

**Draft Statutory Guidance on Multi-Agency Collaboration in respect of violence
against women, domestic abuse and sexual violence**

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Introduction:

Welsh Women’s Aid is the national charity in Wales working to end domestic abuse and all forms of violence against women. Established in 1978, we represent, campaign for, and support a national federation of local independent charities delivering specialist domestic abuse and violence against women prevention services in Wales, as part of a UK network of provision. These specialist services constitute our core membership, and between them they provide lifesaving refuges, outreach, and community advocacy and support to survivors of violence and abuse - women, men, children, families - and deliver innovative preventative work in local communities.

We also deliver direct services including the Welsh Government funded Live Fear Free Helpline; a national accredited and non-accredited training service in partnership with specialist services across Wales; refuge and advocacy services in Colwyn Bay and Wrexham; and the national *Children Matter* preventative project which supports our members to help children and young people in every local authority in Wales.

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. As a national federation, our policy work, consultancy, training and advocacy is all grounded in the experience of local specialist services and service users. Our success is founded on making sure the experiences and needs of survivors are central to all we do.

Summary of key recommendation:

This guidance should reflect the work undertaken by Welsh Women’s Aid (resourced by Welsh Government) to develop a multi-agency collaborative service model to achieve *Change that Lasts* for domestic abuse/violence against women – see attached documents, already provided to Welsh Government but which are not reflected in this guidance.

This guidance should include resources provided by Welsh Women’s Aid at Appendix Two (see response at section 9 below).

1. Does the draft guidance provide the information to help relevant authorities establish collaborative working arrangements to assist them in meeting their duties under the Violence against Women Domestic Abuse and Sexual Violence (Wales) Act 2015?

- 1.1 Welsh Women's Aid agrees that the draft guidance provides some relevant information to help relevant authorities to establish collaborative working arrangements, under the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (the Act). We are, however, keen to ensure that these working arrangements provide the best outcomes for those who have or are experiencing abuse, and as such, some further recommendations have been made within our response.
- 1.2 Addressing our recommendations throughout this response, will mean that some significant gaps in the draft document e.g. in the evidence and resources section, will be filled.
- 1.3 We would also like the resultant guidance to reflect the fact that in many cases, survivors of abuse are being failed by systems that are created to serve agencies, and not improve the lives of survivors of abuse. Future guidance should reflect the need to fundamentally review and change systems and process that currently require advocates and specialist support workers to help survivors navigate their way to independence and freedom. If these inter-related systems were changed 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.

2. Are there any barriers to successfully establishing and operating collaborative working arrangements?

- 2.1 In addition to the need to fundamentally change the systems survivors have to currently navigate (see above), the correct people also need to be identified to represent bodies in collaborative working arrangements. These people should have a good working knowledge of issues surrounding violence against women, as well as issues which relate to preventing violence against women within their own organisations. Without this knowledge, little value will be added to any collaborative working developed under the Act.
- 2.2 It is vital that any collaborative working arrangements ensure that preventing violence against women is the key priority, and is not conflated with other issues. This is especially important as many members of the boards and fora involved in multi-agency collaboration, under the Act are likely to have statutory objectives separate to that outlined in the Act. We appreciate that at times obligations can overlap, however, we would stress that even when there is such an overlap, all discussions and actions should be focused on preventing violence against women.
- 2.3 Whilst third sector involvement is vital and necessary to addressing violence against women, the resource impact for these services to attend meetings should be considered. Much of the specialist domestic abuse and sexual violence third sector are operating at maximum capacity and many specialist women's services do not know about the future of their funding. There is a strong need to consider the

resource implications for the specialist sector and the impact it may have on their ability to attend meetings.

- 2.4 Consistency of fora across authorities is a key aspect to ensure that all service users, regardless of the area they live in, have access to good quality and appropriate support. The problem of a postcode lottery when accessing services should not be replicated in further work around preventing violence against women.
- 2.5 It is vital that survivors are kept at the heart of all discussions about them in all multi-agency working. Our work on developing a national survivor involvement framework for Wales over the next two years should assist and support the delivery of multi-agency collaborations at a regional and local level.

