

Information/Discussion Paper

Social and Community Overview and Scrutiny Committee – 2nd December 2004

Domestic Violence in Gloucestershire

This note contains the information to keep Members informed of matters relating to the work of the Committee, but where no decisions from Members are needed

1. Why has this come to scrutiny?

1.1 In February 2004, Social and Community Overview and Scrutiny received a report on the review of the Council's commitment to Social Inclusion. This was followed by a further request from the Cabinet Deputy - Neighbourhood and Community, that Social and Community Overview and Scrutiny Committee undertake a series of reviews which consider the impact that social exclusion and the combating of poverty and disadvantage is having on the Council and its services.

1.2 This briefing provides information on one of the areas for which further analysis was requested.

2 Summary of the Issue

2.1 Domestic Violence is a major issue that profoundly affects the social, emotional, physical and financial wellbeing of individuals and families and results in significant social and economic costs to the community. Timely access to appropriate services is critical in addressing this issue and must involve a variety of agencies from which the victim may seek assistance.

3 Summary of evidence/information

3.1 Overview

Domestic violence is extremely common – it accounts for nearly a quarter of all recorded violent crime. Victims are likely to suffer repeated incidents of the crime before they seek protection and support.

We know that:

- One in four women will be a victim of domestic violence in their lifetime
- Men can also be the victims in domestic violence
- One incident of domestic violence is reported to the police every minute

- Domestic violence has the highest rate of repeat victimisation of any crime
- On average one woman each day is killed by a male partner or former partner; nearly half of all female murder victims are killed by a partner or ex-partner
- Among women the risk of domestic violence does not differ significantly by ethnic origin
- More than a third of children in a violent home know what is happening and research carried out by the National Society of the Protection of Cruelty to Children shows that there is a 30% correlation between child abuse and Domestic violence.

The effects of domestic violence on its victims are profound:

- Domestic violence causes lasting damage to the victim's physical and mental health (50% or more women in touch with mental health services have had violent or abusive experiences), affecting their ability to work, to support themselves, to maintain their self confidence, and to move on and build a new life
- Domestic violence is a major cause of homelessness, accounting for about 16% of homelessness acceptances every year, nationally. Over the last seven years, more than 130,000 homeless households have been re-housed because of domestic violence
- Growing up in a household with domestic violence can have a negative impact on school attainment and the likelihood of school exclusion

3.2 National Policy Context

Victims may leave home to escape domestic violence either as a planned response to a long period of abuse or an immediate response to a crisis. Some will need to stay in refuges or other forms of accommodation for only a short period while they plan what to do next. Others may need to move on into long-term safe accommodation. Many survivors of domestic violence need counselling, support and advice on their legal options, child welfare, social security benefits or housing.

(Supporting Families: Home Office April 2002).

In some cases victims may need to leave their local district for their protection and access local services in their relocated area. It is this particular aspect that requires not only joint agency working but also cross boundary strategic and operational planning and protocols.

3.2.1 Safety and Justice: The Government's Proposals on Domestic Violence (June 2003) look to tackle domestic violence on three fronts: through prevention; protection and justice; and support.

Prevention

Preventing domestic violence happening in the first place, through changing public attitudes to it (particularly among young people), general public education and tackling risk factors

Providing help for victims of domestic violence as early as possible to prevent the violence recurring

Providing advice and information to victims on how to get access to support services and legal protection

Preventing offenders re-offending

Protection and Justice

Ensuring an effective police response when victims report domestic violence

Improving the prosecution of domestic violence cases and making sure that sentences reflect the crime

Ensuring that victims are not deterred by the way they will be treated at any stage of the justice process
Making sure that the civil and criminal law offer the maximum protection to all victims to stop violence recurring
Improving the way the law on homicide works in domestic violence cases
Making sure that child contact arrangements in domestic violence cases guarantee the safety of all parties

Support

Increasing the full range of accommodation options, including more refuges, better help to support victims to stay in their own homes if appropriate, outreach and resettlement services, and better advice and information, including help for those who are unable to gain access to financial support due to their immigration status
Helping victims who have ended or left a violent relationship to rebuild their lives
Giving support to children and young people affected by domestic violence

It is recognised that no single agency can be responsible for delivering on all these fronts by acting alone. Partnership and multi agency collaboration are essential when tackling domestic violence.

