

Meeting date: [Click here to enter text.](#)

Report to: Health & Well Being Board, Adult Safeguarding and Children Safeguarding Board

Subject/report title: Update on domestic abuse

Report from: Solihull Domestic Abuse Partnership Board

Report author/lead contact officer: caroline.murray@solihull.gov.uk



Wards affected:

- All Wards | Bickenhill | Blythe | Castle Bromwich | Chelmsley Wood | Dorridge/Hockley Heath | Elmdon | Kingshurst/Fordbridge | Knowle | Lyndon | Meriden | Olton | Shirley East | Shirley South | Shirley West | Silhill | Smith's Wood | St Alphege

Public/private report: Private

Exempt by virtue of paragraph: [Select an Exemption paragraph from the Quick Parts drop-down list](#)

1. Purpose of Report

This is an information report from Solihull Domestic Abuse Partnership Board, for the purpose of

- providing a progress report on domestic abuse in Solihull for 2019/20.
- summary of Domestic Abuse pending legislation, implications and intentions.
- summary of Solihull's Domestic Homicide Reviews to date and emerging themes.

2. Decision(s) recommended

- 2.1 To note the contents of the report and to support the Domestic Abuse Partnership Board in their responsibilities.
- 2.2 To support work to collate learning across all our statutory reviews (adult, child and domestic) and consider how we can collectively address the lessons learnt and measure change.

3. Summary of domestic abuse year to date

3.1 COVID-19 pandemic was predicted to have a detrimental impact on those at risk or currently experiencing domestic abuse and this has unfortunately played out across the year. Significant increases in domestic abuse has been evident across the system, with it having the most impact on police housing, children social care and specialist provision.

- (a) West Midlands Police seen quarter on quarter increases and by the end of December they had the highest reported domestic abuse ever. As an example Solihull figures for quarter 3 2020/21, show a 37% increase on the same reporting period in 2019/20. Domestic abuse equates to 21% of the forces total recorded crime and is the largest crime type.
- (b) Domestic abuse was a factor in an average of 30% of contacts made to children social care. These are cases that are screened at MASH and subsequently assessed as level 4 requiring statutory intervention by the social work team or level 3 and managed by family support teams.
- (c) Solihull Community Housing has had to respond to increased levels of homelessness which required a statutory relief duty, of which an average of 24% were due to domestic abuse. A high proportion of these subsequently progressed to being assessed as being homeless and in priority need.
- (d) Birmingham and Solihull Women's Aid (BSWA) maintained the local refuge and managed to successfully support some families to leave. Pressure on refuge provision across the country has been immense and we know too many women and children were unable to access refuge when they desperately needed it.

Community based support was mainly delivered remotely and after a slow start in April, figures show that women made contact in growing numbers. SMBC has provided additional funding to enable the service to increase in capacity. This will continue until at least September 2021. BSWA has seen an increase in the complexity of women's needs, with many such as mental health, worries about money, increased isolation etc., this was particularly evident in families accommodated in Bed & Breakfast. SCH made every effort to avoid placements in B&B, and where used, they were prioritised.

3.2 Key barriers to accessing support are linked to women's options to carve out safe space to talk with advisors, friends or family, particularly during the long lockdown periods. Maintaining service provision during COVID 19 highlighted a digital divide and raised the issue of digital poverty. This has been a real issue for those with children and in temporary accommodation. BSWA had some good success with accessing grants for IT equipment and schools also supported.

4. Domestic Abuse Bill update

4.1 The Domestic Abuse Bill is rapidly progressing through Parliament and on track to become the Domestic Abuse Act 2020 by April 2021. The purpose of the Bill is to raise awareness and understanding of domestic abuse, improve the justice system and strengthen support for victims. The Bill is divided into 7 parts and primarily has

implications for Local Authorities, Police, Courts and Probation. Appendix 1 offers a headline summary of the bill.

