

## Refuge evidence: Home Affairs Select Committee inquiry into violence against women and girls

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### About Refuge

1. Refuge is the largest specialist provider of gender-based violence services in the country supporting over 7,000 women and children on any given day. Refuge opened the world's first refuge in 1971 in Chiswick, and 50 years later, provides: a national network of 48 refuges, community outreach services, child support services, and acts as independent advocates for those experiencing domestic, sexual, and other gender-based violence. We also run specialist services for survivors of modern slavery, 'honour'-based violence, tech abuse and female genital mutilation. Refuge provides the National Domestic Abuse Helpline which receives hundreds of calls and contacts a day across the Helpline and associated platforms.

### Summary

2. Refuge welcomes the opportunity to submit evidence to this inquiry. Violence against women and girls (VAWG) takes many different forms, including domestic abuse, rape and other forms of sexual violence, modern slavery, forced marriage, honour-based abuse and female genital mutilation. Domestic abuse can include physical, sexual, psychological, emotional, economic and tech abuse, and has a devastating impact on survivors. More than one in four women in England and Wales aged 16-74 experience domestic abuse at some point in their lives, and an average of two women are killed every week by their partner or ex-partner – a statistic which has not changed in decades.<sup>1</sup>  
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3. Awareness of violence against women and girls is currently high within government and amongst the general public. The Covid-19 pandemic and the Sarah Everard case have tragically highlighted the scale of VAWG amongst all women, across all corners of the country. Refuge's National Domestic Abuse Helpline has seen a sustained increase in calls and contacts since the first lockdown, when opportunities to disclose abuse and access support became severely limited, and women's opportunities for brief periods of respite evaporated. For example, the move to online teaching for many children and digital GP appointments reduced opportunities for face-to-face interaction with medical professionals and teachers. The overall number of calls and contacts to the Helpline remains around 60% above the pre-pandemic average. Urgent action to tackle gendered violence is demonstrably needed. Increased awareness of VAWG has coincided with the government developing a new VAWG Strategy and the Domestic Abuse Bill recently receiving royal assent. The Act contains a number of important provisions such as extending priority need for homelessness assistance to all survivors fleeing abusive partners, introducing a legal duty on local authorities to assess need for and commission domestic abuse safe accommodation, establishing

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<sup>1</sup> ONS (2020), 'Domestic abuse prevalence and trends, England and Wales: year ending March 2020,' <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabuseprevalenceandtrendsenglandandwales/yearendingmarch2020>

<sup>2</sup> ONS (2020), 'Homicide in England and Wales: year ending March 2019,' <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/homicideinenglandandwales/latest#how-were-victims-and-suspects-related>

the office of the Domestic Abuse Commissioner and criminalising threats to share intimate images, following the successful The Naked Threat campaign from Refuge.

4. However, despite these positive steps there is a significant distance to go to before we sufficiently respond to, and prevent, VAWG. The introduction in the Domestic Abuse Act of a legal duty on local authorities to assess need for and commission domestic abuse safe accommodation is very welcome, but the £125 million of funding provided to local authorities to meet the duty currently falls far short of the estimated £174 million necessary to ensure the provision of specialist refuge bed spaces matches need.<sup>3</sup> There is a risk that if the duty is not fully funded, that rather than lead to the increased commissioning and provision of specialist refuge accommodation, poorer quality, generic services with limited domestic abuse support will be commissioned. Disappointingly, the government also declined to support amendments to the Bill backed by the specialist VAWG sector relating to support for migrant women and reforms to welfare benefits which would have benefitted survivors of domestic abuse.
5. VAWG affects every aspect of women's lives, and so the response must be holistic and 'everyone's business'. As such, Refuge is clear that whilst the police and wider criminal justice system have a key role to play in addressing violence against women and girls, not least a duty on the police to protect women subject to violence and abuse, the solution to VAWG can never solely be limited to criminal justice initiatives. Only one in five of the women Refuge supports will ever report to the police. Critical change is needed across all systems including schools, communities, health, welfare, immigration and social services. It is therefore essential that all government departments and public bodies play their part in tackling VAWG.
6. Refuge, as the largest specialist provider for survivors of domestic abuse and other forms of violence against women and girls, is in a unique position to represent the views and experiences of survivors. All our positions are developed in collaboration with survivors and our frontline staff. Refuge therefore recommends that as part of the Committee's inquiry into VAWG, the Committee may wish to examine the following areas:
  - The importance of ensuring a gendered, intersectional and integrated approach to violence against women and girls
  - Sustainable funding for specialist VAWG services, and the implementation of the legal duty on local authorities
  - Equal rights and access for survivors, including all migrant women, including undocumented survivors
  - Addressing economic abuse and reform to the benefits system
  - Addressing tech abuse, and ensuring upcoming regulatory legislation, including the Online Safety Bill, has a specific VAWG strand
  - Challenging misogyny and sexism, as the root causes of VAWG, for example through improved education and awareness raising

### **A gendered, intersectional and integrated approach to violence against women and girls**

7. According to the definition of violence against women and girls in the Council of Europe Istanbul Convention 2011, domestic abuse, including all acts of physical, sexual, psychological, and economic abuse, is a form of VAWG. Domestic abuse is a form of VAWG in the sense that it is

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<sup>3</sup> Women's Aid (2019), 'Funding specialist support for domestic abuse survivors,' <https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2019/12/Funding-Specialist-Support-Full-Report.pdf>

perpetrated against women because they are women, and is also inseparably linked to other forms of VAWG, with multiple forms of VAWG being perpetrated at the same time against the same survivor. As a feminist organisation, Refuge believes that gender inequality, misogyny and sexism are at the root of domestic abuse, as both causes and consequences of this abuse. Official statistics consistently demonstrate that the vast majority of domestic abuse victims are women, and that the vast majority of perpetrators are men:

- More than one in four women (27.6%) aged 16-74 in England and Wales will experience domestic abuse at some point in their lives, compared to 13.8% of men<sup>4</sup>
- Over the past ten years, women account for 76% of all domestic homicides, with four in five of these women killed by a current or former partner<sup>5</sup>
- In England and Wales, 92% of defendants in domestic abuse-related prosecutions were men in the year 2019/20 and 77% of victims were women<sup>6</sup>
- In 2017, 468 defendants were prosecuted for coercive and controlling behaviour, of which 454 were men and only nine were women<sup>7</sup>

8. However, official statistics do not provide a full picture of gender disparity in domestic abuse, as they do not capture coercive and controlling behaviour at all or adequately account for repeat victimization. Headline statistics published as part of the Crime Survey of England and Wales obfuscate the fact that women are more likely than men to experience repeated abuse - over 80% of those who have experienced more than 10 domestic abuse crimes are women.<sup>8</sup> Additionally, research suggests that if coercive control were captured by the Crime Survey that the prevalence of domestic abuse amongst women would be even higher in comparison to men.<sup>9</sup>
9. Whilst all women are affected by inequality and discrimination, some women will be disproportionately affected due to their race, ethnicity, sexuality, and/or other identities. Although official statistics rarely disaggregate data for multiple characteristics, we do know that Black and minoritised women are more likely to experience domestic abuse, and that disabled women are twice as likely to experience it.<sup>10</sup> Many migrant women are made further vulnerable by their precarious immigration status, which abusers frequently weaponise, threatening them with deportation and removal of their children if survivors attempt to flee. Without recourse to public funds, many are also left with very few options when seeking to flee an abusive partner. Strategies to tackle VAWG must therefore give particular attention to groups that have been marginalised to date, including, but not limited to, Black and minoritised women, migrant women, deaf and disabled women and LGBT+ survivors.
10. Despite these caveats to official statistics, it is evident that domestic abuse disproportionately impacts on women and girls. It is therefore vital that a gendered and intersectional approach,

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<sup>4</sup> ONS (2020), 'Domestic abuse prevalence and trends, England and Wales: year ending March 2020.'

<sup>5</sup> ONS (2020), 'Homicide in England and Wales: year ending March

2019,' <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/homicideinenglandandwales/latest#how-were-victims-and-suspects-related>

<sup>6</sup> CPS (2020), 'CPS data summary Quarter 4 2019-2020,' <https://www.cps.gov.uk/publication/cps-data-summary-quarter-4-2019-2020>

<sup>7</sup> Ministry of Justice (2018), 'Statistics on women and the criminal justice system

2017,'[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/759770/women-criminal-justice-system-2017..pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759770/women-criminal-justice-system-2017..pdf)

<sup>8</sup> Walby and Towers (2018), 'Untangling the concept of coercive control: theorizing domestic violent crime'. *Criminology and Criminal justice*, 18(1), 7-28.

<sup>9</sup> Myhill (2015), 'Measuring coercive control: what can we learn from national population surveys?'. *Violence against women*, 21(3), 355-375.

<sup>10</sup> ONS (2020), 'Domestic abuse victim characteristics, England and Wales: year ending March 2020,'

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabusevictimcharacteristicsenglandandwales/yearendingmarch2020#ethnicity>

rooted in the understanding of the nature and dynamics of domestic abuse, is embedded into responses to VAWG and domestic abuse. Failing to do so means efforts to transform the response to VAWG will fail as policies have not been developed through the lens of gender-based discrimination. For example, when the police attend domestic abuse incidents, they frequently fail to understand and respond to the dynamics of domestic abuse, sometimes resulting in the arrest of the victim rather than the perpetrator. Additionally, a lack of understanding of the gendered nature of domestic abuse is already leading local authority commissioners to opt not to re-commission specialist, gendered service providers that are fully embedded in the communities they serve, due to unfounded fears that their focus on women survivors as the primary beneficiaries of these services means that male survivors will go unserved. It is essential that domestic abuse is recognised as the gendered crime it is, and that all responses to domestic abuse are embedded in a gendered understanding.

11. There is a very strong relationship between domestic abuse and other forms of VAWG. Domestic abuse frequently occurs alongside other types of gendered violence. For example, it is common for perpetrators of sexual exploitation and modern slavery to be the partner or family member of the survivor. It would be impossible to ask a survivor to separate the different forms of VAWG they have experienced, and responding to different forms of VAWG separately would be disjointed and ineffective. The response to, and prevention of, domestic abuse and other forms of VAWG must be holistic and driven by the experiences and needs of all survivors. An integrated approach to tackling VAWG is essential. Refuge is therefore concerned about the government's dual strategy approach of introducing a separate Domestic Abuse Strategy in addition to a VAWG Strategy. This risks a siloed and de-gendered response to domestic abuse, which would ultimately fail in delivering on its own objectives of effectively responding to and preventing VAWG, because it would not account for the deeply gendered nature of domestic abuse nor its inextricable links to wider VAWG. A single VAWG strategy could also improve the effectiveness of commissioning of support services, as commissioners would have a greater understanding of the nature of violence against women and girls and how to address it. We strongly recommend that one, single comprehensive strategy is introduced for all VAWG, which Refuge has made clear in its submission to the VAWG Strategy Call for Evidence.
12. An effective, coordinated approach to VAWG requires the involvement of all government departments, the police and criminal justice system, the NHS, and the many other public bodies women and girls come into contact with. Tackling VAWG should be 'everyone's business.' We often see VAWG treated as the responsibility of a handful of departments, namely the Home Office, Ministry of Justice and the Ministry for Housing, Communities, and Local Government. Yet all departments should contribute to the prevention and tackling of VAWG, including the Department for Work and Pensions, the Department for Education, the Department for Culture, Media and Sport (DCMS) and the Department for Business, Energy and Industrial Strategy (BEIS), as well as statutory services such as housing, health and children's services. Domestic abuse costs a staggering £66 billion a year, including in costs to the criminal justice system, housing and the NHS.<sup>11</sup> Modest investment across all government departments would reduce this enormous annual cost. Significant cross-agency working is needed, especially with regards to tackling tech abuse and economic abuse. Refuge's specialist tech abuse team report increasing cases involving complex tech abuse, the policy solutions to which fall in the remit of multiple government departments, including the DCMS and BEIS. We also know that the benefits system is failing women who have experienced domestic abuse, because of the structure of Universal Credit as well

