

# Agenda – Equality, Local Government and Communities Committee

Meeting Venue:

**Committee Room 3 – Senedd**

Meeting date: Thursday, 13 October  
2016

Meeting time: 09.00

For further information contact:

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Committee Clerk  
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## Informal pre-meeting (09:00–09:15)

- 1 Introductions, apologies, substitutions and declarations of interest**
- 2 Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence Act 2015: evidence session 1**  
(09.15 – 10.30) (Pages 1 – 44)

Eleri Butler, Welsh Women’s Aid  
Frances Beecher, Violence Against Women Action Group  
Jackie Stamp, New Pathways  
Mutale Merrill, BAWSO

- 3 Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence Act 2015: evidence session 2**  
(10.30 – 11.15) (Pages 45 – 60)

Fflur Elin, National Union of Students  
Claire O’Shea, National Union of Students  
Vivienne Laing, National Society for the Prevention of Cruelty to Children (NSPCC)



## **Break (11:15–11.30)**

### **4 Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence Act 2015: evidence session 3**

(11:30–12:30)

(Pages 61 – 64)

Sian Morris, Neath Port Talbot County Borough Council  
Joy Williams, Welsh Local Government Association

## **Lunch Break (12:30–13:00)**

### **5 Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence Act 2015: evidence session 4**

(13.00 – 14.00)

(Pages 65 – 67)

Lin Slater, Aneurin Bevan University Health Board  
Chris Overs, Aneurin Bevan University Health Board  
Wendy Sunderland–Evans, Abertawe Bro Morgannwg University Health Board  
Aideen Naughton, Public Health Wales

## **6 Paper(s) to note**

**Chair to Cabinet Secretary for Communities and Children regarding Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence Act 2015**

(Page 68)

**Letter from the Cabinet Secretary for Communities and Children regarding Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence Act 2015**

(Page 69)

**Letter from the Police and Crime Commissioner for Gwent on future work relating to tackling violence against women, domestic abuse and sexual violence.**

(Pages 70 – 72)

**7 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting**

For consideration of evidence received during evidence sessions 1,2,3 and 4.

**8 Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence Act 2015: Consideration of evidence**  
(14:00–14:20)

Document is Restricted





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Welsh Assembly Committee on Equality, Local Government and Communities

Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence Act 2015

Consultation Response by Welsh Women's Aid

Table with 2 columns: Field Name and Value. Fields include Names, Organisation, Email address, Telephone number, Address, and These are the views of.

1. About Welsh Women's Aid

- 1.1 Welsh Women's Aid is the national charity in Wales working to prevent domestic abuse and all forms of violence against women and ensure high-quality services for survivors that are needs-led, gender-responsive and holistic.
1.2 Established in 1978, we are an umbrella organisation that represents and supports a national federation of 23 local independent charities delivering specialist domestic abuse and violence against women prevention services in Wales, as part of a UK network of provision.
1.3 We have been at the forefront of shaping coordinated community responses and practice in Wales, by campaigning for change and providing advice, consultancy, support and training to deliver policy and service improvements for survivors, families and communities.



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## 2. Welsh Women's Aid's Evidence for the Post Legislative Inquiry: Overview of key issues

- 2.1 The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (the Act) has been recognised internationally as ground breaking piece of legislation aimed at improving the response of the public sector in the prevention of all forms of violence against women and the protection and support of those that experience it.
- 2.2 The Act, given the legislative duties it introduces for devolved public services, offers an opportunity for Wales to provide leadership and innovation in preventing future violence against women as well as enabling earlier and more effective intervention and support for survivors and their families. This said, there is a need for the duties in the Act to be effectively implemented by public services, with the support of robust, sustainable specialist services in the third sector, and for the efficient monitoring and evaluation of the duties implementation to ensure that aims of the Act are achieved and the results sustainable. Overall there has still been limited statutory guidance published by Welsh Government to provide the strategic leadership for regional and local delivery that the Act requires.
- 2.3 Critically the implementation of the Act and the resultant Strategy needs to ensure that it is based firmly on the understanding that violence against women is a cause and consequence of inequality between women and men and is a violation of women's human rights. The internationally accepted definition of 'Violence Against Women' used by organisations including the United Nations, World Health Organisation, Council of Europe and UK Government, which was included in the first Wales violence against women strategy ("Right to be Safe", 2010-2016) is: "any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."<sup>1</sup> While the Welsh Government has made statements in accompanying documents that recognises the evidence that women and girls suffer disproportionately from these types of violence, this was not reflected in the definitions of the Act (which we raised as a problem at the time, but were advised that the internationally accepted definition of violence against women would be addressed in the strategy).
- 2.4 The refreshed National Violence Against Women Domestic Abuse and Sexual Violence Strategy (2016-2021) must be published by November 2016 in accordance with the Act. However this has yet to be completed, and the draft refreshed national strategy out for consultation does not contain UK and internationally accepted definitions of domestic abuse, sexual violence and violence against women, for monitoring and strategic delivery purposes. It is vital that Welsh Government demonstrates leadership and commitment to the internationally recognised definition of violence against women within its national strategy. Otherwise this puts Wales out of step with the UK and international evidence and will have a detrimental impact on the development of strategic collaborative commissioning, service development and data collection in Wales. Using the term 'Violence against Women' does not

<sup>1</sup> United Nations: 'Declaration on the Elimination of Violence against Women', General Assembly <http://www.un.org/documents/ga/res/48/a48r104.htm>



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exclude men and boys but recognises the gendered nature of these types of abuse and the gendered differences in impact of perpetration and victimisation. It is important that the implementation of the Act enables gender responsive models of support to enable the best outcomes for all survivors.

### 3. Overview of the context for the implementation of the Act

3.1 Scrutiny of the implementation of the Act needs to be situated within a broad context. Violence against women cannot be tackled in isolation and the support and protection of survivors does not occur in silos. Violence against women is a truly cross cutting issue and its prevention and the protection and support of survivors should be considered core business and a priority for all government departments, public services and communities in Wales. While the Act provides a tool for Welsh Government to demonstrate strategic leadership to prevent violence against women, it is also important to recognise that the duties in the Act also intersect with a number of other Welsh, UK and international legislation and policy priorities. Incorporating how Welsh Government embeds violence against women prevention into these other delivery plans and meets UK and international obligations will also be critical to review within the scrutiny process, if the committee is going to be successful in its aim. These include the following:

3.1.1 Social Services and Wellbeing (Wales) Act 2014 is a key piece of legislation which is shaping changes to the preventative agendas for health and social care services, and which has the potential to have a positive impact on the prevention of violence against women and maximising support of survivors. However at present there is little evidence of an integrated approach to delivery nationally or locally. In particular, there is scope to align the population needs assessments that local authorities are completing as part of the Social Services and Wellbeing (Wales) Act 2014 with the need for violence against women thematic needs assessments.. There is also scope to coordinate the development of outcomes frameworks and training for public service professionals required by both Acts.

3.2.2 The Wellbeing of Future Generations (Wales) Act 2015 sets out seven wellbeing goals that are relevant to the prevention of violence against women and supporting survivors. This includes an equal Wales, a resilient Wales and a healthy Wales. Public sector bodies have to take action to achieve these goals, yet to do so effectively they need to take action to end violence against women as a cause and consequence of inequality between women and men and which has a significant impact on the health and wellbeing of survivors and their children. Leadership from Welsh Government to ensure public service boards prioritise violence against women prevention within their development and delivery of well-being goals and plans would go some way towards aligning these integrated priorities. For example:

- **A more prosperous Wales:** Well-being plans need to recognise that domestic violence alone costs Wales £303.5m annually: £202.6m in service costs and £100.9m to lost economic output. These figures do not include any element of human and emotional costs, which the research estimates costs Wales an additional £522.9m. In addition, those who experience violence will be adversely affected in both education and work. Each year, one in ten victims of partner abuse takes time off work as a result of the





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abuse. By incorporating approaches to prevent violence against women, domestic abuse and sexual violence, Wales will be more prosperous with regard to public spending, and also in terms of personal ability to earn, learn and succeed.

- **A Wales of cohesive communities:** Violence against women prevention and work to promote cohesive communities are interlinked. Tackling violence against women will lead to safer communities, and reduce further social exclusion of already marginalised groups, for example Black and minority communities, refugees, and lesbian, gay, bisexual and transgender (LGBT+) communities. Tackling violence against women will also challenge social stigma, which will promote inclusiveness and better community ties.
- **A healthier, more equal Wales:** a society that enables people to fulfil their potential no matter what their background or circumstances requires equality between women and men. As such tackling violence against women and its cause and consequence, through funding specialist services that help prevent violence and abuse, will lead to greater equality between men and women in Wales. We cannot achieve the goal for a healthier Wales; a society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood, without preventing violence against women. The World Health Organisation has stated that violence against women is a 'global health problem of epidemic proportions'. By funding services that prevent violence against women, Wales will see a positive increase to people's physical and mental health, a reduction in problematic substance use, as well as improved resilience and recovery from trauma associated with violence against women and adverse childhood experiences.

3.3.3 The Housing (Wales) Act 2014 enshrines in legislation duties on local authorities to prevent and alleviate homelessness. It has long been recognised that domestic abuse and other forms of violence against women is a leading cause of homelessness for women. To prevent homelessness it is critical that the duties imposed by the new housing legislation enable survivors to access refuge services and other accommodation options swiftly, or where appropriate and safe to do so, to stay safely within their own homes. Domestic abuse is not always being effectively identified as the cause of homelessness as survivors presenting as homeless often have multiple support needs that could include debt, substance misuse, mental health support needs, as well as needing support to recover from the debilitating impact of domestic abuse. This raises the concern that the full extent of need is not being recorded to inform the evaluation of support provided and the commissioning of relevant provision in a locality. There is a need for the integration of measures and duties between the two Acts so that they are aligned to ensure a strategic and holistic approach to delivery.

3.3.4 The current curriculum review being carried out by Welsh Government aims to support children and young people to be healthy, confident individuals, ready to lead fulfilling lives as valued members of society. To achieve this the curriculum will need to include preventative programmes regarding all forms of violence against women based on principles of gender equality and human rights. Work is also ongoing in the development of the



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Wellbeing Area of Learning and Experience under the new curriculum for Wales however it remains unclear as to whether healthy relationship education will be prioritised within this. Healthy relationships education needs to be more than a single lesson about domestic abuse or sexual relationships, it needs to be ongoing age appropriate lessons covering gender stereotyping, sexual consent, sexuality and respect. At present this is not consistently available to children and young people in Wales. As the lead organisation in Wales on ending violence against women we would welcome further consultation on the inclusion of effective healthy relationship education in the new curriculum, because as yet specialist services have not been involved in this review. As is discussed further below we have developed toolkits and guidance that could inform this work as well as having developed our own preventative programme, STAR (Safety, Trust and Respect), for young people.

