



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Cymunedau a Diwylliant
The Communities and Culture Committee**

**Dydd Iau, 3 Gorffennaf 2008
Thursday, 3 July 2008**

Cynnwys
Contents

- 3 Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions
- 4 Tystiolaeth ar gyfer Ymchwiliad y Pwyllgor i Gam-drin Domestig
Evidence for Committee Inquiry into Domestic Abuse

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Peter Black	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Janice Gregory	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Lesley Griffiths	Llafur Labour
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
David Lloyd	Plaid Cymru The Party of Wales
Joyce Watson	Llafur Labour

Eraill yn bresennol
Others in attendance

Ed Beltrami	Prif Erlynydd y Goron, Gwasanaeth Erlyn y Goron, CPS Gogledd Cymru Chief Crown Prosecutor, North Wales CPS
Cathy Davies	Prif Weithredwr, Cymdeithas Tai Hafan Chief Executive, Cymdeithas Tai Hafan
Susan Duncombe	Erlynydd y Goron Rhanbarthol Cynorthwyol, CPS Gogledd Cymru Assistant District Crown Prosecutor, CPS North Wales
Simon Jones	Rheolwr Polisi a Materion Cyhoeddus, NSPCC Cymru Policy and Public Affairs Manager, NSPCC Cymru
Joy Kett	Cyfarwyddwr Cynorthwyol, NSPCC Cymru Assistant Director, NSPCC Cymru
Christopher Woolley	Prif Erlynydd y Goron, CPS De Cymru Chief Crown Prosecutor, South Wales CPS

Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol
Assembly Parliamentary Service officials in attendance

Lara Date	Clerc Clerk
Sarah Bartlett	Dirprwy Clerc Deputy Clerk

Dechreuodd y cyfarfod am 9.30 a.m.
The meeting began at 9.30 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Janice Gregory:** Good morning everyone, and welcome to the Communities and Culture Committee. I am Janice Gregory, the Chair of the committee. I am delighted that we are meeting here in north Wales, in this lovely college—the North East Wales Institute of Higher Education.

[2] I have some housekeeping announcements that I am obliged to make. If you have a mobile phone, pager or BlackBerry, or any other electronic device, please ensure that it is switched off, as it interferes with our broadcasting equipment. I am sure that you are aware that the National Assembly for Wales works through the medium of both the Welsh and English languages. If you require simultaneous translation from Welsh to English, please use the headsets that are provided for you—they are on the table for our presenters, and they are on the chairs for our visitors; they are our outside-broadcast, travelling-around headsets. You will need to access the volume control, as well as the ‘on’ and ‘off’ switch at the bottom of the headset. They are also useful to amplify the sound, should you require it.

[3] In the event of an emergency, you will be asked to leave the building in an orderly and safe fashion. Please be guided by our Assembly staff, who will ensure that they guide us to the nearest exit and fire assembly point. I understand that there is no fire drill this morning, so, if the fire alarm sounds, please be prepared to leave the building.

[4] We have received apologies from Paul Davies, Nerys Evans and Lynne Neagle. We do not have any substitutions for those Members.

[5] Before I move on to the agenda, Lesley Griffiths has requested a minute to welcome us to her constituency.

[6] **Lesley Griffiths:** Thank you, Chair. I am Lesley Griffiths, the Assembly Member for Wrexham. I would like to welcome all my fellow committee members here, as well as those who are in the public gallery. I believe that this is the first time that the Communities and Culture Committee has gone out of Cardiff. It is important that we—

[7] **Janice Gregory:** We went to Merthyr once; I do not know whether that matters.

[8] **Lesley Griffiths:** It is important that we take the Assembly out of Cardiff. Therefore, I welcome everyone here once again.

9.32 a.m.

Tystiolaeth ar gyfer Ymchwiliad y Pwyllgor i Gam-drin Domestig Evidence for Committee Inquiry into Domestic Abuse

[9] **Janice Gregory:** For those who may not be aware, the Communities and Culture Committee has undertaken an inquiry into the domestic abuse strategy that was set up by the Welsh Assembly Government a few years ago. This is our seventh evidence-gathering session, most of which, as Lesley said, has been undertaken in Cardiff bay. Therefore, this is a good opportunity for us to move out into Wales, and to go into the towns outside Cardiff.

[10] I am delighted to welcome representatives of the Crown Prosecution Service and the Criminal Justice Board to give evidence to the committee this morning. We have with us Christopher Woolley, who is the Chief Crown Prosecutor for the South Wales Crown Prosecution Service, Ed Beltrami, who is the Chief Crown Prosecutor for the North Wales Crown Prosecution Service, and Susan Duncombe, who is the Assistant District Crown Prosecutor for the Eastern Trial Unit. I thank you all very much for taking the time to come to committee this morning to give evidence.

[11] I understand that Chris Woolley will provide a co-ordinated response for the Crown Prosecution Service across Wales. Ed Beltrami and Susan Duncombe are here primarily to provide a co-ordinated response from the four Welsh Criminal Justice Boards. I hope that I have got the right. For Members’ information, our three guests will present as a joint panel.

However, your questions can be directed to any guest, or all of them—that is entirely up to you; if you are more comfortable jumping in after someone has spoken, please feel free to do so. I would just ask you to be mindful of the time, as we have a full day here in north Wales.

[12] Therefore, thank you all once again for coming to give evidence to the committee this morning. Thank you also for the information that you have already sent us. Would you like to introduce the papers, Chris?

[13] **Mr Woolley:** Diolch am eich **Mr Woolley:** Thank you for your invitation gwahoddiad i siarad â chi am waith to come and talk with you about the Crown Gwasanaeth Erlyn y Goron. Prosecution Service's work.

