

**Recent events and developments in tackling
Violence Against Women and Girls in 2021
But are we making progress?**

Dame Vera Baird QC

Victims' Commissioner for England and Wales

4th December 2021

Dame Vera Baird QC



Formerly:

- Police and Crime Commissioner for Northumbria
- Association of Police and Crime Commissioners' national lead for supporting victims.
- Ministry of Justice Minister
- Solicitor General
- Member of Parliament
- Criminal Barrister and QC

The Victims' Commissioner for England and Wales

The role of the Victims' Commissioner, as defined in s49 Domestic Violence, Crime and Victims Act 2004 is to:

- Promote the role of victims and witnesses
- Encourage good practice in the treatment of victims and witnesses
- And to keep under review the operation of the Victims' Code

The Domestic Abuse Act 2021

- A **legal definition of domestic abuse** for the first time
- Coercive and controlling behaviour – offence now covers **post-separation behaviour**
- Explicit recognition of **children as victims**
- New offence of **non-fatal strangulation**
- Statutory presumption that DA victims are eligible for **special measures** in criminal, civil and family court
- Role of the **Domestic Abuse Commissioner** now set out in law
- Statutory duty placed on the Secretary of State to publish a **domestic abuse perpetrator strategy**

Family Law Harms Panel

- Family court cases involving DA in need of change
- Risk from the presumption of shared parenting
- Findings of fact on DA: not effective
- No press or public view on quality of justice

Family Law Harms Panel Recommendations

- From Spring 2022 no cross examination by perpetrator in person
- Special Measures better to facilitate best evidence
- Understanding from DA Act that children are victims of DA and not bystanders
- Further research of the presumption of shared parenting
- Monitoring and evaluation by ODAC and OVC as one of two aids to transparency

This looks at last like a strategic framework for tackling abuse in crime and in the family courts.....

BUT, as ever, there are reservations:

- **Migrant women** with no recourse to public funds – a big outstanding issue that the Act is silent on
- There is poor read across from criminal courts to family courts both dealing with the same/similar issues
- It has all to be implemented quickly needs to be well-funded

The Police, Crime, Sentencing and Courts Bill

Two key areas of interest in relation to VAWG:

Duty for all local groups, including police, to work together to **tackle serious violence to be extended to domestic abuse and sexual violence**

Digital download from rape complainants' devices and demands for personal material in the hands of third parties – legislative protection for victims is urgently needed and only half won so far

The End-to-End Rape Review

A review of how the CJS is failing by those responsible for its failure!

Producing **compromise proposals and half of the story....**

The 'highs'....

Project Soteria – shifts the police's investigative focus on the offender rather than the victim

Rape 'scorecards' – published every 6 months under ministerial scrutiny with an external panel, including VC, DAC and VAWG sector agencies

The End-to-End Rape Review

The omissions....

- Extension of **s28 (pre-recorded cross examination)** to intimidated witnesses
- **Independent legal representation**
- **Establishment of pilot Specialist Rape and Sexual Assault Courts**

How can you help?

- Observe the **Specialist Domestic Violence courts** to ensure DA is well prosecuted
- Done in the NE and Midlands– material and expertise are readily available: See North East Observers report at: [Specialist Domestic Violence Courts - how special are they? | News | Blog | Events | SI Lichfield and District \(sigbi.org\)](#)
- Beware: data analysis must happen independently of the agencies it might criticise!
- Are approx. 40 London volunteers & a training session takes place in January
- Watch for the tonnes of consultations&inquiries just announced and listed on the next two slides!

Current enquiries and consultations on VAWG

- Home Office inquiry into the issues raised by Couzens conviction (chaired by RH Dame Elish Angiolini QC)
[Inquiry launched into issues raised by Couzens conviction - GOV.UK](https://www.gov.uk/government/news/home-office-launches-inquiry-into-issues-raised-by-couzens-conviction)
[www.gov.uk](https://www.gov.uk/government/news/home-secretary-appoints-chair-to-sarah-everard-inquiry)
[Home Secretary appoints chair to Sarah Everard inquiry - GOV.UK](https://www.gov.uk/government/news/home-secretary-appoints-chair-to-sarah-everard-inquiry)
[www.gov.uk](https://www.gov.uk/government/news/home-secretary-appoints-chair-to-sarah-everard-inquiry)
- Dame Louise Casey's review of Met standards and culture:
[Baroness Casey of Blackstock to lead review of Met standards and culture](https://www.met.police.uk/news/2022/04/20/dame-louise-casey-to-lead-review-of-met-standards-and-culture/)
[| Metropolitan Police](https://www.met.police.uk/news/2022/04/20/dame-louise-casey-to-lead-review-of-met-standards-and-culture/)

Current enquiries and consultations on VAWG ctd.

- Metropolitan Police Action plan to tackle VAWG and a request for public feedback on the plan:

[Violence against women and girls - Action Plan \(met.police.uk\)](https://www.met.police.uk/vawg-action-plan)

[Tackling Violence Against Women and Girls Action Plan - Public Feedback \(smartsurvey.co.uk\)](https://smartsurvey.co.uk/tackling-violence-against-women-and-girls-action-plan-public-feedback)

- Male victims position paper on male victims of crimes considered in the cross-government strategy on ending VAWG

[Male victims position paper \(March 2019\) \(accessible version\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/400447/male-victims-position-paper-march-2019-accessible-version.pdf)

- VAWG: National Statement of Expectations

[Guidance overview: Violence against women and girls: national statement of expectations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/400447/vawg-national-statement-of-expectations.pdf)