

**Domestic Abuse Commissioner**

**Annual Report of the  
Domestic Abuse  
Commissioner 2022 to  
2023**

July 2023



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Presented to Parliament pursuant to section 14(3) of the Domestic Abuse Act 2021

July 2023



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# Annual report of the Domestic Abuse Commissioner 2022 to 2023

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## Foreword

Events of the past year have shone a light on the impact of domestic abuse and the need for a strong Coordinated Community Response to identify abuse and ensure that all victims and survivors receive the support they need. When we have 2.4 million people saying that they have experienced domestic abuse in the last year alone, we must fund robust pathways to support. It is critical if we want to tackle this crime which costs so much to so many.<sup>1</sup>

I am pleased to publish my first annual report since receiving my statutory powers in November 2021, following the passage of the Domestic Abuse Act. This report covers the period 1<sup>st</sup> April 2022- 31<sup>st</sup> March 2023.

In November, we published pioneering mapping data which showed the huge inequalities for survivors trying to access domestic abuse services across England and Wales. It highlighted the extent of the disparities in levels of domestic abuse services from area to area, and between different groups of victims and survivors, providing a firm basis from which national government and local agencies must work together to provide a robust package of support to all survivors. The mapping also clearly showed that specialist services are effective in enabling victims and survivors to feel safer and more in control of their lives following abuse and that most victims and survivors from minoritised communities want to receive support delivered ‘by and for’ their own community.

Building on this determination, we hosted our first Festival of Practice, bringing together more than 400 people working to tackle domestic abuse to share and understand how it is possible to drive change through partnerships and a coordinated response to domestic abuse.

We have also carried out significant work to ensure that in the coming year an Oversight Mechanism is established in the Family Court to embed a culture of safety and protection from harm for victims and survivors, including children, as well as a Domestic Homicides and Suicides Oversight Mechanism to ensure that lessons from these tragedies are learnt in order to prevent future deaths.

It still remains the case that far too many people fail to receive the support they need, and opportunities are missed to identify domestic abuse and prevent further harm.

Over the past year we have seen serious failings in the police’s response to violence against women and girls, including the response to domestic abuse when perpetrated by one of their own. This year I successfully campaigned for domestic abuse to be explicitly considered in the definition of serious violence in the Police, Crime, Sentencing and Courts Act (2022). This marks some progress in the way that local partners work together to tackle this issue, but there is still considerably more work to be done in this area to rebuild public confidence in the system, and this will

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<sup>1</sup> [Domestic abuse in England and Wales overview - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/domestic-abuse)

continue to be of the utmost priority for me and my team over the course of the next year.

It is my firm resolve to ensure support for the most marginalised survivors of domestic abuse. This includes migrant survivors. In the last year, I have published new evidence on how the Government can improve support for all migrant victims and survivors.

Moving forward I urge the Government to seize the unique opportunity presented by the Victims and Prisoners Bill to ensure consistency in community-based specialist service provision and statutory services for all those subject to domestic abuse.

Finally, I want to thank all the specialist services who have worked with me and my team over the last year, as well as statutory services, government officials (particularly the Interpersonal Abuse Unit and sponsorship team at the Home Office) and members of my advisory board.

Above all else, I want to thank all those who have been subject to domestic abuse for taking the time to share their experiences with us - from navigating the criminal and family justice systems, to their ability to access specialist services. Your contributions are invaluable and must sit at the heart of everything that we do.

## **Vision and mission**

No matter who you are or where you live, there should be a strong and comprehensive response to domestic abuse.

My vision is for a world where victims and survivors, including children, receive the support they need, when they need it, no matter who they are or where they live.

Every part of society – from statutory agencies, to employers, to private industry and members of the public – recognise and understand domestic abuse, and play a role in preventing and addressing it.

Action is taken to prevent domestic abuse, through early intervention, supporting children and young people, and working with perpetrators to change and disrupt their behaviour.

Through research and engagement with victims and survivors of domestic abuse, my Office will build the evidence base, including what interventions address the causes, prevent domestic abuse, and help victims and survivors to cope and recover. This includes taking a gender-informed approach, understanding that domestic abuse is a form of Violence Against Women and Girls, recognising the impact of gender on both men and women.

As a thought leader, I seek to influence and inform policy and practice at a local and national level, raising awareness of domestic abuse and see best practice as common practice.

As an independent statutory body, my Office uses evidence to advocate for change, and to hold local and national government to account as a respected critical friend and source of expertise.

As a collaborative and pragmatic organisation, the Office works closely and constructively with the specialist domestic abuse sector, with stakeholders across local and national government, with parliamentarians, and with victims and survivors themselves to effect change.

## **Notable achievements over the last year**

### **Mapping of support available for victims and survivors of domestic abuse**

Earlier this year I published a pioneering mapping report showing the extent of the disparities in levels of domestic abuse services from area to area, and between different groups of victims and survivors – leaving those subject to domestic abuse facing a ‘postcode lottery’ for accessing specific types of support.

My office engaged with more than 4,000 victims and survivors, more than 500 service providers and over 150 local commissioners to comprehensively map out what victims wanted, whether they were able to get it and where services were located across England and Wales.

Despite being what victims and survivors who completed our survey wanted most, access to counselling and therapeutic services showed the biggest disparity between different parts of England and Wales, with a 21-percentage point difference between the highest area and the lowest. There were also considerable variations in victims and survivors being able to access mental health provision: 47 per cent able to access it in the Northeast of England compared to 31 per cent in the Southwest of England. Only 7 per cent of victims and survivors said they received the support they wanted to help change their perpetrator’s behaviour towards them.

Our research showed that Black and minoritised victims and survivors found it particularly difficult to access the support they needed to feel safe and supported. There were also gaps in the ability of services to provide support to migrant survivors with No Recourse to Public Funds (NRPF).

Male survivors told us about their struggles to access help and support, with most of those who responded to our survey saying that accessing help was difficult or very difficult.

Getting support for children was also extremely difficult, with capacity within organisations clearly unable to meet demand. Only 29 per cent of victims and survivors who wanted support for their children told us that they were able to access it. Focus groups that formed part of this research also highlighted the particular barriers to accessing help for older people, where older victims and survivors may be more socially isolated due to diminishing support networks, increased physical and/or mental health problems, and constant proximity to their abuser after retirement.