[14] The CPS very much welcomes the opportunity to give evidence outside Cardiff. The CPS is now, as I say in the background paper, increasingly working together across Wales in the four CPS areas. I am very pleased that Ed Beltrami and Susan Duncombe are here with me today.

[15] I will just summarise the paper, and pick out the highlights. Our programme over the last three years has focused on the areas that I have mentioned in my paper. On building capacity and competence, we are mindful that we need to train up our people in the CPS to understand all aspects of domestic abuse. To that end, we have trained every member of staff and every area has a domestic violence co-ordinator and domestic violence specialists. As a national service, and in Wales, we do an audit of our performance every year.

[16] Under the 'monitoring, managing and reporting performance' heading, I have included tables, which Members will no doubt have an opportunity to ask us about. We are pleased with the progress made over the last four years, and I would highlight that, although we are coming from different baselines, all areas in Wales have increased performance by large margins, and that is against an increase in the numbers of prosecutions. So, not only are we seeing more women coming forward to support prosecutions, but also we are increasingly being successful in those prosecutions. We attribute that to raising awareness; we work closely with the police and with local and national authorities, we have trained our staff, as I say, and we are interested and keen to work in partnership. We attribute much of our success in raising performance to the improved services that we have provided to victims and witnesses of domestic violence, and I highlight what we have done under the 'raising awareness' heading. We have been instrumental in increasing the number of specialist domestic violence courts in Wales; we now have a total of eight, which are closely supported by independent domestic violence advisers and non-independent domestic violence advisers, and we attribute that joint working to our success.

[17] We have put a lot of work into our witness care units, which support the victim or the witness from the point of entry into the criminal justice system. That witness care unit will take a witness needs assessment from the victim or witness and we can then tailor special measures and look after the victim or witness as they progress through the criminal justice system. They have found that enormously helpful, and being supported in that way through the criminal justice system means that they do not retract. We see the next challenge over the next few years as being to increase the services to victims and witnesses, because we have now seen a plateau effect; we have increased our performance over England and Wales, but we have now seen it plateau. We are still getting retractions from victims and we are still seeing victims drop out of the system, so we want to increase help for the victim as they go through the criminal justice system.

[18] Finally, on partnership working and our work with communities, we will speak shortly about the work on the criminal justice boards, which is the way in which the criminal justice agencies in Wales work together. I mentioned the good work going on across Wales

with the police. In south Wales, we have the police specialist domestic abuse units and in north Wales there is a very good example in Wrexham of the work done with the independent domestic violence advisers.

[19] In summary, we recognise that there is a diversity of practice, but we want to come together more as the Crown Prosecution Service and share good ideas with each other. One example, which Susan will speak of in more detail, is the work done in getting the IDVA into the CPS the day before the court, so that we can iron out all of the issues and then get ready for court. That idea was pioneered in Swansea, but was picked up across Wales and is now used in Wrexham. So, that is just an example of how we are trying to share good practice.

9.40 a.m.

[20] **Mr Beltrami:** I have a dual role, because I am the chair of the local criminal justice board for north Wales and I am also the chief crown prosecutor. I have been asked to speak on behalf of the local criminal justice board. The first point is that I have had quite a difficult task, because there is no joint working between the four criminal justice boards in Wales. So to pull a paper together is quite a difficult task. All I could do was contact other agencies in the other criminal justice boards and ask them to submit their representations, which I then collated into a joint report. Much of what they were doing was unknown to me. There is no formal board sitting over the four local criminal justice boards to look at these issues, so that is a difficulty. As it turns out, we have much in common. I do not think that we are at loggerheads in terms of how we approach this work, but different people are doing different things and that has highlighted the need to be sharing best practice more across the four local criminal justice boards. However, the key to the local criminal justice boards is that they are made up of the chief officers of the key criminal justice agencies, who sit around a table. We have a number of roles, but we are responsible for our own agencies and, as far as domestic violence is concerned, the starting point is to ensure, as Chris has said, that our own employees are fully up to speed with the various practices and procedures in relation to domestic violence. So, each agency then has its own specialist and the correct focus directed from the chief officers of the board.

[21] We then come to the key issue, which is trying to get the various agencies to work together. We have done a great deal of work, particularly with the police, to try to get the investigation stage of the procedure right and to follow that up with the correct charging decisions and the correct prosecution through the courts. The success of that process has been demonstrated in the figures that we have seen. We now take on far more cases. We are assisted by some legislative change, for example, changes to the bad character provisions whereby we can introduce evidence of previous convictions in a case, which is key, as well as changes to the hearsay provisions whereby we can use as evidence what people have said and statements made out of court when they are not prepared to come to court. All of that has developed and we have been making great use of that. That has also involved training our people to be able to deal with those changes. I think that that has been the key.

[22] We have then moved on to look at other issues such as the court, and key to that, as Chris has mentioned, has been the special domestic violence courts. We have found them to be a bit slow to get off the ground. We have only got one in north Wales and we have had some difficulties. Funding seems to be the key to this, because with the domestic violence courts comes the IDVA—the independent domestic violence advocate. Funding for the IDVA has been difficult because there is no set funding stream. The funding has therefore come from a mishmash of various agencies putting their hands in their pockets and asking whether people can afford £5,000 here and £5,000 there. We have just about got an IDVA post up and running in Wrexham in north Wales, for example, but that person is now off. Part of the problem, from feedback, is that people want some security about their job. They know that we will scabble together the money for this year, for example, but they do not know whether

they will have it next year or the year after. That is a big issue. Different community safety partnerships have some funding—although not ring-fenced—for this, and different community safety partnerships take a different approach to how important they consider the IDVA's role to be.

