

Dudley Borough
Domestic Abuse Strategy
2021 - 2024

safe & sound

Dudley's Community Safety Partnership

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Definition

A range of terminology can be used when we talk about abuse within the relationships. For the purpose of this strategy the term 'Domestic Abuse' will be used throughout and encompasses various forms of non physical abuse in addition to physical violence.

It includes Parental Abuse (where an individual over 16 years old perpetrates abuse towards their parent), in addition to Stalking, Forced Marriage, 'Honour' Based Abuse and Female Genital Mutilation.

On 29 April 2021, the Domestic Abuse Act 2021 obtained Royal Assent and is now law. It provides further protections to victims of domestic abuse than previously and strengthens measures to tackle perpetrators.

The Domestic Abuse Act 2021 defines Domestic abuse as:

Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if A and B are each aged 16 or over and are personally connected to each other, and the behaviour is abusive.

Behaviour is "abusive" if it consists of any of the following—

- *physical or sexual abuse;*
- *violent or threatening behaviour;*
- *controlling or coercive behaviour;*
- *economic abuse*
- *psychological, emotional or other abuse;*

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

"Economic abuse" means any behaviour that has a substantial adverse effect on B's ability to acquire, use or maintain money or other property, or obtain goods or services.

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).

Personally Connected

For the purposes of this Act, two people are "personally connected" to each other if any of the following applies:

- *they are, or have been, married to each other;*
- *they are, or have been, civil partners of each other;*
- *they have agreed to marry one another (whether or not the agreement has been terminated);*
- *they have entered into a civil partnership agreement (whether or not the agreement has been terminated);*
- *they are, or have been, in an intimate personal relationship with each other;*
- *they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see below)*

- they are relatives.

A person has a parental relationship in relation to a child if the person is a parent of the child, or the person has parental responsibility for the child.

Children as Victims of Domestic Abuse

Any reference in this Act to a victim of domestic abuse includes a reference to a child who sees or hears, or experiences the effects of, the abuse, and is related to A or B.

A child is related to a person if the person is a parent of, or has parental responsibility for, the child, or the child and the person are relatives.

In the above sections

- “child” means a person under the age of 18 years;
- “civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;
- “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);
- “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

Relevant links to government guidance and legislation can be found in Appendix 4

Introduction

Domestic abuse is a serious social and criminal problem often resulting in devastating consequences for those affected. Living with domestic abuse raises significant health, psychological and child protection issues. External impacts include the workplace, finance, housing and social consequences. Everyone can be affected irrespective of social class, age, gender, ethnicity, religion, sexuality, disability or race. The negative impact experienced by children is regularly underestimated, and often has long term consequences that can in turn impact on their own relationships.

Dudley Metropolitan Borough Council takes a serious and committed approach to addressing domestic abuse. Through Safe and Sound, Dudley’s community safety partnership, we work closely in partnership across agencies and with communities to ensure that timely and effective help and support is available for individuals and their children who are in or leaving abusive relationships, in addition to ensuring that perpetrators are held to account for their actions.

Incorporating findings from a needs assessment undertaken as part of the duties under the Domestic Abuse Act 2021 (see Appendix 1), this strategy and the annual action plan aim to illustrate how Dudley MBC will continue to work together with partners, via the Dudley Domestic Abuse Local Partnership Board, to reduce domestic abuse incidents, to support victims and to meet the duties placed on it as part of the Domestic Abuse Act by:

- Raising awareness of domestic abuse across all agencies, organisations and communities throughout the borough, in order to support prevention and early intervention

- Continuing to work to ensure that victims are confident to, and know how to report incidents
- Continuing to improve services for victims so that they are better protected and supported
- Providing appropriate support for victims and their children residing in safe or relevant accommodation
- Ensuring that children who witness domestic abuse or are experiencing abuse within their own relationships are supported in an appropriate and timely manner and treated as victims in their own right
- Managing perpetrators to reduce risk

A number of guiding principles underpin these aims:

- Domestic abuse will not be tolerated in any shape or form
- Domestic abuse is widespread and can affect anyone regardless of gender, age, ethnic background, sexuality or disability
- Everyone has the right to live their lives free from violence and abuse or the fear of violence and abuse
- Perpetrators are responsible for their actions
- Violence and abuse can have devastating consequences for victims, which can be lifelong and affect their physical and mental health
- Children who live in the household are victims whether they witness the abuse or not and this also constitutes abuse

Domestic Abuse Act 2021 - The Safe Accommodation Duty

Part 4 of the act places a duty on relevant local authorities in England, including all those with social services responsibilities, to provide support to victims of domestic abuse and their children within refuges and other forms of safe accommodation.