3.3.5 The Home Office Ending Violence Against Women and Girls Strategy sets out the UK Government plans to address and prevent violence against women and girls until 2020. While some areas are devolved to Wales, significant areas such as criminal, civil and family justice remain non-devolved. It is critical that the implementation of the Act is carried out with the collaboration of those responsible for delivering non-devolved priorities. National and local strategies and delivery plans need to ensure there is join up with the Home Office strategy. Similarly it is vital for survivors that may move between England and Wales that there is a consistency in the quality and accessibility of support and protection.

3.3.6 The EU Victim's Rights Directive establishes a new legal standard for victim services, and obligations include a minimum level of provision of specialist services and support for victims of domestic abuse and other forms of violence against women, regardless of nationality or citizenship status, including support for the children of victims. Support includes information, advice, practical, emotional, and psychological support. At present there still remains a postcode lottery in the provision of specialist services across Wales. Current local and regional commissioning of specialist services are not effectively addressing provision of specialist support in a strategic, evidence-based, joined up and sustainable manner. Feedback from survivors states that there is a need for more timely, accessible and needs-led support services.<sup>2</sup>

3.3.7 The Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Abuse (the 'Istanbul Convention') sets out clear measures on how to prevent violence against women and support victims. Covered within the scope of the convention is the adequate geographic distribution of short and long-term specialist services that are accessible to all women and their children. Within the draft National Strategy on Violence against Women, Domestic Abuse and Sexual Violence, Welsh Government has stated that it supports the principles of the convention however it is selective in the articles it links

<sup>2</sup> Are you listening and am I being heard? Survivor Consultation: A report of the recommendations made by survivors of violence against women, domestic abuse and sexual violence, to inform the national strategy in Wales, March 2016



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the strategy too. At present the draft strategy does not reference if or how the Welsh Government will adhere to the minimum level of specialist support outlined within the convention.

- 3.4 All of the above are critical cross cutting priorities and those responsible for the effective implementation of the Act need to deliver on these in order to successfully achieve its aims and obligations. They should also be used by the Committee to inform the post-legislative scrutiny to ensure that the Act is not being treated as an 'add on' to other delivery plans but is embedded across the strategic and delivery functions of Welsh Government and relevant authorities.

**4. To what extent is the approach to tackling violence against women, domestic abuse and sexual violence improving as a result of the obligations in the Act?**

- 4.1 The Act has the potential to significantly improve the approach to tackling violence against women by setting out obligations based on improving arrangements for prevention, protection and support. Although all aspects of the Act have been enacted, implementation has been limited. The Welsh Government refreshed National Strategy is out for consultation, and in that it outlines its 'good progress on implementation' which includes "publish[ing] the National Training Framework [and] e-learning package...developing "Ask and Act" ... [and] publish[ing] a Whole Education Approach Good Practice Guide". It also claims "significant steps to reduce the incidence, and to protect victims of Female Genital Mutilation, Forced Marriage and Honour Based Violence" have been made, but it is not clear what these entail.
- 4.2 The obligations within the Act also offer an opportunity for the Welsh Government to provide strategic leadership through the publication of various statutory guidance that should aim to radically improve and change approaches in tackling all forms of violence against women. These included a national training framework, a whole education approach, and statutory guidance on multi-agency working and commissioning of specialist services. At present only one piece of statutory guidance has been published and is in very early stages of implementation, with limited data provided to measure this improvement or establish a clear baseline on which to evaluate the improvements, and the others have yet to be published. So it is not possible to measure improvements at this stage.
- 4.3 Under the Act obligations for prevention, the Welsh Government, in conjunction with Welsh Women's Aid, developed the Whole Education Approach: A Good Practice Guide (<http://gov.wales/docs/dsjlg/publications/commsafety/151020-whole-education-approach-good-practice-guide-en.pdf>). The document sets out guidance for embedding the prevention of violence against women in educational settings. The guide outlines nine key elements that would ensure a comprehensive and holistic approach to prevention of violence against women, domestic abuse and sexual violence. In combination with this, Welsh Women's Aid, in partnership with AVA (Against Violence and Abuse), were also commissioned by Welsh Government to research and compile a package of recommended materials to be utilised as



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best practice in relation to these matters for use in primary, secondary and further education settings. This suite of resources is presented as an overarching toolkit which should be used with the accompanying guidance across education settings This work was completed and submitted in early 2016 but has yet to be published. We have recently been advised the toolkit is to be launched in September 2016 and is intended to complement the aforementioned Good Practice Guidance.

4.4 The Welsh Government guidance on delivering a whole education approach to preventing violence against women has been recognised as good practice by the Westminster Women and Equalities Committee’s inquiry and report into sexual harassment and sexual violence in schools. However we are yet to see a clear plan as to how and when schools and other education establishments will be implementing this guidance, and there is little current evidence of this being implemented consistently across Welsh schools and other educational settings. A thematic review by Estyn is due to be carried out this autumn which should provide a clearer picture of the extent to which action on violence against women prevention has been taken so far. This thematic review should establish a baseline to demonstrate the current position and provide clear recommendations on improving schools’ response based on the good practice guidance. The review should also establish a clear set of questions that can be built in to Estyn’s regular reviewing of schools to ensure the monitoring of the implementation of the guidance and its effectiveness. Similarly, effective data and monitoring, as is set out in the good practice guidance and Act, needs to be published on a regular basis so that a clear baseline is known from which improvement can be monitor and lessons learnt. The Act allows Welsh Ministers to require local authorities, through regulations, to report on the steps they have taken to address violence against women, domestic abuse and sexual violence through their education functions however as of yet this information has not been gathered so a clear national picture is still not known on which to base any assessment of improved provision.

4.5 The Welsh Government published the National Training Framework (NTF) as a key mechanism for delivering its obligations to improve responsible authorities’ responses to violence and abuse within the Act. The National Training Framework should increase earlier intervention and protection of survivors by ensuring high quality and consistent training is available to those across the public and specialist sector. Survivors have clearly stated that there is a need for “improved training for all services on all aspects of violence against women, domestic abuse and sexual violence, informed by survivors’ experiences.”<sup>3</sup> Whilst the e-learning training has been developed and is being rolled out, there have been problems with accessing this for all ‘Group 1’ professionals. Training for Group 2 and Group 3 professionals is being delivered through ‘ask and act’ training (see below). Specialist sector training for Group 4 professionals has been commissioned to enable Independent Advocates and sexual violence services to access ‘free’ specialist accredited training, but the largest number of professionals in Group 4 –frontline professionals working within refuge-based services –have not been able to access

<sup>3</sup> Are you listening and am I being heard? Survivor Consultation: A report of the recommendations made by survivors of violence against women, domestic abuse and sexual violence, to inform the national strategy in Wales, March 2016





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subsidised accredited training due to lack of Government resources.4.6 The “Ask and Act” framework has been developed and draft guidance was issued in 2015 for consultation, but has not since been published. The ‘Ask and Act’ Framework aims to provide training targeted at those professionals within the public sector that are ideally placed to carry out early identification and provide a helpful response to survivors, which should include referring them to specialist services. This approach is being developed in early adopter sites in Gwent and Abertawe Bro Morgannwg University Health Board. Welsh Women’s Aid secured the contact to deliver the Ask and Act ‘train the trainer’ contract for Group 2 and Group 3 professionals and its delivery is underway in these sites. The extension of this training programme to other regions across Wales was scheduled from September, but the approach for cascading this statutory training to other areas as originally envisaged is now under review by Welsh Government.

4.7 While the commitment outlined in the ‘Ask and Act’ framework is to increase identification and improve responses by the public sector to violence against women, domestic abuse and sexual violence is welcome, there are a number of issues that need to be addressed to ensure that it enables an improvement in the response to survivors:

4.7.1 There is a need for alignment of the delivery of the NTF with other legislative training commitments so that public sector training priorities and resources are not competing. Clear communication and leadership is required between Government and the regions to ensure the commitment required under the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 is understood by the relevant stakeholders at a local level and given the priority needed.

4.7.2 It also needs to be recognised that the roll out of the NTF will increase the identification of survivors experiencing abuse and will increase referrals to specialist domestic abuse and sexual violence services in the third sector. At present there is an assumption that specialist services will simply accept these referrals without additional resources, and that these services will be available to meet demand from increased referrals. However, there is already high demand for these services, which cannot be met. In 2015/16 in Wales:

- 11,512 women, men, children and young people were provided with refuge and community based advocacy and support by Welsh Women’s Aid member services in Wales;
- At least 388 survivors of abuse in Wales could not be accommodated by refuges because there was no space available in the refuge when they needed help. Many individual services also operate lengthy waiting lists for aspects of their community provision that are in high demand (eg counselling, groupwork, support for children and young people).
- There were 28,392 calls to the Live Fear Free Helpline in Wales, and 14,612 survivors were supported by the service.

4.8 With the introduction of the Act, demand for services is likely to increase. It is critically important that the specialist services that support survivors of abuse have the funding and



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capacity to respond to any increase in demand, to ensure the services being offered are safe and meet needs.

- 4.9 The Welsh Government has still to publish its statutory guidance for multi-agency working (which was out for consultation in 2015), guidance for working with perpetrators (which was consulted on with the Advisory Board in 2015), and guidance for commissioners. These are critical guidance to support the aims of the Act as they should require effective strategic leadership and commissioning of service provision by local service boards.
- 4.10 The delay in publishing commissioning guidance is a concern as commissioning processes, particularly regarding Supporting People funded services like specialist floating support and refuges, are already taking place in a number of local authorities without the strategic guidance from Welsh Government having been published. Without the overarching guidance there are inconsistencies in what is being commissioned and how it is being carried out. There are also inconsistencies in the responsibilities being taken by relevant authorities and limited collaboration between commissioners.
- 4.11 This is impacting on the sustainability of specialist services. The Welsh Women's Aid state of the sector report (published in September, and accompanying this submission) found that:
  - 46% of refuge services in Wales have already received cuts to their funding this year, leading to a lack of capacity to meet demand in many areas and inadequate funding for specialist children and young people's services for many organisations.
  - This year's cuts follows funding cuts last year for 58% of refuge services in Wales.
  - 92% of refuge services in Wales identify funding and service continuation as being the main challenge facing their organisation this year.
- 4.12 In the absence of Welsh Government statutory Commissioning Guidance being published, Welsh Women's Aid worked with Lloyds Bank Foundation to produce Tackling Violence against Women, Domestic Abuse and Sexual Violence: A Collaborative Commissioning Toolkit for Services in Wales (Aug 2016). This toolkit was produced simultaneously with a domestic abuse toolkit for covering non-devolved areas with partners in England. The toolkit has been endorsed as good practice by the National Adviser for Wales and it was developed in consultation with Welsh Government officials. The toolkit provides an expert guide to achieve a whole system approach to commissioning services for violence against women, domestic abuse and sexual violence. Getting the commissioning of services right is vital to making sure they are accessible and available for the people that need them. There now needs to be leadership in promoting this toolkit to enable regional and local areas to achieve collaborative commissioning across Wales.