3. Do you agree with the requirements proposed in relation to strategic collaboration arrangements?

- 3.1. Welsh Women's Aid would like more clarity in regards to the commissioning function and funding powers that the strategic partnership will have. The consultation states that this partnership will be able to commission services and determine if "*the lesser-developed strands of gender-based violence and sexual violence are best met through existing services or commissioning new, dedicated service*". 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.. Additionally, reviews in this area should incorporate resource and service mapping methodology, which could highlight that existing provision has not been able to extend to deliver a needs-led response to all forms of violence against women due to historic silo'd funding. Many existing services have been adversely affected by funding cuts and decreases in recent years, which have resulted in services being closed and others being stretched beyond capacity in some areas of Wales.
- 3.2 We are further concerned about how the strategic partnerships involvement with funding will effect a fair commissioning process; and their practice should be closely aligned with the forthcoming statutory commissioning guidance. This especially relates to the strategic partnership being able to "*support such services to apply for external funding*". We would seek clarity about how this support will be decided and how impartiality will be maintained. In addition, we are concerned that this may adversely impact smaller specialist services, who provide invaluable service with already limited funding.

4. Do you agree with the requirements proposed in relation to operational collaboration arrangements?

- 4.1 Welsh Women's Aid is broadly in agreement with the requirements proposed in relations to operational collaboration arrangements.
- 4.2 Whilst we agree that care pathway should be determined, it is important that these pathways allow for a degree of flexibility to ensure that the care a survivor of abuse receives is suitable and the best response for their situation. For example, evidence from our consultation to inform the 'change that lasts' service model shows that

survivors want access to more safe disclosure points in local communities, instead of a one size fits all single-point-of-contact for all survivors.

- 4.3 We note that the strategic partnerships are required to ensure regular service-user input and we advise that this should align with the work we will be developing over the next few years to support a national survivor involvement framework for Wales, which also develops best practice in this area of work. Welsh Women's Aid would recommend that a representative and broad range of service users should be engaged for any information gained to be truly informative.
- 4.4 We are pleased to see that attendance at multi-agency fora will be monitored, however we would seek further information about how regular absences or continued lack of strategic or operational engagement will be tackled by both the operational partnership and the strategic partnership. It is vital that all relevant parties attend and participate in multi-agency fora, and as such, there should a mechanism by which irregular absentees can be held to account.
- 4.5 Welsh Women's Aid agrees that the operational partnership should involve the third sector when creating strategic aims to address any problems which may arise. We welcome this and agree that third sector involvement, especially that of specialist services will play an important role to ensure that the working of collaborative arrangements are meeting the needs of survivors, and are essentially fit for purpose. However, as mentioned in 2.3, the specialist sector are working at maximum capacity and with very limited funding, especially to engage in strategic and partnership working (which is rarely funded). Yet the value, work and knowledge that the specialist sector can bring to multi-agency working is of extreme importance.. This needs to be considered and addressed to ensure that the valuable contribution that specialist services can make is not lost due to a lack of funding.
- 4.6 Welsh Women's Aid has developed (supported by Welsh Government) a National Quality Service Standards which form a set of accredited criteria, through which, dedicated specialist services can evidence their quality and deliver against evidence-based service standards that align with a UK framework of standards. Embodying principles of participation, transparent governance and needs-led service delivery, they set out the nature and standard of service provision necessary to enable service users of domestic abuse to cope with, and recover from their experiences of abuse. We would recommend that this is added to the resources outlined in Appendix 2, on page 50 of the guidance.

5. Do you agree with the requirements proposed in relation to multi-agency fora for responding to individual cases?

- 5.1 No. Welsh Women's Aid is keen to ensure that the multi-agency fora, provides the best possible outcomes for those who have experiences or are experiencing any form of violence against women. So we recommend that the evidence-based principles and approach outlined in our Change that Lasts service model should be reflected in this guidance, alongside a fundamental review of systems that survivors currently have to navigate. This should aim to achieve responses to individual cases that are truly needs-led, trauma-informed and gender-responsive (see key recommendation above).