## **Festival of Practice**

***'The Festival as a whole has been the most well organised, stimulating and informative conference I have attended in my 40 years of being an NHS nurse!'***

***'Inspiring, humbling, energising and powerful!'***

In March, I brought together more than 400 people working to tackle domestic abuse in Manchester for the first ever Festival of Practice. This provided an opportunity to bring people together to share and understand how it is possible to drive change through partnerships and a coordinated response to domestic abuse. The Festival of Practice was focused on innovation, collaboration and good practice around issues that survivors told us were important to them, including holistic approaches for long-term recovery, commissioning specialist 'By and For' organisations and embedding domestic abuse responses across the healthcare system to name just a few.

***'The children as victims session was amazing - came away with fire in my belly to make change!'***

Key sessions were centred on addressing racism within domestic abuse responses; what it means in practical terms to consider children as victims in their own right; building a just Family Court system and how to ensure that survivor voice is central to improving the response to domestic abuse.

***'We have found the event to be brilliant - we have made contacts and progressed ideas and projects as a result and hopefully will be able to solve some issues and remove some barriers as a result of contacts.'***

Our main sessions were complimented through the presence of spoken word performances, a photography exhibition, a live scribing artist capturing content, and headphone sets available to listen to survivor voices speaking about their experiences.

A series of focused breakout sessions showcased good practice across a variety of themes and talked not just about the services or approaches being delivered, but honestly explored the importance of partnership arrangements and the need for a strong coordinated community response in all areas. We covered topics that came through as strong priorities for survivors through our mapping and engagement work, including holistic approaches for long-term recovery, commissioning specialist 'By and For' organisations and embedding domestic abuse responses across the healthcare system to name just a few.

***'As an Authority and Partnership, we are now bringing people together to look at a No Recourse Fund to run locally for a test period of time'.***

Our Ideas Exchange created space for delegates to connect with organisations from across England and Wales that we have identified as pioneering and forward

thinking. This space for networking and learning featured agency-led stalls from various statutory and voluntary organisations.

### **Police, Crime Sentencing and Courts Act (2022)**

Last year I led a successful campaign, along with a number of Peers, to amend the definition of serious violence in the Police, Crime, Sentencing and Courts Act (2022) to include domestic abuse and sexual violence for the purpose of the Serious Violence Duty to make clear to local areas that they should be included within their prevention strategies. The Duty requires a range of public bodies including the police, health authorities, schools and other criminal justice agencies to work together to prevent and tackle serious violence, with the aim of reducing the number of victims and perpetrators of crime. Explicitly including domestic abuse and sexual violence in the duty sends a strong message to police forces and local statutory agencies across the country of the importance of acting early to prevent domestic abuse and helps to bring a level of consistency to the work being carried out.

As well as working to amend the legislation I have also successfully worked with government to ensure that the statutory guidance reflects the ambition of the accompanying legislation and captures the importance of considering domestic abuse within the Serious Violence Duty, due to the consistently high volume and high harm across England and Wales; the relationship between domestic abuse and public space serious violence; and the opportunity for improved collaboration, system response, and outcomes when domestic abuse is included within the definition of serious violence.

I have also encouraged consideration of domestic abuse amongst existing Violence Reduction Units (VRUs), hosting roundtables with VRUs in Summer 2022 and visiting the VRUs in Northumbria, Nottingham and Wales. I also attended a joint visit to the West Midlands VRU in 2023, with the Children’s Commissioner to see practice local partnership building and early intervention commissioning in relation to domestic abuse.

*“Introducing a Serious Violence Duty will improve wholesale understanding of the drivers of serious violence and help prevent future crime and tragedy. It will mean that police, government, and health bodies must collaborate locally, so that they can develop more holistic strategies to protect people from harm, including through early intervention...The change to the Serious Violence Duty will be made via an amendment to the Police, Crime, Sentencing and Courts Bill, following careful consideration and widespread support from campaigners – including the Domestic Abuse Commissioner.” Home Office (2021)<sup>2</sup>*

### **Building oversight**

#### *Family Justice*

Domestic abuse is a central issue in private law children proceedings in the Family Court. The evidence suggests that allegations of domestic abuse are present in at

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<sup>2</sup> [Domestic abuse and sexual offences to be treated as seriously as knife crime - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/domestic-abuse-and-sexual-offences-to-be-treated-as-seriously-as-knife-crime)

least half of all such proceedings, with the most recent Cafcass study finding domestic abuse allegations in 62% of cases.<sup>3</sup> Yet the Ministry of Justice's Family Court Harm Panel report, published in June 2020, found serious structural issues in the way that: domestic abuse allegations were handled; risk and potential harm to children was assessed; and survivors themselves were re-traumatised by the court process.<sup>4</sup> These issues are borne out in my engagement with survivors, with problems in the Family Court system being one of the most commonly raised issues.

As part of this work, I regularly meet with the Ministry of Justice, CAFCASS England and CAFCASS Cymru, Family Justice Children and Young People's Board, and the Judiciary. I also sit on the Ministry of Justice's Innovation and Efficiency Policy Group in relation to family justice as well as the CAFCASS Learning and Improvement Group. I have also liaised with the National Council of Juvenile and Family Court Judges on model code work in the US

Within the research function of my office, I have built a small team, which will be led by an external lead academic researcher to pilot a Family Court Monitoring Mechanism, a key commitment from the Ministry of Justice's Family Court Harm Panel report.

The Family Court Monitoring Mechanism will pilot in three court areas to collect data on how domestic abuse is dealt with in the Family Court, identify how victims and survivors are supported, and enable Government, agencies, and the court system itself to better identify and evidence problems in order to address them.

### *Domestic Homicides and Suicides*

Within the Practice & Partnerships team, I have established a Domestic Homicides and Suicides Oversight Mechanism, a key commitment within the Government's Domestic Abuse Plan. The Domestic Homicides and Suicides Oversight Mechanism will draw together recommendations from Domestic Homicide Reviews (and other relevant reviews) in order to support local areas to implement actions and escalate any more structural problems with implementation. It will also identify and analyse key themes in order to better learn lessons across England & Wales and prevent future deaths.

As a first step in this work, I have commissioned analysis of Domestic Homicide Reviews (DHRs) recommendations from statutory agencies, produced by HALT research through the University of Manchester. This series of reports will draw together key themes from Domestic Homicide Reviews for particular statutory agencies, and four reports will cover recommendations for Adult Social Care, Children's Social Care, health services and the police.

Following the establishment of the Domestic Homicides and Suicides Oversight Mechanism, the Commissioner will publish annual reports setting out key findings and analyse key themes from domestic homicide reviews and other relevant reviews.

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<sup>3</sup> Adrienne Barnett (2020), Domestic abuse and private law children cases, A literature review, 20; Cafcass and Women's Aid; CAFCASS, Women's Aid (2016), Allegations of domestic abuse in child contact cases.

<sup>4</sup> Ministry of Justice (June 2020), Assessing Risk of Harm to Children and Parents in Private Law Children Cases.

