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| These are the views of: | <i>Welsh Women's Aid (Third Sector) - the national charity in Wales working to end domestic abuse and all forms of violence against women.</i> |

About Welsh Women's Aid

Welsh Women's Aid is the umbrella organisation in Wales that supports and provides national representation for independent third sector violence against women, domestic abuse, and sexual violence (VAWDASV) specialist services in Wales. Our membership comprises of 20 specialist support services. These services deliver lifesaving and life-changing support and preventative work in response to violence against women, including domestic abuse and sexual violence against children and young people, men and boys, trans and non-binary people, as part of a network of UK provision. As an umbrella organisation, our primary purpose is to prevent domestic abuse, sexual violence, and all forms of violence against women and ensure high quality services for survivors that are needs-led, gender responsive and holistic. We collaborate nationally to integrate and improve community responses and practice in Wales. We also award the Wales National Quality Service Standards (NQSS), a national accreditation framework for domestic abuse specialist services in Wales (supported by the Welsh Government) as part of a UK suite of integrated accreditation systems and frameworks. (More information on the NQSS can be found [here](#)).

Introduction

Welsh Women's Aid welcome the draft pilot practise direction which is intended to give procedural effect to the provisions under Part 3 of the Domestic Abuse Act 2021¹, and believe that widening the scope of the Domestic Abuse Protection Orders (DAPO) should allow for more victims to be protected against all forms of violence and abuse. In the year ending 2022, in England and Wales there were approximately 10,167's Domestic Violence Protection Orders (DVPO) granted, whilst there being 910,980 reports of domestic abuse related crimes², suggesting that around only 1% of domestic abuse related crimes resulted in a protection order. Rights of Women have highlighted that this is likely due to poor training of the police and a lack of

¹ <https://www.legislation.gov.uk/ukpga/2021/17/part/3>.

² <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabuseandthecriminaljusticesystemappendedixtables>, November 2022 edition of this data set.

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knowledge and understanding of the orders and the application process³. Whilst the Act would repeal the existing Domestic Violence Protection Notices (DVPN) and DVPO's, it is vital that the DAPO's under Part 3⁴ of the Act works both in policy and practise to ensure these orders are applied for and implemented, to ensure survivors are protected against perpetrators and can live their lives free from fear. The practise direction must be clear and easy to understand, to ensure that all individuals and organisations, alongside the courts, understand the procedure of applying for a DAPO.

We believe that alongside this pilot practise directive, there must be a commitment to ensure that all court members have regular training on violence against women and girls in all forms, intersectionality and how these DAPO's are intended to work. The Ministry of Justice, Assessing Risk of Harm to Children and Parents in Private Law Children Cases highlighted that abuse is being systematically ignored, disbelieved, or dismissed, with the process not being trauma-informed and facilitating further control by the perpetrator⁵. To ensure that survivors are not further traumatised by the court process and to ensure they are seen as experts in their own experience, the draft pilot practise direction cannot be implemented in silo. All courts must ensure that there is an acknowledgement and understanding of all forms of domestic abuse⁶ and the impact it has on survivors. Survivors must not be caused further harm by seeking safety from abuse. We believe the recommendations from the Report must be applied in respect of DAPO's, which states that the basic design principles of the family court must be based on a culture of safety and protection from harm, an approach that is investigative and problem solving and having a sufficiently resourced and coordinated approach⁷.

Q1: When considering the draft Pilot Practice Direction in its entirety

- a. Does the Pilot PD provide sufficient detail and clarity?**
- b. Are there any procedural gaps or specific areas that would benefit from further expansion? Please provide specific information on these areas; and**
- c. Are there any difficulties in the interpretation of the proposed Pilot PD? If so, please set these out.**

On review of the pilot practise directive, Welsh Women's Aid in consultation with our member services, believe that there are currently significant gaps and a lack of clarity. There seems to be no mention of emergency applications and how these can be obtained. The intention of the Home Office is to "bring together the strongest elements of existing protection orders"⁸, yet there is no mention on how to apply for these in emergency time-critical situations or if these are to be under the DAPN, with a subsequent DAPO to follow. If

³ <https://rightsofwomen.org.uk/wp-content/uploads/2019/06/Briefing-on-Domestic-Abuse-Protection-Orders-14-June-2019.pdf>, page 2.