The act also places a duty on each such authority to appoint a multi-agency domestic abuse local partnership board. The local authority will then need to consult with the board to assess the need for accommodation-based domestic abuse support within their local area, develop and publish a strategy for the provision of this support, and then monitor and evaluate the effectiveness of the strategy.

Safe accommodation is specified in the Act as:

- Refuge accommodation
- Specialist safe accommodation
- Dispersed accommodation
- Sanctuary Schemes
- Move-on and/or second stage accommodation

Using data obtained from the local needs assessment, the action plan associated with this strategy will outline steps being taken locally in respect of this duty.

About Dudley¹

Dudley is a metropolitan borough formed in 1974. It is located on the edge of the West Midlands conurbation, approximately 9 miles west of the city of Birmingham and 6 miles south of Wolverhampton. Rural Staffordshire and Worcestershire border Dudley Borough to the west and south.

Being at the heart of the Black Country, which also includes the neighbouring boroughs of Sandwell and Walsall and the city of Wolverhampton, Dudley has a rich cultural and industrial heritage. The Borough is predominantly urban in character, but rather than having one primary centre there are four main towns interspersed with smaller towns and urban villages. This has given rise to a very local feel that is a feature of the Borough's communities.

The main town centres are: Dudley towards the north of the Borough, Stourbridge in the southwest, Halesowen in the southeast and Brierley Hill near the centre. The nationally renowned Merry Hill Shopping Centre and the Waterfront business and leisure complex now form part of Brierley Hill town centre.

The latest population estimates from 2018, published by the Office for National Statistics, show that Dudley Borough has a population of around 320,600. The population has been growing at a modest but sustained rate in recent years, with 15,800 more people in the Borough now compared to the estimate in 1998. Dudley is the fourth largest local authority district in the West Midlands Region based on population. 18.2% of the population are aged under 15 and 20.3% are 65 and over.

The population of Dudley is made up of 11.5% existing and emerging BAME communities.

Dudley Borough is ranked as the 104th most deprived of the 317 local authority districts in England (where 1 is most deprived), ranking it as less deprived than five of the other six districts in the West Midlands conurbation. While this suggests Dudley has relatively low deprivation for an urban area, it masks the disparity in levels of deprivation across the Borough. The latest national Index of Multiple Deprivation from 2019 showed that 28.1% of the Dudley borough population live in areas in the 20% most deprived in England.

The National Picture²

The Crime Survey for England And Wales shows that in 2019/2020 5.5% of adults aged 16-74 had been victims of domestic abuse in the last year (equivalent 5 in 100 adults). This equates to around 7 in 100 women and 4 in 100 men.

¹ <https://www.allaboutdudley.info/home/the-borough/>

² <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2020>

There was no significant change in the prevalence of domestic compared with the previous year, however police figures showed an increase of 9 %, which could indicate more confidence in reporting and / or more effective recording.

The local picture

It is important to note that due to the hidden nature of domestic abuse, it is difficult to ascertain an accurate picture of the extent of the problem. The COVID Pandemic has also impacted on figures.

Between April 2020 and March 2021:

The number of domestic abuse crime incidents recorded by West Midlands Police for the Dudley borough was 5284. 74.2% of victims were female with 25.8% being male. This reflects national figures demonstrating that domestic abuse is a largely gendered crime.

The MARAC team received 738 referrals which were discussed.

271 applications presented to Dudley Council Homelessness Team where the reason for homelessness was a result of domestic abuse (both perpetrators and victims).

Childrens Social Care received contacts for a total of 6020 children (529 children progressing to a referral) in relation to domestic abuse.

34 referrals were accepted by the Child Adolescent Response team in relation to under 18-year-olds experiencing abuse in their own relationships. 9 of these were under the age of 16, 25 between 16 years of age and up to their 18th birthday, 26% - of which were pregnant.

Sadly since 2015, 9 deaths have been referred to the Community Safety Partnership for consideration to undertake a Domestic Homicide Review

Additional Vulnerabilities and Emerging communities

We are aware in Dudley that we need to also support individuals experiencing abuse in their relationships that have specific vulnerabilities or needs which may exacerbate the abuse or that may create barriers to accessing support services. Whilst not an endless list, these may include: older people, individuals with disabilities, those in the LGBTQ community, BAME groups and young people.

It is imperative that we do our best to understand the needs of these communities, and how best to work with them ensuring that they are aware of and able to access services as appropriate.