**5. What are the most effective methods of capturing the views and experiences of survivors? Are arrangements in place to capture these experiences, and to what extent is this information being used to help inform the implementation of the Act's provisions?**



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- 5.1 Welsh Women's Aid advocates that understanding how survivors use and experience services (or don't use them) is key to improving the effectiveness of services and systems aimed at prevention, protection and support. We have obtained external Trust funding to develop a national survivor participation framework for Wales using Survivors Empowering and Educating Domestic Abuse Services (SEEDS) model which enables survivors to engage in local and national decision making regarding services. The SEEDS model aims to provide a voice for survivors, increasing understanding about the experience of domestic abuse amongst those working in the statutory sector. The aim is to use a model that works with survivors to obtain their views about the effectiveness and value of local services; to raise awareness of other relevant issues; and to empower survivors to move forward in their lives by making positive use of their experiences.
- 5.2 The SEEDS model can provide a consultation service to enable agencies to understand survivors' perspective; contribute to training events and the production of training materials; give presentations to increase staff awareness and understanding of incidents and the impact of domestic abuse.
- 5.3 Further to this Welsh Women's Aid and our members carry out engagement with survivors to make sure the experiences and needs of survivors are central to all we do. In Spring 2016, Welsh Women's Aid worked with the National Adviser and an independent facilitator to run a series of focus groups with survivors of violence against women, domestic abuse and sexual violence across Wales. This offered an opportunity for a broad spectrum of survivors to voice their experiences about using services and explain what improvements might be made to inform recommendations. The findings set out clear priorities for action that will inform the national strategy as well as being shared with relevant authorities to inform needs assessments and other local decision making. A copy of this report is provided as an attachment, which includes the top priorities survivors felt Welsh Government should address, following enactment of provisions within the Act. These are:
- 5.4 It is vital that survivors are kept at the heart of all discussions about them in the implementation of the Act. Our work on developing a national survivor participation framework for Wales over the next two years should assist and support the delivery of the Act at a national and local level.

**6. Whether survivors of abuse are beginning to experience better responses from public authorities as a result of the Act, particularly those needing specialist services?**

- 6.1 Welsh Women's Aid has been resourced by Welsh Government to deliver a national accreditation framework for specialist services, by working with a team of independent quality assessors to roll out National Quality Service Standards. Specialist domestic abuse services that are working towards or have attained the quality standards can evidence their effective response to survivors of violence and abuse across a range of measures. Survivors who need to access specialist services can either self refer, be referred via the Live Fear Free Helpline,



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- or referred by public or other third sector services. Provisions in the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 places increasing responsibility on public authorities to identify and refer survivors to specialist services. The national training framework and a whole education approach, if implemented correctly, will also encourage local public services, schools and youth services to refer survivors, including children and young people, to specialist services in local communities.
- 6.2 At present no National Indicators have been published as set out in the Act, because there are no national violence against women outcomes developed to align with the National Strategy, to measure progress (the strategy is due to be published by November). So there is a limited baseline from which to measure the improvement of responses. While the Act does set out an ambition to improve responses, measurement of this is limited.
- 6.3 Welsh Women’s Aid survivor consultation report - *Are you listening and am I being heard? Survivor Consultation: A report of the recommendations made by survivors of violence against women, domestic abuse and sexual violence, to inform the national strategy in Wales, (March 2016)* - provides feedback from survivors of their experiences of responses by public authorities and the improvements they would like to see that should inform the delivery of the Act. In the consultation carried out with survivors, they spoke about the need for improved responses by public services in identifying and enabling disclosures of abuse and enabling them to access the support they needed. One of the key concerns of survivors was knowing about availability of specialist services and being able to access them when and where they needed them. ***Please see the attached report that provides feedback on the problems survivors continue to experience with seeking help and support from public services.***
- 6.4 Survivors in rural areas raised particular concern about the accessibility of services and the need to know that they can trust local professionals in the public sector due to the small communities they lived in. Welsh Women’s Aid is working with partners in Powys to pilot a community engagement scheme to improve awareness of domestic abuse and the help available amongst professionals working in local community services (Ask Me scheme). This aims to create safe disclosure points for survivors in their local communities beyond public sector and specialist services where it is safe for survivors to disclose the abuse they are experiencing and get the right signposting so that they can access the right support when they need it. It will equip members of the local community such as hairdressers or local shop assistants with the basic knowledge, skills and tools to have a supportive conversation and provide an initial safe response. It builds on the Ask and Act framework and creates a holistic community response to violence against women, domestic abuse and sexual violence.
- 6.5 The implementation of the obligations of the Act should reflect the need to fundamentally review and change systems and processes. As a means of achieving a better response to survivors Welsh Women’s Aid recommends that the evidence-based principles and approach outlined in our ‘Change that Lasts’ service model be adopted across Wales. This model, developed with resources from Welsh Government, provides a framework that facilitates the shortest and most effective route to safety, freedom and independence for each survivor based on their individual situation and the resources available to them. As part of this model





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Welsh Women's Aid

Rhoi Merched a Phlant yn Gyntaf  
Putting Women & Children First

it is important that support services are needs-led and survivor centred, and adhere to national accreditation and quality frameworks e.g. the Welsh Government supported National Quality Service Standards being delivered by Welsh Women's Aid. If changes were made to meet survivors' needs from the outset (as is designed to do through our 'Change that Lasts' model), then resources would be saved and survivors of abuse would achieve a much greater positive benefit from their interaction with public authorities.

## **7. Whether the National Adviser has sufficient power and independence from the Welsh Government to ensure implementation of the Act?**

- 7.1 Welsh Women's Aid welcomes the creation of the independent Ministerial Adviser role. The role is an opportunity to provide leadership and accountability for the violence against women agenda in Wales. The role offers a unique opportunity to provide the necessary machinery for ensuring strong leadership and to introduce processes for scrutinising delivery, monitoring and evaluating progress made.
- 7.2 Whilst we recognise this, we do not think that the role currently has sufficient power, resources and independence in terms of holding Welsh Government and other public bodies accountable to their obligations within the Act. At present the role is part time and has no budget so it is limited in the leadership and action it can take. Without sufficient resource and capacity, the National Adviser's role is not able to have the impact or importance of that of a commissioner (compare, for example, with the roles of the Well-being of Future Generations Commissioner, Children's Commissioner and Older People's Commissioner).
- 7.3 We recognise the role's function in providing guidance and monitoring activities however it remains unclear what the remit is if the role needs to advise Ministers or challenge Welsh Government or other public bodies about not fulfilling their statutory duties. It is unclear what sanctions will take place if these legal duties are broken, and how these sanctions will be imposed. Sanctions are absolutely vital if the legislation is to 'have teeth' therefore clarity is needed on whether imposing sanctions on non-compliant organisations is a statutory function to be fulfilled by the Adviser or another body.

## **8. To what extent the good practice guide to healthy relationships is successfully influencing the development of a whole school approach to challenging violence against women, domestic abuse and sexual violence?**

- 8.1 The UN Rapporteur on Violence against Women recommended in her UK report in 2014 that action was taken to ensure a holistic approach to prevention of violence against women and girls by including appropriate and comprehensive sex and relationship education in schools as a compulsory subject; providing adequate training to teachers and other school staff; and developing gender-specific prevention policies.
- 8.2 Schools and other educational settings play a key role in the prevention of violence against women and girls. This is vital to prevent future domestic and sexual violence as well as tackling the abuse and violence children and young people are currently experiencing. Data published



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in September 2015 revealed that 5,500 sexual offences were recorded in UK schools over a three year period, including 600 rapes<sup>4</sup>.

8.3 As stated above the Welsh Government Good Practice Guidance on Whole Education Approaches developed in conjunction with Welsh Women’s Aid along with the suite of resources in the accompanying toolkit (forthcoming) provide an effective mechanism for embedding a preventative approach within education settings in Wales. Additionally work has been carried out to support young people to develop tools for educational settings where positive attitudes toward gender equality and healthy, respectful relationships can be fostered by young people now and in the future. Welsh Women’s Aid has been working in partnership with Cardiff University and NSPCC Cymru, supported by the Office of the Children’s Commissioner for Wales, to support young people to develop the forthcoming guide ‘Agenda: A Young People’s Guide to Making Positive Relationships Matter’ (see <http://learning.gov.wales/resources/browse-all/keeping-learners-safe-conference-2015/?lang=en>).

8.4 All of these are effective in establishing a best practice basis on which to embed a whole education approach in Wales, however there is currently little evidence of this being consistently rolled out across Welsh schools and other educational settings. Additionally clarity is needed about how healthy relationship education will be included within the new curriculum review. The development of the new curriculum and the process of national and local implementation of provisions contained in the Act offers an opportunity to ensure all children and young people have access to effective gender equality and healthy relationship education as well as support in their own right as survivors of violence against women, domestic abuse and sexual violence.

## 9. Conclusion

9.1 While the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 along with other related legislation sets out the principles of prevention, earlier intervention and collaborative working the act needs leadership, resources and effective integration of this being core business into and across all Government departments and public service boards, to achieve effective implementation and in turn to make a real difference to the lives of women and children in Wales.

9.2 Welsh Women’s Aid welcomes the opportunity to provide evidence to the committee on the post-legislative implementation of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. In particular, **we would welcome the opportunity to provide oral submission to the Committee, on behalf of specialist domestic abuse/violence against women services in Wales.**

<sup>4</sup> <http://www.bbc.co.uk/news/education-34138287>



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Welsh Women's Aid would like to thank the Equality, Local Government and Communities Committee for the opportunity to comment on this important consultation and we look forward to working together in the future.

Any comments or questions regarding our response can be directed to:

**Gwendolyn Sterk, Public Affairs Manager**

**02920 541 551**

[gwendolynsterk@welshwomensaid.org.uk](mailto:gwendolynsterk@welshwomensaid.org.uk)

### [Annex A: Are you listening and am I being heard?](#)

Survivor Consultation: A report of the recommendations made by survivors of violence against women, domestic abuse and sexual violence, to inform the National Strategy in Wales.

### [Annex B: Saving Services to Save Lives](#)

Report on the State of the Specialist Domestic Abuse Sector in Wales, 2016

**Re: Meeting with Cabinet Secretary for Communities and Children, on 21 September 2016 and the Committee's Post Legislative Inquiry into the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (the Act)**

I am writing to you as Chair of the Wales Violence Against Women Action Group (VAWAG), following a meeting of this Group on Friday 16 September, to advise the Committee about the concerns of the group in relation to the proposed refresh of the Violence Against Women Domestic Abuse and Sexual Violence Strategy, currently out for consultation and in response to the recent call for evidence for the Post Legislative Inquiry into the Act.

In relation to the questions set out in the terms of reference the VAWAG would like to raise the following points that should inform the committee's scrutiny. We would like you to raise these concerns with the Cabinet Secretary on Wednesday 21 September, and to take this feedback into account when as part of your post legislative scrutiny. I would welcome the opportunity to provide oral evidence to this Committee as part of this inquiry.

**To what extent is the approach to tackling violence against women, domestic abuse and sexual violence improving as a result of the obligations in the Act?**

Implementation of the Act is at early stages and only one piece of statutory guidance has been published. The VAWAG members felt that the refresh of the national violence against women, domestic abuse and sexual violence strategy is one of the key components of the Act that underpins all other developments. The strategy is due to be published by November 2016 and should provide strategic leadership for local areas in the development and delivery of local needs assessments, strategies and plans to achieve prevention, protection and support.