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<sup>11</sup> Home Office (2019), 'The economic and social costs of domestic abuse,' [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/918897/horr107.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/918897/horr107.pdf)

as a large proportion of migrant survivors with no recourse to public funds being ineligible for claiming benefits. Addressing these issues requires engagement and cross-departmental working with the DWP and Home Office.

13. Therefore, a coordinated, gendered and intersectional approach to VAWG, with particular attention on minoritised women, must be taken by government as the only way to ensure that effective strategies are developed and implemented to tackle VAWG. Increased engagement and cross-working across government departments and public bodies should also result in improvements to data collection on VAWG. Comparable data collection across these agencies is poor, which serves to obscure the scale of violence against women and girls, and in particular, the disparate impacts on different marginalised and minoritised groups. All government departments should collect comprehensive data to enable greater in-depth analysis and to drive our response to VAWG.
14. **Refuge recommends that:**
  - **Government should deliver a single, integrated comprehensive strategy to tackling all forms of VAWG, including and not separating domestic abuse, which is not limited to criminal justice initiatives**
  - **Any strategy to tackle VAWG must embed a gendered and intersectional approach to VAWG which meets the needs of all women and girls, and explicitly recognises the needs of BAME and minoritised women, migrant survivors and LGBT+ survivors**
  - **Government should ensure the cross-government collection of comprehensive, comparable and disaggregated data on VAWG**

#### **Equal rights and access for survivors**

15. The approach to tackling VAWG must account for all survivors. Due consideration must be paid to minoritised groups in any government strategy seeking to address VAWG. Women and girls from minoritised groups currently face significant and often insurmountable barriers to equal treatment and support. They are often more vulnerable due to structural inequalities and biases, and therefore likely to face repeat victimisation, further violence and trauma. For example, Black and minoritised women generally have lower confidence in the police and criminal justice system due to institutional racism. Specialist services that have been supporting women for decades, understand the additional barriers and challenges these women experience and are expertly placed to meet their needs and provide support. As mentioned previously, Refuge recommends that any strategy to tackle VAWG must embed a gendered and intersectional approach to VAWG which meets the needs of all women and girls, including Black and minoritised survivors, migrant survivors, and LGBT+ survivors.
16. Migrant women are disproportionately at risk from gendered violence. For many victims, their immigration status means they are more vulnerable to abuse and less able to access support and criminal justice solutions. Many migrant women have 'no recourse to public funds' (NRPF), meaning they are not entitled to certain public funds, including benefits. The impact of NRPF on survivors of domestic abuse can be devastating. Most survivors financially support their stay in refuge through housing benefit. NRPF therefore traps women in abuse, as without access to housing benefit they find it very difficult to access life-saving refuge accommodation. Every survivor must be supported regardless of her immigration status.
17. Currently only survivors that are in the UK on a spousal visa or a handful of family visas can apply for the Domestic Violence Rule (DVR) and Destitute Domestic Violence Concession (DDVC), arbitrarily excluding women who are not on the 'right' visa. Survivors who apply for the DDVC who

are granted access to benefits can use this temporary entitlement to support a stay in refuge, at least for three months. Whilst this may initially help a survivor flee an abusive partner, it leaves survivors with a very short period of time to collect evidence needed for their leave to remain application. This is also often at the most traumatic and stressful time for survivors, and can be incredibly difficult given challenges accessing legal aid and that perpetrators often control access to vital documents. Refuge acknowledges the government's commitment of £1.5 million for a pilot fund to support migrant women with NRPF in refuge accommodation. However, this is far from sufficient to ensure all migrant survivors are able to access protection. Moreover, the pilot seeks to establish an evidence base of the needs of migrant women, yet the specialist VAWG sector has provided considerable evidence based on decades' worth of direct experience supporting migrant women. Failure to act now leaves this group of victims in an incredibly precarious situation.