This will include recommendations for local agencies as well as national government to support implementation of DHR recommendations and action plans to better learn lessons and prevent future deaths.

### **Calling for support for migrant victims and survivors of domestic abuse**

I hear countless horrific stories about the experiences of vulnerable migrant survivors with no recourse to public funds. We need urgent action from government to address this issue.

In December last year I published a report seeking to improve the policy response to victims and survivors of domestic abuse with insecure immigration status and no recourse to public funds (NRPF); *Safety Before Status: The Solutions*. For the first time this report, drawing on commissioned research from the London School of Economics and the Oxford Migration Observatory estimated the number of people at risk of falling through the cracks, using migration data and the Crime Survey for England and Wales. The report shows there are approximately 32,000 survivors with NRPF who could report the abuse to an authority each year if provided with recourse to public funds. The report sets out a series of recommendation aimed at extending funds and support to survivors. Cost benefit analysis research found that these recommendations would generate overall society gains worth around £2 billion over 10 years

### **Key priorities for the year ahead**

My priorities are informed by a few key elements:

- which issues are most important to victims and survivors of domestic abuse;
- existing work across the domestic abuse sector, Government, and statutory agencies;
- where the Commissioner, with her unique position and powers, can add the greatest value and effect the most change.

These priorities are also set out in our three year Strategic Plan, which was published earlier this year.<sup>5</sup>

### **Provision of Domestic Abuse Services across England and Wales**

*A Patchwork of Provision: how to meet the needs of victims and survivors of domestic abuse in England & Wales* illustrates the ‘postcode lottery’ in the response to domestic abuse, and particularly the additional barriers faced by victims and survivors from minoritised communities, and the disproportionate lack of funding faced by specialist ‘By and For’ services. The Commissioner will continue to focus on this work and making use of this data and evidence to press for increased service provision for all victims and survivors, including their children.

To meet this priority the Commissioner is calling on the Government to introduce a new duty through the Victims and Prisoners Bill to provide and fund community-based services, including for children. The Bill should be amended to place a duty on local commissioners to conduct needs assessments, along with a new central

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<sup>5</sup> [DAC-Strategic-Plan-2023.pdf \(domesticabusecommissioner.uk\)](#)

government obligation to provide adequate funding to meet that need. In particular, the Government must create a national funding pot of at least £263m for 'By and For' services over three years. More support must also be made available for children and migrant survivors. Many of these 'By and For' services require a regional or national approach to build towards adequate capacity.

### **Family Justice**

Problems with the Family Court remain the most common issue that victims and survivors contact my office about. Significant issues with the Family Court and how it supports victims and survivors and keeps children safe are well evidenced, including from the Ministry of Justice's Harm Panel Report, and our Improving the Family Court's response to domestic abuse report. We will be publishing a follow-up report setting out further recommendations on how to improve the response from the Family Court and will publish the outcomes of the Family Court Monitoring Mechanism.

### **Migrant survivors**

Victims and survivors of domestic abuse with insecure immigration status face some of the most significant barriers to accessing support. Not only can perpetrators use their immigration status as a tool for coercion and control – a concept known as 'immigration abuse' – but the lack of access to public funds by some survivors locks them out of seeking safety through refuge or other safe accommodation. Equally, the lack of a 'firewall' between immigration enforcement and the police prevents survivors from reporting their abuser to the police safely. I have published two reports, Safety Before Status, making recommendations to improve access to support for all victims and survivors, regardless of their immigration status. I will continue to work closely on this issue with the specialist 'By and For' sector and government.

I am calling for the government to provide dedicated funding for specialist by and for organisations supporting migrant survivors of domestic abuse, the creation of an immediate firewall between police and immigration enforcement, accompanied by safe reporting mechanisms and funded referral pathways to support, as well as the extension of the Destitute Domestic Violence Concession and the Domestic Violence Indefinite Leave to Remain provisions.

### **Domestic Homicides and Suicides**

Following the establishment of the Domestic Homicides and Suicides Oversight Mechanism, I will publish annual reports setting out key findings and analyse key themes from domestic homicide reviews and other relevant reviews. This will include research findings, recommendations for local agencies, as well as national government to support implementation of DHR recommendations and action plans to better learn lessons and prevent future deaths.

### **Children and Young People**

The Domestic Abuse Act 2021 recognised children as victims in their own right for the first time. This was a crucial step forward, but still, just 29 per cent of victims and survivors reported that they were able to access the specialist support they wanted for their children. I will therefore undertake work to better understand how children

affected by domestic abuse should be supported and will publish recommendations on how to improve this response.

### **Criminal Justice**

While the response to domestic abuse can and must go much further than the Criminal Justice System, it remains a critical part of the picture, and a poor response from criminal justice agencies is a common issue raised with us by survivors. We have been concerned by the significant drop in criminal justice outcomes since 2016, despite increased recording of domestic abuse offences by police.

Over the past year we have seen a number of significant reviews launched into the treatment of Violence Against Women and Girls within police forces. This includes the publication of Baroness Casey's review into the conduct of the Metropolitan Police, which highlighted shocking failings with regards to the investigation of allegations of domestic abuse and support provided to victims and survivors, within a wider context of institutional racism and misogyny.

I will therefore ensure that the Office undertakes work with partners to develop recommendations that will bring about a more effective criminal justice response to domestic abuse, to better support victims and bring perpetrators to justice. This will be a central priority for my team's work in the year ahead.

### **How we work**

#### **Role of the Domestic Abuse Commissioner**

The Domestic Abuse Act 2021 established the Office of the Domestic Abuse Commissioner, to provide public leadership on domestic abuse issues, play a key role in overseeing and monitoring the provision of domestic abuse services in England and Wales and promote best practice, including in multi-agency working.<sup>6</sup> My role is to encourage good practice in preventing domestic abuse; identifying victims and survivors, and perpetrators of domestic abuse, as well as children affected by domestic abuse; and improving the protection and provision of support to people affected by domestic abuse from agencies and government.

My unique position allows me to work collaboratively across government and across statutory agencies to improve the response to victims and survivors

The Act provides me with a unique set of powers that will enable her to seek information and then hold agencies to account in their response to domestic abuse. I can request information, as well as require any public body to respond to recommendations publicly within 56 days.

My role and powers as the Commissioner are set out fully in Section 2 of the Domestic Abuse Act (2021). These are set out in full in Annex 1.