⁴ <https://www.legislation.gov.uk/ukpga/2021/17/part/3>

⁵ <https://consult.justice.gov.uk/digital-communications/assessing-harm-private-family-law-proceedings/results/assessing-risk-harm-children-parents-pl-childrens-cases-report.pdf>, page 4.

⁶ Domestic Abuse Act 2021, Part 1, Section 1 and Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, Section 24.

⁷ <https://consult.justice.gov.uk/digital-communications/assessing-harm-private-family-law-proceedings/results/assessing-risk-harm-children-parents-pl-childrens-cases-report.pdf>, page 9.

⁸ <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-protection-notices-orders-factsheet>.

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the DAPN's are to give immediate protection following an incident, within this pilot practise directive we believe there should be a section which talks about DAPN's and their use in emergency situations and how these may have been applied for prior to the DAPO. This also raises questions on whether the previous application of a DAPN will hold any weight in establishing, on the balance of probabilities, that the perpetrator has been abusive towards the survivor.

It is unclear when the courts will be informed of these changes regarding the pilot areas and whether they will have an awareness and understanding of the importance of DAPO's in providing longer-term protection for survivors. Member services have raised concerns that they have been in situations where the courts were not aware of any changes to procedure and that it is crucial that the pilot practise directive and other information relating to DAPO's are shared with the family court prior to the pilot starting. WWA also believe it would be beneficial for there to be an accessible contact list for designated members of the family court so if specialist services or survivors have any concerns or queries, they can easily locate the contact details.

There has been no reference to the input of specialist services who are experts in providing support and advocacy for survivors of all forms of abuse and violence. It is unclear from the pilot practise directive whether specialist services, who may be supporting the survivor, will be consulted when deciding whether a DAPO will be implemented or the requirements to be imposed. It is unclear how exclusion zones will be determined, and whether the survivor or the specialist sector would be consulted for input. It is fundamental that the voice of the survivor is not lost throughout the process of applying for a DAPO, to ensure the parameters protect them. WWA believe that it is crucial that survivors are seen as experts in their own experience and that the specialist sectors' expertise in the dynamics of abuse, violence, risk, and trauma are sought. To ensure that DAPO's achieve their outcome and the requirements are appropriate, there must be collaboration with all the sectors involved with the survivor and the perpetrator. We also believe that all services involved with the irrespective parties must be made aware of the perpetrator's compliance with their DAPO and its specific requirements and a clear robust mechanism for this must be established.

When consulting with our member services, it was highlighted the pilot practise direction is very complicated to understand and that it written as if it is for those with a legal background. This raises concerns that the complexity of the practise directive will create further barriers, where many people do not understand the procedure and therefore will not apply for a DAPO. Under Section 75 (5) of the Courts Act 2003, it highlights that the Family Procedure rules must be simple and simply expressed and that the practise and procedure can be set out in the practise directive themselves⁹. The current pilot practise directive is not clear or accessible for those intended to read it, such as survivors, and specialist services. Victims and survivors who are from marginalised communities already face significant barriers when accessing support, safety, and justice¹⁰ and having an unclear and drastically long practise directive increases these barriers when they attempt to apply for a DAPO. Whilst not directly relating to the question asked, we believe that survivors more widely should be consulted with to ensure any forms and the pilot practise directive are accessible.

⁹ Court Act 2003, Section 76.

¹⁰ Listen to us! (endviolenceagainstwomen.org.uk), page 2.





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Q2: Paragraph 3 – Application for a DAPO on notice

- a. **Do you agree with our suggested approach that applications ought to be on an application form supported by a witness statement?**
- b. **Do you consider that the additional information required under paragraph 3.4 of the PD is appropriate and clear enough?**

As we have been unable to see the application form, WWA cannot confirm whether we agree with the suggested approach of an application form and a witness statement. There may be many situations where a survivor or a specialist service will be applying for a DAPO, and it is unclear how intrusive and lengthy the application form is. Specialist services are working over capacity due to factors such as short-term funding, years of austerity, the cost-of-living crisis and the demand for services increasing since the Covid-19 pandemic. Our members services have highlighted concerns on how much time they will have to spend completing the form, which is time taken away from providing front-line support. It is unclear how user-friendly and trauma-informed the form is, and whether there has been any acknowledgement that in some instances survivors will be completing this themselves, without any support. It is also uncertain if there has been any consideration in the writing of the form, on how terms relating to violence and abuse against women and girls, may not have a direct translation in languages such as Arabic or BSL. We believe that it is vital that the context and content of the form is considered and consulted with survivors and specialist services to ensure that right questions are being asked, in the right way, to determine why a DAPO is being applied for. There must be emphasis on the application form being user-friendly and as concise as possible, to ensure that the application form is not a barrier to survivors completing the application form on their own, if they are not supported by specialist services or any other agencies.