[23] We in the local criminal justice boards across Wales fully support this initiative. We think that it is very good. For example, we have a special pre-trial review court for all domestic violence cases in Wrexham. The IDVA meets with our special prosecutor the day before and we go through all of the cases and see which cases may need some IDVA support, either in getting the person to court or giving them security at home, or whatever it may be to assist the witness. They then go through the court and can be dealt with more speedily and given priority through the system. We find that that works in terms of succeeding with prosecutions. So, we fully support that and we are quite frustrated when we find our plans to extend that across north Wales, and, indeed, across the other areas in Wales, have been thwarted on occasion by a lack of funding and a lack of security of funding. That is a big issue for us.

[24] There is also an issue over the management of the IDVAs in terms of who line manages them and who checks that they are doing what they are supposed to be doing and who gives them the direction and support that they need, because that is not consistent across the four areas. We would like to see, certainly from the CPS's perspective, one of the local criminal justice agencies line managing them and we think that the probation service is the only organisation that can legitimately do that, given that we are part of the prosecution. The police and the prosecution cannot possibly line manage them, because it would look as though we were interfering with the whole process. So, we think that that needs to be looked at.

[25] There is some other good practice. For example, I was particularly impressed to see the system used in south Wales, which is, effectively, a form of restorative justice—the supporting offenders through restoration in prison programme. I had not heard of that before, and it is something that we might need to look at in north Wales; perhaps our colleagues in other agencies will look at that. It is a system whereby victims are brought face to face, not with the particular person involved in their case, but with someone else who has committed an offence of domestic violence. So, you take out that personal difficulty of having your husband across the room, whom you obviously know very well; it is someone else's husband or partner. You can get the message across about the effect that such offences, which are often ongoing offences, have on people. It is something that needs to be looked at, because it is a very good proposal.

[26] The other thing that we have found—again, it is a funding issue—is that some perpetrator programmes are not properly funded in north Wales; that is true across Wales. Courts are having difficulty in finding sufficient places for people on proper courses, and so on, so that those who have been convicted of domestic violence can address their offending behaviour. There is a lack of such courses, whether they are for anger management, alcohol abuse or whatever—specific courses dealing with people who have a problem in relation to domestic violence who are trying to put it right. There is also a lack of support in prisons, and one of the issues that we have found is that magistrates are given a stark choice. If you want to give someone a penalty that can, in some way, address their offending behaviour, such as a perpetrator course, they cannot be available in prison. So, you have a stark choice: if you want them to have some treatment, effectively, it must be a non-custodial sentence. I do not think that that is right. That may well be the appropriate sanction in particular cases, but if custody is the right penalty for what you have done, it seems wrong that you are prohibited from having that treatment because there is a lack of support for rehabilitative treatment in prison for offenders.

[27] That is a run through the position of various local criminal justice boards. We are

pleased with the success so far—there is real enthusiasm from the various criminal justice agencies for tackling this offending. It is a very significant amount of work in terms of the numbers of cases going through courts, and we are very keen to come together to deal with it as effectively as possible.

[28] **Janice Gregory:** Thank you, Ed. We now turn to you, Susan.

[29] **Ms Duncombe:** I will be very brief. I am here as the practitioner—the person who is at the sharp end. There are two things that I wish to point out. First of all, in support of what Chris said about the Crown Prosecution Service disseminating good practice, I have recently been appointed as the lead for the Wales group, and my job is to try to find best practice from other areas where things are going right and where things are going wrong. The Swansea example is a prime example of that.

[30] Equally, although we should have a high standard across the whole country, it is important to recognise that, in the work with the local partnership agencies through the community safety partnerships, you cannot do a good job without tapping in to the vast array of services that are available through the voluntary services. The witness care units must be able to feed through to the vulnerable supported witness care groups and to Victim Support. It is key for every individual prosecutor in the area to be able to work closely with the domestic violence co-ordinator appointed by the community safety partnership; they should know those people and be able to ring them up. Equally, they should be able to call us with issues that they are seeing from a third-party point of view, so that we do not become blinkered by our own little targets in our own little world. So, that is very important.

[31] I echo what Ed said about funding. My particular bugbear about the funding of the IDVA is about losing them after a lot of work—leaving victims halfway through a system when you lose staff is not acceptable. However, the amount of time and effort that is spent by the multi-agency groups scratching around for funding costs money. It costs money to have me sat around a table—I am chair of our local specialist domestic violence courts groups; Wrexham is up and running and Flintshire has just received approval, but my domestic violence co-ordinator has been desperately trying to find funding for the IDVA for 18 months. So, the amount of time and money that is spent by all of the agencies sitting around saying, ‘It is the end of the year and I have a spare £5,000 that you can have’, is not a cost-efficient use of taxpayers’ money, and it does not support the victims through this system.

[32] **Janice Gregory:** Thank you. We have a range of questions that will cover most, if not all, of the issues that you raised in your paper. Peter Black has the first question.

9.50 a.m.

[33] **Peter Black:** I note from the CPS paper that the proportion of successful prosecutions in domestic violence cases has increased each year since 2004-05, in each of the four CPS areas. Also, in Wales as a whole, 58 per cent of 2,331 domestic violence prosecutions in 2004-05 were successful as compared with 71 per cent of 3,921 in 2007-08. What are the key factors that led to those results?

[34] **Mr Woolley:** They go across the spectrum. I think that there has been improved policing. We have emphasised to the police that they must take every aspect of evidence and not just rely on the victim. We have had cases where the victim retracts but we nevertheless go on to get a conviction. Ed will have a very good example to give about a rape conviction that we have just obtained where the rape victim actually withdrew her evidence; on the basis of the forensic evidence, the evidence of the police officers at the scene and photographs, we were able to get a conviction using bad character and hearsay. So, we use all the available evidence and all the panoply of legal powers that we now have to get evidence before the

court and to get a conviction. So, it is due to increased policing, better policing and increased awareness on our part.

