

The new Domestic Abuse Act and what it means for women

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women's aid
until women & children are safe



170 organisations in our
national federation running
over 300 local life-saving
services

Women's Aid is the national charity for women and children working to end domestic abuse in England.

We help women and children escape abuse, and to recover. Our support services, which include our Live Chat Helpline, help thousands of women and children every year.

Our National Training Centre delivers expert training, qualifications and consultancy to a range of agencies and professionals working with survivors.

We use our national datasets and ground-breaking research to campaign for changes in policy and law that protect women and child survivors.

The Domestic Abuse Act

- Four years after the Domestic Abuse Bill was first promised in the Queen's Speech, it finally became law on 30th April 2021
- The law includes welcome changes to improve protection and support for survivors - but also has significant gaps, including failing to deliver equal protection and support for migrant women.
- It's also crucial the guidance and regulations underpinning provisions ensure survivors and their children receive safe and appropriate responses and support.
- The law now needs to be translated on the ground – used throughout society, at every point where survivors need help.



So what's in the law?

Part 1 - first ever **statutory definition of domestic abuse**, which recognises experiences of economic abuse and **children as victims in their own right**

Part 2 - new **Domestic Abuse Commissioner** role.

Part 3 – new **Domestic Abuse Protection Order**.

Part 4 – **statutory duty** on local authorities to fund support in safe accommodation.

Part 5 – Protection for victims and witnesses in court:

- Barring **cross examination** in the family and civil courts.
- Access to special measures in the criminal, family and civil courts.

Part 6 – offences involving violent and abusive behaviour:

- Enabling **extra-territorial jurisdiction** for VAWG offences
- Range of new offences

Part 7 – General:

- **Polygraph** testing for perpetrators
- Placing **Clare's Law** on a statutory footing.
- **Guarantee that all survivors are in priority need**
- **Secure lifetime tenancies** for survivors forced to flee.
- Ban on **charging for medical evidence** of domestic abuse

What does this mean for women?

Benefits

- A **new Domestic Abuse Commissioner** to stand up for survivors and improve responses
- Improved protection for survivors in the **family and civil courts**
- All survivors guaranteed to be in '**priority need**' for housing, and a **legal duty on local authorities** to fund accommodation based support for survivors and children
- Improved law on **coercive and controlling behavior** and new offences to reflect the realities of domestic and sexual violence in women's lives.

What does this mean for women?

Risks

- **Migrant women excluded** from protection and support
- New legal definition of domestic abuse **doesn't state that this is a form of gender-based violence**, and doesn't recognise forms of abuse disproportionately experienced by **Black and minoritised women**
- **No requirements on councils to fund specialist women's refuges** under the duty
- No **coherent cross-government plan for delivery**

Funding for specialist services

- **Women's Aid recommends £393 million annually** required for specialist women's domestic abuse services in England – including ring-fenced funding for 'by and for' services.
- If Act is successful it will increase demand on **life-saving services that are already on shoe string budgets.**
- But the only funding **attached to the Domestic Abuse Act is £125million for the statutory duty for safe accommodation,** and this falls short of our estimate (£173million for refuges).
- **£40 million in the spending review** for community based domestic and sexual violence services, delivered through PCCs in 2021-22
- Overall, a **shortfall of at least £228 million** (and more as not all funding above will go for specialist DA services) and will mean women and children continue to be turned away



COVID 19: a perfect storm

- Lockdown measures **escalated experiences of domestic abuse** – 61% of women currently living with their abuser during the first lockdown told us it got worse.
- **Specialist domestic abuse services were already experiencing a funding crisis** and are now in precarious position
- Severe impacts on survivors and frontline support staff particularly on **mental health**



"Things are escalating and I'm sure it's going to continue getting worse"

Survivor

What can you do?

- Become a Women's Aid Campaign Champion:
www.womensaid.org.uk/campaign-champions/
- Ask your local authority and councillors how they are sustainably funding specialist women's refuges through the new duty
- Write to your MP about the need for sustainable funding for women's services in the next Comprehensive Spending Review
- Support Women's Aid to continue our campaigning and policy work

women's aid

campaign champions 

Thank You!

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