delivered by Southampton Rape Crisis)
- Safer Together Older Persons and Older Persons LGBT Support (Delivered by Age UK)



The Modern Slavery Partnership is holding a Master Class on Wednesday 30<sup>th</sup> March, 9:30am-4:30pm at Netley, Hampshire.

The master class is aimed at those who work for emergency services, the local authority, law enforcement agencies and charity organisations. It is suitable for those who wish to upskill in the area of modern slavery in general.

This event is **free of charge**, but you must register via this link:

<http://www.surveygizmo.com/s3/2633797/Master-Class-3-Identifying-and-Responding-to-Modern-Slavery-for-Emergency-Services>

## Changes to Domestic Abuse Legal Aid

In R (Rights of Women) v The Lord Chancellor and Secretary of State for Justice [2016] the Court of Appeal found that Regulation 33 of the Civil Legal Aid (Procedure) Regulations 2012, as amended, was unlawful because it frustrates the statutory purpose of LASPO.

Reg 33 is the regulation which sets out the strict evidential criteria that applicants for legal aid have to meet to qualify for legal aid because of domestic violence. This is important because most private family law is now out of scope, unless it can be shown that the applicant is a victim of domestic violence. Reg 33, often known as the domestic violence gateway, sets out the evidence that must be provided by an applicant to demonstrate that she (as is most often the case) is such a victim. The regulation is strictly drawn; only evidence of the type set out is permitted, and then only (with a few exceptions) when it dates from no more than 24 months before the application.

The Court of Appeal held that the 24-month requirement has "no rational connection" with the statutory purpose of ensuring that legal aid is available to the great majority of sufferers of domestic violence. Exceptional funding was not enough to salvage the regulations.

Insofar, therefore, as regulation 33 imposes a 24-month time limit and does not cater for victims of financial abuse, it was declared invalid.

It is not clear at the moment whether the Government would intend to appeal this decision.

If the Government does not appeal this decision then presumably the next step would be for the Government and the Legal Aid Agency to seek to amend the Legal Aid Regulations but, bearing in mind the history of Legal Aid Regulations, this may not be a straightforward process.

In practical terms, most legal aid applications based on domestic violence are made within the 24-month time limit in any event.

For those potential legal aid applications which might fall beyond such time limit then until the Government and the Legal Aid Agency confirm their position it would be for the relevant solicitor acting for the victim to decide on a case by case basis how to proceed.

For the full appeal decision, please click here:

[http://www.publiclawproject.org.uk/data/files/2276\\_001.pdf](http://www.publiclawproject.org.uk/data/files/2276_001.pdf)



## Domestic Abuse Forum Strategic Review

A task and finish group was established in December 2015 to conduct a strategic review of the 'Domestic Abuse Forum'. Led by the Domestic Abuse Coordinator the group had representatives from Adult Safeguarding, Children Safeguarding, Island Woman's Refuge, Police, CCG, Education, Public Health and Childrens Services.

Through a series of meetings held in December, January and February, the group has reviewed:

- Domestic Abuse Forum Strategic Structure
- Terms of Reference
- 3-5 Year Strategic Plan
- Performance Framework.

A draft strategic document was presented to the Domestic Abuse Forum on the 24<sup>th</sup> February 2016 with members given until no later than the 9<sup>th</sup> March 2016 to make comment before the document is passed to DAF governance boards for formal adoption.

The draft document sets the foundation for a coordinated approach to support VAWG (Violence Against Woman and Girls) survivors, ensuring the provision of essential services in tandem with looking for long term problem solving solutions to reduce and minimize incidents of domestic and sexual violence. It will also provide a structured framework for the introduction of 'Integrated Commissioning/Grant Funding' in April 2017.

## MARAC review

Hampshire Police are currently leading on a review of the MARAC (Multi Agency Risk Assessment Conference) process due to the large number of 'High Risk' cases referred on a monthly basis (12 MARAC's in total across Hampshire and the Isle of Wight). Case levels in Southampton and Portsmouth are more than double the Safe Lives recommended number. The review will look at MASH (Multi Agency Safeguarding Hub) processes and ensure links with MARAC's are strengthened to ensure that appropriate high-risk cases are referred.

## Police and Crime Commissioner Sexual Crime Strategy

The OPCC has launched a Sexual Crime Strategy for Hampshire and the Isle of Wight 2015-2018. The core principle of the strategy looks at prevention, encouraging reporting and ensuring victim support through improved and better coordinated service provision. Working with our key partners in the Serious Sexual Offences Group (SSOG) we will identify gaps in current service provision for the Island to ensure every opportunity is seized to provide the highest quality service to victims through this strategy.

For further information please click here:

<http://www.hampshire-pcc.gov.uk/protecting->

## DAF Conference

We will be holding a Domestic and Sexual Abuse Conference on the 30<sup>th</sup> November 2016 at The Riverside Centre in Newport. This will coincide with the 16 days of action from the 25<sup>th</sup> November for the 'United Nations International Day for the Elimination of Violence Against Women'. Our key speaker is Zoe Lodrick who will be giving a presentation entitled 'the sense behind seemingly illogical reasons to threat, violence and abuse: why people frequently don't fight or flee'. Approximately 100 spaces will be available for delegates and the Summer newsletter will contain further information on guest speakers and ticket availability.