The Local Authority has a lead role to play at a strategic level of planning services in partnership, as well as in its operational and statutory function of delivering Homelessness and Housing Services.

3.2.2 Local Authorities' Statutory duties

Regulations accompanying the Homelessness Act 2002 extends the types of situation which make it 'unreasonable to remain' in accommodation to include anyone fleeing violence or threats of violence. However, priority need is not automatic and vulnerability must be demonstrated. In determining vulnerability the ODPM's Homelessness Code of Guidance states that local housing authorities should give consideration to the cumulative impact of serious harassment, including racist and homophobic harassment.

The Homelessness Act 2002 recognises the multifaceted nature of domestic violence and defines what constitutes domestic violence for the purposes of the legislation and authorities' duties. This is detailed in Appendix 1.

3.3 Local Context

Dealing with incidents of domestic violence involves a number of agencies working closely together and across their respective local administrative boundaries to enable the mobility of people moving around the County. In Gloucestershire this practice of working has been structured under the **Gloucestershire Community Co-ordinated response to Domestic Violence (CCR)** for which Cheltenham Borough Council is a partner.

3.3.1 CCR objectives

Gloucestershire's Co-ordinated Community Response (CCR) to domestic violence is a multi agency initiative aiming to:

- Prioritise victim safety
- Reduce repeat incidents of domestic violence
- Hold perpetrators accountable for their violence

- Establish a system to monitor all disclosures of domestic violence.

Gloucestershire's CCR is made up of voluntary and statutory agencies which form two networks – the Advocacy Practitioners' Network (APN) and the Strategic Network (SN). (Appendix 2)

The APN consists of service providers mainly from the voluntary sector, at the centre of which is Gloucestershire Domestic Violence Support and Advocacy Project (GDVSAP), the central referral point for **all** agencies and self-referrals.

The SN consists of statutory and voluntary agencies, and works to develop strategy, policy and practice to address domestic violence in the County.

3.3.2 Gloucestershire's Domestic Violence Intervention Project (GDVIP) is responsible for co-ordinating, facilitating and monitoring the effectiveness of CCR agencies.

3.4 Local Demand

There are on average 6,000 reported incidents of domestic violence in the County each year with around 500 households seeking support from refuges.

Gloucestershire Domestic Violence Support and Advocacy Project (GDVSAP) is the central referral point for domestic violence incidents in Gloucestershire, and provides a free and confidential crisis advocacy and advice service, 24 hours a day, seven days a week.

The following table shows the number of clients, originating from the Cheltenham Borough, that have accessed the services of GDVSAP and the subsequent outcomes for these individuals.

3.4.1 Table 1

Gloucestershire Domestic Violence Support and Advocacy Project

2003/2004	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	TOTAL
SOURCE OF REFERRALS													
Police Chelt./Tewkesbury Division	11	8	12	8	14	12	11	4	7	14	14	15	130
Police Gloucester/Forest Division			1	1	1		1				1		5
Police Stroud/Cotswolds Division													0
Self	14	7	13	16	15	10	15	13	15	13	22	18	171
Health	2	1	2	1	2		3	2	1		1	2	17
Probation	2							1	2		3	2	10
Social Services		1	1			1	1	2	1	1			8
Other Agencies	3	1	2	1	1					1	1	2	12
Housing							1	2	3	1			7
TOTAL	32	18	31	27	33	23	32	24	29	30	42	39	360
OUTCOME OF REFERRALS													
Unable to Contact	2	2	1	1	5	1	3		3		6	2	26
GDVSAP Advice Only*	13	5	9	10	16	13	16	13	15	16	16	16	158
GDVSAP On-going Support	5	3	8	7	5	1	7	7	5	5	11	14	78
Victim Support	6		1	2		2	2	1	1	4	4	4	27
Refuge	2	6	6	2	4	2	1	2	3	4	4	2	38
DVU	1					1			1				3
Other APN	2	2	4	3	3	3	3	1		1	1	1	24
Other Agency	1		2	2					1				6
Housing													0
TOTAL	32	18	31	27	33	23	32	24	29	30	42	39	360