[35] We have trained our prosecutors so, if ever they did, they no longer class domestic violence as a minor crime that should be considered second rate. Every case of domestic violence is given a lot of priority, in conjunction with specialist courts and the fact that magistrates are now trained to recognise features of evidence that previous benches might have dismissed. They are now picking up on nuances and, because they are trained, they are aware. All the evidence needs to be put forward to get a conviction and they are convicting.

[36] Over all that, we have better policies, better practitioner programmes and better sentencing guidelines. The Sentencing Guidance Council has recently put out two sentencing guidelines on domestic violence—one is on domestic violence itself and the other is on the breach of protective orders—and those guidelines emphasise to the courts that domestic violence is to be treated no less seriously than other crimes and that the sentences for domestic violence should be appropriate to the seriousness of the offence itself.

[37] **Peter Black:** What have you done to raise awareness of the increasing success rates for prosecutions?

[38] **Mr Woolley:** We are very proud of that, both within our own organisation and outside. It is a regular feature of local criminal justice boards' discussions. We highlight our performance. It is certainly a regular feature of our own performance management. Ed and I are assessed, every quarter, on all aspects of our performance, and domestic violence forms a very important part of that assessment, which the Director of Public Prosecutions himself conducts. So, it is in our interest to increase our success rate on domestic violence.

[39] **Lesley Griffiths:** My question is to Chris, initially. You mentioned in your presentation that audits are undertaken annually by the four CPS areas in Wales. You gave a variety of examples of good practice, which I am happy for you to re-emphasise, but I do not know if you have any areas of concern that you can tell the committee about.

[40] **Mr Woolley:** There has been a national assessment of the audit that has revealed some interesting features. Ninety five per cent of the defendants are men—that might be understandable—and 90 per cent of the victims are women. It is more difficult on ethnicity, because it appears that more black and Asian suspects are being arrested, but fewer are charged, so that is a difficult statistic to work out. We are concerned that the impact of our strategy has a disproportionate effect on men and, within that, on black and Asian men. That is a concern, but perhaps understandable in the context of the subject that we are dealing with.

[41] In terms of what is not going so well, we are all learning from each other and you can see from the figures that we are starting from different bases in Wales. Some areas were more successful four years ago than others. I think that it is about sharing good practice and understanding across our areas. It is difficult to highlight areas that are still of concern, although there is still a huge concern about victim retraction. We are concerned that that is the next hurdle to get over. Witnesses need more protection throughout the process; they need more support from the very earliest stages of the investigation. We have found that, if you lose the woman after 24 hours, then you have lost the case. You need to get in quickly and provide consistent support. That is my main area of concern on domestic violence.

[42] **David Lloyd:** I would like to move on to variations in prosecution practices and other related support services, to which you alluded at the start, Chris. You will be aware that the Youth Justice and Criminal Evidence Act 1999 provides for special measures for vulnerable witnesses, including witnesses whose evidence is likely to be affected because they are intimidated. Such special measures, as I am sure you are aware, involve the use of screens,

live television links, clearing the public gallery, and so on. This committee review has been going on for some months. We have heard about inconsistencies across Wales in the response of courts to special measures requests for those required to give evidence in relation to domestic abuse—specifically prosecutions. What, in your view, are the benefits of special measures in domestic abuse cases and the responses of courts in different parts of Wales to special measure applications?

[43] **Mr Woolley:** I will answer briefly and then ask Susan to pick it up, as a practitioner. First, we identify the need for special measures through our witness care units, which is a huge improvement. So, we know now when to apply for special measures and, more particularly, what special measures to apply for, because we ask the witness what they need. We then go to court to request special measures and, as you say, there is some inconsistency in the response. It is important to recognise that, when you ask for special measures, in most cases, they are not automatically granted. It is still an adversarial process; the defence has a right, in many cases, to object to special measures and the judge must come to a conclusion. Some judges are more amenable to applications for special measures than others. Some require that the strictures of the law are recognised and give the defence its say. If the defence puts up a strong objection to special measures, often, in those cases, they are refused. Perhaps I could ask Susan to give her perspective.

[44] **Ms Duncombe:** Chris is right; you have to remember that it is not a right. You still have to justify, and have evidence to support, your application that using these special measures will improve the quality of the evidence that the witness will give. The defence will often object, because, the better the evidence given by the IP, the more difficult its position might be. In north Wales, the courts are generally supportive. The only option to increase support is to make it an automatic and mandatory right in the same way that children have mandatory rights. The other slight problem that can occur is the time limit; you are supposed to do them within a certain timeframe. Witnesses may start off very positive and, as it gets closer and closer, the nerves set in and they then want the special measures. So, it depends on the sympathetic nature of your courts regarding an application out of time. So, there are technicalities that we have to go through.

[45] **David Lloyd:** I will move on. I will start with Chris again, because this also relates to your paper. We have been made aware of significant variation in the initiatives and arrangements designed to achieve successful prosecutions and to support victims and witnesses across Wales. What, in your view, can be done to ensure that victims and witnesses in domestic violence cases receive an equally effective and supportive service no matter what part of Wales they live in?

[46] **Mr Woolley:** The answer to that is foreshadowed in the papers. We need to work more closely together, both as CPS areas and as local criminal justice boards. With regard to CPS areas, as Susan has mentioned, she has been appointed as the champion across Wales. That will be an important means of, and a conduit for, implementing best practice and getting consistency across Wales. However, it does not end with the CPS; we are in it with partners. This is why I think that the local criminal justice boards in Wales need to work a lot more closely together, specifically on domestic violence, but also on many other issues. As Ed has alluded to, at present, there is no umbrella organisation or means to bring together the four LCJBs. One of our recommendations today is that you endorse the idea that local criminal justice boards come together and work more closely to ensure consistency, not only for the CPS, but across the whole range of criminal justice agencies, including the police and the courts.