It is of concern to the Group, therefore, that the current draft strategy lacks substance and fails to acknowledge the disproportionate experiences and impact of abuse on women and children. The proposed priorities are narrow in scope and do not clearly align with the objectives and vision, and unfortunately it recreates a silo approach by only focussing on what one Welsh Government department can deliver, at a time when national, regional and local collaboration to end violence against women is essential.

Particular concerns expressed by VAWAG members include:

- The **definitions** used in the national strategy are highly problematic and potentially damaging to achieving effective prevention work in Wales. Definitions are vital because they will steer regional and local commissioning and monitoring, however the proposed definitions are not in line with the United Nations, international and UK recognised definitions of domestic abuse and violence against women. This is a backward step from the 6 year 'Right to be Safe' violence against women strategy in Wales (2010-2016), which included the internationally accepted definition of violence against women, which placed it clearly within an equality and human rights framework. Losing this approach in Wales places us out of step with the UK Government and other devolved nations (e.g. the Home Office Ending Violence Against Women and Girls Strategy 2016-2020). The VAWAG includes expert legal advisors on violence against women, and we have offered to advise Welsh Government on the matter of the importance of adherence to international definitions, which we hope will be taken up.
- The Strategy lacks a **commitment to funding** for independent specialist services in the third sector, despite previous Ministerial commitments to ensure that a model is developed to

provide long term sustainable funding for specialist services from 2017/18 to ensure the future of third sector specialist domestic abuse, sexual violence, and violence against women services in Wales. However there is no regard for how specialist third sector services should be sustained and developed. These services are vital to enable public services to deliver their statutory duties to prevent violence against women, and protect and support survivors e.g. under the National Training Framework and Ask and Act policy framework. Yet these services are severely depleted in terms of capacity and resources and several face closure next year if funding cuts continue. Again, by not investing in specialist third sector services nationally through the use of dedicated ring fenced funding sourced from across Government departments (like Scottish and Westminster Governments have done and as required by the Istanbul Convention), Wales risks falling out of step with the UK in sustaining its national network of specialist services.

- **Primary prevention** – a key statutory duty for public services, as introduced by the Act – remains weak in the strategy and simply focussed on raising awareness without including any evidence-based interventions that are known from research to contribute to the prevention of violence against women. We would like to see a range of prevention activities priorities over the life of the strategy (5 years) which are developed and monitored in the longer term. The specialist sector in Wales already undertakes prevention work and collaborative partnerships with specialist services would add value to the work of public services, and should be further explored.

The VAWAG membership is concerned there is no opportunity to contribute to the accompanying delivery plan, which we understand will be published along with the strategy on 6 November. The group holds significant expertise within its membership, and whilst some members have provided pre-consultative advice on the content of the strategy, this has not been incorporated. We again offer to provide a ‘task and finish group’ to improve the strategy to ensure it is the best it can be so that Wales continues to lead the way on violence against women prevention in the UK.

#### **Whether the National Adviser has sufficient power and independence from the Welsh Government to ensure implementation of the Act?**

The VAWAG welcomes the role of the National Adviser as a mechanism to provide leadership on violence against women in Wales and to advise the Minister and relevant authorities on the actions required. However at present it remains to be seen how independent and effective the role is. The VAWAG felt there was a lack of synergy with the role and the draft strategy. There is particular concern that the role lacks time and resources, currently it is a part time post with no budget or support to carry out the role to the full potential.

#### **Conclusion**

In summary, the VAWAG would appreciate it if a Committee member could ask the Cabinet Secretary **if the refreshed violence against women, domestic abuse and sexual violence strategy will:**

1. Recognise and adopt the internationally accepted definition of violence against women and the UK definition of domestic abuse, to ensure consistency in strategy, commissioning and monitoring developments in Wales?
2. Include a model for long term sustainable funding for the specialist violence against women, domestic abuse and sexual violence services in the third sector in Wales, building on recent announcements by DWP on the need for a new long term model for funding refuges?
3. Minimise silo working and encourage cross Government, national and local collaboration and commitments to invest in the prevention, protection and support of violence against women, domestic abuse and sexual violence in Wales, working in partnership with specialist third sector services already working on prevention.

Yours sincerely

Mutale,

Mutale Merrill OBE  
Chair, Wales Violence Against Women Action Group

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)–05–16 Papur 3 / Paper 3

1. To what extent is the approach to tackling violence against women, domestic abuse and sexual violence is improving as a result of the obligations of the Act.

New Pathways is not able to identify a significant improvement to the approach to tackling violence against women, domestic abuse and sexual violence in recent months and would be reluctant to conclude that any improvement that has been observed is the result of the obligations of the Act. This is not to say that New Pathways does not feel that the obligations of the Act could well lead to a significant improvement but we feel that it would be premature to make an assessment of this nature at this time.

2. What are the most effective methods of capturing the views and experiences of survivors? Are arrangements in place to capture these experiences, and to what extent is the information being used to help inform the implementation of the Act's provisions.

New Pathways feels that it is important to involve survivors in the development of specialist services wherever practical and possible. New Pathways acknowledges that a consideration of survivors' views and experiences is crucial and may well be the best possible way to inform the implementation of the Act's provisions. New Pathways currently facilitates the sharing of survivors' views in a number of ways including the use of evaluation and feedback forms, on-line surveys and regular forums. It is only with engagement with our own client group that we can be sure that we are continually developing and enhancing the most appropriate range of specialist client services. However, New Pathways does not feel it would be appropriate, at this stage, to ask survivors about specific elements of the implementation of the Act's provisions. It is our understanding that most clients would currently be unaware of the specific legislation and intentions of the Act.

3. Are survivors of abuse beginning to experience better responses from public authorities as a result of the Act, particularly those needing specialist services.

New Pathways feels that it would be premature to assess whether survivors of abuse are beginning to experience better responses from public authorities as a result of the Act. New Pathways does not feel that it would be appropriate to question survivors directly about any changes that have resulted from the Act at this stage.

4. Does the National Advisor have sufficient power and independence from Welsh Government to ensure the implementation of the Act.

New Pathways does not feel that the National Advisor currently has sufficient power and independence from Welsh Government to ensure the implementation of the Act. New Pathways feels that it is too early to assess the impact of the National Advisor to date. However, New Pathways does feel that it is crucial for the National Advisor to have sufficient power and independence from Welsh Government in order to ensure the successful implementation of the Act going forward.



5. To what extent is the Good Practice Guide to Healthy Relationships successfully influencing the development of a whole school approach to challenging VAWDASV.

New Pathways does not feel equipped to respond fully or meaningfully to this question at this time. New Pathways feels that it would be difficult to measure the extent to which the Good Practice Guide to Healthy Relationships has successfully influenced the development of a whole school approach to challenging VAWDASV. While it is clear that there is now an imperative for all schools to challenge VAWDASV and to actively promote healthy relationships it is not clear whether all schools have responded with the same level of enthusiasm and whether a truly consistent and cohesive whole school approach now truly exists. While this situation may become clearer in time it is unlikely that New Pathways, or other similar organisations, will be able to comment on this meaningfully in the future without access to data which contrasts the impact of the Good Practice Guide across different schools and different areas.

Established in 1995, Bawso is an all-Wales specialist support provider for Black and Minority Ethnic (BME) people affected by domestic abuse (DA) and violence against women (VAW). Bawso provides culturally sensitive support and advocacy to vulnerable people experiencing domestic abuse, forced marriage (FM), honor based violence (HBV), or who are victims of trafficking and female genital mutilation (FGM). The advocacy and support enables service users to transcend the barriers they face and gain access to the services, entitlements and information they need and to which they have a right.

Support is provided to more than 4,000 service users annually through 12 projects including: - purpose built refuges which are specially adapted to meet the cultural and religious needs of service users; outreach; information and advice; floating support and FGM health and safeguarding community based project. Bawso has 'Investors in People' award and the Quality Mark at General Advice Level by the Legal Services Commission. Both sustain and maintain the quality of services.

Bawso is committed to challenging all forms of violence against women, and works in partnership with national, regional and local governments, statutory bodies and voluntary organisations to devise and deliver appropriate strategies and support services. All services are planned, developed and delivered in partnership with beneficiaries and partner organisations.

### **Response to Questions**

- *To what extent the approach to tackling violence against women, domestic abuse and sexual violence is improving as a result of the obligations in the Act?*

The approach to tackling violence against women, domestic abuse and sexual violence is gradually improving. There is evidence of local authorities and health boards starting initiatives to fulfil their obligations under the Act to ensure that staff are adequately trained to effectively and consistently support victims and survivors of VAWDASV. For example ABMU health board is actively piloting the Ask and Act training and South Wales PCC has commissioned training for staff on specialist areas such as FGM and FM.

However, implementation of the Act is still in early stages so it is difficult to indicate the extent the approach to tackling VAWDASV is improving because only a few sections of the Act have been executed. Most of the work remains in developmental stages. However, it is worth noting that there is still a strong focus on domestic abuse and not violence against women and sexual violence in the guidance being developed. For example, although harmful practices such as FGM, FM and HBV are mentioned in the legislation, there isn't a strong enough commitment to change attitudes as well as support provision. Emerging strategy which is out for consultation there is neither central government nor local authority commitment to resource work in the areas.

Emerging guidance should commit some level of funding resource and indicate more specifically what strategy under the Act will intend to achieve. In addition, there is a lack of understanding at local authority and local health authority of what their responsibilities are under the Act.

- *What are the most effective methods of capturing the views and experiences of survivors? Are arrangements in place to capture these experiences, and to what extent is this information being used to help inform the implementation of the Act's provisions?*

Listening to survivors of VAWDASV is of paramount importance. They have the lived experience which no support provider can bring to the table. The involvement should be led by survivors and community. Survivor involvement should be a continuous process that uses different methods to gather information including:

1. Focus group discussions – for those who feel confident enough to speak out about their experience.
2. Survivor panels – which are led by survivors. They are more effective because when the survivors lead, they are able to determine key issues affecting them unlike when support providers lead the discussions. The advantage is that they would have strength in numbers. The panellists could regularly inform development and delivery of policy and services.
3. One to one discussions or non- randomised surveys – particularly for those who are able to communicate fluently in English or Wales.
4. For BME survivors it would be worth considering non traditional ways of gathering information for policy development and service delivery. Approaches adopted should be empowering the whole community because some types of violence are promoted by the multiple perpetrators (i.e. FM FGM and HBV). In such instances engaging only with the individual increases risks. To this end the methods used should be non Eurocentric and could include: peer data gathering; activities, food sharing, and sport.

It is also imperative that feedback is given to survivors about how their input has been used. For example, most BME people feel over researched, and do not know how their information is used.