It is also imperative to ensure that all communities understand the British values of equality and respect, in addition to legal expectations. Some forms of domestic abuse such as [forced](#)

[marriage](#), [honor based abuse](#) and [female genital mutilation](#) may be seen as acceptable within some communities, however they are illegal practices and we should not use cultural acceptance as an excuse not to intervene and safeguard the victim.

Prevention and Early Intervention

If attitudes towards domestic abuse are to change then education is needed from an early age. Messages around positive relationships need to be shared with pupils in pre-school establishments, continuing through primary school into secondary schools and colleges in addition to other educational establishments and settings via healthy relationships education. It is essential to remember that young people under the age of 18 are potential victims and perpetrators.

Campaigns and communications aimed at both general and targeted communities work towards raising awareness of domestic abuse and all of its facets. The Safe and Sound communications plan identifies various campaigns and messaging throughout the year, in addition to linking in with regional and national campaigns and initiatives.

Responses to victims

All victims of domestic abuse (including forced marriage and honour based abuse) within the borough are able to access a range of support services by dialling one number. The Single Point of Contact (SPOC), developed by Black Country Women's Aid work and CHADD domestic abuse services, was set up in line with [Safelives](#) Standards and West Midlands Domestic Violence and Abuse Standards and gives those who need help a direct line to the most appropriate service for their situation.

The number is also open to victim's families and professionals and helps people get to the right service as easily as possible as and when support is needed.

Support available for children and young people within the borough is also accessible through the SPOC

While male victims are able to access support via the SPOC, a new service specifically for male victims within Dudley called 'Ask Marc' launched in November 2021

Specific specialist Independent Domestic Violence Advocate (IDVA) support is also available for victims and survivors with disabilities, LGBTQ and BAME victims and survivors and victims and survivors who are over 55.

LGBT victims are also able to access specialist support via The LGBT IDVA service for Dudley, Sandwell and Walsall. The service offers specialised LGBT IDVA support to people aged 16+ who are experiencing abuse from partners, ex-partners and family members. They also support LGBT people who are experiencing or are at risk of honour-based violence and forced marriage.

In addition to the SPOC, a comprehensive local specialist service directory in respect of services for both adults and children is also available on the [safe and sound website](#) along with other useful contacts and information

Safe Accommodation

Domestic abuse is the third most common cause of homelessness and the leading cause of women's homelessness nationally. Between January 2019 and December 2019, 25,510 households in the UK lost their settled accommodation due to domestic abuse.³

Housing concerns also represent a significant barrier to leaving an abusive partner. A 2019 Women's Aid study⁴ found that survivors are sometimes weighing up staying in a home shared with an abusive partner or leaving for another potentially unsafe situation due to a lack of housing options. Survivors not eligible for public funds (because of their immigration status) have even fewer housing options, as they are not entitled to housing-related benefits or housing help from their local authority.

Accommodation options for survivors of domestic abuse are often temporary (such as refuges, supported accommodation and staying with friends or family).

Dudley MBC has a Homelessness and Rough Sleeper Strategy in place, in addition to a multi-agency Homeless Review Group that monitors progress on preventing and reducing homelessness including victims of domestic abuse

The current provision of relevant safe accommodation for victims and associated support within Dudley can be found at appendix 2

Training and communications

As part of the implementation of the Domestic Abuse Act 2021 within Dudley, a comprehensive training needs assessment has taken place. The resulting domestic abuse training framework can be found at appendix 3.

³ Home Office (2020), Policy Paper: Homelessness. Updated 17 August 2020. <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/homelessness>

⁴ Women's Aid. (2020) The Domestic Abuse Report 2020: The Hidden Housing Crisis. Bristol: Women's Aid. <https://www.womensaid.org.uk/wp-content/uploads/2020/06/The-Domestic-Abuse-Report-2020-The-Hidden-Housing-Crisis.pdf>

Dudley Safeguarding People Partnership continue to host a multiagency Level 1 and 2 eLearning courses which will ensure that professionals across the Borough are aware of the different “types” of Domestic Abuse and where to signpost victims.

Various communications in respect of domestic abuse are annually planned throughout the year in the safe and sound communications plan. This includes additional targeted messaging at key times throughout the year, for example to coincide with Christmas, the 16 days of action and other high profile events that may trigger an increase in incidents of abuse (such as football tournaments). Reactive communications are also put out as and when required for example during the recent pandemic.

The SPOC number and contact details are routinely promoted in all communications. This ensures that members of the community are aware of domestic abuse and know how to report or access help should they, a family member or friend require it.

The help hub pages on the safe and sound website are regularly updated and promoted as appropriate through communications.

