

Speech: Women's Aid Public Policy Conference: David Gauke speech

Introduction

It's an honour for me to speak at this event. The wealth of knowledge and experience here today is so impressive and I'd like to pay tribute to Katie, and to everyone at Women's Aid for making this conference happen, and thank our hosts and sponsors Freshfields and Lloyds for hosting this event.

The space for discussion and the sharing of best practice it provides, is an opportunity to really influence our approach to domestic abuse and strengthen our response to an abhorrent behaviour that often hides in plain sight and creates a type of suffering that skulks in the shadows.

With an estimated 2 million adults – straight, gay, partners, and parents – affected each year; with between a quarter and a third of children in this country having been exposed to it; with too many people suffering in silence, fearful of consequences for them and their abuser; with families left unable to flourish because of the devastating effects of it; with almost 60 per cent of female offenders in the system having experienced it; and with an estimated economic and social cost of £66 billion each year, it is crucial that we recognise our duty to protect and support the victims of domestic abuse.

That duty is what prompted the government to commit to a new approach on this and to introducing a new draft Domestic Abuse Bill to Parliament.

Draft Domestic Abuse Bill and consultation response

As you know, in March last year we set out our proposals for that Bill and began a period of consultation so that all interested parties, including survivors, as well as support organisations and frontline professionals could contribute to the process.

That includes many of you here today and let me say how grateful I am to all of you who responded and particular thanks go to Women's Aid – not only for responding to the consultation but for keeping up the pressure to ensure that domestic abuse remains at the top of the agenda.

The consultation allowed us to get to this point – harnessing a wealth of knowledge, experience, and expertise – so that we could draft a better Bill and strategy for dealing with domestic abuse.

I realise we only published our response and the new draft Bill on Monday so you will still be digesting its contents. With that in mind, I wanted to take this opportunity to talk you through them.

Promoting awareness

When we started the consultation process we did so with an open mind but with four key objectives.

Our first was promoting awareness. The idea that domestic abuse is something for families to address behind closed doors is now, thankfully, an outdated one. However, you told us that we need to do more to make domestic abuse better understood by everyone – so that victims know that they need not suffer in silence; and professionals – whether that be the police, teachers, GPs, or social workers – know the signs of abuse and are equipped to challenge it.

That means it is crucial that we raise awareness with the public. We recognise that if we want to change attitudes we must engage with children at the earliest opportunity, which is why we will be introducing Relationship Education in all primary schools and Relationship and Sex Education in all secondary schools and recently consulted on draft guidance.

In primary schools, the draft statutory guidance advises schools to teach the foundation knowledge of what constitutes healthy, respectful relationships. At secondary level, teaching will build on the knowledge gained at primary and introduce concepts about healthy intimate relationships, for example laws and concepts of consent, harassment and abuse.

To raise awareness more widely, we are funding projects and helplines that aim to improve community awareness of domestic abuse; and the Department for Work and Pensions is updating its communication materials to better signpost victims to support.

We will also introduce a statutory definition of domestic abuse, capturing the various types of abusive relationships that can exist, including economic abuse. To aid agencies in the way they identify domestic abuse, this definition will be accompanied by statutory guidance. At the same time, we will invest in domestic abuse training to include the police, social workers and probation services – as well as continuing to work alongside NHS England to raise the profile of domestic abuse with professionals throughout the health service. What we want is for victims to recognise that they are being abused and know that when they speak up they will be heard and they will be helped.

Protecting and supporting victims

Our second objective was how we can better protect and support victims.

Clare's Law – the Domestic Violence Disclosure Scheme – was an important step forward in making information available to potential victims about abusers' history. It is now time that Clare's law becomes law in the very real sense of the word. To do that, we will be able to issue statutory guidance to the police on how the scheme works; and work with them to enable online applications to the scheme – making it easier to access than ever before. When abuse does happen, we must recognise that no two victims are the same.

Last year the government launched our Victims Strategy to improve the experience of a wide range of victims. That includes the many who experience domestic abuse and we allocated £8 million to projects right across the country specifically to support children whose lives have been devastated by it.

We will now increase funding and build capacity for services aimed at disabled, elderly, LGBT+ and male victims; update training and guidance on economic abuse; and introduce a new crisis support system for victims with no recourse to public funds.

We also want to make protective orders simpler and more effective, as well as making them more flexible so that they can better address the specific circumstances of each case. We will therefore legislate for the creation of a new protective order – a Domestic Abuse Protection Order, or DAPO – with a straightforward application process open to the police, the victim or other parties. The Order will also be available in any ongoing family proceeding, certain civil proceedings and in criminal proceedings.

Putting this type of protection in place should mean abuse cannot continue or escalate – keeping victims and their children safe while they consider their options. For the new model to work in practice it will require training for agency professionals and this will accompany the statutory introduction of the DAPO.

I think it's really important that we are alert to the ongoing impact of abuse in the wider justice system. In my opening I mentioned a statistic: sixty per cent of female offenders in the country have experienced domestic abuse. That is a staggering statistic and it demonstrates why our response to abuse and addressing it at the earliest possible opportunity can be so crucial to breaking the cycle of victimisation and offending.