- *Whether survivors of abuse are beginning to experience better responses from public authorities as a result of the Act, particularly those needing specialist services?*

There is a beginning of initiatives to dispel tensions between BME survivors and the public service. Through some of the work that has started BME survivors are gaining understanding of the role of public services, and how they can engage with them to make them aware of their issues. On the other hand, public service is beginning to move away from the myth that BME communities are “hard to reach”. The Act allows for resource input and further commitment.

The current practice under the Act is promising although it is still early days yet in the process. An example of this is the roll out of the national training framework. Group 1 training was implemented last year and it was supposed to reach almost all public sector employees. Group 6 training (short videos for organisational leaders) were

rolled out concurrently with group 1 training to ensure that there was buy-in at the top. Group 2 training is also being piloted in a few areas at present.

The challenge however is that there has been no evaluation of what has been implemented to assess the impact. An evaluation would pull together information on the number of people who have accessed the material as well as the difference it is making in their work. There would also be a lot of lessons learned coming through the evaluation which would benefit widespread implementation.

- *Whether the National Adviser has sufficient power and independence from the Welsh Government to ensure implementation of the Act?*

The post of National Advisor is a move in the right direction in principle. However it remains to be seen how independent and effective the role is. It is not clear how the role of National Advisor will be able to hold LA and other organisations to account if they fail to comply with the legislation.

The National Advisor role would be more effective if it was full time and there was a staff team working collaboratively to ensure that they gather data to inform the strategy on an ongoing basis other than relying on focus groups for example.

*To what extent the good practice guide to healthy relationships is successfully influencing the development of a whole school approach to challenging violence against women, domestic abuse and sexual violence?*

Welsh Women's Aid consulted widely when developing the good practice guide to healthy relationships which sets out robust principles. However, there is no clear indication where and how the guide is being implemented. It would greatly benefit the different stakeholders if information was made available of where the good practice guide is being used so that lessons can be learned from early adopters or pilot areas.

The written statement entitled "Educational Provision and the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Bill states that Local Authorities would have to comply with such statutory guidance unless they could demonstrate, to the satisfaction of Welsh Ministers, that they had found a satisfactory alternative approach. However, it at present, it is not clear how local authorities will be engaged with to ensure that they are implementing the whole school approach. It is also not clear if any local authorities have been asked to demonstrate how they are implementing section 14 of the VAWDASV (Wales) Act. Therefore it is challenging the express a view on the extent the good practice guide is influencing the development of a whole school approach.



## 1. NUS Wales

- 1.1. National Union of Students in Wales (NUS Wales) is the largest democratic organisation in Wales, representing learners in a wide variety of settings including higher education and further education, adult community learning and apprenticeships.

## 2. General Comments

- 2.1. We welcome the opportunity to respond to the Equality, Local Government and Communities Committee's (the Committee) post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. NUS Wales has previously submitted evidence to all stages of the Act, and we recognise that the Committee has made this their first inquiry of the Fifth Assembly.
- 2.2. The Welsh Government, as the Committee will be aware, has an active consultation on the National Strategy and the framework for delivery. This therefore makes it relatively challenging to accurately assess how the aims of the Act are being met, and so we hope that this will be re-examined on an annual basis.
- 2.3. We welcome the opportunity to put on record that this is indeed a gendered issue. Statistics heavily demonstrate that these types of actions overwhelmingly affect women and children. Of course, these crimes do also happen to men but the Act has to be about addressing the devastating fallout that thousands of women and children suffer every day.
- 2.4. That being said, the Act runs the risk of being operating in a gender binary (just "women" and "men"). These repugnant crimes also affect non-cisgendered members of society, including those in transition, and more has to be done to recognise that within the remit of the Act.
- 2.5. Despite the Act and its implementation still being in its infancy, there have been a number of statistical releases recently which have been linked to the Act. For instance, reporting of gender-based violence has increased, as well as reports of sexual assault. It is not clear whether or not these figures indicate simply a rise in reporting, or a rise in cases, so it would also be advised for the Committee to take evidence from groups such as Rape Crisis.
- 2.6. We would also like to draw the Committee's attention to recent media concerns that Women's Refuges are in danger of funding cuts, and the associated impact this may have on Wales (particularly in North Wales). As the above evidence suggests, there has been a simultaneous increase in cases alongside a decrease in funding. More has to be done to ensure that Women's Refuges will be safeguarded in Wales, no matter from where women are coming.

- 2.7. NUS Wales does have concerns, which we have previously raised, that the current Act focuses on domestic abuse at the potential expense of sexual violence and tackling violence against women.
- 2.8. We would welcome the opportunity to meet Committee Members and to give evidence in person to a full session.
- 3. Question 1:** *To what extent is the approach to tackling violence against women, domestic abuse and sexual violence improving as a result of the obligations in the Act?*
- 3.1. This is extremely difficult to judge accurately at this stage. The Act received Royal Assent in April 2015, and the Welsh Government is currently consulting on the Strategy and five year Framework. It should also be noted that this is one of the first pieces of legislation of its kind, and as such it is challenging to find comparable success measures. NUS Wales does fully support the Act and believe that it is a vital step in tackling and eliminating violence against women.
- 3.2. The obligations of the Act that have been delivered thus far are encouraging. The Welsh Government has consulted already upon the training modules for staff in the public sector with responsibility for the Act, and NUS Wales submitted to these modules. The National Adviser has been appointed and has begun work, and the Welsh Government is consulting on the development of the National Strategy. These are all actions that will focus on delivery of the Act in the long-term and should be welcomed.
- 3.3. The Criminal Prosecution Service's (CPS) [report](#) on Violence Against Women and Girls demonstrates that there has been an increase of 11% in prosecutions of Violence Against Women and Girls, as well as prosecutions of "revenge porn". The latter crime is also overwhelmingly dominated by crimes committed against women and girls.
- 3.4. While an increase in prosecutions is an encouraging sign that governments across the UK are prioritising violence against women, it should be noted that these laws and their consequent enforcement are not devolved matters. We would be interested to learn what the Welsh Government's Strategy will contain when it comes to working with the four police forces in Wales. It is also important that there is parity in provision and intent in each of the forces.
- 3.5. It should also be noted that Rape Crisis have conducted [research](#) that shows only 15% of those who experience sexual violence choose to report it to the police. While these figures are from 2013, it raises a valid concern: are these prosecutions a result of an increase in reporting, or because of an increase in these crimes?
- 3.6. NUS research also shows that 75% of students are unaware of how to report incidences of sexual violence and abuse while at university. This goes alongside further evidence of 75% of young women students in Wales experienced emotional abuse from a partner.
- 3.7. Therefore, while the intentions of the Act appear to be being met it is still far too early to fully assess whether the obligations have been delivered. It is

encouraging that the CPS and governments are recognising that these crimes are not limited to strictly physical abuse, but extend to online and mental abuse.

4. **Question 2:** *What are the most effective methods of capturing the views and experiences of survivors? Are arrangements in place to capture these experiences, and to what extent is this information being used to help inform the implementation of the Act's provisions?*
  - 4.1. The most important area to consider when it comes to the reporting, and consequent experiences of survivors further down the line, is the way in which it is done. The mental trauma of reporting these experiences is difficult enough, and can often be exacerbated by the physical act of going to a police station. Alternative methods of reporting, that are readily advertised, would be a welcome step. This could include an anonymous online which would allow for crime to be investigated without necessarily beginning formal criminal proceedings, particularly where there is a child (or children) involved.
  - 4.2. The All Wales Domestic Abuse and Sexual Violence Helpline, which took its first call in 2004, may also be a potential avenue to follow up the experiences of survivors.
  - 4.3. Welsh Women's Aid published the "[Are you listening, am I being heard?](#)" survivor consultation in March this year. This kind of work was extremely progressive in gathering these responses, and it would be worth the Committee taking further evidence on ways in which this research can be built upon.
  - 4.4. A lot of research, when it comes to survivors, does not include populations in shared/group residences such as care homes and halls of residence for students. Efforts should therefore be made to gather research and evidence from these groups.
  - 4.5. We believe that this is an absolutely pivotal element of the Act, and we would suggest the Committee dedicates significant resource to helping Welsh Government create a strong system for gathering the evidence of survivors.
5. **Question 3.** *Whether survivors of abuse are beginning to experience better responses from the public authorities as a result of the Act, particularly those needing specialist services?*
  - 5.1. It is too early to accurately assess this question. Local authorities will need to develop local strategies to be implemented from 2018 onwards, which is informed by the current Welsh Government consultation. However, further consideration and follow up of the above evidence to the Welsh Women's Aid consultation may shed light on this query.
6. **Question 4.** *Whether the National Adviser has sufficient power and independence from the Welsh Government to ensure implementation of the Act?*
  - 6.1. NUS Wales has welcomed the creation of the post of the National Adviser. The role has brought a vitally needed leadership and expertise in tackling Violence Against Women, and we fervently believe that the position should be offered the resources to enhance their work. We are concerned, however, that their existing remit does not go far enough.



- 6.2. The current [remit](#) of the Adviser does not currently have the power to sanction organisations that are failing to work towards ending violence against women. NUS Wales believes that an expansion of the existing remit should be considered, to consider whether any powers of sanction is something that would be possible under the existing devolution format.
- 6.3. The annual report that is produced by the Adviser also needs to include a strong mandate for clear actions to act upon the findings of the report. We would also ask the National Assembly and the Welsh Government to consider whether an annual report is enough.
- 6.4. There has been a particular concern amongst NUS Wales' membership for the impact of violence against women in non-devolved functions (immigration laws and the like). The National Adviser must be able to consider and make recommendations on tackling violence against women even with regards to non-devolved areas.
- 6.5. We are also concerned at the potential lack of support and infrastructure below the National Adviser to embed long-lasting change.
7. **Question 5.** *To what extent the good practice guide to healthy relationships is successfully influencing the development of a whole school approach to challenging violence against women, domestic abuse and sexual violence?*
  - 7.1. NUS Wales believes that healthy sex and relationship education is absolutely essential for the school curriculum. Children and young people must be taught that VAW, abuse, domestic violence and sexist behaviour (not an exhaustive list) are all abhorrent and we welcome moves by the Welsh Government to implement healthy relationships education.
  - 7.2. NUS Wales argues for healthy sex and relationship education from Key Stage 2 and above, with appropriate age-level teaching. This will ideally include conversations around both femininity and masculinity. The social focus around the latter element is often highlighted as a rationale for committing gender-based violence. NUS Wales believes that this Act has the potential to create lasting change, beyond the scope of the next five years.
  - 7.3. It is also essential to raise that reporting of sexual and domestic violence against LGBT+ individuals is on the rise. This raises particularly issues when it comes to later potential treatments, and it is of the utmost importance that this Committee also considers the potential of introducing Gender Identity Clinics in Wales.
  - 7.4. The previous points will enable teachers and parents to be able to have these discussions with children, both at school and home. This will lay the foundations for a changing social dynamic, in which children and young people will be comfortable to discuss "awkward" issues and be able to recognise gender-based and domestic violence.
  - 7.5. NUS Wales find it encouraging that the existing guides have been developed in partnership with organisations such as Welsh Women's Aid, and we would strongly support more guidance and training to be developed in partnership with Third Sector experts.

