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**Cymorth i Ferched Cymru**  
**Welsh Women's Aid**

Rhoi Merched a Phlant yn Gyntaf  
Putting Women & Children First

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<b>These are the views of:</b>	<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**

Initially, Welsh Women's Aid welcomed the initial proposals for pilot in a prior consultation but raised concerns that the previous Domestic Violence Protection Orders had suffered from poor police training and a lack of knowledge and understanding of the orders and the application process.

Additionally, we are concerned about the ability to sufficiently scrutinise as a result of the quick turnaround of this consultation and a lack of any pilot being operated in Wales. It is important that enough time is given for specialist organisations to properly address the questions and concerns laid out within the consultation. Welsh Women's Aid take pride in the work that our membership carry out and the expertise that frontline delivery can offer in response to government proposed policy.

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Welsh Women's Aid is a registered charity in England and Wales, No. 1140962  
and a company limited by guarantee registered in England and Wales, No. 07483469



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We welcome the acknowledgement that specialist services play an important part of supporting survivors throughout the DAPN and DAPO process, however these services are already stretching their resources. Our State of the Sector report found that almost 70% of member services were seeing an increase in demand when compared with the last financial year<sup>1</sup>. Any additional burden of work and time would need to come with the appropriate funding in order for services to provide the appropriate holistic support. This becomes particularly relevant for community-based services that are not necessarily funded by government grants. Additionally, if DAPN and DAPOs are to increase in comparison to DVPOs, specialist services need to be properly resourced in order to be able to support an increase in referrals to their services.

Welsh Women's Aid would like to see a broadening of the scope of support referred to include Independent Sexual Violence Advisors and Independent Stalking Specialists and other specialist support workers. It should be noted that due to the limited nature of pilot only being applicable to perpetrators living within the pilot areas, survivors particularly experiencing stalking from the perpetrator are left vulnerable.

Survivors feel constitutently led down by a lack of information being shared across the legal process. Survivors must be informed along all points of the DAPNs and DAPOs process in an understandable and accessible manner. Any changes must be communicated to the survivor at the earliest opportunity.

**Overall, do you think this statutory guidance provides clear and comprehensive information to police for using DAPNs and DAPOs? If not, what would you recommend is amended? Please be specific in any response.**

Welsh Women's Aid feel that more information is needed in regard to what specialist services are available, specifically in each region to enable geographically appropriate support for survivors. This is especially important in more rural areas of Wales where survivors may face barriers to accessing these support services. These lists need to regularly be kept up to date to ensure support is still accessible at the time of referral.

While we welcome the extension of ability to issue DAPOs and DAPNs to the family courts and statutory services, the guidance lacks direction on how police officials, magistrates and third parties will be sufficiently trained in order to carry these applications out. As previously discussed, historically there has been a lack of understanding in how DVPOs were to be issued which resulted in the function falling out of use<sup>2</sup>. We do not feel that the guidance alone, without proper training, will be enough to ensure that there is full understanding of the processes and requirements. The ability for non-police organisations to apply is a positive move, but this must come with guidance set out for the police on how to engage

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<sup>1</sup> <https://welshwomensaid.org.uk/news/state-of-the-sector-2023-24/#:~:text=In%20the%20report%2C%20we%20evidence,among%20staff%20in%20statutory%20services.>

<sup>2</sup> Rights of Women, Joint briefing on Domestic Abuse Protection Orders, 14 June 2019  
<https://www.rightsofwomen.org.uk/news-and-policy/statements-and-briefings/>





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properly with third-party organisations to support the survivor in a way that embodies a whole systems approach.

When supporting survivors, there needs to be a trauma informed, needs led, strengths-based approach to ensure that they feel safe, supported and empowered. The guidance does not set out clearly how survivors will not be left disenfranchised or with no support should they not agree with the DAPO/DAPN being issued. Furthermore, guidance is required on how services can ensure support for survivors that do not consent to the application. We are concerned that many survivors could face increased risk if they did not feel ready to agree to the terms of the DAPO/DAPN. We also know that particular risk points, like separation, are likely to pose an increased threat to the survivor. The Femicide Census 2020 report found that in 2018, '41% of women killed by a partner/former partner had separated or taken steps to separate from him'. There needs to be crucial, robust and dynamic risk assessments to properly reflect the changing nature of risk.

Extensive guidance will be needed on how to both support a survivor who does not consent to the order or notice and how to assess risk at critical points such as but not limited to issuing of DAPO/DAPN and the moving of households. There needs to be a positive relationship with the survivor that meets a stronger criteria than "tak[ing] into account" the survivor, as is set out in the current draft of guidance.

More guidance is required on what duties are placed on various police forces should the perpetrator move outside of the piloting force area. Section 10 notes that monitoring should be carried out closely but there is no further guidance on how often this should happen, what kind of changes should trigger this or what form of working relationship police forces should have in relation to the DAPO. There will need to be additional guidance for non-piloting police forces in preparation for this taking place. It should be noted that this will particularly affect Wales due to no pilot taking place across the whole country.

Further clarification on what type of 'senior police officer' is able to issue and authorise DAPNs and DAPOs. It is important that the senior police officer is appropriately trained to the nature of domestic abuse.

### **Is the process outlined in 'Section 3 – Conditions for making a Domestic Abuse Protection Order (DAPO)' clear in terms of the content or clarity?**

We note that the authorisation of the DAPN the senior police officer must take into account 'any representations from the perpetrator'. Perpetrators are able to utilise systems to their advantage and there needs to be caution in allowing further abuse to take place in any representations to the police or at when giving a DAPO without notice in court.

The disregard to Sundays and Bank Holidays in relation to giving a 48 hour deadline for DAPOs being heard by the magistrate's court does not give sufficient understanding to the nature of domestic abuse and violence. We know that most domestic homicides occur on a weekend. There needs to be processes put in place to ensure that survivors are protected 7 days of the week. Additionally, survivors are left feeling uncertain about what potential magistrate decision may impact them.

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**Do you have any comments on ‘Section 6 – DAPO prohibitions and positive requirements’ in terms of the content or clarity?**

There needs to be greater clarity on how positive requirements will work, particularly on specialist service obligations. As previously stated, an increased demand needs to be supported by increased resources in order for this properly to work. There also needs to be clear approaches to identify programmes and ensure that services are able to release the capacity to monitor and notify services. As previously stated, it will also be important to ensure that survivors are informed on what positive requirements are taking place.

Further clarification is needed, in the case of police applications, on identifying the ‘triage organisation’. We appreciate that the draft notes that this information will be provided for in the final version of the guidance but cannot fully comment on section 6 without this information.

We understand that breaches are covered under the Domestic Abuse Act 2021 but believe that additional guidance for police on what options are available to them should breaches occur.

**Do you think this statutory guidance provides enough information to police on protected characteristics?**

It is important that Annex D includes further Welsh specialist ‘by and for’ organisations in order to ensure that an intersectional approach is carried out sufficiently in all areas of the UK.

**Do you have any comments on any specific sections or annexes of the statutory guidance that haven’t been covered in previous questions, including the process map at Annex B?**

Greater detail is needed within Annex H on what kind of information that non-piloting police forces will need to share with those part of the pilot to ensure that any survivor is properly supported despite a perpetrator moving location. As previously stated, the working relationship between these police forces requires further detail in order to ensure robust processes remain in place to monitor.

As previously discussed, further support organisations are required under Welsh-specific organisations in order to ensure that survivors and organisations in Wales are properly sign-posted.

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