- 5.2 The consultation highlights the need to meet the practice requirements of existing collaborative arrangements for all, especially of survivors who are not assessed as high risk. Early intervention and primary prevention is key to prevent violence against women, and to ensure that those at risk are supported at the earliest possible opportunity.
- 5.3 Whilst we agree that Multi-Agency Risk Assessment Conferences (MARACs) are well established and the most widespread multi-agency intervention, this draft document does not reflect the growing evidence recently published that questions the effectiveness of MARACs. A focus on risk has been accompanied by a reduction in needs-led responses, and a growing crisis of unmet need (Taylor 2013). In addition, some responses have been criticised for marginalising and disempowering survivors themselves (AVA, 2010; Wilson, 2013; Kelly et al., 2014). A controlling and undermining response from a service replicates the way in which the abuser has depleted a woman's own resources, and many studies emphasise how women need to remain in control of the decision-making process, rather than having no idea, for example, about their 'case' going to the Multi Agency Risk Assessment Conference. The DASH risk assessment tool is used in a number of varying forms across the country to assess risk in cases of domestic violence and abuse. Women's Aid in England and Wales, and many of our partners, have raised concerns about the reliance on this tool and the extent to which it is contributing to poor outcomes.
- 5.4 The risk model has been widely criticised in other social policy arenas too. Critics have stated that the risk model *has displaced the individual as the core driver of the system. ...the individual is posited as a unit of risk inside of the risk and reward model agreed between provider, investor and commissioner* (Julian Corner conference speech July 2014) This approach places the individual as the object of the intervention and not as the subject of their own life, thereby denying the survivor's strengths, capabilities, assets, agency and resilience which, if supported as necessary, are the key to future independence and safety. A recent report by Erin Davies highlights some of the pitfalls of the current UK model which she states include; *victim blaming, disregard for consent, over sharing of information, paternalism, referrals without purpose and disregard for cultural safety*. She advocates *survivor-led, feminist and anti-racist multi-agency practice*.
- 5.5 Research by Women's Aid England has also shown that across the country MARACs are struggling with so called 'intractable cases'. These are cases that are re-referred to MARAC with no measurable reduction in risk. The risk model has become all pervasive despite the overwhelming evidence that it fails to protect many women. This approach does not enable better interventions, long term recovery or prevention. It places survivors into a system that was not designed for them or their needs. This is not to say that there is no place for risk assessment or safety planning, but there is a need to shift to a position where safety is one of a range of needs that are addressed according to the individual service user.
- 5.6 There are also areas which can be improved within the MARAC structure, for example, the lack of victim involvement who know most about their own situation (which limits the individuals autonomy), the focus on the victim's behaviour which suggests that abuse is the result of the victims behaviour and also the level at which each representative engages with the process. In addition, whilst this may be the most widespread multi-agency intervention, this does not make MARACs the most appropriate response in every circumstance, rather a user-led, needs responsive process, such as the Change that Lasts model (see attached report – already provided to welsh Government – which is nowhere reflected in this guidance) should

be considered and utilised. Not only does this model focus on the needs of the individual, it is also suitable for every circumstance, as the response is tailored to the person who needs support and interventions.

- 5.7 Additionally, the success of MARACs are measured on the number of complaints about further abuse made following involvement at this fora. This is not a complete picture of whether someone is safe. The measurement of 'cessation of abuse' amongst victims who are assessed as 'high-risk' of harm from domestic abuse perpetrators is misleading and arbitrary as the measure for this usually focusses on recent experience of incidents of four types of abuse. It also fails to recognise that whilst certain incidents may have ceased in the short term, fear and coercive control may nevertheless continue and survivors may not have had their needs met. Similarly 'repeat victimisation' rates for domestic abuse can create perverse incentives to ensure victims do not report to a service again in a 12 months period. Primary, secondary and tertiary prevention of abuse should be reflected in the resultant outcomes framework.
- 5.8 It is key that responses to those who are not found to be high risk are developed, and Welsh Women's Aid is pleased that this has been highlighted as a priority in the consultation. It must be noted that specialist domestic abuse services provide needs-led responses irrespective of and across all risk categories. It is important that consistency and quality in these responses are present across the nation. We note that local authorities can create their own responses in this area, but they must be tested against developmental milestones. Welsh Women's Aid seek clarity as to how this will be assessed and how the milestones will be developed; will assessment of risk differ between each local authority?
- 5.9 Furthermore, the way in which risk is determined can differ depending on the person/organisation conducting the assessment. It is important that risk and how it is assessed is clearly understood by all of those who are conducting assessments, as this can greatly shape the results of an assessment and therefore the level of support.

It is against this backdrop that Women's Aid in England and Wales has been developing Change that Lasts (see attachments).

6. Do you agree with the requirements proposed in relation to the role of individual organisations in collaborative working?