* Relates to dealing with one specific incident but often involves numerous phone calls over several days

2004/2005	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	TOTAL
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SOURCE OF REFERRALS

Police Cheltenham /Tewkesbury	19	20	15	11	8	13							86
Police Gloucester		1	2	1		1							5
Police Stroud													0
Self	12	7	11	15	15	9							69
Health	1	1	1	2	1	1							7
Probation	1	2	2		2								7
Social Services	2			1		2							5
Other Agencies	1			1	3	1							6
Housing		1	1										2
TOTAL	36	32	32	31	29	27							187

OUTCOME OF REFERRALS

Unable to Contact	4	1	2	2	1	1							11
GDVSAP Advice Only*	18	20	17	20	17	13							105
GDVSAP On-going Support	10	8	5	3	6	7							39
Victim Support	3		6	3	1	3							16
Refuge	1	1	2	3	4	3							14
DVU													0
Other APN													0
Other Agency		2											2
Housing													0
TOTAL	36	32	32	31	29	27							187

* Relates to dealing with one specific incident but often involves numerous phone calls over several days

3.4.2 Local authority Housing Services

It is hard to predict demand for this service as a need to move away from home and from the district on safety grounds often arises.

However the local homeless returns for 2003/4 (Source P1E) have shown the main reason for homelessness as a result of violent relationship breakdown is as follows:

Table 2
P1E returns 2003/04

Stroud	Cotswold	Forest	Tewkesbury	Gloucester	Cheltenham	Total
9	9	27	33	34	18	130

NB These figures only represent those cases whereby the victims have sought assistance from, and a duty has been accepted under Homelessness legislation for rehousing by, local housing authorities.

An initial housing assessment process has been implemented across the Borough to ensure effective delivery of housing advice across the statutory and voluntary sectors and to improve our monitoring of housing need. The figures collated for 2003 – 04 show that 111 individual cases requested advice because they were experiencing, or under threat, of violence. As per the P1E figures, this figure reflects the level of need as within the broader definition specified under the Homelessness Act 2002, i.e. does include victims of other forms of violence, such as racial harassment. This is a significantly larger number for those whom the Council accepted a statutory duty to rehouse under Homelessness legislation and, like the DVSAP figures in table 1, is indicative of the complex nature of victims' willingness and ability to request intervention by services.

3.4.3 Access to supported Accommodation

In the first quarter of 2004, 20 women who were suffering from domestic violence moved into supported accommodation across the County– the ethnic origin of these were:

Table 3

Ethnicity of people accessing supported accommodation across the County.

White British	17
Mixed White/Asian	1
Asian Indian	1
Black/Black British	1

The source of referral into the accommodation was:

Local Authority Housing Department	3
Voluntary Organisation	10
Self Referral	1
Internal Transfer	2
Moving from another RSL	1
Other	3

3.5 Current Service Provision

3.5.1 Countywide

Gloucestershire Domestic Violence Support and Advocacy Project (GDVSAP) is the central referral point for domestic violence incidents in Gloucestershire, and provides a free and confidential crisis advocacy and advice service, 24 hours a day, seven days a week to all victims of domestic violence, whether men or women.

GDVSAP aims to ensure that clients have accurate information and support to enable them to make informed choices, to determine their own future and regain control of their lives. Some are wishing to flee from an abusive relationship and others need support to cope with remaining in a relationship.

During crisis, callers will be offered advice on immediate safety issues, such as security of their home, arranging refuge accommodation and liaising with police regarding any action they might be taking against the alleged perpetrator. The support worker will then follow up and identify the client's needs for on-going support, develop a safety plan and GDVSAP will refer them on to whatever agency will best meet their needs.

3.5.2 The Perpetrators' Programme.

The Perpetrators' Programme is a relatively new option for courts and probation officers when considering the cases of men who are convicted of crimes which are clearly connected to domestic violence.

A prerequisite for participation on the course is an acknowledgement, and agreement to sign up to the course, by the perpetrator that there was something wrong in their behaviour, but the course itself is not a cure for domestic violence.

GDVSAP works in partnership with the course providers to provide information to the partners about the programme and associated risks, and to support the victims alongside the programme to deal with any issues that may arise as a consequence.