We know that women who are both offenders and victims of abuse can struggle to access support. That's why the Government announced £2 million domestic abuse funding last March to support female offenders. This funding has formed part of a two-year, £5 million investment through our Female Offender Strategy to improve community support for female offenders and women at risk of offending, including to address issues arising from domestic abuse.

I am delighted today to be able to announce the second round of allocations from that fund, including – among others – organisations like Together Women in West Yorkshire who are working on a specialist integrated approach to domestic abuse, housing and support service – to help affected women to find the accommodation that can be the difference between them starting a new life or returning to prison; and Women's Work in the East Midlands who are providing specialist one-to-one domestic abuse support – to help tackle mental ill health, improve self-esteem and provide the kind of training that can help women out of the revolving door of reoffending.

This funding will help agencies responding to domestic abuse to build better links with these organisations and others like them across the country that support female offenders and those at risk of offending.

Making sure potential victims are protected from abusers and doing our best to understand how to help those who are abused are – we believe – two crucial components to stopping abuse and its ongoing effects in their tracks.

Transforming the justice process

Our third objective was how we can transform the justice process for abuse victims. Going through the justice system can be scary and bewildering experience for any victim, let alone one who has experienced domestic abuse. You told us that we should prioritise the safety and wellbeing of victims and their children and offer more support as their cases progress through the system.

This must start at the very beginning of the process and how authorities respond to abuse cases. We know there has been a recent increase in prosecutions for coercive or controlling behaviour – that is encouraging news. But it does not mean that we can take our foot off the gas. We must continue to improve understanding of the offence within statutory agencies so that we can continue to increase prosecutions. As we do that we will also review its effectiveness as an offence to ensure that it continues to disrupt abuse and serves the needs of victims.

The government is also developing national guidance for police officers on serial perpetrators of domestic abuse, improving training so that they can support offenders to change their behaviour; and we are considering the introduction of a best practice toolkit, as well as continuing to test new risk assessment processes and the rollout of the body-worn video.

When cases do go to court, we know that proceedings can be incredibly difficult for victims. We will therefore legislate so that domestic abuse victims are automatically eligible for special measures in criminal proceedings – to mitigate against any further trauma that their involvement in court might cause.

Over the years we have taken several steps to improve the family court process for vulnerable people. We will now legislate to ensure that abusers are prevented from cross-examining victims in person – a practice which can serve as an extension of their abuse.

However, we recognise that we must do more to protect victims in the courts. That's why we have already allocated £1m in funding to Finding Legal Options for Women Survivors (FLOWS), a project providing front-line domestic abuse workers with the legal resources to safeguard women.

We are now allocating £900k of funding to organisations based in a number of family courts – to provide specially trained staff who will offer dedicated emotional and practical support to domestic abuse victims before, during and after hearings. These organisations will also deliver a programme of awareness raising among key family stakeholders and practitioners.

Taken together, we believe these changes can bring about a real step change in the way domestic abuse is investigated and prosecuted or litigated.

Improving performance on domestic abuse

Our fourth and final objective in this process was how we can improve performance. As a government we are committed to using high-quality data to underpin our policy making and following the evidence on what works. We recognise that domestic abuse is an area where we need more data and insightful analysis. So, we will develop means to better collect, report and track domestic abuse data.

We will also look closely at local initiatives, the way agencies respond to abuse, and what the third sector does – so that we can identify the most successful methods and look at how they can work more broadly to effect and bring about change.

Through this commitment we believe we can raise standards throughout the system when it comes to tackling domestic abuse.

Conclusion

This new draft Bill and new approach to domestic abuse is a once-in-a-generation chance to ensure that perpetrators feel the full force of the law. And it is a real opportunity to transform the lives of those affected. I know that you will have concerns about how some of these new measures will affect the wider system.

As with any piece of primary legislation, the Ministry of Justice, working with the Home Office, has presented to parliament a detailed impact assessment that sets out the costs and benefits. We have also agreed to put forward the Bill for pre-legislative scrutiny to give parliamentarians the opportunity to feed in to this landmark piece of legislation and ensure that we get it right.

But I think the prize in this is clear to see – a fundamental shift in the way we as a society look at domestic abuse, so that we can really start to turn the dial on preventing and tackling it.

From raising awareness both amongst victims and those charged with protecting and supporting them, to understanding that different victims require different types of support, to shifting the justice process to work better for victims, collecting and analysing abuse data to drive better performance – we believe that the draft Bill and consultation response we published on Monday can do that.

I cannot thank you enough for the input you've given to us already in creating this new approach. As the legislation enters and makes its way through both Houses of Parliament, we expect the close scrutiny to improve it even further and I look forward to your continued support to inform our thinking as that happens.

Together, we will ensure that perpetrators can no longer hide in plain sight and bring domestic abuse out of the shadows once and for all. In turn, we can end the suffering of millions and ensure that every survivor is free to

flourish.

Thank you.