West Midlands Domestic Abuse Standards

Statutory and voluntary sector organisations within the West Midlands have worked together to create a set of Domestic Violence and Abuse Standards. These standards set out the levels of service and support that victims across the West Midlands should receive and can expect and therefore are a key document in forming Dudley’s response to domestic abuse. Organisations operating within Dudley Borough are requested to ensure these standards are being reached.

Sexual Assault and Abuse

Sexual Assault and Abuse is a prominent factor in domestic abuse and as such this type of abuse should also be included in any awareness raising work. However, we also recognise that sexual violence and abuse takes place outside of relationships, and as such a local strategy which aligns to work taking place regionally via the West Midlands Sexual Assault and Abuse Board has been developed (see <https://www.dudleysafeandsound.org/sexual-assault-and-abuse>).

A separate local Sexual Assault and Abuse Strategic Group has also been formed under Safe and Sound, Dudley’s Community Safety Partnership to ensure that the agenda is given the attention it deserves as a form of abuse in its own right.

Work with Perpetrators

While much focus is on prevention and subsequent support for victims, it is important to highlight work with perpetrators.

West Midlands Police: Domestic Abuse Offender Management (DA OM)

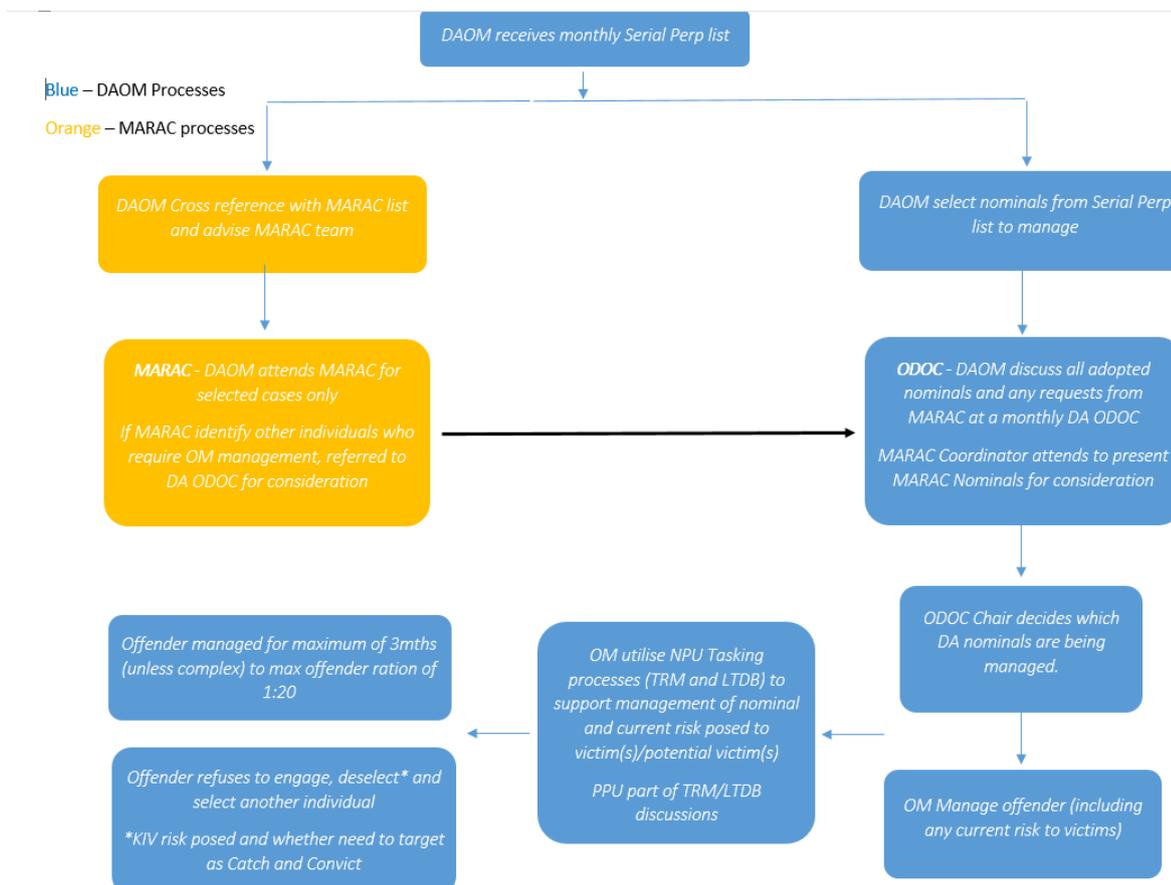
To effectively identify and manage repeat offenders and victims, staff need to build relationships with communities and work collaboratively with partners to identify the local problems and vulnerable people. This provides an early intervention and prevention problem solving response, with the aim to support and protect individuals at risk of further harm and also to reducing re-offending through prioritised, effective management which results in demand being reduced.