#### **Survivor engagement**

As Commissioner, I play a key role in raising the voices of victims and survivors of domestic abuse, and to advocate with them to local and national government. Survivors' voices are at the heart of my team's mission. Research, policy, and

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<sup>6</sup> Home Office (2022) [Domestic Abuse Statutory Guidance](#) p.128

communications teams all engage the lived experiences of survivors in the work of the office via round tables, focus groups, one to ones and questionnaires with wider cohorts. The team build relationships with survivors who engage, and more recently the recruitment of a specialist role, the lived experience engagement lead, ensures that the authentic voice of those with lived experience is and will be considered every single step of the way.

In November 2022 I published “A Patchwork of Provision” which included the voices of over 4000 survivors who took part in the call for engagement. The research team recognised that certain cohorts tend to be underrepresented when those calls come via websites and social media, so specific targeted engagement with round tables were also set up. This was achieved with the support of sector organisations, to reach survivors from black and minoritized communities, deaf and disabled survivors, and survivors with learning differences. The analysis and findings of that survey was completed and reported alongside the data collection of service provision. The voices of the participants were threaded through the report. Importantly the researchers returned to the groups to feedback the key findings of the report and how the office was using the report to influence change.

My office receives correspondence from hundreds of survivors throughout the year, and whilst the office is prohibited from engaging in individual cases, survivors choose to share their stories; the challenges and frustrations with the existing systems which often are failing them completely. These can be incredibly difficult to read, as survivors write to my office after they have exhausted all avenues to safeguard themselves and their families.

From 20<sup>th</sup> May 2020 to 31<sup>st</sup> March 2023 the office had received 665 pieces of correspondence, the vast majority of which came directly from victims and survivors. From preliminary analysis, one of the most frequent themes highlighted is the experience of victim and survivors within the Family Court system and how further abuse can be meted out via legal means. Researchers within the office are in the process of implementing a systematic analysis of these correspondence to draw out key themes and findings from both a quantitative and qualitative perspective.

Survivor engagement is vital to our office, as well as those who commission and provide services for victim and survivors. Yet there is potential for people who are scoping what is happening nationally and aiming to build a network of survivors to share good practice around meaningful engagement and build confidence collectively as the voices of survivors are supported to be amplified at all levels of influence.

A solid grounding in the experiences of victims and survivors safeguards my role's independence and ensures that the team remain focused on the right priorities. It also involves taking a gender-informed approach to domestic abuse, recognising that it is a crime that disproportionately affects women and girls and is a form of Violence Against Women and Girls. We also understand that taking a gender-informed approach for all victims and survivors is essential, as gender will affect every person's experience of abuse and efforts to seek help. An important element of this is also holding perpetrators to account; and ensuring that perpetrators are brought to

justice for their crimes, as well as supported to change their behaviour and thus prevent future abuse.

### **Advisory Board**

The Domestic Abuse Act 2021 requires the Commissioner to establish an Advisory Board, comprised of no more than ten members who represent a varied range of interests and areas of expertise. I have appointed the following individuals to sit on her Advisory Board, to offer advice to the Commissioner about her strategic direction and how to best fulfil her role as set out in law. The membership organisations (Imkaan, Women's Aid Federation England, and Welsh Women's Aid) have also been invited to bring a member organisation along to every Advisory Board meeting to bring a frontline perspective to the Board.

### **Membership**

- DCC Maggie Blyth, NPCC Lead for Violence Against Women and Girls
- Mrs Justice Knowles, Lead Family Court Judge for Domestic Abuse
- Louise Gittins, Chair of the Local Government Association's Children and Young People Board
- Catherine Hinwood, Deputy Director, Health and Justice Team NHS England
- Baljit Banga, Executive Director IMKAAN
- Farah Nazeer, CEO Women's Aid Federation England
- Sara Kirkpatrick, CEO Welsh Women's Aid
- Ippo Panteloudakis, Head of Services, Respect
- David Challen, Domestic Abuse Campaigner
- Professor Liz Kelly, Child and Woman Abuse Studies Unit, London Metropolitan University

### **Working with the specialist domestic abuse sector, local partners and national government**

My Office strives to be collaborative and pragmatic in the work it carries out. We work closely and constructively with the specialist domestic abuse sector, with stakeholders across local and national government, with parliamentarians, ministers from Welsh Government, and as outlined above, those subject to domestic abuse to effect change.

Each month, I host a meeting virtually which brings together specialist domestic abuse organisations, civil servants from a range of central government departments, local government representatives and representatives from key justice agencies, including the National Police Chief's Councils. These meetings play a critical function in sharing information between these key stakeholders and helping to inform the work of my office.

As Commissioner I value engagement with Secretaries of State such as the Home Secretary and the Education Secretary as well as being an invited attendee at the



Inter-ministerial Group on Violence Against Women and Girls. I benefit from routine engagement with the Safeguarding Minister, the Victim's Minister, and the Housing and Homelessness Minister. The latter of which, I co-chair the National Expert steering group on safe accommodation with in order to ensure successful and impactful delivery of Part 4 of the Domestic Abuse Act 2021. I also have frequent engagement with senior civil servants from a range of government departments, including the Home Office, the Department for Levelling Up, Housing and Communities, the Department for Education, The Department for Work and Pensions and the Ministry of Justice. The provision of the cross Whitehall directors meeting enables me to raise and respond to strategic issues and challenges and quarterly one to one meetings with No.10 have ensured the voices of victims and survivors are heard at the very top of government.

I convene a small Strategic Reference Group of leaders from across a range of sectors, quarterly, to stimulate thinking, build cross-sector relationships, and nurture leadership with regard to responses to perpetrators of domestic abuse. I also chair a steering group in relation to the implementation of the new offence of non-fatal strangulation, brought in by the Domestic Abuse Act 2021.

I regularly engage with relevant leads in the Criminal Justice System, including Police and Crime Commissioners, His Majesty's Inspectorate of Constabulary and Fire & Rescue Services and the College of Policing and the National Police Chief's Council lead for VAWG Maggie Blyth and domestic abuse lead Louisa Rolfe. This engagement has been critical in the development of VAWG becoming a strategic policing requirement as well as improving the police's response to domestic abuse. I intend to work closely with them to respond to police perpetrators of domestic abuse and to improve the policing response in the coming year. I held roundtables with Metropolitan Police officers in light of the Baroness Casey Review and fed the findings back directly to the Commissioner for the Metropolitan Police along with recommendations as to how their response to domestic abuse could be as ambitious and effective as possible.

Alongside engagement with the Police, I regularly meet with the Director of Public Prosecutions' team to influence the Crown Prosecution Service to prioritise domestic abuse and drive up prosecution and conviction rates. Additionally, I have routine engagement with the Chief Probation Officer and have hosted events with probation officers and victim liaison officers (as well as observing parole functions) with a focus in particular on improving the experience of victims and survivors during their perpetrator's probation release as well as improved offender management.