10.00 a.m.

[47] **Ms Duncombe:** The witnesses and the victims are clearly best supported through a

specialist domestic violence court and when supported by an individual domestic violence adviser. All the data and research show that. I am based in the eastern division, which is Wrexham and Deeside, but I have lectured on and dealt with things throughout north Wales, and I do not accept that the rurality issues that are raised in Anglesey, for example, mean that you should just throw your hands up in dismay and say, 'We cannot have one, because we have not got enough victims'. Each victim deserves to be supported, and you have to have the imagination to work together with the courts, and the flexibility to design your own solution to local issues. That is where you need co-operation.

[48] **Mark Isherwood:** Good morning. You made some reference to the specialist domestic violence courts and you highlighted problems in funding and so on, but we have also previously heard from a number of witnesses who have highlighted the benefits of the courts in relation to convictions and the experience of the victims when giving evidence in court. Are there any other benefits to the system that you can see, or do you have any other illustrations to support the previous evidence that this committee has received?

[49] **Mr Woolley:** The benefits are that the bench is trained to deal with domestic violence, which is hugely significant. I have heard reports of some old-school magistrates thinking, 'This is just domestic violence'. That is the attitude from the past, from the 1970s and 1980s. All the bench magistrates dealing with domestic violence in a specialist domestic violence court have been trained out of that attitude, and that shows in their conviction rates and results, but also in how they handle the victims throughout the criminal justice process. That is hugely beneficial.

[50] We provide a specialist prosecutor, and, as Ed's paper makes clear, if that prosecutor is robust, significant advantages can be had because we push the prosecutions. We challenge the defence if it wants an adjournment or if it wants to demean the witness or ask inappropriate questions, so we get a better service. The individual domestic violence adviser also attends, which is hugely significant in providing support. In addition, in the Wales context, we have an SDVC forum across Wales that monitors performance. That is part of the theme of sharing good practice and best practice, and improving the performance of all SDVCs. I do not know whether Susan wants to add anything to that.

[51] **Ms Duncombe:** To put my manager's hat on for a minute, it is also an efficient way of using your resources from a management point of view, because you have a structure for your specialists. Your adviser is there for a set amount of time, but, if you did not have that court, she could be sent here, there and everywhere and it would be difficult to manage her as a resource. It is easier to put your specialists in that one court, and it is easier for the police, so it is a way of focusing all the specialist capacity in one place.

[52] **Mark Isherwood:** Thank you for that. I will move on to a related point. The deputy chief constable of Dyfed-Powys Police, Andrew Edwards, gave evidence to us expressing concerns about the demands of a new system under the 'Criminal Justice: Simple, Speedy Summary' review, of which I know that you will be well aware, and its impact on the effective operation of the specialist domestic violence court system. He is concerned that this would often serve to bypass the specialist domestic violence courts in that everything now had to be a priority, not just domestic violence. Do you have views on that? If so, what are they?

[53] **Mr Woolley:** I do have views. As a previous chief constable of Dyfed-Powys Police said famously, if everything is a priority, nothing is a priority. We share the concerns of the present deputy chief constable. To give a bit of background on this, the CJSSS initiative was introduced in England and Wales over the course of last year, and all courts are running this system now. It is a centrally driven system, and is quite dogmatic, because it says that all cases must have no more than two hearings. At the first hearing, a guilty plea is expected or a

not-guilty plea is entered, and then there is the second hearing, where the trial comes about. It is fair to say that domestic violence did not feature hugely in the consideration given to the simple, speedy, summary justice concept when it was introduced. As we have seen the results of simple, speedy justice, we have realised that domestic violence needs to be taken out of the system, so that we can give it the priority that it needs. We say that the simple, speedy justice principles should not necessarily be applied to the allocation of domestic violence cases, because they need to be put to the specialist domestic violence court. In Cardiff, we found that they were going all over the place, to any court, and not really to the SDVC. We have addressed that now with the police and the court listing to make sure that cases of that nature go to the proper court.

[54] Another feature that we noticed from north Wales practice is that the pre-trial review system is beneficial in domestic violence cases. Simple, speedy justice wants to get rid of the pre-trial review system in most cases, but we realise that, for domestic violence cases, it has value, as it means that the individual domestic violence adviser can be at the pre-trial review hearing, can see the prosecution and, more importantly, the defence as well, which means that they can really get a handle on the case. We can resolve a lot of issues at the pre-trial review, but, if it is abolished, we lose that opportunity.

[55] **Joyce Watson:** There has been quite a lot of talk this morning about the cost, the funding and the management of IDVAs. It has been suggested that we move to central Assembly Government funding and consistent line management by the probation service. Could you outline the current arrangements for funding and any advantages that might be accrued from having a centrally managed system?

[56] **Mr Beltrami:** Not easily, because there is not a set scheme. Some money comes from the Home Office, which is your starting point, but that does not cover in any way everything; it is less than half a year's salary. You then have to scrounge around to get the rest. Community safety partnerships have the facility to fund this out of a general pot, but they do not have a ring-fenced fund, so you have to persuade each individual community partnership that this is a good idea worth putting their hands in their pockets for, to provide some funding. All the other agencies have tried their best. In the Crown Prosecution Service, we have given some money, as has the local criminal justice board, to the tune of some £5,000 or that sort of amount. However, when you gather those sums together, eventually you will get to the point at which you can pay a person's salary for a year. That is a totally unacceptable arrangement. That person knows that. He or she knows that the position is not very satisfactory. There is no guarantee that he or she will remain in post for very long. It seems totally illogical to me that we have such a system.