West Midlands Police are adopting the full definition of a serial perpetrator - this incorporates all domestic abuse crime & non-crime against more than one victim in a rolling 3 year period. This is applied to all victim/offender relationships.

The process scores the risk an offender presents in regards to:

- **R**ecency of domestic abuse incidents
- **F**requency of domestic abuse incidents
- **G**ravity of domestic abuse offending (crimes)
- **V**ictims – number of (including partners/ex-partners and familial relationships)

The highest scorers frequently have several medium and standard risk victims rather than high risk ones. This process shows who is the greatest risk, with the majority will not be heard via MARAC. This process will enable DAOMs to manage both the serial perpetrators and MARAC identified offenders. The below flowchart details the proposed management of offenders. The DAOM compares the MARAC list with the serial perpetrator list and those that appear on both are automatically adopted for management for a minimum of 3 months.



Probation Service Interventions

Building Better Relationships is the accredited programme that can be delivered to 2 groups of people on Statutory supervision. This will either be as a specific licence condition as part of release on licence (the probation practitioner requests the licence condition) or as an Accredited Programme Requirement on a Community Order/Suspended Sentence Order that is imposed at Court (following a Court Report recommendation). This is the Programme that includes access to a partner link worker. BBR was run by CRC's but now falls under the remit of the new Unified Probation Service. It is run as a group programme, and completions during COVID have been run using alternative delivery formats (1-1 with a programme tutor or very small groups).

The 'Skills for Relationships Toolkit' (SRT) consists of 27 exercises with accompanying practitioner guidance, participant worksheets and between-session tasks. The content is structured into a mandatory foundation component followed by 'needs-led' modules relating to thinking, emotions, and relationships. SRT is delivered during routine supervision sessions to men with IPV convictions who cannot access accredited programmes due to responsivity needs and/or prioritisation of BBR places.

Dudley MBC will continue to work with partners to provide an appropriate response to perpetrators where possible

Domestic homicide reviews

Domestic homicide reviews (DHRs) were established on a statutory basis in 2004. This provision came into force on 13 April 2011. The aim of the review is to identify where practice could have been improved and to identify learning points and best practice to improve responses to domestic abuse.

Dudley have sadly had 9 deaths referred to the Community Safety Partnership for consideration to undertake a Domestic Homicide Review to date. Completed reviews can be found at <https://www.dudleysafeandsound.org/dudley-dhrs>

Learning obtained from these reviews is shared with partners and actions arising are implemented via individual action plans, and, where appropriate are also fed into the overarching Domestic Abuse action plan accompanying this strategy.

It is recognised that all agencies, organisations and individuals have a role to play in tackling domestic abuse. No one agency can do it single-handedly.

Governance and Implementation

This strategy will be implemented and monitored through Dudley's Domestic Abuse Local Partnership Board (DDALPB). This is a statutory multi-agency strategic group, which reports into

the Safe and Sound Strategic Board. The board leads the Domestic Abuse agenda for Dudley on behalf of other strategic partnerships within the borough (see below).

The board will

- Provide strategic direction and leadership for tackling domestic abuse in Dudley ensuring the needs of all victims are met and those who perpetrate domestic abuse are held to account.
- Strengthen accountability of Dudley's response to domestic abuse and seek to drive continuous improvement in our local response to domestic abuse.
- Reflect the priorities of Safe and Sound, Dudley's Community Safety Partnership
- Support delivery the of West Midlands Violence Reduction Unit / Office of Police and Crime Commissioner Domestic Abuse Board objectives, considering the wider exploitation and abuse agenda, where applicable.
- Promote and support regional and national domestic abuse evidence based best practice.

Dudley's Domestic and Sexual Abuse Forum brings together a range of agencies including representatives from health, police, local authority and voluntary organisations to discuss service provision, any emerging trends / issues, respond to government consultation processes and support individuals and families experiencing domestic abuse. Two-way communications takes place between the forum and the DDALPB to ensure an effective flow of information between strategy and provision.

The domestic abuse agenda is also progressed via a number of other strategic groups and partnerships including:

- Dudley Safeguarding People Partnership
- Dudley Health and Well Being Board
- West Midlands Domestic Abuse Board - a sub group of the West Midlands Community Safety Partnership which in turn reports to the Strategic Police and Crime Board
- West Midlands Office of the Police and Crime Commissioner
- West Midlands Violence Reduction Unit

This strategy also links as appropriate to other local and regional workstreams within the borough, including but not limited to violence against women and girls; modern slavery and human trafficking; violence prevention; victims of crime; housing and homelessness reduction and supporting families

Resources

Dudley MBC has been allocated £663,972 for 2021-2022 from the Department for Levelling Up, Housing and Communities (DLUHC - Previously MHCLG).

