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MAKING **DARLINGTON SAFER**

Safer People, Safer Places

The Domestic Abuse Act 2021

The Domestic Abuse Act is set to provide further protections to the millions of people who experience domestic abuse, as well as strengthen measures to tackle perpetrators.



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Definition of Domestic Abuse



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Children as victims

- Where the child sees or hears, or experiences the effects of, the abuse and is related to the victim or the perpetrator;
- Child is anybody under the age of 18;
- Related through parental responsibility or the person is related;
- Full details of children as victims at <https://www.legislation.gov.uk/ukpga/2021/17/section/3/enacted>



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- The Act established in law the Office of the Domestic Abuse Commissioner

The role of the Domestic Abuse Commissioner is to:

- Represent views of victims and survivors
- Raise public awareness
- Monitor response of Local Authorities, the justice system and other statutory agencies and hold them to account in tackling Domestic Abuse

“Domestic Abuse is everyone's responsibility”

Domestic Abuse
Commissioner



Local Authority
requirements
under the Act

To provide support to victims of domestic abuse and their children in refuges and other safe accommodation

Appoint a multi-agency Domestic Abuse Local Partnership Board

Assess the need for accommodation-based domestic abuse support for all victims (and their children) who reside in relevant safe accommodation, including those who come from outside of their area

Publish a final domestic abuse strategy by 5 January 2022

Give effect to the strategy through commissioning/decommissioning



Housing Services -Housing Options

An overview of support for people suffering domestic abuse and at risk of homelessness

Homeless Reduction Act
2017 updated with
Domestic Abuse Act

Code of Guidance [Chapter
21: Domestic abuse -
Homelessness code of
guidance for local
authorities - Guidance -
GOV.UK \(www.gov.uk\)](#)

Darlington BC Housing
Services follow the cross-
government definition of
domestic abuse set out in
the Domestic Abuse Act
2021

A person who is homeless
and a victim of domestic
abuse has a priority need
and will be awarded high
priority on the social
housing register

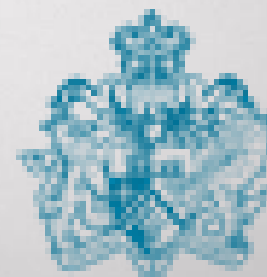
Expert specialist support is
provided to victims in safe
accommodation that best
supports their needs,
whether in refuges or other
safe housing

Will support to victims to
stay in their own homes, if
the perpetrator has left and
the home can be made safe



Joint Working with Housing Options

- Supporting people within their homes including council tenancies where appropriate and safe to do so
- Identify properties within own stock to support
- MARAC – Multi-Agency Risk Assessment Conference
- 4KIDS - 4Kids is a new project for Darlington where a partnership approach is taken to tackling domestic abuse in the family home, with particular emphasis on the harm caused to children in the household
- DASVEG – Domestic Abuse & Sexual Violence Effective Group



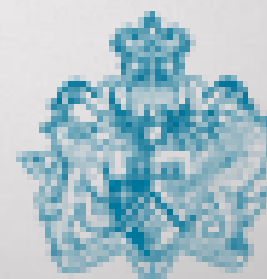
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Housing – support and resources

- **Case Worker Support**
- **Homeless Pathway – signpost to appropriate services**
- **Family Help – Refuge**
- **Harbour – floating support**
- **Navigator Programme**
- **Offer of interim accommodation where appropriate**
- **Offer to house the perpetrator where appropriate**



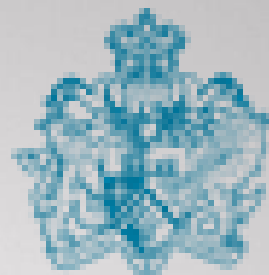
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Facts & Figures

- For last financial year 20/21 the Housing Options Team have Supported 91 applicants suffering domestic abuse
- To date in this financial year 21/22 the Housing Options Team have supported 52 applicants



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Top 5 reasons for homeless presentations in 2020	Top needs of people presenting
<ul style="list-style-type: none">- Put out by family and friends- Loss of accommodation- Relationship breakdown- Domestic Abuse- Offenders	<ul style="list-style-type: none">- Mental health- Substance misuse- Physical health- Offending history



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Children's Front Door Service – Children's Initial Advice Team (CIAT)

How will the new Act impact and influence current working practice?

There is now a definition and certain aspects of the Act are particularly relevant to social care.

The definition goes well beyond physical violence. It sets out how domestic abuse can also be emotional, coercive or controlling or economic and although the victim and perpetrator must be “personally connected”, different types of relationships are captured.

This means more help, support and protection can reach more victims and more perpetrators could be convicted, particularly due to the use of Domestic Abuse Protection Orders (DAPO).

Children are now regarded as a victim if they see or hear or experience the effects of domestic abuse and are related to the abused or the perpetrator.

Children's Front Door Service – Children's Initial Advice Team (CIAT)

What are we doing to make sure victims access help, support and protection?