The Online Safety Bill presents a unique and essential opportunity to address domestic abuse offences and VAWG that occur within the digital space. I am delighted to have been placed by the government as a statutory consultee in the Bill, and by positive movements to recognise controlling and coercive behaviour as a priority offence. However, as the Bill currently stands, it fails to address duties of care in relation to preventing domestic abuse and VAWG in a holistic and encompassing way, endangering the government's objective, to increase user safety, being met. I support the campaign for the inclusion of a VAWG code of

practice in the Bill. I am delighted to have been placed by the government as a statutory consultee through Amendment 98A to the Online Safety Bill, along with the Children's Commissioner and the Commissioner for Victims and Witnesses. This means that in preparing a draft code of practice, or amendments of a code of practice under clause 36, Ofcom will need to consult with us. I look forward to working closely with Ofcom as they develop the codes.

I was pleased to be invited to a range of select committees to support parliamentary scrutiny of the government's work for victims and survivors of domestic abuse. This included attending as a witness for the Justice Select Committee's pre-legislative scrutiny of the Victims and Prisoners Bill, the Women and Equalities Select Committee's work on so-called honour-based abuse; and the Home Affairs Select Committee for their inquiry on policing priorities as well as their session on migrant survivors of domestic abuse.

I have worked closely with the Domestic Abuse and Sexual Violence Programme within NHS England in order to align priorities and ensure that work to prioritize domestic abuse as a public health issue is collaborative. This included a joint trip to Exeter in Spring 2023 to speak with leaders in NHS Devon and domestic abuse services across Devon, Plymouth and Torbay in order to understand their best practice model of embedding a response to domestic abuse across the healthcare system.

Through the Research function, my team and I sit on a number of research advisory boards, which include the VISION Consortium, the CADA Advisory Board, Rethinking Domestic Abuse in Child Protection Expert Advisory Group, the Department for Levelling Up Housing and Communities Evaluation of Part 4 Advisory Board, the Home Office's Victims Satisfaction Survey and the VAWDASV research network for Wales.

I also engage beyond England and Wales to identify and learn from wider practice and policy. This has included visiting the Foyle Family Justice Centre in Northern Ireland which provides a 'one stop centre' of co-located programmes and services, such as emergency accommodation, police services, an achieving best evidence room, and provision and space for counselling and therapy. I also engage with my relevant counterparts in Northern Ireland, such as the Northern Ireland Victims Commissioner and the Northern Ireland Human Rights Commission. Additionally, I have looked to the United States of America to learn from the recent developments of practice from the National Council of Juvenile and Family Court Judges to inform the development of my analysis and recommendations which I have made to the Ministry of Justice and the Family Justice System in England and Wales.

I believe that local partnerships and specialist organisations working to support victims and survivors must be at the heart of our response to domestic abuse. Within the Office, we have a Practice and Partnerships team, which acts as the eyes and ears for the team at a local level. Within the team we have Geographic Leads who identify best practice and key challenges within local areas and help disseminate learning with local partners. Over the past year, I have carried an extensive programme of visits with local partners. These visits are especially helpful to the

work of the office to gain practice insights, including areas of good practice, as well as challenges, which inform our wider policy and research work. Below are examples some of the visits carried out in the past year:

### **Manchester, April 2022**

I was pleased to visit a refuge for women with no recourse to public funds and to hear about their barriers to accessing support, and also to meet the team at the Pankhurst Trust. A meeting with the Greater Manchester Combined Authority (GMCA) following the publication of their gender-based violence strategy outlined some of the pillars of the area's approach to tackling domestic abuse and VAWG. It was interesting to hear about the joint commissioning and pooled funding of a partnership of organisations commissioned by Salford council in a lead provider model.

### **Northumbria, October 2022**

I heard about the innovative We Find A Way project, delivered by Wearside Women in Need, that has been set up to support the family and friends of people experiencing domestic abuse, through community engagement and a helpline. A visit to Acorns highlighted the important principles of taking a trauma-informed approach to working with children affected by domestic abuse and how to support them in a needs-led and choice-driven approach. I heard about a strong strategic approach to tackling perpetrators that the Violence Reduction Unit and the OPCC are taking, and met with the Local Authority domestic abuse leads to hear about the challenges and opportunities for partnership working across the region.

### **Wales and Bristol, November 2023**

I spent 4 days visiting North Wales, South Wales, Gwent and Bristol, meeting a wide range of partners involved in tackling domestic abuse. These included the Ministry of Justice's Pathfinder Pilot for the Family Courts in Wrexham, a number of specialist domestic abuse services, including 'By and For' organisations, perpetrator intervention teams, a sexual violence service, and an education programme funded by the Welsh Government. Many of the meetings included the opportunity to meet with survivors and hear about their experiences. I met the national VAWDASV Leads for Wales, along with South Wales police, Gwent police and teams within the OPCC. The visit to Bristol gave me the chance to visit a refuge for women facing multiple disadvantage and the council's survivor forum. I visited the Nelson Trust in Gloucester to discuss the therapeutic and rehabilitative work which they carry out with female offenders who have also been victims of domestic abuse, as well as visiting HMP Eastwood Park to see the work which they carry out within prisons. I also spoke at the North Wales Vulnerability & Exploitation Conference in November

### **Our team**

I am supported by a team of civil servants, who are employed by the Home Office but appointed by myself and operate under my independent instruction; but are bound by the civil service code and civil service terms and conditions. As of March 2023, the Office has a staff team comprising of a total of 21.2 full-time equivalents, split into the following four teams.

### **Policy 5.5 full-time equivalent staff**

The policy team work closely with policymakers across Government and in Parliament to develop and influence policymaking at a national level. Seeking expert advice and evidence from local practice, research, and victims and survivors, the team work to influence change in policy including through legislation, guidance, and funding.

### **Practice & Partnerships 4.2 full-time equivalent staff**

The practice & partnerships team ensure the work is rooted in the reality of the response to domestic abuse locally, across both statutory partners and domestic abuse sector partners. The team act as the 'eyes and ears' of the office locally; operating as a feedback loop between local practice and national policy and fulfilling the Commissioner's statutory requirement to share best practice.

### **Domestic Homicides and Suicides Oversight Mechanism 2 full-time equivalent staff**

Within the practice & partnerships team we have established a Domestic Homicides and Suicides Oversight Mechanism, a key commitment within the Domestic Abuse Plan. This small team support local and national delivery of Domestic Homicide Review recommendations and action plans through monitoring implementation and drawing together key themes in order to learn lessons and prevent future deaths.