[57] **Ms Duncombe:** The point that Mr Lloyd made about different services for different parts of Wales you can examine here in between Conwy and Denbighshire. Denbighshire would pay up but Conwy would not, so you have the same court system, but an IDVA in one part and not in the other. They did not get the SDVC because of that, because it did not all tie in.

[58] Ed is right about the funding. For our first IDVA in Wrexham, we had Home Office money, basic command unit money, CPS money, £5,000 from the LCJB, £10,000 that the court had left at the end of the year, and another £10,000 from us. The situation is the same everywhere only the details are different. It is disjointed.

[59] **Mr Woolley:** There are examples of our losing good IDVAs because they are going to jobs that they know are permanent. That is a tragic waste of all the training that we have given them with and of all the good work that they have done.

[60] **Lesley Griffiths:** On the Home Office funding, is that yearly, three-yearly or some

other arrangement?

[61] **Ms Duncombe:** It was provided on a three-yearly basis. I went to a meeting in London last week at which we were assured that funding would be for the indefinite future, but you do not know who to believe and how long to believe them for. They mentioned a sum of £3 million, but I could not get my head around whether that was to cover the whole of England and Wales or what. It would be much easier if it came through Wales.

[62] **Janice Gregory:** I feel a recommendation coming on.

[63] **Joyce Watson:** Looking at the perpetrator programme, can you summarise the attitude of judges and magistrates and others within the criminal justice system to the mandated and voluntary perpetrator programmes?

10.10 a.m.

[64] **Ms Duncombe:** My experience is that magistrates' training has been very good, and it is more the dearth of programme availability that causes the problems. I came across an example recently, when I was sitting in on court for an entirely different reason. A sentence of a certain length of probation was announced under the perpetrator programme, but then it emerged that the programme could not be fitted into the time available, and so they had to extend the length of the sentence, which is probably appealable.

[65] The magistrates are doing their best. The judiciary has come on board more slowly, and is more independent and difficult to reach. We work in partnership with magistrates on a local basis, but the judiciary is further up the food chain than me, really. However, it is getting better over time.

[66] **Mr Woolley:** There are very good examples of enlightened judges, and I single out the recorder of Cardiff, who has made it his business, in the short time in which he has been in post, to emphasise how much he is on the side of the domestic violence victim. While he has to be impartial, he has gone some way towards displaying an enlightened attitude towards domestic violence proceedings. He has made clear that a withdrawal statement from the victim makes no difference; he will proceed with the case as long as the evidence is there to justify putting it before a jury.

[67] **Ms Duncombe:** However, there are cases where my lawyers come back and stamp around the room saying that they cannot understand why an acquittal was given. That is the nature of the experience, so I would not want to paint a completely rosy picture, although I would say that, in my experience, it has improved over the past three or four years.

[68] **Joyce Watson:** If there is improvement, as you have just demonstrated, what can be taken from that and used across Wales? This is a serious offence, and we know that the incidence of repeat assaults is extremely high. We cannot rely on an individual being enlightened; this is justice, and it has to be equal.

[69] **Ms Duncombe:** To give an example, I am on the all-Wales SDVC group that was alluded to earlier, which is chaired by Gillian Baranski. She has tasked me with looking at how magistrates use restraining orders, and what other orders are used in sentencing across Wales. There was some concern that the use of offences under the Protection from Harassment Act 1997 was patchy. So, that is the kind of thing that we can look at and ask why one area may have relatively few offences of that kind, and why sentencing may not be appropriate, as opposed to what is happening in north Wales. So, it ties into what we were saying about getting a better and wider picture, and then feeding that performance in.

[70] **Lesley Griffiths:** The criminal justice board paper provided details of the SORI programme, which Ed said he had not heard of but sounded like a good proposal. Could you give us some more details about that, and how it assists both victims and perpetrators?

[71] **Mr Woolley:** It was developed by the chaplain of Cardiff prison, Julia Houlston Clark, and she has been inspirational on this. With very little funding—although, as a criminal justice board, we are pleased to support this—she has developed a programme that is being mainstreamed across England and Wales. I sit on the executive committee for that roll-out, and I am very pleased to do so on behalf of the board. The idea that Julia had was simple: she recognised that restorative justice has its limits when victims are met with the perpetrators of the crimes against them. In many cases, it is just not appropriate, because the victim does not want to meet the perpetrator. However, a victim, and a perpetrator, will have less difficulty—or no difficulty at all, in many cases—in meeting a different victim or a different perpetrator. It is a powerful experience, and I have heard presentations from hardened criminals involved in this programme who were totally changed, if you believe what they say. You can get a hardened burglar or drug dealer confronted with a domestic violence victim, and they are totally broken down by it and ashamed. Although they might be a burglar, they feel that they would never do something as dreadful as an act of domestic violence. Conversely, the domestic violence victims who, traditionally, have found it difficult to participate in any sort of restorative justice programme find huge relief and release in unburdening themselves to a prisoner, someone who has been through the court process. The testimony from victims of domestic violence is equally as powerful as that from prisoners. They find it to be an unburdening process; for the first time, they are able to tell of their grief with regard to what has happened and how their relationship has broken down. They come back to participate in the SORI programme. That is the essence of Julia's idea.

[72] It has been so successful that it has now been mainstreamed across many prisons across England and Wales. That process is going on. Interestingly, I am told that prisons have found that the SORI programme has improved the atmosphere within the prison no end. In fact, one prison that shall remain nameless was known as a sink prison, a prison where relationships between staff and prisoners and fellow prisoners was awful. The SORI programme was introduced and, immediately, things lightened, because people had been able to unburden themselves and get to grips with the results of criminality in general. They exclude their own behaviour. They will say, 'I am not really a drug dealer. I keep the dirt away from myself. I am clean'. Participating in this programme means that they are confronted with their own criminality for the first time and realise for the first time what they have done and how they have destroyed their own families, and they also see how other families have been destroyed through criminality. So, that, in essence, is the SORI programme. I am sure that Julia would be very pleased to give a submission to this committee with more detail about it if you wish.