- Identification of children affected by domestic abuse – multi-agency approach, including Operation Encompass protocol
- Provision of protection and support for these children – working with internal and external partners
- Greater understanding of issues such as economic abuse – training will now cover this area of abuse in more detail
- The provision of refuges and other forms of safe accommodation – working with internal and external partners
- The use of DAPOs to allow courts to implement prohibitions and positive requirements on perpetrators, as well as a monitoring requirement to ensure perpetrators are complying with the terms of their order (social workers may be able to apply on behalf of individuals who they are working with and are experiencing domestic abuse) – work between Police and Children's Social Care.
- Disclosure Scheme (Clare's Law) is already playing a critical role in safeguarding victims and will continue to allow the Police to disclose information about individuals with a history of abusive or violent behaviours which would protect a potential victim from harm - work between Police and Children's Social Care.

What to do if you are worried about a child's safety and welfare?

*** Please contact the Children's Initial Advice Team at the Children's Front Door.

If you are a professional phoning about a child, please use the direct professionals telephone number 01325 406252, you will be able to speak directly to a social worker who will help.

If you are a member of the public phoning about a child, please use the public telephone number 01325 406222, you will be able to speak to a business support operator who will help signpost you to the right person.

Our office hours are Monday – Thursday 830am until 5pm and Fridays 830am until 430pm

If you are phoning out of hours please contact the Emergency Duty Team on 01642 524552





Perpetrators can no longer cross examine victims

Automatic access to special measures extended across the civil court system for victims such as evidence via video link

Extending the controlling or coercive behaviour offence to cover post-separation abuse;

Create a new offence of non-fatal strangulation;

Extend the 'revenge porn' offence to cover the threat to disclose intimate images with the intention to cause distress;

An end to the "rough sex defence" in court.

Clarifying the use of barring orders (section 91(14) of the Children Act 1989) in family court to prevent abusive ex-partners from repeatedly taking victims back to court, which can be used as a continuation of abuse.

Legal Aid – The Act will prohibit GP's and other health professionals from charging a victim of Domestic Abuse for a letter to support an application for legal aid



Managing perpetrators

- **Domestic Abuse Protection Notice (DAPN)**
- A DAPN is an emergency non-molestation and eviction notice to provide immediate protection to a victim following a domestic abuse incident.
- Where there are no enforceable restrictions in place
- Lasts for 48 hours
- No victim consent required
- **Domestic Abuse Protection Orders (DAPOs)**
- Consolidation of existing protection orders in relation to Domestic Abuse will allow courts to implement both prohibitions and positive requirements on perpetrators, as well as a monitoring requirement to ensure that perpetrators are complying with the terms of their order.
- Breaching a DAPO, which is a criminal offence, carries a maximum penalty of five years' imprisonment.





Managing perpetrators (cont.)

Disclosure Scheme

Places the Domestic Violence Disclosure Scheme 'Claire's Law' on a statutory footing

Allows police to disclose information about an individual's history of abusive / violent behaviour which would protect a victim from potential harm

- Individual can ask if a new or existing partner has a violent history 'Right to Ask'
- Police can decide that an individual is at risk and will consider disclosing the criminal history 'Right to Know'

Enabling DA offenders to be subject to polygraph testing as license condition following release from custody





Multi-agency training provision

- Training from Darlington Safeguarding Partnership involves sharing knowledge about how to recognise concerns, develop confidence in sharing information with other agencies, awareness of some of the challenges presented by multi-agency working as well as the real benefits for working together to safeguard children and adults.
- Details of safeguarding training can be found at:
<https://www.darlington-safeguarding-partnership.co.uk/media/2032/virtual-2021-training-programme-2nd-edition-01-06-21-31-12-21.pdf>
- The Safeguarding Partnership Trainer, Chris Ashford, can provide domestic abuse training bespoke to your organisation's needs.



Domestic abuse is everyone's responsibility

The domestic abuse agenda should be embedded across all agencies

Multi-agency working and co-operation is required to deal with domestic abuse and victims must feel safe to approach professionals for help knowing they will receive support

Awareness raising is required to highlight the extent and gravity of domestic abuse across all sections of our community

There are many forms of domestic abuse and we all need to recognise the signs and take action to protect victims and their children

What's happening in Darlington?

Family Help Refuge

Harbour Outreach Support

Tees Valley Domestic Abuse Navigator Services including emergency bed

4Kids Project

Domestic Abuse Partnership Board (DASVEG) is in place

Accommodation for perpetrators

High priority provision of social housing through Common Allocation Policy with Tees Valley

Safer Space – Violence against Women and Girls and Night Time Economy

Successful Home Office Bid secured to support the development of our system wide approach to Child and Adolescent Parental Violence and Abuse (CAPVA) including the roll out of RYPP (Respect Young People's Programme) and awareness raising sessions

Further Information



[Domestic Abuse Act 2021 \(legislation.gov.uk\)](#)

[Domestic Abuse Act 2021 commencement schedule - GOV.UK \(www.gov.uk\)](#)

[\[Title\] \(publishing.service.gov.uk\)](#) (Draft Statutory Guidance)

<https://www.lawsociety.org.uk/en/topics/family-and-children/domestic-abuse-act-2021>

[What new domestic abuse legislation means for social workers | Community Care](#)

[Domestic Abuse Act: Factsheet - Home Office in the media \(blog.gov.uk\)](#)

[Impact on children and young people - Womens Aid](#)

[Tackling violence against women and girls strategy - GOV.UK \(www.gov.uk\)](#)

[Darlington Borough Council – Domestic Abuse information](#)

[Darlington Safeguarding Partnership – Child Protection Procedures](#)

[Darlington Safeguarding Partnership Domestic Abuse Procedure and Practice Guidance](#)



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