### **Research 2.5 full-time equivalent staff**

The research team ensure the work is rooted in robust evidence, working closely with researchers across academia, inspectorates and the specialist domestic abuse sector. They conduct primary research, as well as making best use of existing data and evidence to build our understanding of domestic abuse and the statutory response, supporting my role in holding local and national Government to account.

### **Family Court Monitoring Mechanism 2 full-time equivalent staff.**

Within the research team, there is a small team led by an academic partner who will lead this work to pilot a Family Court Monitoring Mechanism, a key commitment from the Ministry of Justice's Family Court Harm Panel report published in June 2020. The team are piloting the scheme in 3 court areas to monitor key outcomes for domestic abuse cases in the family court in order to identify issues and improve responses to domestic abuse.

### **Communications & Engagement 3 full-time equivalent staff**

The communications and engagement team supports me in my public engagement work, including through working with national and local media, strategic communications, and raising awareness of domestic abuse. The team also includes a full time Lived Experience Engagement Lead, to ensure that the work is grounded in the voices of victims and survivors, and to help hold local and national Government and agencies to account.

### **Management and office support**

I have 1 full-time Chief of Staff to oversee the staff team, and 1 full-time Personal Assistant and Office Manager

## 2022/23 Budget and Spending

	Budget	Actuals	Outturn
<b>2022/23</b>			
<b>Pay</b>	994,373	1,043,028	48,655
<b>Non-Pay</b>	261,000	318,159	57,159
<b>Gross</b>	<b>1,255,373</b>	<b>1,361,187</b>	<b>105,814</b>
	Budget	Actuals	Outturn
<b>Non-Pay Break Down</b>	<b>261,000</b>		
It and Telecommunications		6,785	
Staff Travel and Other		27,493	
Conferences		120,950	
Consultancy		88,743	
Other Expenditure		74,188	
<b>Gross</b>	<b>261,000</b>	<b>318,159</b>	<b>57,159</b>

## Annex 1

### Section 2 of the Domestic Abuse Act 2021

#### *Appointment of Commissioner*

- (1) The Secretary of State must appoint a person as the Domestic Abuse Commissioner (“the Commissioner”).
- (2) The Commissioner is to hold and vacate office in accordance with the terms and conditions of the Commissioner’s appointment.
- (3) The Commissioner is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.

### *Funding*

(1) The Secretary of State may make payments to the Commissioner out of money provided by Parliament for the purpose of enabling the Commissioner to meet expenditure incurred in the exercise of the Commissioner's functions.

(2) Payments are to be made at such times, and subject to any such conditions, as the Secretary of State considers appropriate.

(3) The Secretary of State may pay, or make provision for paying, to or in respect of the Commissioner—

(a) remuneration;

(b) allowances;

(c) sums by way of or in respect of pensions.

### *Staff etc*

(1) The Secretary of State must provide the Commissioner with—

(a) such staff, and

(b) such accommodation, equipment and other facilities,

as the Secretary of State considers necessary for the carrying out of the Commissioner's functions.

(2) Before providing any staff, the Secretary of State must—

(a) consult the Commissioner, and

(b) obtain the Commissioner's approval as to the persons to be provided as staff.

(3) The Secretary of State must consult the Commissioner before providing any accommodation, equipment or other facilities.

### ***Functions of Commissioner***

#### *7 General functions of Commissioner*

(1) The Commissioner must encourage good practice in—

(a) the prevention of domestic abuse;

(b) the prevention, detection, investigation and prosecution of offences involving domestic abuse;

(c) the identification of—

(i) people who carry out domestic abuse;

(ii) victims of domestic abuse;

(iii) children affected by domestic abuse;

(d) the provision of protection and support to people affected by domestic abuse.

(2) The things that the Commissioner may do in pursuance of the general duty under subsection (1) include—

- (a) assessing, monitoring, and publishing information about, the provision of services to people affected by domestic abuse;
- (b) making recommendations to any public authority about the exercise of its functions;
- (c) undertaking or supporting (financially or otherwise) the carrying out of research;
- (d) providing information, education or training;
- (e) taking other steps to increase public awareness of domestic abuse;
- (f) consulting public authorities, voluntary organisations and other persons;
- (g) co-operating with, or working jointly with, public authorities, voluntary organisations and other persons, whether in England and Wales or outside the United Kingdom.

(3) Subject to subsection (4), the Commissioner may not do anything in pursuance of the general duty under subsection (1) that—

- (a) relates to a devolved Welsh authority, or
- (b) otherwise relates to Welsh devolved matters.

(4) Subsection (3) does not prevent the Commissioner from—

- (a) doing anything falling within subsection (2)(c), (d) or (e), to the extent that the thing done does not relate to Welsh devolved matters;
- (b) doing anything falling within subsection (2)(f) or (g);
- (c) disclosing information to a devolved Welsh authority, or information which relates to Welsh devolved matters, under section 18.

(5) For the purposes of this section something relates to Welsh devolved matters so far as it relates to—

- (a) any matter provision about which would be within the legislative competence of Senedd Cymru if it were contained in an Act of Senedd Cymru, or
- (b) (so far as it is not within paragraph (a)), any matter functions with respect to which are exercisable by the Welsh Ministers, the First Minister for Wales, the Counsel General to the Welsh Government or the Senedd Commission.

(6) In this section—

- “devolved Welsh authority” has the meaning given by section 157A of the Government of Wales Act 2006;
- “public authority” means any public authority within the meaning of section 6 of the Human Rights Act 1998, other than a court or tribunal.

### *8 Reports*

- (1) The Commissioner may report to the Secretary of State on any matter relating to domestic abuse.
- (2) The Commissioner must publish every report made under this section.
- (3) Before publishing a report under this section, the Commissioner must send a draft of the report to the Secretary of State.
- (4) The Secretary of State may direct the Commissioner to omit material from any report under this section before publication if the Secretary of State thinks the publication of that material—
  - (a) might jeopardise the safety of any person, or
  - (b) might prejudice the investigation or prosecution of an offence.
- (5) The Secretary of State must consult the Commissioner before making any direction under subsection (4).
- (6) The Commissioner must arrange for a copy of any report published under this section to be laid before Parliament.