18. A victim's immigration status can and is frequently used as a tool of control, coercion, and abuse by their perpetrator, for example by telling survivors if they try to leave, their children will be removed and they will be deported. The policing super complaint made by Liberty and Southall Black Sisters also found that police have reported survivors to immigrant enforcement and the Home Office, when survivors turn to them for help for the abuse they are experiencing. This leaves migrant survivors extremely afraid to approach the police to report the abuse they are experiencing. A 'firewall' should be created between public services and immigration control, so that migrant women who report abuse are treated as the victims they are and trust between migrant communities and the police does not continue to be undermined. The falling of the amendment which would have introduced a firewall in the Domestic Abuse Bill therefore sends a worrying message to migrant women that immigration enforcement is prioritised over their safety and rights. The Bill was a missed opportunity to better support some of the most vulnerable women and girls in our society.
19. The failure of government to support amendments to the Domestic Abuse Bill to protect migrant women experiencing domestic abuse is a significant disappointment. Refuge is in agreement with Southall Black Sisters, the Step Up Migrant Women campaign and many other experts that the NRPF condition should be abolished completely. Although not a full solution to NRPF, we also support the expansion of eligibility for the DDVC to all migrant survivors of abuse and an extension of the time-limit for financial support under the DDVC to six months. It is also vital that all migrant survivors can regularise their immigration status independently from their perpetrator. Anything less facilitates abusers weaponising survivors' immigration status, leaving survivors trapped. Refuge therefore strongly recommends that the Domestic Violence Rule which permits migrant survivors on a spousal visa or a small number of family visas to apply for indefinite leave to remain is extended to all migrant survivors, regardless of immigration status or visa type. The government must now urgently ensure migrant women can access the support, welfare and legal tools needed to escape abuse and report violence without fear.
20. **Refuge recommends the following:**
  - **Any strategy to tackle VAWG must embed a gendered and intersectional approach to VAWG which meets the needs of all women and girls, and explicitly recognizes the needs of BAME and minoritised women, migrant survivors and LGBT+ survivors**
  - **Abolish the 'no recourse to public funds' condition**
  - **Extend the Destitute Domestic Violence Concession to all migrant survivors**
  - **Extend the Domestic Violence Rule to all migrant survivors**
  - **Extend the time limit for financial support under the DDVC to at least six months**

## **Sustainable funding for specialist VAWG services**

21. The sustainable funding of all specialist VAWG services, both accommodation and community-based, is fundamental to the successful prevention and response to VAWG. The primary purpose of specialist services is to support and empower survivors and children affected by VAWG. Just one in five of the women Refuge supports will report to the police, meaning a larger number turn to specialist services to access support. Such services provide wraparound support to meet survivors' needs including safety planning, health, housing, finances and justice. They are distinct from general support services that can provide support to survivors or perpetrators of crime more generally. Specialist services are delivered 'by and for' their users – for example, by women for women, by expert staff who have an in-depth knowledge of the gendered nature and dynamics of domestic abuse. These services listen to survivors and develop and evolve holistic services based on their needs and experiences. Refuge is such an organisation.
  
22. Specialist VAWG services play an essential role in changing and saving the lives of survivors and their children. They also provide value for money for society - recent analysis has shown that for every £1 invested in Refuge, £8.24 of social value is generated through savings, for example, to health and housing services and to the criminal justice system.<sup>12</sup> According to government estimates, domestic abuse costs society £66 billion a year.<sup>13</sup> Investing in specialist services therefore also makes economic sense, by providing long-term savings to the state. However, an insecure funding landscape and historic funding cuts across the sector mean survivors face a postcode lottery in access to support. Since 2011, Refuge has experienced cuts to 80% of its services, with our refuge service funding cut by an average of 50%. Women are being turned away at their point of need - 57.2% of total refuge referrals in England were declined last year, the most common reason being lack of space or capacity to accommodate survivors.<sup>14</sup> The number of refuge spaces in England is 30% below the minimum baseline recommended by the Council of Europe.<sup>15</sup> Vital community-based services such as outreach and independent advocacy services also face chronic underfunding. The need to sustainably fund specialist, gender-specific support services is all the more urgent in light of the apparent increase in survivors of violence against women and girls reaching out for support during the Covid-19 pandemic.<sup>16</sup> The crisis has put further strain on the specialist sector, with calls and contacts to Refuge's National Domestic Abuse Helpline increasing by around 60% compared to pre-pandemic levels.<sup>17</sup> Emergency government funding enabled Refuge to expand capacity on the Helpline. This funding is due to expire imminently, yet calls and contacts remain around 60% above pre-pandemic levels. It is of critical importance that sustained increased funding is made available to the National Domestic Abuse Helpline and other services that continue to experience increased demand for support.
  
23. The competitive and short-term commissioning landscape is very challenging for the VAWG sector. It places services in an insecure funding position, leaving them unable to plan longer-term and diverting resource from frontline services to bid for tenders and fundraise to continue service provision. The commissioning model often benefits non-specialist, generalist services who deliver

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<sup>12</sup> New Economics Foundation (2021), "Refuge: Social Return on Investment"

<sup>13</sup> Home Office (2019), 'The economic and social costs of domestic abuse,' [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/918897/horr107.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/918897/horr107.pdf)

<sup>14</sup> Women's Aid (2021), 'The Domestic Abuse Report 2021: The Annual Audit,' <https://www.womensaid.org.uk/research-and-publications/the-domestic-abuse-report/>

<sup>15</sup> Ibid.

<sup>16</sup> UK Aid (2020), 'Impact of COVID-19 Pandemic on Violence Against Women and Girls,' <http://www.sddirect.org.uk/media/1881/vawg-helpdesk-284-covid-19-and-vawg.pdf>

<sup>17</sup> Refuge (2021), 'Refuge's National Domestic Abuse Helpline Service Review 2020/21,' <https://www.refuge.org.uk/wp-content/uploads/2021/03/Refuge-Covid-Service-Report.pdf>

lower-quality services at a lower initial cost. However, women and children who have experienced violence and abuse deserve the specialist, intensive support they need. It is essential that the full range of specialist VAWG services is sustainably funded to ensure appropriate support is available to all victim/survivors. Ultimately, Refuge is calling for a return to long-term ring-fenced grant funding for service provision. Such a model would allow services to solely focus on providing support to survivors.

