

New laws to protect victims added to Domestic Abuse Bill

- New offence of non-fatal strangulation to be introduced as part of ground-breaking legislation
- Controlling or coercive behaviour offence extended to include abuse where perpetrators and victims no longer live together
- 'Revenge porn' offence widened to cover threats to share intimate images

A raft of new amendments to the Domestic Abuse Bill will be presented this week, providing greater protections for victims and further clamping down on perpetrators.

The proposals include making non-fatal strangulation a specific criminal offence, punishable by up to five years in prison. The act typically involves an abuser strangling or intentionally affecting their victim's breathing in an attempt to control or intimidate them. Today's announcement follows concerns that perpetrators were avoiding punishment as the practice can often leave no visible injury, making it harder to prosecute under existing offences such as Actual Bodily Harm (ABH).

The Government will also strengthen legislation around controlling or coercive behaviour (CCB) – no longer making it a requirement for abusers and victims to live together. The change follows a government review which highlighted that those who leave abusive ex-partners can often be subjected to sustained or increased controlling or coercive behaviour post-separation.

Meanwhile, so-called 'revenge porn' laws – introduced by the government in 2015 – will be widened to include threats to disclose intimate images with the intention to cause distress. More than 900 abusers have been convicted since revenge porn was outlawed but Ministers are determined to further protect victims, with those who threaten to share such images facing up to two years behind bars.

The measures confirmed today have been developed closely with peers, advocates and victims who campaigned on these important issues. They form a series of amendments being tabled to the landmark Domestic Abuse Bill which enters Report Stage next week, with Royal Assent expected in the Spring.

Lord Chancellor Robert Buckland QC MP said:

This Bill provides a once-in-a-generation opportunity to strengthen our response to domestic abuse and its many forms.

From outlawing non-fatal strangulation to giving better protections in court – we are delivering the support victims need to feel safer while ensuring perpetrators face justice for the torment they have inflicted.

Safeguarding Minister Victoria Atkins said:

The Domestic Abuse Bill is a game-changing piece of legislation that will help millions of people who are subjected to many different forms of abuse.

Controlling or coercive behaviour is an insidious form of domestic abuse that can destroy lives.

Since we introduced the offence within the Serious Crime Act 2015, controlling and coercive behaviour recorded offences and prosecutions have increased year on year, but we have listened to concerns and understand that perpetrators of CCB can continue to abuse their victims when they no longer live together.

I am pleased that the offence is being extended so we can protect more victims and send a clear message to perpetrators.

The Government is also tabling a number of other amendments to the Domestic Abuse Bill which will:

- provide special measures in civil courts similar to those available in family courts. This could include the use of protective screens in court or the ability to give evidence via video links to support vulnerable courts users.
- make it easier for victims who may prefer not to report abuse to avoid being cross-examined in person, by widening the list of evidence to prove abuse has occurred to include things such as a letter from a doctor or an employer.
- clarify the use of 'barring orders' in the family courts to prevent abusive ex-partners from repeatedly dragging their victims back to court – which can be used as a form of continuing domestic abuse.
- require public authorities conducting domestic homicide reviews to send a copy of their completed reports to the Domestic Abuse Commissioner – strengthening the opportunity to learn lessons and prevent future deaths.

Hetti Barkworth-Nanton, chair of Refuge said:

This is a significant moment for women experiencing domestic abuse who have been threatened with the sharing of their private intimate images and we are thrilled that the government has recognised the need for urgent change. Our research found that 1 in 7 young women have experienced these threats to share, with the overwhelming majority experiencing them from a current or former partner, alongside other forms of abuse.

The Domestic Abuse Bill provides the perfect legislative vehicle for this change, and the government has acted quickly and decisively. This is a victory for women and girls and testimony to

the power of working together for change.

Dr Nicola Sharp-Jeffs OBE, Founder & CEO, Surviving Economic Abuse said:

We're absolutely delighted the government is criminalising post-separation abuse via an amendment to the Domestic Abuse Bill.

By doing so, victims will receive the recognition they need and deserve. Post-separation abuse is a devastating form of coercive control and the economic abuse elements of this can continue for decades.

Legislation is the first essential step on the path to eradicating it and preventing future homicides.

The Home Office has also today announced the successful organisations that will receive part of the £500k announced to fund research into domestic abuse perpetrators. The aim of the fund is to develop our understanding of domestic abuse perpetrators and to strengthen the evidence base for what works in addressing their behaviour. The 11 successful organisations can be found [here](#).

At the same time, the Government is investing hundreds of millions to deliver swifter justice and support victims. This includes a recent [£40 million to fund vital helplines and recruit more specialist counsellors](#).

- The Domestic Abuse Bill will begin its Report Stage on Monday 8 March.
- All amendments will be tabled prior to this.
- The Domestic Abuse Bill is a ground-breaking piece of legislation transforming the response to this crime. A factsheet on the provisions in the Bill can be found [here](#).
- Further guidance on key amendments can be found below.
- A number of the amendments have been tabled by Peers in the House of Lords: Baroness Newlove on non-fatal strangulation, Baroness Morgan on threatening to share intimate images and Baroness Lister on controlling and coercive behaviour.

Controlling or coercive behaviour

- The Controlling and Coercive behaviour amendment will widen the scope of the definition of "personally connected" in the CCB offence so that the offence may apply to former partners and family members who do not live together.
- It follows a Home Office review into Coercive and Controlling behaviour which has been published today (Monday 1 March). Having considered the findings of the review and the concerns raised in it by stakeholders and domestic abuse organisations, the government agrees that the CCB offence should be amended so that it also applies to controlling or coercive behaviour by a former intimate partner that takes place post-separation or by a family member who does not reside with the victim.

Threats to share intimate images

- An amendment will extend the existing offence of disclosing private sexual photographs and films, without the consent of the individual in the photographs/film, with intent to cause that person distress (at s33 of the Criminal Justice and Courts Act 2015) to include “threats” to disclose such material.
- This behaviour will remain subject to the existing 2-year maximum prison sentence.

Non-fatal strangulation

- This amendment will make it an offence to Intentionally strangle another person or do any other act that affects a person’s ability to breathe.
- The offence covers a range of behaviours specifically including strangulation, but also suffocation and other methods which affect another person’s ability to breathe.
- A person convicted of this offence can face up to 5 years’ in prison.
- The offence can also be committed abroad by a UK national (or a person habitually resident in England and Wales).
- As with any new offence, we will look at what training and guidance should accompany it and will closely monitor its use.