- 6.1 Welsh Women's Aid is pleased to see that data collation and creating systems to collect data have been prioritised. We would recommend that this should be uniform across all partner agencies and partnership boards. This will allow us to map differences and collate Wales-wide, which is currently missing from the data set. Uniformed data collation will allow for progress to be accurately measured and compared.
- 6.2 The quarterly reporting requirement is also welcomed by Welsh Women's Aid. However, we would seek further clarity in regards to the repercussions of not completing this report. It is important that there is accountability if a board or body fails to meet the standards and requirements set out in both the Act and the

guidance under the Act. This will ensure that duties under the Act are carried out with due regards, and that tackling violence against women is treated as a priority.

- 6.3 Welsh Women's Aid welcome the recommendation for individual organisations to identify a violence against women lead and to have in place workplace policies on violence against women, domestic abuse and sexual violence that address employee support/challenge and service delivery. Welsh Women's Aid is already promoting and supporting delivery of this approach across a wide range of sectors, including the private sector. We also provide lead professional multi-agency training, which may be beneficial for individuals selected by organisations to be a violence against women lead. Welsh Women's Aid has also included workplace policies on domestic abuse in our National Quality Service Standards.

7. Do you agree with the project development model for client focused multi-agency fora?

- 7.1 Welsh Women's Aid agree that a client focused multi-agency fora should be central. We note that when deciding objectives, the needs of those at risk of experiencing violence against women should be considered. It is vital to consult with a range of survivors and specialist services in order to know what these needs and wants are. *In order to ensure a survivor focused, gender responsive and needs lead approach Welsh Women's Aid has developed, in partnership with Women's Aid Federation England, the Change That Lasts service model.*
- 7.2 At the heart of the Change that Lasts model is that those experiencing abuse are in the best place to advise which interventions will work for them, and their situation. This model is ideal to integrate into the multi-agency fora to ensure that it is client focused. We would encourage inclusion or reference to this model in the guidance.
- 7.3 When deciding "How will the forum know it is succeeding", it is vital to understand what a successful outcome looks like. For example, a reduction in those reporting incidents of violence against women does not mean that there has been a decrease in incidents, fails to take into account the complexities involved when those who are experiencing or have experienced violence against women consider approaching the police.
- 7.4 When considering the cost of intervention against the benefit to the client and agencies, it is important to consider the long term advantages of investing in tackling violence against women, and not solely focusing on the immediate cost. In addition, cost calculations should also measure human and emotional costs. Sylvia Walby found that domestic violence 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 £522.9m¹. It should be noted that Walby's figures only outline the cost of domestic abuse and there is no cost representation for the other forms of violence against women. Human and emotional costs should be factored into any cost-effective exercises to understand the true cost and benefit of interventions.

¹ Walby, S., The Cost of Domestic Violence: Update 2009.

8. What opportunities are there to promote the use of the Welsh Language in relation to this guidance? Do you have concerns that any part of this guidance could have an adverse effect on opportunities to use the Welsh language?

8.1 Welsh Women's Aid would like to see the use of the Welsh language maximised wherever possible. Survivor involvement work should be undertaken in Welsh and English where this is possible, and commissioning of services should ensure that service delivery is in Welsh where the need is evidenced for this.

9. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them

9.1 We are concerned, as raised through our oral and written evidence during the scrutiny stages of the Bill, by the 'opt out' clause for a relevant authority who 'thinks there is a good reason for it not to follow the guidance in particular categories of case or at all'. We again recommend that the scrutiny of this by Welsh Government and the National Adviser should be robust and opt-out should only be allowed for those that exceed the stated standards.

9.2 Welsh Women's Aid is concerned about the interpretation of 'evidence' based interventions, as many services evidence effectiveness through a variety of means, and as such, many services may not have yet had an independent evaluation of their programme. This can be for a variety of factors, including cost. This means that 'evidence' of success will vary between services. The ultimate aim for all interventions is to prevent violence and abuse – not just in being reported, but from actually taking place.

9.3 We are also concerned that the phrases 'gender-based violence', 'violence against women', 'domestic abuse', 'sexual violence' and others have been used throughout the document, at times interchangeably. As most gender based violence is committed by men against women and girls², for clarity we proposed that the term 'violence against women' should instead be used. We would also like the guidance to emphasise an understanding of 'violence against women' that is aligned with the international understanding of it being a cause and consequence of gender inequality and a violation of human rights. The phrase violence against women in the UK includes recognition of a defined group of specific crime types, as used by the Crown Prosecution Service amongst others, which encompasses individual crimes for which women's suffering is disproportionate, but of which men and boys can also be victims.³ Retaining this term throughout all documentation issued under the Act is of fundamental importance and will help to reduce confusion and conflicting use of terms.