24. The introduction in the Domestic Abuse Act 2021 of the legal duty on local authorities to assess need for and commission domestic abuse safe accommodation has the potential to place refuge service provision on a more sustainable footing. However, to be successful it must result in an increase in specialist refuge bed spaces, but the duty is currently underfunded which Refuge is concerned may lead to the commissioning of lower quality services and not the specialist refuges that have faced over a decade of a funding crises. Research from Women's Aid Federation England shows that a minimum of £174 million per year is required to meet need.<sup>18</sup> The government has allocated £125 million, a shortfall of £49 million. **We are very concerned that this funding shortfall, instead of leading to the much-needed increase in refuge provision, may instead incentivise the increased commissioning of poorer quality generic services, such as housing services which are primarily to deliver homelessness support, with very limited domestic abuse specific support.**
25. We have already started to witness instances of gender neutral or 'one size fits all' commissioning decisions and fear the duty may be used as solution to homelessness rather than to domestic abuse. Recent examples of this include specialist services in Brighton and in Greater Manchester losing local authority contracts to generic support services. As mentioned earlier, domestic abuse is a deeply gendered crime, and this is clearly demonstrated in official statistics. Yet there is a worrying trend in commissioning towards gender neutral services, which could be exacerbated by the funding shortfall. **Refuge are clear that the legal duty can only hope to lead to increased refuge bed spaces for survivors of domestic abuse if it is fully funded by ring-fenced central government funding.** The government must urgently commit to increasing the funding available to support the legal duty to at least £174 million each year.
26. The legal duty could also have unintended consequences for non-accommodation based services. There is a risk that local authorities may divert funding from and decommission life-saving community-based services such as Independent Domestic Violence Advocacy and outreach support, as the legal duty does not cover non-accommodation services. Of the over 7,000 survivors Refuge supports on any given day, 6,000 are supported through community-based services. Such services currently receive some funding via Police and Crime Commissioners, but their financial situation is precarious. Women's Aid estimate that approximately £220 million per year is needed to sufficiently fund these services.
27. To work efficiently, refuge-based accommodation services must be able to operate as part of a national network. The majority (75%) of women and children in staying in our refuges flee from another local authority to the authority the refuge is based in, mainly for safety reasons. The legal duty should also be accompanied by a robust national oversight mechanism to ensure that a national needs assessment is conducted. A national assessment would help ensure demand for refuge spaces, and particularly the needs of survivors from minoritised groups, are met.

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<sup>18</sup> Women's Aid (2019), 'Funding specialist support for domestic abuse survivors,' <https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2019/12/Funding-Specialist-Support-Full-Report.pdf>

28. **Refuge recommends the following:**

- **Government urgently commits the £174 million needed to ensure the duty leads to an increased number of refuge bed spaces**
- **A national oversight mechanism for service provision is introduced alongside the legal duty**
- **Full, ring-fenced funding for all domestic abuse community-based services, estimated to be £220 million per year**
- **A return to long-term ring-fenced grant funding for VAWG service provision**
- **Government takes steps to ensure commissioning decisions are rooted in an understanding of the importance of gender specific services, for example through commissioning guidelines**

### **Addressing economic abuse**

29. Recent research by Refuge and The Co-Operative Bank revealed around 1 in 6 (16%) of adults said they had experienced economic abuse from a current or previous partner.<sup>19</sup> However the true scale of economic abuse is likely to be far higher, due to poor awareness of this type of abuse. 39% of adults report experiencing economically abusive behaviours but did not recognise it as such, for example, having to ask a partner's permission before making a basic or essential purchase, having had debt put in their name fraudulently or being coerced into taking on debt or being prevented from working. Economic abuse is as serious as other forms of domestic abuse. It can trap survivors and their children in dangerous situations without the financial means to escape ultimately preventing them from leaving perpetrators. It can be conducted at-distance, after survivors have fled perpetrators. Economic abuse can also have significant long-term consequences such as debt and damaged credit ratings, hindering a woman's ability to rebuild her life after fleeing an abusive partner.

30. Refuge is therefore pleased there is a heightened awareness of economic abuse, particularly in government and that this awareness has led to measures such as the inclusion of economic abuse in the definition of domestic abuse set out in the Domestic Abuse Act. However, some areas of government policy, specifically the structure of Universal Credit, facilitate and exacerbate economic abuse, making it even easier for abusive partners to perpetrate economic abuse and more difficult for women to flee. This is particularly worrying given that 3% of all UK adults (1.6 million people) experienced economic abuse for the first time during the Covid-19 pandemic. Of these people, 35% say the abuse began when their pay decreased and 15% said the abuse began when they lost their job.<sup>20</sup> The recession and the likelihood of large scale redundancies when the furlough scheme ends may therefore lead to further economic abuse.

31. Refuge are also concerned that some elements of the benefits system facilitate and aggravate economic abuse, particularly the default single household payment and the five-week delay before receiving the first Universal Credit payment. Single household payments under Universal Credit make it very easy for perpetrators to gain control over the entire benefit income overnight. This may be the full household income, meaning victims can struggle to put aside even small amounts of money. Joint claimants nominate one bank account to receive the payment, meaning perpetrators can just pick their own account. Whilst we acknowledge the move to make Universal Credit payments to the main carer of children may potentially help in some instances, there is no evidence

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<sup>19</sup> Refuge and The Co-Operative Bank (2020), Know Economic Abuse <https://www.refuge.org.uk/wp-content/uploads/2020/10/Know-Economic-Abuse-Report-2020.pdf>

<sup>20</sup> Ibid.