- 7.6. There must also be a whole-school approach to SRE that begins at Key Stage 2. We would welcome the opportunity to provide further evidence to the Committee on this priority campaign.
- 7.7. Consent education should be included in any SRE curriculum. Education around healthy relationships and consent should also continue to focus on perpetrators and remove the stigma of victim blaming. This includes noting that VAW is a gendered issue and a form of gender-based discrimination, which was extensively debated during the original renaming of the Bill.
- 7.8. NUS Wales would also urge the Committee and Welsh Government to do more to monitor how many schools are adopting the good practice guide, and to identify areas where schools are failing to do so.
- 7.9. NUS Wales welcomes the opportunity to respond to this consultation, and we look forward to working with the Committee during the duration of the Fifth Assembly.

### About the NSPCC

We're leading the fight against child abuse in the UK and Channel Islands. We help children who've been abused to rebuild their lives, we protect children at risk, and we find the best ways of preventing child abuse from ever happening.

Abuse ruins childhood, but it can be prevented. That's why we're here. That's what drives all our work, and that's why – as long as there's abuse – we will fight for every childhood.

We help children rebuild their lives, and we find ways to prevent abuse from ruining any more. Learning about what works in the fight against abuse and neglect is central to what we do. We are committed to carrying out research and evaluation to make sure the approaches we're taking are the right ones and we share what we have learnt with partners.

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NSPCC Cymru/Wales welcomes the opportunity to contribute to the Equality, Local Government and Communities Committee's Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. The Act is a landmark piece of legislation and we welcome the opportunity it provides to improve the public sector response and raise further awareness of domestic abuse and violence against women to prevent abuse and better protect and support survivors in Wales. Along with the Well-being of Future Generations (Wales) Act 2015 and the Social Services and Well-being (Wales) Act 2014, this is a key moment to break the cycle of domestic abuse and ensure that children are kept safe from abuse and neglect.

Domestic abuse, substance abuse and mental health problems are known risk factors for all forms of child abuse and neglect. These stressors often occur together, and have a cumulative effect - the more of them there are in the family, the greater the risk to the child. Reviews of cases where a child has died or been seriously injured regularly find that some or all of these factors were present. In addition, their presence during pregnancy poses physical risks to unborn children.

Children who are abused and neglected are more likely to experience negative outcomes in adulthood including mental health problems, problems with substance use and live in households with domestic abuse. This risks the abuse and neglect to their own children.

The experience of living in a household where the parents or carers are abusive to one another *is* child abuse. Section 120 of the Adoption and Children Act 2002<sup>1</sup> amended the definition of harm to a child to include witnessing domestic abuse. A core priority of the NSPCC is to work with families facing adversities, including domestic abuse, and our focus is on supporting parents or carers with adversities to protect their children from abuse and neglect.

We note the draft National Strategy on Violence against Women, Domestic Abuse and Sexual Violence which is currently out for consultation. Both as an organisation and as a member of Violence Against Women Action Group we will be feeding in a range of comments and suggestions for improvement. Along with considering the implementation of the Act's provisions and its impact to date, NSPCC Cymru/Wales believes that the Committee should also take the current National Strategy consultation document into account.

We have focused our response on some key questions we feel that the Committee could focus on as part of this post-legislative inquiry.

### **1) A rights-based approach**

NSPCC Cymru/Wales believes that situating the development of the national and local strategies under Section 16 of the Act firmly within a UNCRC-based framework is important to ensure that the specific needs and vulnerabilities of children and young people are taken into account. We note that a Welsh Language Impact Assessment has been completed alongside this draft Strategy and we would welcome assurances that a Children's Rights Impact Assessment (CRIA) has also been completed. We would recommend that this be made public alongside the final Strategy.

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2002/38/section/120>

- **We ask that the Committee look into whether CRIAs have been completed for the Strategy and the Guidance published under the Act, and whether these CRIAs are adequate to ensure that the rights of children and young people have been considered.**

## **2) Definitions**

NSPCC Cymru/Wales shares the concerns of Welsh Women's Aid and the Violence Against Women Action Group about the definitions used in the Strategy. These definitions will steer regional and local commissioning and monitoring, and it's therefore vital that these are correct from the start. Currently the definitions used are not consistent with the United Nations, international and UK recognised definitions of domestic abuse and violence against women. The Right to be Safe strategy of 2010 included the internationally accepted definition of violence against women, placing it clearly within an equality and human rights framework. Changing this approach, we believe, represents a step backwards, and means that Wales is not aligned with the UK Government and other devolved nations.

- **We suggest that the Committee ask that the definitions used within the Strategy are amended to be in line with the UN, international and UK recognised definitions.**

## **3) Educating the Future Generation**

NSPCC Cymru/Wales believes that it's crucial to educate young people about healthy relationships if we are to break the cycle of domestic abuse. There is growing research evidence that patterns of sexual coercion and harassment are not confined to **older teens** but are also emerging in the everyday lives of **pre-teen children**.

In Wales, the 'Boys and Girls Speak Out' (2013) research carried out on behalf of the National Assembly for Wales Cross Party Group on Children's Sexuality, Sexualisation and Equalities (funded by NSPCC Cymru/Wales, Cardiff University and the Office of the Children's Commissioner for Wales) revealed that most children age 10-12 reported either witnessing or experiencing direct or indirect incidents of sexual harassment, particularly slut-shaming and anti-gay talk (at school, in the street, and online), with gender stereotypes used by children and some staff to justify these forms of harassment. Overall the research found that

children were ill-equipped to deal with sexual harassment and very few felt comfortable talking about these issues with parents or teachers.

Further evidence shows the scale of this problem:

- Data published in September 2015 revealed that 5,500 sexual offences were recorded in UK schools over a three year period, including 600 rapes.<sup>2</sup>
- In a study of young people by the NSPCC (2009), a quarter of the girls and 18 per cent of the boys experienced physical abuse; three quarters of the girls and 14 per cent of the boys experienced physical abuse, and a third of the girls and 16 per cent of the boys experienced some form of sexual partner violence.<sup>3</sup>
- Data from the NSPCC's ChildLine service reveals a culture of sexual harassment which, starting from their school relationships, extends across the spectrum of children's experiences, including online. It can leave them isolated, with many having no outlet to escape abuse.

**NSPCC Cymru/Wales believes that core and mandatory curriculum on healthy relationships taught from a gender equality perspective; co-produced with children and young people and delivered by appropriately trained practitioners is needed to ensure ALL school age children and young people receive a comprehensive and inclusive sexuality and relationships education that addresses the complex ways in which interpersonal gender-based and sexual harassment impacts upon their lives.**

We welcome that the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 included provisions to require local authorities to publish prescribed information to show how their education functions are being exercised to promote the purposes of the legislation. The legislation was also followed by the publication of Welsh Government Guidance on Whole School Approaches developed with Welsh Women's Aid. However we were disappointed that the Welsh Government did not introduce mandatory healthy relationships education delivered through a whole school approach. We are aware that work is ongoing in the development of the Wellbeing Area of Learning and Experience under the

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<sup>2</sup> <http://www.bbc.co.uk/news/education-34138287>

<sup>3</sup> *Barter et al (2009): School-based cross-sectional survey of 1500 young people aged 13 to 17 in England, Scotland and Wales and 80 interviews with young people (NSPCC funded);*

new curriculum for Wales and would urge that provision should become mandatory as part of this process.

We are however strongly supportive of and have contributed content and case studies to the Welsh Government's Guidance on 'Good Practice on delivering Whole Education Approaches to Preventing Violence against Women, Domestic Abuse and Sexual Violence.' However, concerns do remain around implementation.

We believe it is important to unpick the practical steps schools need to take to successfully deliver all of the different elements of a whole school approach, and understand where the prevention of sexual harassment and violence sits within this scope. It is also important to understand the needs of schools and teachers to help them embed and deliver this approach successfully, consistently and safely.

As part of this, schools also need to be supported to incorporate innovative approaches. Cardiff University (Professor Renold), NSPCC Cymru/Wales and Welsh Women's Aid, supported by the Office of the Children's Commissioner for Wales have been working in partnership over the last year on '*AGENDA: A Young People's Guide to Making Positive Relationships Matter*'. AGENDA will be launched in November 2016 at the Pierhead Building. AGENDA is intended to be a change-making toolkit for young people who wish to get involved in promoting gender well-being and gender equalities for respectful and healthy relationships. AGENDA has been designed to showcase and provide practical examples of how change-making can be embedded in the learning process. **We believe it is imperative that children and young people's views are at the forefront of the development of PSE/SRE content on healthy relationships.** We would welcome the opportunity to share further information on AGENDA with the Committee.

Given that currently, PSE (and a comprehensive healthy relationships education programme) is not mandatory and as such, provision is at the discretion of each individual school, many teachers may find both time and resources for training hard to negotiate. Mandatory and regular training for all staff on by experts in the field of gender and sexuality education, violence against girls and women, and LGBTQA+ and transgender+ is imperative for the implementation of any education approach and the whole-school approaches described above. There also needs to be clear guidance on how to create safe spaces for children to talk about and challenge everyday sexism and sexual harassment.

A fully resourced and regularly evaluated approach will be vital to achieving the prevention ambitions of the Act. We believe having a core mandatory curriculum, independently evaluated and inspected by Estyn (Wales) with evidenced based learning outcomes and resources is an essential part of ensuring consistency and quality.

We would also like to draw attention to our response to the Committee's Inquiry on its priorities, in which we suggested that the **Committee consider a joint inquiry with the Children and Young People's Committee into the impact of sexual harassment/violence on children and young people in Wales.** We believe this inquiry would be a timely means of assessing what needs to be in place to support this approach.

**We would suggest the Committee should:**

- **Examine what progress is being made at a local level to implement the requirements of the Act and what arrangements around training, monitoring, evaluation and inspection are being made to support schools and teachers to implement the Act.**
- **We would also suggest that the Committee could gather evidence by directly asking teachers and schools about their awareness of the Whole Education Approach Guidance and if so what they need to implement the provisions of the Act and what challenges there are in putting the Guidance into practice.**

**4) Powers of the National Adviser**

NSPCC Cymru/Wales is looking forward to working with the National Adviser to ensure implementation of the Act. However, as of yet it feels like early days to be able to comment on whether the National Adviser has sufficient powers and independence from the Welsh Government to do this. We would however welcome further scrutiny around what role the National Adviser will have in ensuring scrutiny of local strategies by Local Authorities and Local Health Boards and how they will be supported by Welsh Government to fulfil this role. The National Strategy consultation document does not currently mention the National Adviser which is concerning. As such it is difficult to understand the role the Advisor will play in supporting relevant authorities to deliver on the requirements of the Act. We would also welcome further clarity about the role the National Adviser has played in the development of the National Strategy document. This leads to a further more general question about



governance and accountability. Who is accountable for the delivery of the local strategies and how will local delivery be scrutinised?