² *Violence against Women factsheet No239*, World Health Organisation (2014): <http://www.who.int/mediacentre/factsheets/fs239/en/>

³ 'Equality and Diversity Impact Assessment on the CPS Violence Against Women Strategy and Action Plan: Analysis of evidence - April 2008' http://www.cps.gov.uk/publications/equality/vaw/vaw_eia.html

- 9.4 Furthermore, we note that the focus area for examples used in this document has been domestic abuse, and that violence against women has not been considered in its wider context. There is a need for all forms of violence against women to all be highlighted, given the purpose of the Act, and to avoid the appearance of there being a 'hierarchy' of abuse.
- 9.5 Welsh Women's Aid is concerned that the focus and examples given for responses, are solely the tools of one England-based third sector provider (ie SafeLives tools i.e. IDVAS, MARACs and DASH. This does not include reference to multi-agency needs-assessments models of service delivery that work across risk. There is a need for equal consideration given to the wide range of other options and services available, from more than one organisation, such as Welsh Women's Aid. This will ensure that all options are considered and that the best approach can be adopted and developed and that no one organisation is seen to be endorsed over others.
- 9.6 We are pleased to see, and welcome the section on voluntary sector contributions. The voluntary sector, especially the specialist violence against women sector, has specialist knowledge which will be vital to ensure that appropriate and effective responses are developed to keep women and children safe from further harm.
- 9.7 Welsh Women's Aid and our specialist service members are best placed, to ensure that a wider range of service users, from different areas and backgrounds are in a position to fully engage with any process implemented in the most effective and safe way.
- 9.8 We note that children and young people have not been referenced as victims in their own right within the document. It is important that this group are recognised as direct victims of abuse in their own right. Research shows that the age group who report suffering the highest levels of domestic abuse are between the ages of 16-24⁴. In addition, a study of young people in intimate relationships by the NSPCC found that, 25 per cent of the girls and 18 per cent of the boys experienced physical abuse; 75 per cent of the girls and 14 per cent of the boys experienced emotional abuse, and 33 per cent of the girls and 16 per cent of the boys experienced sexual abuse⁵. It found that not only do girls experience more abuse, but they also experience more severe abuse more frequently, and suffer more negative impacts on their welfare, compared with boys⁶. This guidance should highlight that children and young people can be affected by not only abuse and violence that they witness, but also by violence and abuse that is directly aimed at them.
- 9.9 In order to effectively prevent violence against women, perpetrators need to be held to account for their actions, behaviours and beliefs. Multi-agency collaborations should actively engage and support perpetrator interventions which are Respect accredited. By shifting the focus to perpetrators, blame is also taken away from survivors, who are never at fault, and should never be made to feel that they are at fault for the abuse they have experienced.

⁴ Home Office Statistical Bulletin, Homicides, Firearm Offences and Intimate Partner Violence, 2009/10. Accessed Via: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/116512/hosb0111.pdf

⁵ NSPCC - Radford, L. et al (2011) [Child abuse and neglect in the UK today](#).

⁶ Barter et al, (2009) Partner exploitation and violence in teenage intimate relationships, NSPCC

9.10 *We are particularly concerned with being excluded from resources at Appendix 2; at the expense of England-based services.* These resources should include an additional column for '**domestic abuse interventions**' and refer to resources available from Welsh Women's Aid that inform interventions for domestic abuse / violence against women survivors irrespective of risk, such as needs assessments, and tools to enable safe disclosure points to be developed in local communities ('Ask Me' tools). This should also include National Quality Service Standards in Wales for domestic abuse services, which Welsh Women's Aid provide an accreditation framework for achieving, and the National Training Service that Welsh Women's Aid and our partner organisations provide, which includes accredited QCF training.

'**Developing service user groups**' should also refer to the good practice guidance Welsh Women's Aid is developing, informed by our work to develop a national survivor involvement framework in Wales.

Under '**guidance for employers**' and colleagues for supporting survivors at work – Welsh Women's Aid website should feature, as we provide training for agencies in Wales on supporting colleagues and employees in relation to domestic abuse (funded by Welsh Government).

Instead of referring to a London-based agency to support partnerships in **partnership working**, Welsh Women's Aid is funded by Welsh Government to support partnerships and commissioners improve their responses, through training, consultancy and guidance. It is not clear why Welsh Women's Aid website should not be featured in this list of expert resources, especially when this work is Welsh Government funded.

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

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