WWA are concerned that the voice of the survivor may become lost when they are not the one who applied for the DAPO and it is fundamental that the survivor remains central to this application and implementation of the DAPO. The DAPO can be applied for by an organisation or an individual (who is not the person to be protected) if they have been granted permission by the court. It is understood that this person/organisation would then provide a witness statement on why they are applying for a DAPO against a perpetrator. The pilot practise directive states under 3.4 (b) that the opinion of the person being protected must be provided. Whilst in consultation with our member services, they have raised concerns, with highlighting previous examples where a victim's impact statement was not completed and therefore is not presented in court. It is unclear from section 3 of the pilot practise directive, how the court will ensure that the survivor's voice is heard and that they are seen as experts of their own experience.

We believe the additional information required under paragraph 3.4 is mostly appropriate and clear, however as discussed above we believe there must be more done or clarified to ensure that the survivors voice is centre of the DAPO application and implementation.

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Q3: Paragraph 5 – Permission to apply for a DAPO

- a. **Do you agree the procedure as set out is clear enough?**
- b. **Do you agree with our suggested approach that applications for permission should be submitted on a bespoke form as opposed to using the FPR Part 18 procedure?**

It is unclear in what circumstance the court would be able to grant the application as opposed to fixing a date for the hearing of the application, and this is something that requires clarity. The time frame is "as soon as practicable" that the court would need to do (a) or (b), however this is not specific and can be open to interpretation of what the court deem is practicable, which may not be deemed as practicable by specialist services or a survivor. We believe that there must be a prescriptive time frame so that an organisation or individual who is applying on behalf of the survivor, can keep the survivor informed and can know what to expect. Applying for DAPO whether this is by the survivor themselves or through an organisation is likely to cause a survivor some unease due to the court process, and having a time frame that is open to discretion adds to this.

Regarding seeking permission to apply for a DAPO, under section 28(2)(d) of the Domestic Abuse Act, anyone can seek permission from the court. There are concerns that this provision can be abused with family members and unknown third parties being able to apply for them¹¹. In the Joint Committee report on the Draft Domestic Abuse Bill¹², it was stated that due to these applications being at the discretion of the court, this would prevent instances of abuse¹³. It is unclear from this procedure, how it is determined whether a third-party individual or organisation would have permission to apply for DAPO and whether their reason for applying on behalf of the survivor is legitimate.

We believe that the suggested approach of applying for permission on a bespoke form, as previously stated, depends on the length of the form and how long it will take organisation such as specialist services to complete this. We are not able to fully comment on whether we agree on the suggested approach without having oversight of the bespoke form.

Q4: Paragraph 6 – Application for a DAPO in existing proceedings

- a. **Do you agree that a separate form should be used?**

We believe that the suggested approach of applying for a DAPO in existing proceeding, on a separate form depends on the length of the form and how long it will take organisation such as specialist services to complete this. We are not able to fully comment on whether we agree on the suggested approach without having oversight of the separate form.

¹¹ <https://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/draft-domestic-abuse-bill-committee/draft-domestic-abuse-bill/oral/99005.html>, Q38.

¹² <https://publications.parliament.uk/pa/jt201719/jtselect/jtddab/2075/2075.pdf>, page 26.

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Q5: Paragraph 7 – Parties

- a. Do you believe the interests of those victims are adequately protected by the intended procedure?
- b. Do you believe that the provisions of FPR Part 16 and Practice Direction 16A relating to the appointment of a litigation friend sufficiently provide for such appointments, taking into account that a children’s guardian will not be appointed specifically for these purposes?