### *9 Advice and assistance*

- (1) The Commissioner may provide the Secretary of State with any advice or assistance that the Secretary of State may request.
- (2) The Commissioner may, at the request of any other person, provide the person with advice or assistance relating to the exercise of any of the person's functions, or the carrying out of any activities by the person, in relation to people affected by domestic abuse.
- (3) The Commissioner may charge a person for providing the person with advice or assistance under subsection (2).
- (4) The Commissioner must publish any advice given to a person under subsection (2).
- (5) Before publishing any advice given under this section, the Commissioner must send a draft of what is proposed to be published to the Secretary of State.
- (6) The Secretary of State may direct the Commissioner to omit anything contained in the advice before publication if the Secretary of State thinks the publication of that material—
  - (a) might jeopardise the safety of any person, or
  - (b) might prejudice the investigation or prosecution of an offence.
- (7) The Secretary of State must consult the Commissioner before making any direction under subsection (6).



## *10 Incidental powers*

(1) The Commissioner may do anything which the Commissioner considers will facilitate, or is incidental or conducive to, the carrying out of the Commissioner's functions.

(2) But the Commissioner may not borrow money.

## **Framework document**

### *11 Framework document*

(1) The Secretary of State must issue a document (a "framework document") that deals with matters relating to the Commissioner.

(2) The matters that may be dealt with by a framework document include (among other things)—

(a) matters relating to governance, funding and staffing;

(b) matters relating to the exercise of functions of the Commissioner;

(c) matters relating to scrutiny of the Commissioner's activities by Parliament or by Senedd Cymru.

(3) The Commissioner must have regard to the framework document when exercising any of the Commissioner's functions.

(4) The Secretary of State must have regard to the framework document when exercising any functions in relation to the Commissioner.

(5) The Secretary of State—

(a) must keep the framework document under review, and

(b) may issue a revised framework document.

(6) The Secretary of State—

(a) must consult the Commissioner in preparing or revising a framework document, and

(b) may not issue a framework document without the agreement of the Commissioner.

(7) The Secretary of State must consult the Welsh Ministers before issuing—

(a) the first framework document under this section, or

(b) any other framework document which is, in the opinion of the Secretary of State, significantly different from the framework document it replaces.

(8) The Secretary of State must—

(a) arrange for any framework document issued under this section to be published in the manner which the Secretary of State considers appropriate,

(b) send a copy of the framework document to the Welsh Ministers, and

(c) lay a copy of the framework document before Parliament.

(9) The Welsh Ministers must lay before Senedd Cymru a copy of any framework document sent to them under subsection (8)(b).

### **Advisory Board**

#### *12 Advisory Board*

(1) The Commissioner must establish an Advisory Board (“the Board”) for the purposes of providing advice to the Commissioner about the exercise of the Commissioner’s functions.

(2) The Board is to consist of not fewer than six and not more than ten members appointed by the Commissioner.

(3) Each member of the Board is to hold and vacate office in accordance with the terms and conditions of the member’s appointment.

(4) The members of the Board must include—

(a) at least one person appearing to the Commissioner to represent the interests of victims of domestic abuse;

(b) at least one person appearing to the Commissioner to represent the interests of charities and other voluntary organisations that work with victims of domestic abuse in England;

(c) at least one person appearing to the Commissioner to represent the interests of persons who provide, or have functions relating to, health care services in England;

(d) at least one person appearing to the Commissioner to represent the interests of persons who provide, or have functions relating to, social care services in England;

(e) at least one person appearing to the Commissioner to represent the interests of persons with functions relating to policing or criminal justice;

(f) at least one person appearing to the Commissioner to have academic expertise in relation to domestic abuse.

(5) The Commissioner may pay such remuneration or allowances to members of the Board as the Commissioner may determine.

(6) In this section—

- “health care services” means services relating to health care (within the meaning of section 9 of the Health and Social Care Act 2008);
- “social care services” means services relating to social care (within the meaning of that section).

## ***Strategic plans and annual reports***

### ***13 Strategic plans***

(1) The Commissioner must, as soon as reasonably practicable after the Commissioner's appointment, prepare and publish a strategic plan.

(2) A strategic plan is a plan setting out how the Commissioner proposes to exercise the Commissioner's functions in the period to which the plan relates, which must be not less than one year and not more than three years.

(3) A strategic plan must in particular—

- (a) state the Commissioner's objectives and priorities for the period to which the plan relates;
- (b) state any matters on which the Commissioner proposes to report under section 8 during that period;
- (c) state any other activities the Commissioner proposes to undertake during that period in the exercise of the Commissioner's functions.

(4) The Commissioner must, before the end of the period to which a strategic plan relates ("the current period")—

- (a) prepare a strategic plan for a period immediately following the current period, and
- (b) publish that plan.

(5) At any time during the period to which a strategic plan relates, the Commissioner—

- (a) may revise the strategic plan, and
- (b) must publish any revised plan.

(6) In preparing or revising a strategic plan, the Commissioner must consult—

- (a) the Secretary of State,
- (b) the Advisory Board established under section 12, and
- (c) such other persons as the Commissioner considers appropriate.

(7) The Commissioner must arrange for a copy of any plan (or revised plan) published under this section to be laid before Parliament.

### ***14 Annual reports***

(1) As soon as reasonably practicable after the end of each financial year, the Commissioner must submit to the Secretary of State an annual report on the exercise of the Commissioner's functions during the year.

(2) The annual report must include—

- (a) an assessment of the extent to which the Commissioner's objectives and priorities have been met in that year;

- (b) a statement of the matters on which the Commissioner has reported under section 8 during the year;
- (c) a statement of the other activities the Commissioner has undertaken during the year in the exercise of the Commissioner's functions.

(3) The Commissioner must arrange for a copy of every annual report under this section to be laid before Parliament (but see subsection (4)).

(4) The Secretary of State may direct the Commissioner to omit material from any report under this section before it is laid before Parliament if the Secretary of State thinks the publication of that material—

- (a) might jeopardise the safety of any person, or
- (b) might prejudice the investigation or prosecution of an offence.

(5) The Secretary of State must consult the Commissioner before making any direction under subsection (4).

(6) In this section "financial year" means—

(a) the period beginning with the day on which the first Domestic Abuse Commissioner takes office and ending with the following 31 March, and

(b) each successive period of 12 months.

### ***Duties of public authorities in relation to Commissioner***

#### ***15 Duty to co-operate with Commissioner***

(1) The Commissioner may request a specified public authority to co-operate with the Commissioner in any way that the Commissioner considers necessary for the purposes of the Commissioner's functions.

(2) A specified public authority must, so far as reasonably practicable, comply with a request made to it under this section.