yet on the effectiveness of this approach and it leaves women with no children with fewer options. Another damaging consequence of single payments is that survivors are frequently held jointly liable for any rent arrears that perpetrators are responsible for generating by failing to pay the rent, despite receiving the entirety of the benefit payment. Survivors with rent arrears face significant challenges in securing housing away from their perpetrator as many landlords and housing associations refuse tenants with arrears regardless of circumstances. On the single payment model, one Refuge worker told us: *“Universal Credit payments going to one person in the household have meant clients have found it very difficult to put any money aside in order to flee – sometimes not even enough to travel to a refuge.”*

32. Whilst survivors may request to split Universal Credit payments on the grounds of domestic abuse, our experience is this is likely to put women at greater risk of abuse. The request will appear in the online log and if granted, perpetrators will be alerted to the request as their monthly payments will decrease. This would very likely put survivors at even greater risk of harm, making it very unlikely that survivors will opt for split payments. This is reflected in the very low number of split payments in operation for any reason. As of November 2020, only 173 split payments were in operation out of a total of over 890,000 joint Universal Credit claims, indicating a serious under-utilisation of the split payment scheme, ultimately demonstrating that the policy is not fit for purpose.<sup>21</sup> **Refuge recommends Universal Credit payments should therefore be made separately by default for all joint claims, as the single payment model is extremely vulnerable to abuse.**

33. Another damaging aspect of Universal Credit for survivors of domestic abuse is the five-week delay between applying for Universal Credit and receiving the first payment. This will typically apply to survivors at the point of fleeing, as they need to make a completely new claim for benefits to support a stay in refuge or they were claiming legacy benefits, but because fleeing prompts a change in circumstances, this requires them to make a new Universal Credit claim. Survivors often flee with very little money and few personal possessions, and therefore face severe financial hardship just at the point of leaving an abusive perpetrator. Whilst survivors can request advances on their Universal Credit payments, these advances are loans with repayments of up to 25% deducted from later payments for up to a year (24 months for claims made from April 2021). Refuge research has found that the majority of survivors (57%) of economic abuse were in debt because of the abuse, with the average debt standing at £3,272.<sup>22</sup> This leaves survivors with the choice between abject poverty and reliance on foodbanks and charitable donations for five weeks until their first Universal Credit payment, or taking on debt - very possibly on top of existing debts - as they try to rebuild their lives away from perpetrators. The reality is that some survivors, when faced with this choice, return to their perpetrator out of fear that they are unable to support themselves and their children. For example, one refuge worker told us: *“The changeover to Universal Credit has caused a significant delay in accessing benefits when women arrive at the refuge. The five-week waiting time means women have to survive with their children with no income, and only a few food bank vouchers. This means that many struggle with whether they’ve made the right decision to leave, if they can’t even feed their children on their own.”*

**Refuge therefore recommends survivors should be exempt from repaying Universal Credit advances in recognition of the traumatic, expensive, and dangerous nature of fleeing. We also recommend government should create a cross-government fund for survivors, to support them with the costs of leaving perpetrators.**

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<sup>21</sup> Stat-Xplore, <https://stat-xplore.dwp.gov.uk/webapi/jsf/dataCatalogueExplorer.xhtml>

<sup>22</sup> Refuge and The Co-Operative Bank (2020), Know Economic Abuse.

## Addressing tech abuse

34. Technology is increasingly being used by perpetrators to coerce, control and abuse survivors and their children. Refuge has a dedicated specialist tech abuse team, which comprises specially trained expert staff, and a new website dedicated to tech abuse, due to launch imminently. Between April 2020 and May 2021, Refuge has seen on average a 97% increase in the number of complex tech abuse cases requiring specialist tech support when compared to the first three months of 2020. This form of abuse is often part of a pattern of coercive and controlling behaviour, and can include online harassment on social media or dating websites, sharing of intimate images and threats to share, location tracking and surveillance and misuse of children's devices and accounts. Survivors who report their experiences of tech abuse tell us they often receive a poor response from the police and other statutory agencies, likely due to poor awareness of this type of abuse and outdated legislation. For example, the police response to victims of tech abuse can often be to take 'no further action' on a case, and instead suggest that survivors come offline, which actually increases the risk of harm. Similarly, women face patchy responses from social media and other online platforms when they are being abused online, with perpetrators able to continue abusing women on these platforms with effective impunity. As we conduct more and more of our lives online, it is vital the government safeguards women and children from online harms and builds in an online VAWG strand to upcoming legislation regarding technology, specifically the Online Safety Bill and regulation around internet-connected devices. Specialist services which support victims of tech abuse must also be sufficiently funded.
35. Refuge welcomes the government's plan to bring forward the Online Safety Bill to introduce a regulatory framework and duty of care on online platforms to improve the safety of their users online. It is vital that the Bill contains an element specific to online VAWG. Our tech abuse team reports that social media companies often fail to investigate instances of online harms. Despite Refuge being a 'trusted flagger' with both Facebook and Instagram, the team often receives automated responses or responses that fail to acknowledge the subjective nature of the harm/s flagged. For example, it is evidently harmful and distressing for a survivor to receive a photograph of her front door from a perpetrator after she has fled, but this may not be viewed within a domestic abuse lens by the social media company and therefore action is often lacking. While we support the importance and focus placed on tackling child sexual abuse and exploitation and terrorism online, the prevalence and impact of online VAWG warrants a similar level of prioritisation. For example, a recent survey found that approximately 46% of women had experienced online abuse since March 2020, with most of the abuse taking place on mainstream social media platforms.<sup>23</sup>
36. We also welcome the government's intention to legislate to regulate the Internet of Things. Such connected, or 'smart' devices can be used to control and track survivors' movements and identify their location both during the relationship with the perpetrator and after it ends, for example through the use of smart doorbells and alarms. As well as causing serious psychological distress, the misuse of these devices also risks survivors' physical safety and potentially also that of other survivors and staff working in refuges. We would therefore urge the government to ensure that their forthcoming legislation to regulate 'smart' devices has a focus on tackling the use of these products by perpetrators of domestic abuse, particularly as an increasing number of affordable devices come to market. **Refuge recommends that all upcoming legislation regarding regulation of**