This funding has been provided in order to develop new and further enhance the existing support services that are in place in safe accommodation across the borough, thus ensuring that this support responds to the needs that have been identified through the domestic abuse needs assessment which included consultation with a wide range of agencies, specialist providers and victims/survivors of domestic abuse.

Monitoring and Evaluation

The implementation of this strategy and its associated Action Plans will be monitored by the DDALPB.

All domestic abuse commissioned services including support in safe accommodation will be subject to robust performance monitoring and evaluation. This information will be used to inform and influence future service commissioning.

Consultation

Partners across the borough have been involved in the process of strategy development. The Strategy has been shared with Dudley's Domestic Abuse Local Partnership Board, Dudley's Domestic and Sexual Abuse Forum and Dudley Domestic Abuse Stakeholders group for comment, and changes have been made as appropriate.

It continues to be a live document and therefore any comments, queries or concerns in respect of this strategy can be sent to community.safety@dudley.gov.uk

Contact telephone numbers and further information

West Midlands Police Emergency	999
West Midlands Police non emergency	101
Dudley's Domestic Abuse Single Point of Contact	01384 455411
Dudley MASH (Childrens)	0300 555 0050
Dudley MASH (Adults)	0300 555 0050
Dudley Council Plus(Single point of contact for all council services)	0300 555 2345
Emergency Duty Team (Out of hour's social care)	0300 555 8574

Please visit the relevant helphub page on the Dudley safe and sound website for additional contacts, information and advice on the following areas of domestic abuse

- Domestic Abuse: <https://www.dudleysafeandsound.org/domesticabuse>
- Forced Marriage and Honour Based Abuse: <https://www.dudleysafeandsound.org/forcedmarriage>
- Stalking: <https://www.dudleysafeandsound.org/stalking>
- Violence against women and girls:
<https://www.dudleysafeandsound.org/violenceagainstwomenandgirls>
- Sexual Assault and Abuse: <https://www.dudleysafeandsound.org/sexual-assault-and-abuse>

Needs Assessment and Key Recommendations

The Domestic Abuse Act 2021 places a statutory duty on Tier One local authorities to deliver support to victims of domestic abuse and their children residing with refuges and other safe accommodation and to assess the need for accommodation-based domestic abuse support in their area for all victims or their children, including those who require highly specialist support and those who come from outside the area.

As well as assessing the specific needs mentioned in the Domestic Abuse Act relating to refuges and safe accommodation, this assessment aims to take a wider view of domestic abuse need. The assessment draws on data and information from a wide range of sources to build a picture of domestic abuse need across the whole of Dudley.

This assessment provides a shared understanding of local need, to inform the development of local services and enable victims, perpetrators, their families and children to have their needs met more effectively.

Key areas highlighted by the needs assessment include:

- Training
- Perpetrator programmes
- Information availability and Wider communications
- Service provision / systems change

Action plan will be available on request from Community.safety@dudley.gov.uk

Safe Accommodation

In 2020-21, there were 271 approaches to the DMBC homeless service where a relationship had broken down due to domestic abuse. Of these approaches, 245 were female, 88 were single without children, and 5 had No Recourse to Public Funds.

At the time of writing CHADD provide 27 refuge spaces in Dudley, these are across 2 main blocks in addition to 4 dispersed properties used for older teenagers and families. CHADD can also house male victims in stand-alone properties. The refuge is “always at full capacity or near full”. The recommended number of refuge spaces for Dudley (using the Council of Europe formula) is 31 with the actual number commissioned less than this by 4 spaces.

In response to this, Dudley MBC are working with CHADD to increase the refuge provision

The needs assessment highlighted that often not enough refuge spaces are available, especially in times of high need, and as a result temporary accommodation may need to be used to house those made homeless as a result of domestic abuse. However, efforts are taken to keep the length of stay to a minimum and refuge or temporary accommodation is provided as soon as practically available. Where an existing Dudley MBC tenant moves into temporary accommodation in another council property, removal costs are covered by DMBC and arrangements are made for the tenant to pay the lower of the two rents.

During the COVID pandemic, Dudley MBC Homelessness Service commissioned CHADD to provide an additional emergency bed available 24/7 specifically for people presenting as homeless/roofless with DA causation, with visiting support. This provision has been renewed and continued. It is part of the approach to reduce inappropriate use of bed & breakfast and to provide safe and supported emergency provision for victims.