3.5.3 Cheltenham Support Group - weekly

A self help support group for women who are still in, or have left, an abusive or violent relationship. The group is confidential and all childcare and travel costs will be covered. The group aims to help women understand domestic abuse as an issue about power and control, how this has affected them and ways of moving on from their experiences.

3.5.4 Accommodation in Cheltenham

The borough currently offers 8 units within a women's refuge.

Until April of this year, between 25-30 floating support places, depending on the level of support required, ranging from telephone support to 1:1 sessions was delivered in the Cheltenham, Tewkesbury and Cotswolds areas. This outreach service was provided to people who have not been in a refuge and prefer to stay at home to receive their support – this is a critical group and a service where a lot of preventative work can be carried out. This service is no longer accessible in the Cheltenham area due to the withdrawal of lottery funding.

3.5.5 Estate management (CBH)

Cheltenham Borough Homes (CBH) considers that a domestic violent incident is any that is perceived as such by the victim. This may be from a partner, other family relative or visitor to a property.

Committing an act of Domestic Violence is a breach of tenancy and Cheltenham Borough Homes will take action against those that perpetrate Domestic Violence.

Where there is a threat to person or property, victims will be contacted on the same day. An interview will be arranged to get details of the incident. A female officer will always be available if requested.

CBH will always consider the safety of victims and witnesses as paramount and, if necessary, can arrange temporary or permanent moves, (in conjunction with Cheltenham Borough Council's Housing Advice team); fit extra security measures to properties and also liaise with the Police Domestic Violence Unit to give extra support and advice. The Police are able to advise about other possible action that can be taken and CBH will support any criminal proceedings when possible. Cheltenham Borough Homes has an excellent working relationship with the Police which has been further improved with the Safer Estates Team sharing premises with the Police's D.V. unit.

If cases are dealt with at Court we can arrange for Victim Support, or any other Support group to accompany victims. We can also arrange for any transportation needs if necessary.

Most importantly, any action that we do take will always be discussed with the complainant first and will only be carried out with their agreement.

3.5.6 Dispersed Community Alarms

In some cases the victim may wish to remain in their own property with additional support and particularly protection. Safer Estates whilst dealing with a case of anti social behaviour and after consulting the victim will request through Cheltenham Borough Council the installation of a lifeline alarm system. In the majority of cases they are needed where there is a serious risk to health and safety, either personal or property, to the victim.

These particular units operate slightly differently than those installed for frail elderly people. The main difference between an ordinary lifeline unit and a safer estates alarm is that the unit is used in silent mode. Normally, when an alarm is activated a series of noises can be heard so that the customer knows the alarm is working. In a safer estates alarm all of these noises are removed except one (not able to remove), this means that a customer can activate an alarm without a perpetrator noticing.

The unit is installed by the lifeline installer and a safer estates officer. The use of the alarm is explained to the customer, they are then asked to provide a password that will be given to Hereford Control Centre. If the client wishes to speak to the control centre they will need to say their chosen password first. The control centre will not speak to the client when they press the red button or pendant without the password, but will listen and record any activity going on and will call the police if necessary using safer estates as a reference.

The cost of the units and the associated monitoring is charged to the Safer Estates team within Cheltenham Borough Homes.

3.6 Analysis of provision

Any gap analysis for this group is hard to determine – the very nature of the services' users mean that numbers often go out of county in order to get support whilst others move in with families and friends. It is anticipated that the results of the Countywide Housing Needs Survey will give an indication of the numbers who choose to stay at home and receive support and any gaps that can be identified where appropriate.

Refuges are a national provision (both in and out of county) and within Gloucestershire the provision is five refuges (40 units) – the county's strategic review revealed that the professional opinion is that this number is just about right. The outreach service is provided to people who have not been in a refuge and prefer to stay at home to receive their support – this is a critical group and a service where a lot of preventative work is carried out.

Within the floating support services there has recently been a reduction in the market due to the withdrawal of lottery funding. The withdrawal of this funding has had a huge impact on the outreach and resettlement services in Cotswold, Tewkesbury and Cheltenham. A total of 25 places (equivalent of 70 hours per week) were lost in these areas in a service that was always oversubscribed. The Lottery funding grant was £180,000 (over three years) but the service operated at a loss over the three years that Lottery funding was in place.