- **We would suggest that the Committee consider asking how the National Adviser will play a role in ensuring that there is adequate scrutiny and consistency across the Local Strategies.**
- **We believe the Committee should seek evidence from the National Advisor on how far her powers are supporting her in her role as established by the legislation.**

## **5) Guidance**

NSPCC Cymru/Wales welcomed the opportunity to comment on the draft guidance that has been published to accompany the Act: the National Training Framework, Ask and Act and Multi Agency Collaboration and the Perpetrators Guidance. However we have concerns about the impact of the delays in publishing these pieces of guidance, especially as the National and Local Strategies that are required by the Act should have regard to this guidance. We are particularly concerned that Commissioning Guidance has not been published which should aim to ensure that no matter where a victim lives, there is a strong public and specialist service ready to help. Without specific guidance for local commissioners to support their commissioning of specialist services under the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, we believe there is a risk that services for children and young people will not be given the adequate and consistent attention across all areas of Wales that they need. We also believe that such guidance is vital to support a holistic approach at a local level that combines to create a strategically joined-up and consistent approach to service users across Wales.

- **We suggest that the Committee look into timescales for publication of the range of guidance and assess the potential impact of the delays on the implementation of the Act.**

## **6) Services**

We welcome the inclusion of Support as a priority in the National Strategy consultation document. We know that the impact of abuse can include mental health problems such as anxiety, depression, substance misuse, eating disorders, self-harm, anger and aggression, sexual symptoms and

age inappropriate sexual behaviour.<sup>4</sup> Receiving the right support at the right time can mean the difference between overcoming their trauma, or a life shaped by the horror of their experiences. However, we remain concerned that there remains a severe lack of evidence about 'what works' for children who are abused due to witnessing or experiencing domestic abuse. Support can take many forms and it's important that those who are commissioning services take a holistic approach. It also remains the case that children are rarely given opportunities to express their views about what they feel is effective and become involved in decisions about the type of services they need.<sup>5</sup>

- **We would suggest that the Committee ask what services are available to children across Wales and assesses the need for a further gaps analysis and guidance on the evidence there is about 'what works' for children.**

We welcome that the National Strategy document and forthcoming Perpetrators Guidance recognises that working with perpetrators of VAWDASV has to be a key plank of any strategic approach to prevent violence against women and domestic abuse. However we would suggest that Guidance is necessary to ensure this is understood as part of a holistic approach. We believe that relevant authorities need stronger guidance on the minimum standards for service provision.

- **We would suggest that the Committee look into the availability and effectiveness of programmes that work with perpetrators to address their behaviour.**

## **7) FGM**

NSPCC Cymru/Wales remains concerned about the lack of clarity over how Female Genital Mutilation (FGM) fits under both the Act and the draft Strategy. The relevant authorities covered by the Act need better guidance on what can be done to prevent FGM and support those affected by it. Although there is reference to FGM in the draft National document under the Prevention strand, we believe that more work needs to be done to mainstream its inclusion across the whole document. The Welsh

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<sup>4</sup> Lanktree, C. B, Gilbert, A. M, Briere, J, Taylor, N, Chen, K, Maida, C. A and Saltzman, W. R (2008) Multi-informant assessment of maltreated children: convergent and discriminant validity of the TSCC and TSCYC. *Child Abuse Neglect* 32 (6) pp. 621-625

<sup>5</sup> Radford, L., Aitkin, R., Miller, P., Ellis, J., Roberts, J., and Kirkc, A. (2011). *Meeting the Needs of Children living with domestic abuse in London*. London: Refuge/NSPCC research project, funded by the City Bridge Trust.

Government, with the establishment of the Wales National Strategic HBV Leadership Group and delivery plan has instigated a strategic approach to attempting to tackle HBV/FGM in Wales and the document should be more reflective of this. There is also key work in data collection and Health that could be better reflected and should be better communicated from a National to Local level. We would recommend that the Committee seeks formal input from the Strategic Leadership Group (SLG). Part of the work by the SLG work includes funding and support for the Voices over Silence project, which saw NSPCC Cymru/Wales and Bawso work with a group of 16 young women during a 6 month period to upskill them as youth ambassadors on FGM and co-create resources which aim to spark conversations about FGM in schools and communities across Wales.

- **We suggest that the Committee to consider whether there is sufficient guidance on HBV under the Act and the draft Strategy for bodies to be able to engage with strategic action needed to prevent HBV/FGM and adequately support those affected by it.**
- **We would suggest that the Committee seeks evidence from the Wales HBV Strategic Leadership Group.**

## **8) Sexual Violence**

NSPCC Cymru/Wales is concerned that the main focus of the draft Strategy is on Domestic Abuse, meaning that Sexual Violence and Violence against Women are not as adequately incorporated into the document. We also note that Child Sexual Abuse is mentioned in the Strategy (on page 10), however there is lack of clarity around how this fits under the Strategy.

- **We suggest that the Committee seek clarity on whether Child Sexual Abuse falls under Sexual Violence as covered by the Act.**

## **9) Survivors' Voices**

We welcome the fact that the draft strategy has been informed by the recommendations and priorities of Welsh adult survivor voices. We want to emphasise how important it is that the voices of children and young people are taken into account as part of this process. It remains the case that children are rarely given opportunities to express their views about

what they feel is effective and become involved in decisions about the type of services they need.<sup>6</sup> NSPCC has recently engaged with a Young Experts group (young people with experience of abuse) who have developed a set of child-centred principles that should underpin future services to support children and young people who have been abused.<sup>7</sup> NSPCC Cymru/Wales are also in the process of consulting with children and young people to find out what they want from services with a view to developing a set of Listening Standards. These will be available in early 2017. We would be happy to share our learning with the Committee.

- **We would suggest that the Committee consider how the voices and experiences of children and young people can meaningfully inform the implementation of the Strategy and Guidance under the Act.**
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**We would be pleased to discuss any of the areas we have outlined in our response in further detail if that would be of help to the Committee.**

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<sup>6</sup> Radford, L., Aitkin, R., Miller, P., Ellis, J., Roberts, J., and Kirkc, A. (2011). *Meeting the Needs of Children living with domestic abuse in London*. London: Refuge/NSPCC research project, funded by the City Bridge Trust.

<sup>7</sup> <https://www.nspcc.org.uk/globalassets/documents/research-reports/its-time-campaign-report.pdf>

**1. To what extent the approach to tackling violence against women, domestic abuse and sexual violence is improving as a result of the obligations in the Act?**

- 1.1 It is our opinion that it is too early to say as it is still very early in the implementation of the Act. Leadership arrangements to support the partnership required to implement VAWDASV in Neath Port Talbot County Borough Council have been considerably strengthened and the leadership group includes national representation from Women's Aid which is much appreciated.
- 1.2 We have made an early start on developing the local strategy required under the Act, however, the requirement for a local strategy does not sit comfortably with other requirements imposed by the Social Services and Wellbeing (Wales) Act 2014 which is requiring an input to the development of the population assessment in a different timetable to the VAWDASV. This is unhelpful.
- 1.3 We are aware of the National Training Framework however, delivering the Framework is problematic as there are no new identified resources to support this within agencies who are already struggling to deliver on a broad policy agenda which includes, for example, Counter-terrorism training as part of the PREVENT strategy, the Wellbeing of Future Generations (Wales) Act 2015; the Social Services and Wellbeing (Wales) Act 2014; as well as training emanating from the Fairer Futures Division to support the strengthening of community cohesion, eg Hate Crime Training; Modern Slavery Training; Gypsy Traveller Training etc.
- 1.4 The development of the local strategy is requiring application of resource that is not covered by existing funding streams. The development of commissioning arrangements is made overly complex by the plethora of specific grants that underpin much of the service delivery in this area, all of which have different conditions attached. There is an urgent need to put specific grants into base budgets to ensure that local commissioners have the degree of flexibility needed to set clear priorities and develop more responsive services to meet the needs of people affected by gender based violence. In particular, Supporting People, Substance Misuse, Welsh Government, Home Office, Families First funding streams need to be "pooled" in order that the new Partnership can exercise the new responsibilities the Act envisages. We would be very happy to pilot such an approach.

1.5 In our earlier responses to consultation exercises we expressed concern that many of the initiatives will lead to more victims being identified, but without the benefit of any additional capacity being created in provider agencies. Ask and Act is being piloted in ABMU Health Board and it is becoming evident that funding to specialist services will need to be properly examined if we are to ensure that new people identified as needing support can access that support in acceptable timescales. We urge the Welsh Government to ensure that the pilots are properly evaluated before they are scaled up to avoid a position where large numbers of new people are identified to find themselves then unable to access services for some considerable time, during which period many cases are likely to escalate.

1.6 We have received confused messages about local and regional responses to people affected by gender-based violence. In our view, there are a range of responses that need to be delivered locally; there are some that lend themselves to wider area working and others that may be more effectively planned at an all-Wales level. We urge the Welsh Government to allow local partnerships to work this complexity through so that we can end up with a set of arrangements that is better fit for purpose.

**2 What are the most effective methods of capturing the views and experiences of survivors? Are arrangements in place to capture these experiences, and to what extent is this information being used to help inform the implementation of the Act's provisions?**

2.1 In NPT all of the specialist service providers engage with service users via groups, feedback forms etc. Commissioners also have a range of evaluation methods in operation.

2.2 As part of the development of the local strategy, we have engaged with survivors from the outset to understand what works and does not work from their perspective. We are also committed to putting in place mechanisms to regularly receive feedback and input from survivors as we mature our strategy development and delivery arrangements.

**3. Whether survivors of abuse are beginning to experience better responses from public authorities as a result of the Act, particularly those needing specialist services?**

3.1 It is too early to make this assessment. Ask and Act is in a pilot phase and there has actually been a reduction in funding for specialist services

as a result of the prevailing financial climate with further cuts in grant funding expected. Coupled with the complexity of trying to join up disparate grant funding schemes it is unlikely that survivors will have seen much positive change.

#### **4. Whether the National Adviser has sufficient power and independence from the Welsh Government to ensure implementation of the Act?**

We consider it too early to make this assessment. We have had limited communication with the National Adviser and would welcome an opportunity to strengthen links between the Council, its partnership arrangements and the National Adviser. It is important that the democratic mandate of elected Assembly Members and local councillors is properly balanced with any powers that are provided to the National Adviser.

#### **5. To what extent the good practice guide to healthy relationships is successfully influencing the development of a whole school approach to challenging violence against women, domestic abuse and sexual violence**

5.1 It is too early to assess this.

### **6. FURTHER CONCERNS**

6.1 The Act is ambitious in what it seeks to deliver in outcome terms for people affected by gender based violence. However, the resource implications of implementing the Act remains a concern for us. As identified above, many of the initiatives will lead to the identification of more people who will need help and support, but the grants and funding that support service delivery are being reduced. It is also a cause for concern that whilst the Act seeks to bring about a significant change for people affected by gender-based violence, the funding that remains available is still time limited and not part of core budgets. This means that it is difficult to sustain a quality specialist workforce and is an issue that we encourage Welsh Government to address as a matter of priority.