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<sup>23</sup> Glitch and End Violence Against Women (2020), 'The Ripple Effect: Covid-19 and the Epidemic of Online Abuse,' <https://www.endviolenceagainstwomen.org.uk/wp-content/uploads/Glitch-and-EVAW-The-Ripple-Effect-Online-abuse-during-COVID-19-Sept-2020.pdf>

**technology, such as the Online Safety Bill and connected product cyber security legislation, contain specific components dedicated to tackling online VAWG.**

### **The role of the police and criminal justice system**

37. Whilst the response to VAWG cannot be limited to the criminal justice system, there are a number of improvements to policing, the Crown Prosecution Service (CPS) and the court process that are essential to responding to VAWG. Survivors tell us they encounter barriers and challenges at every stage of the criminal justice process. The Domestic Abuse Act introduced several criminal justice measures, including criminalising threats to share intimate images and new domestic abuse injunctions. 'Domestic Abuse Protection Orders' have the potential to improve protection for survivors, but the key will be in how they well understood and implemented by police. We strongly encourage engagement with the specialist VAWG sector when it comes to designing the DAPO pilots.
38. With regard to policing, the majority of women (80%) Refuge supports do not report their abuse to the police. This is particularly the case among Black and minoritised women, who typically have lower confidence in the criminal justice system as a result of institutional racism. Those who do report to the police often find that the police fail to take their cases seriously or investigate fully, especially where the victim does not support a prosecution. Whilst it is encouraging that referrals from the police to the CPS for domestic abuse cases are increasing, we are still concerned about the lack of investigation of many reports of domestic abuse. For example, the police are more likely to assign evidential difficulty outcomes for domestic abuse violent offences than non-domestic abuse-related violent offences (78% of cases compared to 55% of cases), and these cases again represent only a minority of survivors that report to the police in the first place.<sup>24</sup> The police have come under particular scrutiny for institutional sexism since the Sarah Everard case. Indeed, we frequently hear that survivors face insensitive or victim-blaming attitudes from the police which can be re-traumatising.
39. **Refuge therefore recommends the following with regards to policing:**
- **Challenge institutional sexism and misogyny in policing, for example through training, to ensure domestic abuse is understood as a crime and taken seriously**
  - **Increase the use of evidence-led prosecutions, which do not solely rely on survivor testimony**
  - **Improve communication with survivors throughout the criminal justice process including clearly communicating victims' rights if no further action is taken on a case**
40. We are also worried that stereotypes about 'un/believable' victims are impacting charging decisions within the CPS. Data shows that CPS decisions to prosecute are declining - the number of suspects charged in the last year has fallen by 8%, despite police referrals to the CPS remaining relatively stable.<sup>25</sup> As with the police, poor communication with survivors is also a common issue in the CPS. Refuge supports the government end-to-end review of how rape allegations are dealt with within the criminal justice system, but urge the government to introduce the following as a matter of urgency with regards to the CPS:

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<sup>24</sup> ONS (2020), 'Domestic abuse and the criminal justice system, England and Wales: November 2020,' <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabuseandthecriminaljusticesystemenglandandwales/november2020#police-responses-to-domestic-abuse>

<sup>25</sup> CPS (2021), 'CPS data summary Quarter 3 2020-2021,' <https://www.cps.gov.uk/publication/cps-data-summary-quarter-3-2020-2021>

- **Improve training and guidance for CPS staff to ensure that domestic abuse cases are treated sensitively and effectively, and that problematic and sexist attitudes do not influence charging decisions**
- **Improve communication with survivors throughout the CPS process**
- **Increase prosecution decisions for domestic and sexual abuse cases**

41. The court process can be very traumatic for survivors, as they are often required to retell their experiences multiple times or forced to interact with their perpetrators because of the lack of availability of special measures such as screen or video links when giving evidence. We welcome the measures in the Domestic Abuse Act which finally ban cross-examination of survivors by perpetrators in the family and civil courts. Such practices can be extremely distressing for victims and can lead them to drop out of the process altogether. The support of support workers such as Independent Domestic Violence Advocates has been shown to reduce the attrition rate of survivors, so it is critical that all survivors have access to an IDVA or ISVA, and that these services are fully funded so that they can meet demand.

42. We are extremely concerned by the worsening of court delays due to the Covid-19 pandemic. Convictions for both domestic abuse and rape offences have fallen by 15.8% and 31.75% respectively for this year compared to last year, largely due to delays to trials due to social distancing requirements and the widespread closure of courts towards the beginning of the pandemic.<sup>26</sup> Refuge has heard from survivors that there are delays of many months or even years to domestic and sexual violence trials. Such delays heighten trauma and increase the likelihood of victims dropping out, therefore risking dangerous perpetrators walking free. The recent announcement of emergency funding for the Crown Courts, which will allow an increase to the number of 'sitting days' over the next financial year, is a positive step towards tackling the backlog. However due to the size of the backlog, additional resource is required for several years to ensure trials relating to violence against women and girls can proceed in a timely manner, which includes opening more courts.