We believe that paragraph 7 does not go far enough to ensure that the child who is under 18, but 16 or over will be supported if made party to the proceedings. Under section 3 of the Domestic Abuse Act 2021, children are now recognised as victims of domestic abuse in their own right. This is regardless of whether they have seen, heard, or have been subject to abuse and/or violence. Concerns have been highlighted that children are often left unheard in the family court¹⁴, there is a lack of understanding of the different influences on children such as the perpetrator, and that family court is often trauma-inducing¹⁵. It is unclear that if a child is party to the proceedings, if they will be any requirement of the court to ensure they are receiving trauma-informed, strengths-based, and needs-led support as required. To ensure that children are adequately protected, there must be systematic change in how the courts work with survivors. As highlighted by Women’s Aid Federation England in 2022¹⁶, there have been delays in implementing the recommendations from the Harm Panel in practice¹⁷, meaning that survivors of domestic abuse are still experiencing the traumatising experience of court and a systemic lack of understanding. Whilst we recognise that paragraph 7, alongside the FPR Part 16 and Practise Direction 16A, ensures that children are only party to proceedings in certain circumstances and are appointed a litigation friend, this part cannot be in isolation. To ensure that children are adequately protected, the recommendation made following the failings of the court system as highlighted in the Harm Report, need to be actioned and monitored to ensure that all survivors are able to access safety in a way that does not cause further harm.

Q6: Paragraphs 8 – 10 on service of a DAPO application and paragraphs 17 – 19 on service of a DAPO

- a. Do you agree with this approach?
- b. Is there anything else that the service provisions would benefit from?
- c. Do you agree with the suggested inclusion of service on a mortgagee or landlord, which are loosely based on the FPR Part 10 provisions that relate to Occupation Orders, given that DAPOs can include requirements related to property?

Yes, we largely agree with this approach mentioned and as mentioned previously, we believe a contact list of designated family court workers would be beneficial to ensure if survivors or specialist services have any queries, they are easily able to contact someone.

¹⁴ <https://consult.justice.gov.uk/digital-communications/assessing-harm-private-family-law-proceedings/results/assessing-risk-harm-children-parents-pl-childrens-cases-report.pdf>.
¹⁵ <https://www.womensaid.org.uk/wp-content/uploads/2022/06/Two-Years-Too-Long-2022.pdf>, Page 52.
¹⁶ <https://www.womensaid.org.uk/the-harm-report-two-years-on-too-little-too-late/>
¹⁷ <https://consult.justice.gov.uk/digital-communications/assessing-harm-private-family-law-proceedings/results/assessing-risk-harm-children-parents-pl-childrens-cases-report.pdf>.

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Q7: Paragraph 11 – Hearings

a. Do you agree with our suggested approach?

We agree with this approach in principle; however, we believe there must be clarity on whether these hearings are likely to be virtual or are to be held in person. Courts often do not accommodate women to ensure they feel safe and secure, and they are often unable to access separate waiting rooms, and this can significantly impact on how they present in court¹⁸. The geography and transport services in Wales can be huge barriers for some women accessing courts, due to living in rural areas and the distance needed to be travelled and survivors may not have access to a car or may not have enough money to pay for public transport. It is essential that these barriers to attending court in person are considered, to ensure that survivors are not discouraged from applying for a DAPO due fear of seeing the perpetrator in court or financial difficulties. Other factors such as caring needs, accessibility for those who are disabled, and availability of translators must be considered.

Q8: Paragraph 14 – Including a positive requirement in a DAPO

- a. Do you have any comments on these provisions?**
- b. Do you think anything else needs to be included which relates to the court's communication with programme providers and the flow of information between the two?**

WWA is concerned by the lack of information provided about how the decision is made on what type of requirement should be imposed. It is unclear whether specialist services who are experts in providing support and advocacy for survivors, the survivor themselves, and other agencies involved with the survivor and/or perpetrator would be consulted. DAPO's are intended to ensure longer-term protection for survivors of all forms of domestic abuse¹⁹, however it is unclear how it will be decided what method of positive requirement will be used, for which then evidence is gathered. It is also vague on whether evidence on multiple options could be requested. If a positive requirement is granted that is not suitable for the perpetrator, this could increase the risk of further abuse, therefore it is important that their suitability is correctly assessed and those with knowledge of the perpetrator are involved.