6.2 The requirements to develop and implement a local Strategy cannot be accommodated within the role of the Domestic Abuse Co-ordinator

and additional resources have needed to be identified at a local level to deliver the statutory requirements. This is not a sustainable position.

6.3 Lines of communication between Welsh Government and local government need to be urgently clarified so that we can develop an effective collaborative approach to securing the outcomes that the Act seeks to achieve. There are a range of stakeholders who need to contribute to this work, but, importantly, there are specific duties placed upon health boards and local authorities in the Act but no adequate forum for discussion how those specific duties can be most effectively discharged.

6.4 We responded to a number of consultations on draft guidance to support implementation of the Act. However, we have had little feedback on what amendments, if any, the Welsh Government intend to introduce and the timetable for publishing final guidance. We have previously made representation that the draft guidance includes many “requirements” that the Welsh Government would not appear to have power to impose.



Aneurin Bevan University Health Board has welcomed this new legislation and the framework that it provides to ensure that agencies including the NHS fully meets responsibilities for this aspect of safeguarding and public protection.

In Gwent, the regional Violence Against Women, Domestic Abuse and Sexual Violence Board is well established and provides the forum for partnership working and planning to improve arrangements within and across public, private and voluntary sectors for the prevention, protection and support for all forms of violence against women, domestic abuse and sexual violence. We are fortunate that the Independent National Advisor is Chair of this Board as this provides us with strong and informed leadership.

The requirements of the Act for the health boards have been incorporated into *Keeping People Safe*, Aneurin Bevan University Health Boards Strategic Framework for Safeguarding. This 3 year strategic plan identifies key priorities and includes a training framework to support healthcare staff in acquiring the skills and knowledge that they require



### **1.0 To what extent the approach to tackling violence against women, domestic abuse and sexual violence is improving as a result of the obligations in the Act?**

ABM University Health Board (ABMUHB) is an early adopter site (pilot) within Wales for implementation of “Ask and Act”. The obligation set out in the Act makes a positive contribution to tackling violence against women, domestic abuse and sexual violence (VAWDASV). A pre-training and post training evaluation of staff who have received Group 2 training has been completed and is on-going. The evaluation shows that health professional’s level of knowledge and confidence relating to VAWDASV has improved as a result of the training. There have been marked improvements made in health professionals identifying and referring victims of domestic abuse. Greater emphasis must be made in tackling sexual violence and the wider violence against women and girls agenda as set out in the Act. Due to the limited time frame of the pilot, extra time is required to evaluate the impact of the Act.

### **2.0 What are the most effective methods of capturing the views and experiences of survivors? Are arrangements in place to capture these experiences and to what extent is this information being used to help inform the implementation of the Act’s provisions?**

Capturing views and experiences of survivors must be managed in a sensitive way given the individuals experiences and need for anonymity. Often within health care, contact with a patient may be a “one off” and therefore it can be difficult to capture views and experiences. ABMUHB as a result of the Act has agreed pathways for referral to local specialist services and therefore meaningful views and experiences may be best captured upon case closure and feedback through partner agencies and specialist services. ABMUHB is looking at ways to capture patient stories as a supportive and

therapeutic mechanism for those wishing to share their experiences and raise awareness as recommended by 1000 Lives Plus. The Safeguarding Team will be trained to capture these stories and survivors will be offered several options in sharing these, e.g. voice recording or writing their story. Past experience with survivors tells us that feedback should be offered in various ways to meet the individual needs and often this is completed with a health professional.

### **3.0 Whether survivors of abuse are beginning to experience better responses from public authorities as a result of the Act, particularly those needing specialist services?**

Within the pilot, “Ask and Act” referral pathways have been developed through collaborative work with Local Authorities, the Third Sector specialist support services and the Live Fear Free Helpline. Health professionals report feeling more confident in referring and have greater awareness of specialist support services available to victims and survivors. Again, it is early within the pilot to evaluate the impact of “Ask and Act”

### **4.0 Whether the National Adviser has sufficient power and independence from the Welsh Government to ensure implementation of the Act?**

The Welsh Government’s commitment to tackling VAWDASV is clear and the appointment of the National Adviser to drive improvements in the way services for victims and survivors are commissioned and delivered is a positive step towards tackling VAWDASV.

### **5.0 To what extent the good practice guide to healthy relationships is successfully influencing the development of a whole school approach to challenging violence against women, domestic abuse and sexual violence?**

ABMUHB support the good practice guide to healthy relationships. The nine key elements of a whole education approach show the positive intention to challenging VAWDASV. From a health perspective it is too early to comment further as it is too early to fully understand and measure the impact.

Carl Sargeant AM  
Cabinet Secretary for Communities and Children  
National Assembly for Wales  
Cardiff Bay  
Cardiff

15 September 2016

Dear Carl

You will be aware that the Equalities, Local Government and Communities Committee is currently undertaking post-legislative scrutiny work on the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. A copy of the terms of reference for our inquiry is enclosed. The inquiry will run until the end of October and we are aiming to conclude our work and report on our findings by mid-November.

I understand that the Welsh Government launched its consultation on a draft National Strategy on Violence against Women, Domestic Abuse and Sexual Violence over the summer recess with a closing date for responses of 10 October. I am also aware that the Welsh Government must publish its final Strategy in November in line with the timings set out in the Act. While consideration of the draft Strategy does not feature in our terms of reference, given the timing of our respective consultations and the significance of the Strategy, we anticipate that it is something that is likely to be raised during the course of our inquiry and to feature in our report.

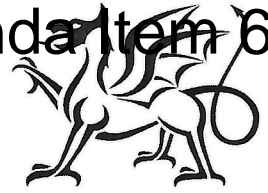
In view of the above, I thought it would be helpful to give you an indication of the timing of our inquiry with a view to you making the necessary arrangements to allow our findings to feed into the final stages of the development of the Strategy.

Kind regards



John Griffiths AC / AM  
Cadeirydd / Chair





Llywodraeth Cymru  
Welsh Government

Carl Sargeant AC/AM  
Ysgrifennydd y Cabinet dros Gymunedau a Phlant  
Cabinet Secretary for Communities and Children

Ein cyf/Our ref MA (L) CS -5222-16

John Griffiths AM  
Chair  
National Assembly for Wales  
Equality, Local Government and Communities Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

 September 2016

Dear John

Thank you for your letter of 15 September about the Equality, Local Government and Communities Committee post-legislative scrutiny work on the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 and enclosing a copy of the terms of reference for your inquiry.

I understand a member of the Clerking team will attend one of the two remaining workshops to inform the development of the National Strategy on Violence against Women, Domestic Abuse and Sexual Violence.

I will ensure my officials consider the Committee's findings in developing the final version of the Strategy.

Yours sincerely



**Carl Sargeant AC/AM**

Ysgrifennydd y Cabinet dros Gymunedau a Phlant  
Cabinet Secretary for Communities and Children

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

# Agenda Item 6.3

Prif Bwrdd Llywodraeth Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-05-16 Papur 12 / Paper 12

## **Letter from the Police and Crime Commissioner for Gwent on future work relating to tackling violence against women, domestic abuse and sexual violence**

### **Police and Crime Commissioner for Gwent**

In response to the request for the Police and Crime Commissioners (PCC) in Wales' to provide their forth coming work plans for tackling Violence Against Women, Domestic Abuse and Sexual Violence, I have provided a brief outline of;

- How VAWDASV aligns to our Strategic Priorities.
- The current funding support provided for tackling VAWDASV from the PCC
- Partnership Approach to VAWDASV in Gwent

- How VAWDASV aligns to our Strategic Priorities

The Police and Crime Plan 2017- 2021, is currently being developed for implementation on 31<sup>st</sup> March 2017. The priorities, which are currently being publically consulted on, provide the direction of travel for Gwent Police to delivery against. One of the proposed priorities includes ensuring that people are protected from serious harm and violence. Therefore, within this priority there will be a clear focus on our approach to VAWDASV, including all victims, survivors and perpetrators.

In additional, we have a joint Strategic Equality Plan (SEP) 2016- 2020 with Gwent Police. Domestic abuse is part of equality objective one which ensures that our Police service is cognisant of people who suffer domestic abuse and share protected characteristics. The objective aims to ensure the Force are more equip to identify and record victims and survivors of abuse and encourage them to engage with the specialist support. Emphasis has been given to better recording of protected characteristics for victim of domestic abuse to enable the Office of the Police and Crime Commissioner (OPCC) and Force to gather an evidence base to ensure we are full aware of the needs of victim in our communities and respond effectively. We have also provided a particular focus on increasing identification, reporting and prosecutions of female genital mutilation, honour based violence and forced marriage due to marginalised groups suffering from these impactive crimes types disproportionately.

I have provided the link to the joint SEP (below) for further information on the specific actions and measures that the OPCC and Force are undertaking. To ensure

transparency, the OPCC publish an annual report against our delivery of the SEP, the first report will be published April 2017.

[http://www.gwent.pcc.police.uk/fileadmin/user\\_upload/documents/Equality\\_Diversity/ENGLISH\\_Joint\\_Strategic\\_Equality\\_Plan\\_2016\\_-2020\\_FINAL.pdf](http://www.gwent.pcc.police.uk/fileadmin/user_upload/documents/Equality_Diversity/ENGLISH_Joint_Strategic_Equality_Plan_2016_-2020_FINAL.pdf)

- The current funding support provided for tackling VAWDASV

The commitment to this agenda can be seen through current PCC commissioning; this includes, but is not limited to, the following initiatives and provisions':

- 5 independent domestic violence advisors (IDVA's)
- An IDVA Manager
- Support local providers voluntary perpetrator programme
- Sexual Assault Referral Centre
- Funded the set - up of Connect Gwent Victim Hub, providing all victims in Gwent support services, including those suffering from VAWDASV.
- Child sexual exploitation support officers (across two providers), which support adults that have historically experienced CSE and support for young people who are currently experiencing CSE or abuse or have historically been a victim.
- Supported the South East Wales Safeguarding Children's Board deliver CSE awareness raising sessions in schools across Gwent.

- Partnership Approach to VAWDASV in Gwent

As you will be aware, in 2015, Welsh Government agreed that Gwent would be the pilot area for implementation of a regional approach to VAWDASV and ensure that the VAWDASV Act is mobilised. A regional team was created and managed through Newport City Council on behalf of Gwent.

The South East Wales VAWDASV Board provides strategic governance, on a partnership basis, to the regional team and holds partners to account for delivery and monitoring progress, the OPCC is a key member of the board. The board is chaired by the national VAWDASV advisor for Wales, which provides additional direction, scrutiny, focus and accountability for delivering against the VAWDASV Act and consistency across Gwent.

In 2016, Cordis Bright was commissioned by Newport City Council on behalf of the South East Wales VAWDASV Board to conduct an independent evaluation of a new regional model. The evaluation made eleven recommendations that have been signed-off and provides the VAWDASV board with collective strategic priorities to be achieved over the next 2 years, which are aligned to the provisions in the VAWDASV Act.

Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-05-16 Papur 12 / Paper 12

For further information please contact Rebecca Haycock the manager of the regional team to provide more detail on this regional model and partnership delivery.