[73] **Janice Gregory:** That is great; thank you very much.

[74] **Lesley Griffiths:** This question is also for Chris. When I asked you to give us some areas of concern following your audit, you mentioned black and Asian individuals. What are the criminal justice organisations doing to ensure that people from those groups receive effective service and that they can access these services?

[75] **Mr Woolley:** We are very concerned about access to the criminal justice system for victims who are from black and minority ethnic communities. In that regard, we are aware of so-called honour-based violence, which is of huge concern to the CPS. There have been four pilots across England—there are none in Wales as yet—that have looked at the impact of honour-based violence. It is a hidden problem that is now coming to light. It is not just a question of young women being forced into marriage; it goes across the spectrum. I was speaking to an official in Cardiff County Council who is working with elder abuse in the

context of honour-based violence. Elders in the community who own property are being excluded and, in some cases, forced out of their own homes because of the inheritance concerns and honour-based violence. So, it goes across the spectrum. We are concerned about that from the point of view of the victims.

[76] In terms of black and minority ethnic defendants, we are likewise concerned to ensure that they get a fair deal in the system. The research, as I said, is inconclusive. It shows that more black and minority ethnic defendants are being arrested but that fewer are being put through the courts as defendants. I would like to think that that shows that the Crown Prosecution Service is being scrupulously fair when it considers what charges to bring and who to bring them against, because we operate a system that is totally blind to black and minority ethnic differences. We treat all defendants as they would wish to be treated. The question of whether one is guiltier than another does not really come into it for the prosecutor who is charging; we look at the evidence in each case, on an individual basis.

[77] **Lesley Griffiths:** What about disabled individuals or children and young people?

[78] **Mr Woolley:** As both perpetrators and victims?

[79] **Lesley Griffiths:** Yes.

10.20 a.m.

[80] **Mr Woolley:** As victims, first of all, children require special attention; we have specialists in every office who are used to dealing with child abuse cases. Susan can speak in more detail about that, as she is one of those specialists. On disability issues, likewise, we have trained all our prosecutors in disability issues, so they are aware of those issues.

[81] On the defendants, who may be children or disabled, again, we have youth specialists in every office, and, in many cases, youth teams. In Cardiff, for example, I have a distinct youth team, which comprises youth specialists, who are used to the different systems that appertain in juvenile courts and are used to dealing with young people. We do not have that many disabled defendants, although, interestingly, we come across disabled people in quite unusual circumstances. For instance, I recall one prosecution in Gwent that involved a disabled person who smoked cannabis. He said, 'I need to smoke cannabis because it relieves my pain'. We nevertheless prosecuted that case, but we are fully aware of that defendant's—it is not a defence—angle on his use of cannabis, and the judge took it into account when sentencing.

[82] **Peter Black:** Several witnesses have praised the outcomes associated with initiatives aimed at people at high risk of experiencing domestic abuse, such as the multi-agency risk assessment conferences. However, they have also expressed concerns that insufficient resources are available to support those who have not been assessed as being at high risk. What are your views on that?

[83] **Mr Woolley:** I am not sure that the CPS can give a proper answer to that, because we are not involved in the multi-agency risk assessment conference process. However, I am aware of the debate, and I know that those who are involved in the MARAC process would welcome an extension of that process to the lower risk categories. I do not know whether anyone else wishes to add to that.

[84] **Ms Duncombe:** As you say, the MARAC cases are the high risk ones; the only real tie-in with us is through the independent domestic violence adviser, and through the witness care element of our support. Given the restricted resources that are available to IDVAs, they cannot deal with everything, so they are aimed at the high risk cases. What you have to have

in place, and what we have in place in north Wales, is a protocol with the witness service and the vulnerable and intimidated witness service. However, it is a case of how long is a piece of string. Someone makes a judgment that a person is not at quite as high a risk as someone else, and that person will be slotted into that system. So he or she will not be left isolated with no support at all, but they will not have the same sort of dedicated support as they would have from the IDVA. However, a lot of resources have been put into victim support and the voluntary agencies to train up volunteers to support people from that angle, so there is provision there. However, I do not know how consistent that is throughout Wales as a whole.

[85] **Mark Isherwood:** Some reference has been made to training. What staff training is provided in the various criminal justice agencies to help staff deal effectively with domestic abuse? In your response, could you differentiate between good awareness training and specialist training, and perhaps also comment on what role the voluntary sector has, or could have, in this, particularly local Women's Aid groups or domestic abuse support units?

[86] **Mr Woolley:** I will take that stage by stage. In terms of the CPS, as I said, all our prosecutors have received training—I have received training, as have Ed and Susan. That lasts for half a day and is conducted by a domestic violence specialist. It gives a good overview of the subject to all our prosecutors, because we all need to be aware of it. Going on from that, we all have a specialist domestic violence co-ordinator and specialist domestic violence practitioners in each office. They receive enhanced training, which involves going away on courses, which can be for two or three days, and access to, and involvement with, other criminal justice agencies and voluntary agencies.

[87] You mentioned Women's Aid. In Cardiff, we are very much connected with Women's Aid and with the work of the sexual assault referral centres in terms of our training. When a SARC was being developed, we liaised greatly with the people setting up that centre to advise on the proper procedures for retaining evidence and preserving evidence through the process. That involved an element of our training them and, in turn, their training us about what was going on in the sexual assault referral centres and how the women who go there are treated so that we were aware of the process that they went through. So, to answer your question, we have internal training, at different levels depending on the specialisms required, we do inter-agency training with the police, and we involve outside voluntary agencies, such as the SARCs, at all stages of the process when we feel that they can help us.