Not all victims move into temporary accommodation. Dudley’s Sanctuary Service improves the safety of victims and enables them to remain in their own home through appropriate target hardening. Support is also offered to victims accessing the sanctuary service.

Work will continue to take place with partners to ensure the effectiveness of the sanctuary service.

It may be that for other victims it is more appropriate for them to be supported to move address or be supported through the use of a safety plan. Specialist support is available in these situations.

The needs assessment highlighted some gaps in training. As previously mentioned, a separate training needs assessment has also taken place in respect of domestic abuse. Both needs assessments link closely to ensure a coordinated approach to gaps and as such the resulting training framework will reflect training needs identified to improve the workforce response to victims and their children residing in safe accommodation.

Out of borough victims and no recourse to public funds

In 2019 / 2020 only 15% of victims accessing the refuge were from Dudley Borough showing the vast majority of victims are from out of borough.

Local authorities have a duty to house residents from outside of the local authority area. These cases will be assessed and progressed by housing teams.

Dudley MBC is currently developing its 'No Recourse to Public Funds' Policy to ensure pathways are in place to adequately support victims that fall into this group.

Support in safe accommodation

Support in relevant safe accommodation for victims and their children in Dudley is available in the form of IDVA and ISVA provision (including specific homelessness, older persons and complex needs IDVAs), children's workers and outreach / community based support.

The appropriate support is accessed via the refuge, through housing teams or through the SPOC.

Additional support in response to the safe accommodation duty within the Domestic Abuse Act 2021

In line with the Act, 'New Burdens' funding has been used to increase capacity in respect of support for victims and their children residing in safe accommodation. This increased capacity includes:

- Additional Independent Domestic Violence Advocate (IDVA) posts within the refuge to include specific support to victims and survivors with disabilities, support to LGBTQ victims and survivors, support to BAME victims and survivors and support for sanctuary scheme provision
- Posts located within the Housing and Homelessness Response Team to meet demand "at the front door" and provide support and advice to victims/survivors of domestic abuse who are at a point to move on from refuge accommodation.

The additional and existing IDVA provision will ensure that we are meeting the specific needs of all victims, including those who share protected characteristic(s) under the Equality Act 2010 or who share a vulnerability requiring additional support. They will also contribute to addressing the barriers faced by victims with one or more relevant protected characteristics and / or multiple complex needs.

Support for children within relevant safe accommodation

The dedicated children's workers within the refuge work with children including compiling their individual needs and support plans (where suitable) and provide specific activities for each family.

Children residing in safe accommodation can also access the children and young peoples IDVAs working within the borough

In addition to this, going forward, we will also provide a therapeutic support service for children residing in relevant safe accommodation to respond to the need for this highlighted through the needs assessment.

Support to access safe accommodation

In addition to the above Dudley MBC will also continue to explore and implement ways to encourage victims to access safe accommodation where appropriate, for example through translation work and identifying accommodation options for pets

Training Framework

To be included when finalised

Legislation

Various legislation covers a wide range of offences associated with the abuse. Examples of offences include assault, threatening behaviour, harassment, sexual violence and coercive control.

There are two distinct different types of law in the UK that apply when talking about domestic violence; criminal law and civil law. The main differences between the two laws are that civil law is aimed at protecting the individual, while criminal law is aimed at punishing the offender

Criminal Law

The Domestic Abuse Act 2021

On 29 April 2021, the Domestic Abuse Bill passed both Houses of Parliament and has now been signed into law. [The Domestic Abuse Act 2021](#) provides further protections to victims of domestic abuse and strengthens measures to tackle perpetrators.

The Act has four main objectives relating to domestic abuse; to promote awareness, protect and support victims, transform the justice process and improve performance.

Section 4 of the act outlines specific duties placed on Local Authorities

The Serious Crime Act 2015

[The Serious Crime Act 2015 section 76](#) created a new offence of “controlling or coercive behaviour in an intimate or family relationship”. The offence came into force in December 2015. It closes a gap in the law around psychological and emotional abuse that stops short of physical abuse. The offence carries a maximum sentence of 5 years’ imprisonment, a fine or both.

Domestic Violence, Crime and Victims Act 2004

Extended provisions to help stop domestic abuse and created the new offence of "causing or allowing the death of a child or vulnerable adult". This offence enables prosecutions of people who stay silent or blame someone else.