4.2 There have been approximately 200 amendments to the original bill, with only a quarter withdrawn at this stage. The key changes relevant to this Board are:

- Introduction of a statutory definition of domestic abuse
- Financial abuse changes to economic abuse
- Children who see, hear or witness domestic abuse involving one of their parents, will be recognised as victims in their own right.
- Solihull as a tier 1 Local Authority required to set up a domestic abuse local partnership board
- SMBC to undertake a needs assessment and publish a strategy
- Provision of domestic abuse safe accommodation

5. Progress against pending duties

5.1 The Domestic Abuse Priority Group (DAPG) has successfully transitioned into the Domestic Abuse Partnership Board (DAPB). The membership and terms of reference are compliant with the latest guidance.

5.2 A one-off grant of £50,000 was received from the Minister of Housing, Communities & Local Government (MHCLG) to help SMBC prepare for implementation of new duties. In February 2021, we received notification of a new burden annual grant for three years of £422,417.

5.3 The capacity grant is being used to:

- (a) Secure consultancy services to assist us with a system wide assessment of current provision, demand, modelling of options moving forward and the development of a new Solihull domestic abuse strategy
- (b) Secure a comprehensive training package for roll out across Solihull housing sector

5.4 The outcome of the Needs Assessment will be used to frame a transformation and guide a wide scale domestic abuse commissioning programme. Our statutory duty looks like it will be restricted to the provision of specialist support to those in 'domestic abuse safe accommodation'. However, we will be reporting annually to the Secretary of State on progress against the Needs Assessment and they expect us to have reference to the Domestic Abuse National Statement of Expectation when commissioning.

5.5 A Domestic Abuse Safe Accommodation task group has been established. This group is scoping out our options to ensure we can meet the new duty and will report back to the DAPB in due course. Appendix 2 provides a draft model of our approach. We are under the recommended refuge provision but will be seeking to develop alternative

approaches which will provide options.

6. Learning emerging from Solihull Domestic Homicide Reviews (DHR's)

- 6.1 DHR's were established on a statutory basis in 2011. Since this time Solihull has started the review process in respect of 10 residents who died in circumstances which were assessed as having domestic abuse as a contributory factor. Two of the reviews were subsequently stepped down due to additional information emerging that placed them outside the criteria. Currently there is one case nearly complete and 3 in the very early stages.
- 6.2 Solihull DHR's have been complex with 63% categorised as partner homicide and 38% family. Following national findings from the Femicide census 80% of victims were female, and 88% of offender's male. 80% of our victims were aged over 40 years, which is in contrast to the age of victims who more commonly report to the police and who are also less visible across the system. 60% of the murders involved the use of knife. Half of the victims were seen to have poor mental health, where their domestic abuse experience was likely a contributory factor, and 88% of perpetrators had poor mental health. 75% of offenders had a history of violence and 50% a history of domestic abuse. 63% had issues with alcohol and 50% substance misuse.
- 6.3 The fact that only one of the victims had been previously listed at MARAC (with a former partner), the average age range of our victims, the geographical location of the incidents and the high presence of mental health and substance misuse, demonstrate the need for a robust borough wide understanding and response to domestic abuse.

7. Implications and Considerations

7.1 Delivery of key themes in the Council Plan:

Improve Health and Wellbeing -

Managed Growth -

Build Stronger Communities -

Deliver Value -

- Implications for children and young people, vulnerable groups and particular communities:
- Improved capacity to support victims of domestic abuse to access to safe accommodation

7.2 Risk implications:

Not meeting expected statutory responsibilities. Risk and needs of victims and their children who are unable to access quality support will escalate and cause demand on other services, including but not limited to, child and adult safeguarding and housing.

Statutory Equality Duty:

This work stream will be delivered as part of our compliance with the National Violence against Women and Girls and supports recognition that Domestic Abuse is a gendered crime which disproportionately affects females.