Whilst we recognise that the MOJ is working to develop a more detailed process on how referrals will be managed and guidance on a reporting framework for programme providers, Paragraph 14 lacks any explanation on how the proposed requirement is decided in the first place. Paragraph 14.2(b) states that the court must receive evidence about the suitability and enforceability of the proposed requirement, and if such information is not provided, an interim DAPO will be made with the requirements being added later once the evidence has been received. The pilot practise directive states that the court can implement a DAPO when

¹⁸ <https://welshwomensaid.org.uk/wp-content/uploads/2021/11/Westminster-debate-Domestic-abuse-victims-in-family-law-courts.pdf>, page 5.

¹⁹ <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-protection-notices-orders-factsheet>.

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they are satisfied that the conditions are met and if it is necessary to include a requirement for the perpetrator to “do something”. Section 35(2) of the Domestic Abuse Act states that the court must consider what requirements may be necessary to protect the protected person from different kinds of abusive behaviour. This suggests that all DAPO's will be made in the first instance without the requirement, as the court would first need to decide what requirements would necessary and secondly, the evidence must be obtained from whom would be the responsible person. The pilot practise directive does not make this clear that both can happen within one court sitting, which would ensure no delay in the implementation of the DAPO and the positive requirement.

The pilot practise direction also states that the court must specify the time within which the evidence is submitted to the court, however it is unclear of what time frame this would be. We believe that there must be a designated amount of time that evidence requested should be submitted to the court. This would reduce the amount of time between an interim DAPO and the requirements being added. We believe that there must be designated lead email contact from both the court and the different organisations/services in which the responsible person is based. This will ensure that there is a central mailbox, to prevent any evidence from being overlooked and to ensure that responses will be received. This will also allow for there to be a designated person to contact if there are any concerns, questions or if evidence needs to be chased. It is also unclear in what specific time frame the court office must make the responsible person aware of the perpetrator's details and requirements. This time frame must be provided to ensure that delay in the responsible person having this information does not result in further delay of the positive requirement starting.

In terms of the accessibility of positive requirements, Welsh Women's Aid alongside our members have concerns regarding the accessibility and demand of these services. The commissioning of services such as those relating to misuse of substances and behaviour change programmes, are often commissioned local authority to local authority and are not consistently available locally or nationally. It is unclear what happens when a positive requirement which has been deemed necessary by the court, has an extensive waiting list or is not commissioned in the area which the perpetrator resides. This raises concerns that the positive requirement may not be implemented straight away or may not be implemented at all due to barriers with rurality or lack of service provision. It is unclear what mechanisms are in place to prevent this, or to manage any waiting lists.

Q9: Paragraph 15 – Electronic monitoring requirements

- a. Given that electronic monitoring is being introduced for the first time in the family court, do you have any observations on these provisions?**

Our comments about Paragraphs 15 are closely aligned with the comments made above. It is unclear how decisions relating to curfew time and exclusion zones are made, and whether these are made in consultation with the survivor, specialist services or other agencies involved with both the survivor and perpetrator. We believe there needs to be further clarification on the finite detail of when an electronic monitoring

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requirement is deemed as necessary and which parties will be involved in navigating the curfew times and area. If the survivor is not consulted during this process, there is a significant risk that they will not be fully protected from further abuse and the DAPO will not achieve its aims of providing longer-term safety from all forms of domestic abuse. We believe there must be a mechanism to ensure the victims views and needs are considered when implementing the positive requirements as many survivors are often un-represented in civil proceedings²⁰. There are also concerns that survivors may have a false sense of protection if the perpetrator is given an electronic monitoring requirement if the correct infrastructures are not in place to enforce it²¹. To ensure the electronic monitoring tag ensures the safety of the survivor and prevents any further domestic abuse, their voice must be heard in this process. It is also unclear how quickly the electronic tag monitoring provider will make the police aware of any breach and whether there would be a delay in the reporting of this. We believe the monitoring and reporting of breaches of those on electronic monitoring tag is crucial to get correct, to ensure it fulfils its purpose. Those monitoring the requirement must ensure they are adequately resourced to ensure all breaches are pursued and the electronic monitoring system must be fit for purpose, as equipment is often faulty or does not operate well enough²². We are aware that the MOJ is intending to develop more detailed guidance and procedures for court staff, police and those who monitor electric tagging, and we believe this guidance must be robust to ensure that they are managed effectively. There must be a clear mechanism to ensure that specialist services involved with both the survivor and the perpetrator are made aware of the perpetrator's compliance with their DAPO and that they are notified of any breach as soon as possible.