GDVSAP have felt the knock on effect of this funding withdrawal and have difficulty signposting service users in areas where there is now no support network.

4 Next Steps - possible next steps for the committee to consider e.g. potential witnesses, further report, site visit etc.

The Project Co-ordinator of Gloucestershire Domestic Violence Project will give a presentation to elected members during the meeting
Officers from Community Services and Community Safety will be present to answer any questions from members.

Background Papers	Cheltenham Homelessness Review 2003 Homelessness Code of Guidance for Local Authorities July 2002 Office of the Deputy Prime Minister
Contact Officer	Kathryn Chamberlain, Community Partnerships Manager, 01242 775179, Kathryn.Chamberlain@cheltenham.gov.uk
Accountability	Councillor John Webster – Deputy Neighbourhood and Community
Scrutiny Function	Social and Community Overview and Scrutiny

A copy of the consultation checklist is held in democratic Services and is available on request

Extract from Homelessness Code of Guidance for Local Authorities July 2002 Office of the Deputy Prime Minister Office

DOMESTIC VIOLENCE OR OTHER VIOLENCE

6.16. Section 177(1) provides that it is not reasonable for a person, the applicant, to continue to occupy accommodation if it is probable that this will lead to domestic violence or other violence against:

- i) the applicant,
- ii) a person who normally resides as a member of the applicant's family, or
- iii) any other person who might reasonable be expect to reside with the applicant.

Section 177(1A) provides that violence means violence from another person or threats of violence from another person which are likely to be carried out. Domestic violence is violence from a person, who is associated with the victim, and also includes threats of violence which are likely to be carried out.

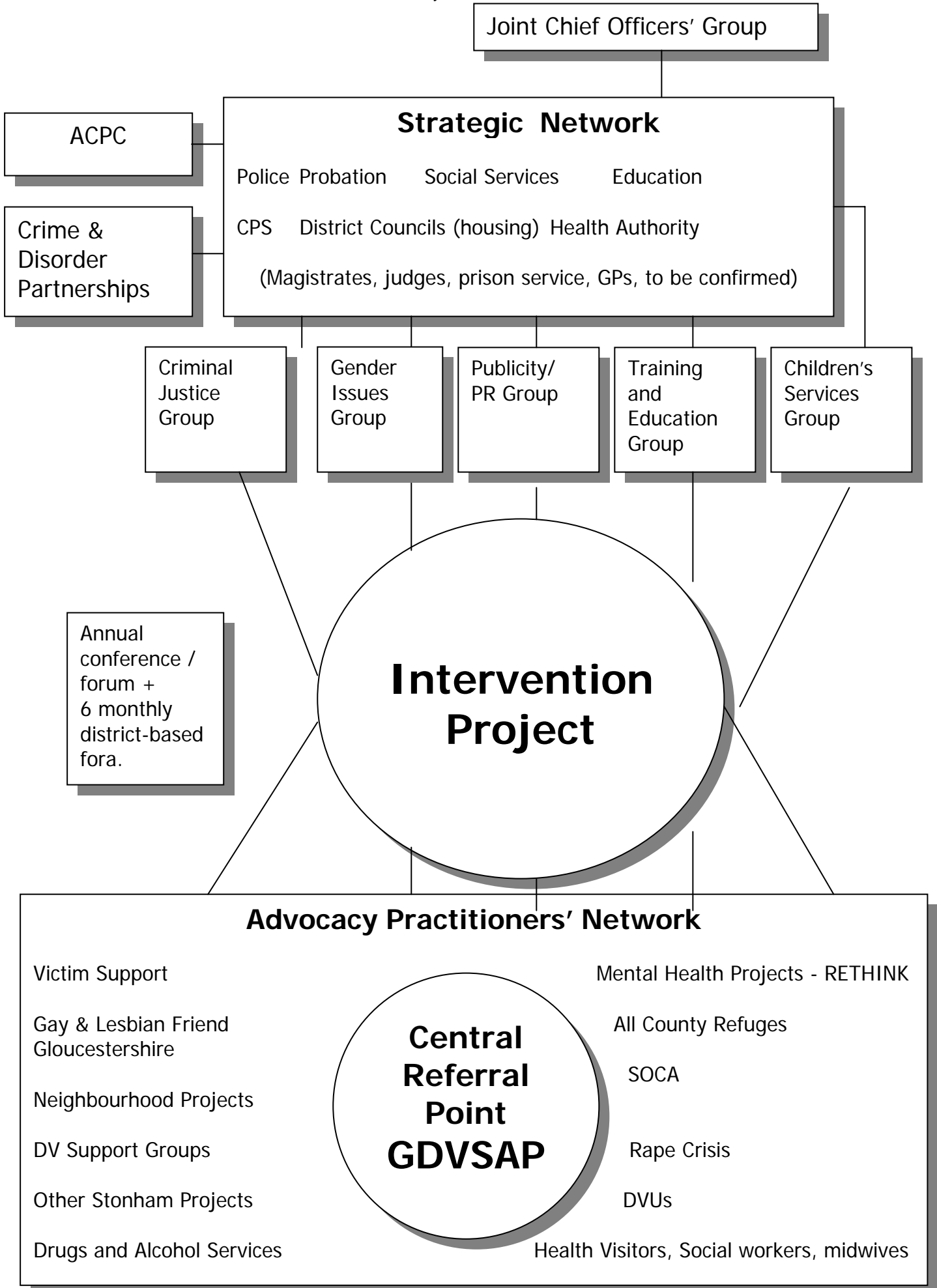
6.17. Section 178 provides that, for the purposes of defining domestic violence, a person is associated with another if:

- a) they are, or have been, married to each other;
- b) they are, or have been, cohabitants (e.g. a man and woman living together as husband and wife);
- c) they live or have lived in the same household;
- d) they are relatives, i.e. father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, grandmother, grandfather, grandson or granddaughter, brother, sister, uncle, aunt, niece or nephew (whether of the full blood, half blood or by affinity) of that person or of that person's spouse or former spouse. A person is also included if he or she would fall into any of these categories in relation to cohabitants or former cohabitants if they were married to each other;
- e) they have agreed to marry each other whether or not that agreement has been terminated;
- f) in relation to a child, each of them is a parent of the child or has, or has had, parental responsibility for the child (within the meaning of the Children Act 1989). A child is a person under 18 years of age;
- g) if a child has been adopted or freed for adoption (s.16(1) Adoption Act 1976), two persons are also associated if one is the natural parent or grandparent of the child and the other is the child of a person who has become the parent by virtue of an adoption order (s.72(1) Adoption Act 1976) or has applied for an adoption order or someone with whom the child has been placed for adoption.

6.18. Domestic violence (or threat of violence) is not confined to instances within the home but extends to violence outside the home from a person with whom the applicant or a member of his or her household is associated. The fact that violence has not yet occurred does not, on its own, mean that it is not likely to occur. When considering cases involving domestic violence, housing authorities will need to make inquiries but should not necessarily expect evidence of violence as such from the applicant. And an assessment of the likelihood of a threat of violence being carried out should not be based solely on whether there has been actual violence in the past.

6.19. All other forms of violence and threats of violence likely to be carried out towards the applicant or members of his or her household will need to be taken into account when considering whether it would be reasonable for him or her to continue to occupy accommodation.

**Gloucestershire's Co-ordinated Community Response
to Domestic Violence** Draft Revision July 2004



Joint Chief Officers' Group

ACPC

Crime & Disorder Partnerships

Strategic Network
 Police Probation Social Services Education
 CPS District Councils (housing) Health Authority
 (Magistrates, judges, prison service, GPs, to be confirmed)

Criminal Justice Group

Gender Issues Group

Publicity/PR Group

Training and Education Group

Children's Services Group

Annual conference / forum + 6 monthly district-based fora.

Intervention Project

Advocacy Practitioners' Network

Victim Support
 Gay & Lesbian Friend Gloucestershire
 Neighbourhood Projects
 DV Support Groups
 Other Stonham Projects
 Drugs and Alcohol Services

**Central Referral Point
GDVSAP**

Mental Health Projects - RETHINK
 All County Refuges
 SOCA
 Rape Crisis
 DVUs
 Health Visitors, Social workers, midwives