8. List of appendices referred to

8.1 Domestic abuse bill summary

9. Background papers used to compile this report

9.1 Domestic abuse bill, 3rd reading, House of Lords

9.2 MHCLG – delivery of support to victims of domestic abuse and their children in domestic abuse safe accommodation services, draft guidance

10. List of other relevant documents

Appendix 1

Domestic Abuse Bill 2021 Summary

The bill is still on track to become the Domestic Abuse Act 2020 in April 2021. The purpose is to raise awareness and understanding of domestic abuse and its impact on victims, to improve the effectiveness of the justice system in providing protection for victims and bringing perpetrators to justice, and to strengthen the support for victims of abuse provided by statutory agencies.

The bill is in 7 parts:

- Part 1 – Statutory Definition

Changes financial abuse to economic abuse. Economic abuse is defined as behaviours which have a substantial and adverse effect on a victim's ability to acquire, use or maintain money, other property, or obtain goods or services. Property includes mobile phones or a car and 'goods and services' covers for example, utilities such as heating, or items such as food or clothing. Economic abuse is often part of a pattern of coercive control.

Behaviour directed at another (indirect), such as a child, can still be classified as domestic abuse towards a person

Children who see, hear, or experience domestic abuse, and are related to either the victim or perpetrators, are recognised as victims in their own right.

- Part 2 – Domestic abuse commissioner

Creates the role of a Domestic Abuse Commissioner and imposes a duty on specified public authorities to co-operate. The DA Commissioner will encourage good practice through assessment, monitoring and publication of information, including a strategic plan and annual report. They will make recommendations to any public authority about exercising their functions. The commissioner will provide advice and assistance to the Secretary of State and establish an advisory board.

Create as a minimum guidance across a range of agencies such as LA's, Health, Education, Probation, CRC's, Police, and Courts. Creates a duty on named public authorities to co-operate with the DA Commissioner.

- Part 3 – Powers for dealing with domestic abuse

A new civil preventive order regime – Domestic Abuse Protection Orders (DAPO) and Domestic Abuse Protection Notices (DAPN). The orders can be applied for by victims, police and relevant third parties and alongside prohibitive conditions they may contain positive requirements, including a requirement for electronic monitoring. The order can be made for a specified time but no detail on the maximum. Breach of a DAPO will be a criminal offence.

DAPO can be made in family and criminal proceedings as part of other issues the courts are dealing with.

(DAPN/DAPO will not be rolled out immediately – and we will continue to use DVPN/DVPO during the gap)

- Part 4 – Local Authority Support
Requirement for Domestic Abuse Partnership Board
Undertake an assessment of need for domestic abuse support in their area
Provision of Domestic Abuse Safe Accommodation
Publish a strategy, and monitor effectiveness
Submit an annual report to the Secretary of State
- Part 5 – Protection for victims and witnesses in court
Special measures in criminal, family and civil proceedings for offences involving domestic abuse
Prohibits perpetrators from cross examining their victims in family and civil proceeding
- Part 6 - Offences involving violent or abusive behaviour
Consent to serious harm for sexual gratification not a defence.
Offences committed outside the UK on person who is a UK national or habitually UK resident
- Part 7 – Miscellaneous and General
Polygraph conditions for offenders released on licence
Disclosure of information by police forces
Homelessness for victims of domestic abuse amendments to Part 7 of the Housing Act 1996
Grant secure tenancies in cases of domestic abuse
Secretary of state to provide domestic abuse guidance

Committee Stage completed on 10th February. 6 Committee meetings in total.

Report Stage is due to start on 8th March and is being pushed to receive the Royal Ascent by 1 April 2021.

The new statutory definition of domestic abuse has been extended as below:

1 Definition of “domestic abuse”

- (1) This section defines “domestic abuse” for the purposes of this Act.
- (2) 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
 - (b) the behaviour is abusive.
- (3) Behaviour is “abusive” if it consists of any of the following—

- (a) physical or sexual abuse;
- (b) violent or threatening behaviour;
- (c) controlling or coercive behaviour;
- (d) economic abuse (see subsection (4));
- (e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

(4) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—

- (a) acquire, use or maintain money or other property, or
- (b) obtain goods or services.