[The Domestic Violence, Crime and Victims Act 2004](#) was amended in 2012 by the [Domestic Violence, Crime and Victims \(Amendment\) Act 2012](#) to include 'causing or allowing serious physical harm (equivalent to grievous bodily harm) to a child or vulnerable adult'

Stalking and harassment

The [Protection of Freedoms Act 2012](#), s.111 created 2 new offences in stalking:

- Stalking - harassment which involves a course of conduct that amounts to stalking
- Stalking – which can be committed two ways:
 - Stalking involving fear of violence
 - OR

- Stalking involving serious alarm or distress

The new stalking offences highlight stalking as a specific behaviour as opposed to harassment more generally subsequently affording more protection to victims of stalking.

The [Stalking Protection Act 2019](#) introduced Stalking Protection Orders (SPO's). SPOs will allow police to apply to restrict perpetrators actions, for example stopping them from contacting or getting to close to their victim. They could even require stalkers to be psychologically assessed or to attend rehabilitation programmes to help prevent reoffending.

Importantly, there will be criminal consequences when these Orders are breached, with perpetrators facing up to five year's imprisonment.

Forced Marriage

[The Anti-social Behaviour, Crime and Policing Act 2014](#) makes it a criminal offence to force someone to marry this includes:

- Taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- Marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)
- Breaching a Forced Marriage Protection Order is also a criminal offence
- The civil remedy of obtaining a Forced Marriage Protection Order through the family courts will continue to exist alongside the new criminal offence, so victims can choose how they wish to be assisted

Under criminal law, legislation also includes the [Sexual Offences Act 1956](#), [Protection from Harassment Act 1997](#) and the [Crime and Disorder Act 1998](#) amended by the [Police Reform Act 2002](#).

Civil Law

Under civil law, victims have the right to go to court to take out an injunction which orders the abuser to stop harassing or hurting the victim or to stay away from the home. Under civil law an individual can seek a court order through the Family Court for custody of children.

There are two main types of injunction that can be applied for:

[Non molestation order](#). The main aim of this court order is to prevent the abuser from displaying threatening behaviour or using abuse towards the victim. It is now a criminal offence to break a non molestation order

[Occupation order](#). This can restrict the abuser from entering the surrounding area if the victim feels unsafe.

Under civil law, key Acts include: The Children Act 1989, The Family Law Act 1996, The Adoption and Children Act 2002, The Housing Act 1996 (as amended by the Homelessness Act 2002) and The Equality Act.

Protection Notices and Orders

Domestic Violence Protection Orders

[Domestic Violence Protection Orders](#) (DVPOs) were implemented across England and Wales from 8 March 2014. DVPO's were designed to provide immediate protection for a victim following a domestic abuse incident in circumstances where, in the view of the police, there are no other enforceable restrictions that can be placed upon the perpetrator.

With DVPOs, a perpetrator can be banned with immediate effect from returning to a residence and from having contact with the victim for up to 28 days, allowing the victim time and space to consider their options and get the support they need.

The Domestic Abuse Act 2021 introduced a new civil [Domestic Abuse Protection Notice \(DAPN\)](#) to provide immediate protection following a domestic abuse incident, and a new civil [Domestic Abuse Protection Order \(DAPO\)](#) to provide flexible, longer-term protection for victims. DAPNs and DAPOs will be used to protect victims from all forms of domestic abuse, including non-physical abuse and controlling or coercive behaviour from early 2023

Domestic Violence Disclosure Scheme ('Clare's Law')

The [Domestic Violence Disclosure Scheme](#) (DVDS) (also known as 'Clare's Law') commenced in England and Wales on 8 March 2014. The DVDS gives members of the public a formal mechanism to make enquires about an individual who they are in a relationship with, or who is in a relationship with someone they know, where there is a concern that the individual may be violent towards their partner. This scheme adds a further dimension to the information sharing about children where there are concerns that domestic violence and abuse is impacting on the care and welfare of the children in the family.

Members of the public can make an application for a disclosure, known as the 'right to ask'.

Anybody can make an enquiry, but information will only be given to someone at risk or a person in a position to safeguard the victim. The scheme is for anyone in an intimate relationship regardless of gender.

Partner agencies can also request disclosure is made of an offender's past history where it is believed someone is at risk of harm. This is known as 'right to know'.

If a potentially violent individual is identified as having convictions for violent offences, or information is held about their behaviour which reasonably leads the police and other agencies to believe they pose a risk of harm to their partner, the police will consider disclosing the information. A disclosure can be made if it is legal, proportionate and necessary to do so.

The Domestic Abuse Act 2021 puts the guidance on which the DVDS is based into statute. This will place a duty on the police to have regard to the guidance and will strengthen the visibility and consistent operation of the scheme.