43. **Refuge recommends the following with regards to the court process:**

- **Ministry of Justice and the CPS to urgently invest the required resources to minimise court delays**
- **Ensure all survivors have access to a specialist Independent Domestic Violence Advocate or Independent Sexual Violence Advocate**

### **Preventing violence against women and girls**

44. Domestic abuse and other forms of VAWG are gendered phenomena that are rooted in gender inequality, misogyny and sexism. Violence against women and girls cannot be fully prevented without addressing these structures and harmful attitudes that enable VAWG and discrimination against women. A failure to do so perpetuates VAWG. The government should invest in and, in partnership with the specialist VAWG sector, develop large-scale communications campaigns which challenge myths and gender norms. These campaigns should be accessible and should reach all women, as well as targeting men to ensure damaging attitudes are challenged and changed.

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<sup>26</sup> Ibid.

45. The specialist VAWG sector should be pivotal to prevention and early intervention. These services are already delivering preventative work, and have an understanding of the needs and communities of survivors they support. Specialist support at an early stage must be available for all women and their children as soon as they reach out for the first time, in order to prevent reoccurring abuse. This represents the best chance for survivors to rebuild their lives, and results in longer-term savings to the state. Therefore, access to specialist support services for all survivors, including children and young people, must be ensured. The rollout of compulsory Relationships and Sex Education should also begin as soon as possible, to help challenge gender norms at an early age. As mentioned throughout our submission, it is vital that the legal duty introduced by the Domestic Abuse Act leads to an increase in the availability of specialist support services, and that both accommodation- and community-based services are fully funded in order to continue to provide, and to expand, preventative and early intervention support.
46. **Refuge recommends the following:**
- **Prevention and early intervention are embedded as an integral part of the response to VAWG, and government to invest in, and develop, accessible and effective communication campaigns to challenge myths and harmful gender norms across society and public bodies**
  - **The specialist VAWG sector's vital role in prevention is recognised and services sustainably funded**

## Conclusion

47. Violence against women and girls is ultimately rooted in gender inequality and sexism. Therefore, any efforts to address VAWG must be equally grounded in an understanding of the causes and consequences of these inequalities and in ensuring the needs of all survivors are met. A gendered and intersectional approach should be taken to tackling VAWG, and this cannot be left as the responsibility of a small number of government departments – it must instead be ‘everyone’s business.’
48. Finally, as emphasised throughout this submission, specialist VAWG services play a critical role in both preventing and tackling gendered violence. These services, including both refuge- and community-based services, must be sustainably funded to ensure every woman and girl receives the support and protection they need. The legal duty on local authorities has the potential to increase refuge bed spaces and place refuge services on a more sustainable funding footing. It is absolutely critical the duty delivers on this, and that it does not result in a ‘race to the bottom’ by sacrificing the high-quality support provided to survivors by specialist VAWG services.

We therefore recommend the following:

- Government should deliver a single, integrated comprehensive strategy to tackling all forms of VAWG, including and not separating domestic abuse, which is not limited to criminal justice initiatives
- Any strategy to tackle VAWG must embed a gendered and intersectional approach to VAWG which meets the needs of all women and girls, and explicitly recognises the needs of BAME and minoritised women, migrant survivors and LGBT+ survivors
- Government should ensure the cross-government collection of comprehensive, comparable and disaggregated data on VAWG

- Any strategy to tackle VAWG must embed a gendered and intersectional approach to VAWG which meets the needs of all women and girls, and explicitly recognizes the needs of BAME and minoritised women, migrant survivors and LGBT+ survivors
- Abolish the 'no recourse to public funds' condition
- Extend the Destitute Domestic Violence Concession to all migrant survivors
- Extend the Domestic Violence Rule to all migrant survivors
- Extend the time limit for financial support under the DDVC to at least six months
- Government urgently commits the £174 million needed to ensure the duty leads to an increased number of refuge bed spaces
- A national oversight mechanism for service provision is introduced alongside the legal duty
- Full, ring-fenced funding for all domestic abuse community-based services, estimated to be £220 million per year
- A return to long-term ring-fenced grant funding for VAWG service provision
- Government takes steps to ensure commissioning decisions are rooted in an understanding of the importance of gender specific services, for example through commissioning guidelines
- Universal Credit payments should therefore be made separately by default for all joint claims, as the single payment model is extremely vulnerable to abuse.
- Survivors should be exempt from repaying Universal Credit advances in recognition of the traumatic, expensive, and dangerous nature of fleeing.
- Government should create a cross-government fund for survivors, to support them with the costs of leaving perpetrators
- All upcoming legislation regarding regulation of technology, such as the Online Safety Bill and connected product cyber security legislation, contain specific components dedicated to tackling online VAWG.
- Challenge institutional sexism and misogyny in policing, for example through training, to ensure domestic abuse is understood as a crime and taken seriously
- Increase the use of evidence-led prosecutions, which do not solely rely on survivor testimony
- Improve communication with survivors throughout the criminal justice process including clearly communicating victims' rights if no further action is taken on a case
- Improve training and guidance for CPS staff to ensure that domestic abuse cases are treated sensitively and effectively, and that problematic and sexist attitudes do not influence charging decisions
- Improve communication with survivors throughout the CPS process
- Increase prosecution decisions for domestic and sexual abuse cases
- Ministry of Justice and the CPS to urgently invest the required resources to minimise court delays
- Ensure all survivors have access to a specialist Independent Domestic Violence Advocate or Independent Sexual Violence Advocate
- Prevention and early intervention are embedded as an integral part of the response to VAWG, and government to invest in, and develop, accessible and effective communication campaigns to challenge myths and harmful gender norms across society and public bodies
- The specialist VAWG sector's vital role in prevention is recognised and services sustainably funded