(3) In this section "specified public authority" means any of the following—

- (a) a chief officer of police of a police force maintained for a police area in England and Wales;
- (b) a local policing body;
- (c) the Chief Constable of the British Transport Police Force;
- (d) the British Transport Police Authority;
- (e) the Ministry of Defence Police;
- (f) an immigration officer or other official of the Secretary of State exercising functions in relation to immigration or asylum;
- (g) the Crown Prosecution Service;
- (h) the Parole Board;

- (i) the Criminal Cases Review Commission;
- (j) an English local authority;
- (k) an NHS body in England;
- (l) Her Majesty's Inspectors of Constabulary;
- (m) Her Majesty's Chief Inspector of the Crown Prosecution Service;
- (n) Her Majesty's Chief Inspector of Education, Children's Services and Skills;
- (o) a body approved as an independent inspectorate under section 106 of the Education and Skills Act 2008 (inspection of registered independent educational institutions);
- (p) the Care Quality Commission;
- (q) Monitor.

(4) The Secretary of State may by regulations amend this section so as to—

- (a) add a public authority as a specified public authority for the purposes of this section;
- (b) remove a public authority added by virtue of paragraph (a);
- (c) vary any description of a public authority.

(5) Before making regulations under subsection (4) the Secretary of State must consult the Commissioner.

(6) Regulations under subsection (4) may not contain provision adding a devolved Welsh authority as a specified public authority for the purposes of this section.

(7) In this section—

- "devolved Welsh authority" has the meaning given by section 157A of the Government of Wales Act 2006;
- "English local authority" means—
  - (a) a county council or district council in England,
  - (b) a London borough council,
  - (c) the Greater London Authority,
  - (d) the Common Council of the City of London in its capacity as a local authority, or
  - (e) the Council of the Isles of Scilly;
- "immigration officer" means a person appointed as an immigration officer under paragraph 1 of Schedule 2 to the Immigration Act 1971;
- "NHS body in England" means—
  - (a) a National Health Service trust in England established under section 25 of the National Health Service Act 2006,
  - (b) an NHS foundation trust within the meaning given by section 30 of that Act,
  - (c) the National Health Service Commissioning Board,

- (d) a clinical commissioning group established under section 14D of that Act, or
- (e) the National Health Service Trust Development Authority;

- “public authority” means any public authority within the meaning of section 6 of the Human Rights Act 1998, other than a court or tribunal.

#### *16 Duty to respond to Commissioner’s recommendations*

(1) This section applies where the Commissioner publishes a report under section 8 containing recommendations in relation to—

- (a) any public authority that is a specified public authority for the purposes of section 15;
- (b) any government department in the charge of a Minister.

(2) The relevant person must prepare comments on the report.

(3) In this section “the relevant person” means—

- (a) the public authority, or
- (b) the Minister in charge of the government department,

as the case may be.

(4) The comments must include, in respect of each recommendation made in the report, an explanation of—

- (a) the action which the relevant person has taken, or proposes to take, in response to the recommendation, or
- (b) why the relevant person has not taken, or does not propose to take, any action in response.

(5) The relevant person must arrange for the comments to be published in such manner as the person considers appropriate.

(6) The comments must be published before the end of the period of 56 days beginning with the day on which the report is published.

(7) The relevant person must send a copy of anything published under subsection (5) to—

- (a) the Commissioner, and
- (b) where the relevant person is a specified public authority for the purposes of section 15, the Secretary of State.

#### *17 Duty to send conclusions of domestic homicide review to Commissioner*

(1) Section 9 of the Domestic Violence, Crime and Victims Act 2004 (establishment and conduct of domestic homicide reviews) is amended as follows.

(2) After subsection (3A) insert—

“(3B) A person or body within subsection (4)(a) that establishes a domestic homicide review (whether or not held pursuant to a direction under subsection (2)) must send a copy of any report setting out the conclusions of the review to the Domestic Abuse Commissioner.

(3C) The copy must be sent as soon as reasonably practicable after the report is completed.”

### ***Disclosure of information***

#### *18 Disclosure of information*

(1) The Commissioner may disclose to a person any information received by the Commissioner in connection with the Commissioner’s functions if the disclosure is made for a purpose connected with a function of the Commissioner.

(2) A person may disclose any information to the Commissioner if the disclosure is made for the purposes of enabling or assisting the Commissioner to exercise any function.

(3) A disclosure of information authorised by this section does not breach—

(a) any obligation of confidence owed by the person making the disclosure in relation to that information, or

(b) any other restriction on the disclosure of information (however imposed).

(4) But nothing in this Part requires or authorises any of the following—

(a) the disclosure of any patient information (see subsection (5));

(b) the making of a disclosure which, although made in the exercise of a function under this Part, would contravene the data protection legislation (see subsection (6));

(c) the making of a disclosure which is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.

(5) “Patient information” means information (however recorded) which—

(a) relates to—

(i) the physical or mental health or condition of an individual,

(ii) the diagnosis of an individual’s condition, or

(iii) an individual’s care or treatment,

or is (to any extent) derived directly or indirectly from information relating to any of those matters, and

(b) identifies the individual or enables the individual to be identified (either by itself or in combination with other information).

(6) In this section “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).

(7) This section does not affect any power to disclose that exists apart from this section.

## ***Miscellaneous and supplementary***

### *19 Restriction on exercise of functions in individual cases*

(1) The Commissioner may not exercise any function in relation to an individual case.

(2) But subsection (1) does not prevent the Commissioner considering individual cases and drawing conclusions about them for the purpose of, or in the context of, considering a general issue.

### *20 Duty to report on domestic abuse services in England*

(1) The Commissioner must, before the end of the relevant period, prepare and publish a report under section 8 on—

- (a) the need for domestic abuse services in England, and
- (b) the provision of such services.

(2) But subsection (1) does not require the Commissioner to report on the need for, or provision of, services provided to people who reside in relevant accommodation (within the meaning of section 57(2)).

(3) In subsection (1)—

- “domestic abuse services” means any advice, advocacy or counselling services provided, in relation to domestic abuse, to victims of domestic abuse or their children;
- “the relevant period” means the period of 12 months beginning with the day on which this section comes into force (but see subsection (4)).

(4) The Secretary of State, with the agreement of the Commissioner, may by regulations extend the relevant period for a further period of up to 6 months.

(5) The power conferred by subsection (4) may be exercised only once.

### *21 Amendments relating to Commissioner*

(1) In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying for membership), at the appropriate place insert—

- “Domestic Abuse Commissioner.”

(2) In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general), at the appropriate place insert—

- “The Domestic Abuse Commissioner.”

(3) In section 37 of the Government of Wales Act 2006 (power of the Senedd to call witnesses etc), after subsection (6A) insert—

“(6B) Subsection (1) applies in relation to things done by the Domestic Abuse Commissioner by virtue of section 7(4)(b) or (c) of the Domestic Abuse Act 2021 (functions exercisable in relation to devolved Welsh authorities etc) as it applies in relation to the exercise by the Welsh Ministers of their functions.”









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