(5) For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child). *Alienation, although withdrawn from an earlier independent Amendment, remains and is to be discussed at Report Stage.*

(6) References in this Act to being abusive towards another person are to be read in accordance with this section.

(7) For the meaning of “personally connected”, see section 2.

Section 2 - Definition of “personally connected”

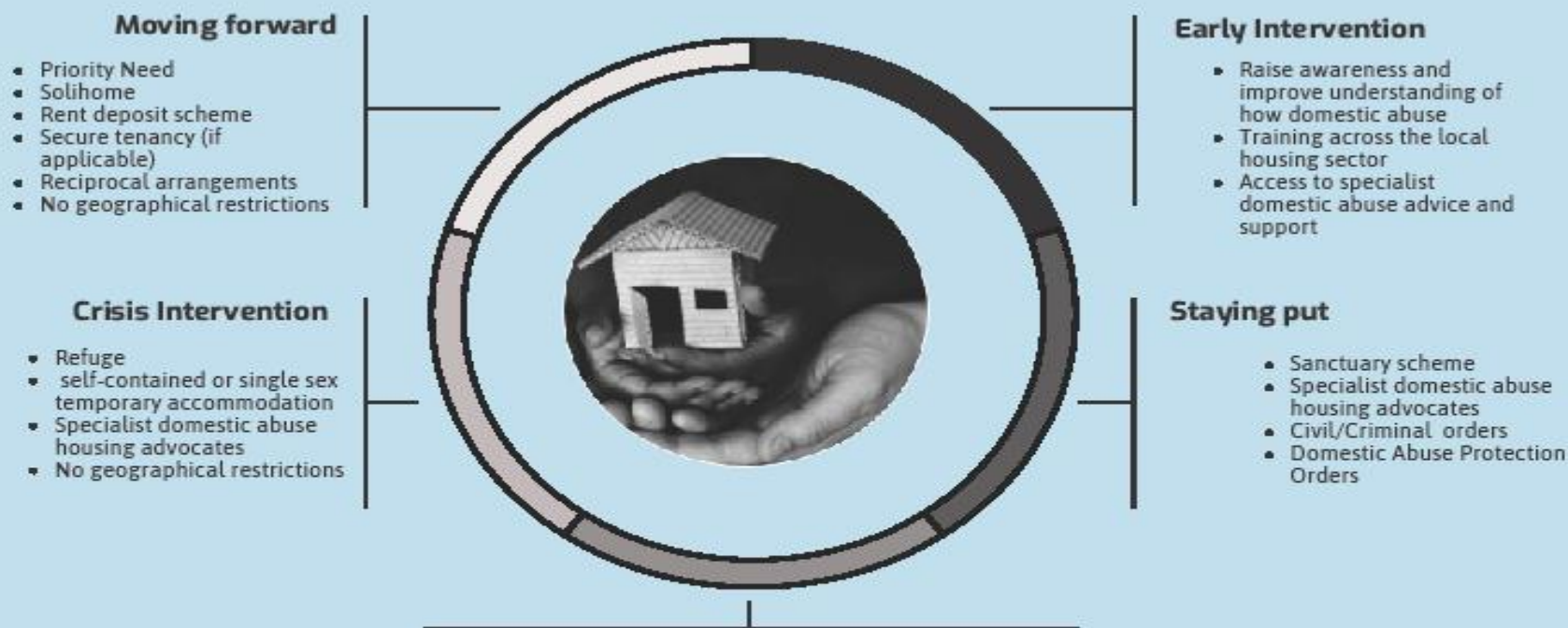
Section 3 - Children as victims of domestic abuse

Any reference in this Act to a victim of domestic abuse includes a reference to a child who—

- (a) sees or hears, or experiences the effects of, the abuse, and
- (b) is related to A or B.

Domestic abuse safe accommodation in Solihull

Our approach to ensuring victims of domestic abuse are supported to live in safe accommodation



Advice and assistance will be timely, tailored and provided in a safe and sensitive way

Dynamic risk and safety management will be integral

Source : P