As electronic monitoring requirements can only be implemented for 12 months²³ at a time, it is unclear from paragraph 15 what mechanisms are in place to ensure it can be re-implemented after 12 months if it is deemed necessary.

Q10: Paragraphs 20 and 21 – Notification to the police

a. Do you have any comments specific to these provisions?

We believe that the mechanism used to notify the police of DAPO's being implemented must be sound and have no room for error. We agree that the onus should move from the applicant or their solicitor, to the court to ensure the notification is made. This system must be monitored to ensure they the court are meeting their commitment of submitting the notification within 1 day, and the police are ensuring the dedicated email address is adequately manned.

²⁰ <https://rightsofwomen.org.uk/wp-content/uploads/2019/06/Briefing-on-Domestic-Abuse-Protection-Orders-14-June-2019.pdf>, page 4.

²¹ <https://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/draft-domestic-abuse-bill-committee/draft-domestic-abuse-bill/written/101083.html>, 3.3.

²² <https://publications.parliament.uk/pa/jt201719/jtselect/jtddab/2075/2075.pdf>, page 28.

²³ Domestic Abuse Act 2021, Section 38, 172, subsection 3.

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Q11: Paragraph 22 – Variation or discharge of a DAPO

a. Do you have any comments on the proposed procedure?

As highlighted in the pilot practise directive, the “responsible person” is an individual who in charge of monitoring compliance with a positive requirement or an electronic monitoring requirement. They will be aware of breaches and how well the perpetrator is engaging with any requirements implemented. Under paragraph 22 the responsible person is not listed as being able to vary a DAPO. It is unclear from the pilot practise directive who the responsible person would consult if there was a reason for why the DAPO needed to be varied, for example the requirements enforced may no longer suitable for the perpetrator. We believe that it is important that the responsible person is able to provide feedback on the perpetrators progress in this specific circumstance, but more widely to those other organisations/agencies involved with the survivor and the perpetrator.

Paragraph 22 also states that an application to vary or discharge may be made the perpetrator. Member services have raised that it is unclear whether there are any parameters or limits on the types and quantity of variations requested. There are concerns that this application for variation of the DAPO could be weaponised by the perpetrator as a method of control. It was also highlighted that it is not clear whether a Bar order was obtainable in these circumstances, to stop the perpetrator from bringing the survivor back to court. There must be awareness by the court and a mechanism in place to ensure that perpetrators are not able to weaponize the court and continue to abuse the survivor post-separation.

As highlighted throughout our response, the survivors voice must remain at the centre, and it’s unclear from paragraph 22 whether they will be consulted on their opinion of the variation or discharge of the DAPO. Any variation or discharge could have a significant impact on their safety, and therefore we believe there must be a requirement to obtain their thoughts on all variations or discharges.

Q12: Section X – Enforcement (paragraphs 23 to 29)

a. Do you have any comments on these provisions, including how they currently operate in practice?

As above, the responsible person is not mentioned within any paragraphs around enforcement, and it is unclear what mechanisms they would follow if they needed to report a breach which could subsequently lead to a warrant for their arrest. More generally when it comes to breach, the process is also unclear regarding information from a third party/organisation which would constitute a breach. For example, there are often situations where specialist services are aware that a perpetrator and survivor are back in contact, but this may not flag up for the electronic monitoring team as its not in an excluded area. It is unclear who the specialist services would notify of this information, as the DAPO is intended to prevent the perpetrator from being abusive towards the survivor²⁴.

²⁴ Domestic Abuse Act, Section 27 (1).





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We believe to ensure that DAPO's work in practise, there must be mechanisms in place to prevent inconsistent approaches between the civil and criminal courts application and enforcement, as both are able to impose a DAPO. We believe there must be robust detailed guidance and monitoring to ensure that there is effective alignment between both the criminal court system and the civil court system to prevent inadvertently creating a two-tier system when applying for DAPO's. The proportionality of justice must be ensured, alongside the civil court's enforcement of DAPO's being aligned with the sentencing guidelines of the criminal court.

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