[88] **Ms Duncombe:** We do that nationally, and the CPS had to undergo the Centrex training, which is a joint training package designed with the police. These are the different levels that Chris is talking about. The first level is for everyone in the CPS, including people who were either perpetrators or victims within our workforce, and then it goes up to the prosecutor levels. As part of that, we brought in other agencies in Wrexham and in Colwyn Bay—it was Women's Aid—to speak to our prosecutors. In addition to the training that Chris is talking about in relation to the mechanics of prosecuting these cases, we also send our specialist prosecutors out on multi-agency training days that are arranged. For example, I have just sent someone on a training day specifically on male victims. So, we tap into the multi-agency training that is available, which we find out about through the community safety partnership domestic violence co-ordinators.

[89] **Mr Beltrami:** Importantly on that training, it is not just a matter of sending people on courses, it is also a matter of evaluating how successful they have been. We have done a great deal of work on that, and we have done some hard slogging through unsuccessful cases, with the police, on what went wrong, what we could have done better, whether we should have prosecuted, and so on. There is no excuse for hard work on that. By looking at the hard facts of what has gone wrong in the past, we have been able to improve things. It is about a combination of training and the practical implementation of that training, and how you can learn to do these things in practice.

[90] **Ms Duncombe:** We send people out to agencies other than the police, who we are involved with in every stage of training. For example, we send someone here to NEWI to teach on one of its courses, and I go to Bangor University and lecture on a module for an honours health studies course. So, we do send people out to try to spread the message.

[91] **Janice Gregory:** You have come to the end of your evidence session. Thank you once again for taking the time to come to committee and for preparing a paper. I understand, Ed, what you were saying about how difficult it was, but perhaps it was a good exercise. *[Laughter.]*

[92] I always say this at the end of any evidence session, so those who are coming next, please listen to what I am saying because you will be asked the same question. Your evidence, along with all of the other important evidence that we have taken, will form part of a report in which the committee will make recommendations to the Welsh Assembly Government. I have already written two recommendations that I think that you would prioritise for that report, but I can only ask you for one. So, I do not know whether you have a recommendation; I do not want to put you on the spot. I do not know whether I have misheard what you have said throughout the whole of your evidence, but I have noted that the funding for the IDVA is important and also what you mentioned, Chris, about the local criminal justice boards coming together to work in partnership. I think that you said that that is vital.

[93] **Mr Woolley:** We would very much welcome a recommendation along those lines.

[94] **Janice Gregory:** Okay, so we will incorporate that into our report. If we can only incorporate one recommendation, we will use the IDVA funding recommendation, shall we?

[95] **Mr Woolley:** Yes, that is the most important.

[96] **Janice Gregory:** That is great. You mentioned the independent domestic violence ‘advocates’, but our paperwork tells us that they are called ‘advisers’. For clarification, what would you say an ‘IDVA’ is?

[97] **Ms Duncombe:** We tend to use the term ‘advocate’ because we are lawyers, but it can be either.

[98] **Janice Gregory:** We just want to get it right.

[99] **Mr Baltrami:** I think that it is unfortunate that we call them ‘advocates’, because they then get mixed up with someone who presents a case in court.

[100] **Ms Duncombe:** Given the breadth of the advice, ‘adviser’ is probably a better word.

[101] **Janice Gregory:** Okay. Thank you very much.

10.30 a.m.

[102] We now move on to evidence from the NSPCC, and I welcome Joy Kett, assistant director of NSPCC Cymru and Simon Jones, the policy and public affairs manager. You have been in the audience, so you have seen how the committee works. There are no trick questions in our inquiry, as I am sure that you can see; it is a serious attempt to gather evidence for what will be a very serious report on a very serious issue.

[103] Thank you, again, for your paper. We are looking forward to visiting you and

Cymdeithas Tai Hafan this afternoon, so I thank you at the outset for hosting that visit for us today.

[104] Simon, I believe that you will make a presentation on the paper and Members will then have questions to ask you.

[105] **Mr Jones:** Thank you, Chair. I will briefly provide an overview of the involvement of NSPCC Cymru/Wales in domestic abuse and the ethos behind our services and then I will make a few final points about children's rights.

[106] NSPCC Cymru/Wales firmly believes that domestic abuse is a child protection and wider safeguarding issue. Domestic abuse is core to our service delivery, our influencing and our campaigning. It is fair to say that we have come quite far, certainly in the last 10 years, if not the last five years. From the evidence that you have already received, you realise that much work is being undertaken in this area and progress has definitely been made.

[107] I was discussing with Joy yesterday that the fact that we have been invited to give oral evidence here today shows how far we have come in terms of domestic abuse and viewing children and young people as both witnesses of domestic abuse and victims of that abuse. Unfortunately, however, it continues to be the case that children and young people are often the voiceless victims of domestic abuse regardless of gender, ethnicity, or the culture or religion of the victims or the perpetrators. If there are children and young people in that relationship, they will always experience abuse. There is a clear link between domestic abuse and child abuse, which is evidenced both in our research and in the experience of our services.

[108] To give you a quick overview of our services, our south Wales domestic violence prevention service was established in 1996 and has delivered services to perpetrators and victims of domestic abuse and to children and young people. We also hosted the initial development of the women's safety unit in Cardiff, taking the initial Home Office grant. We are pleased that that service has gone from strength to strength.

[109] In 2005, we developed the Butterflies: Right to be Safe programme that was established from the Wrexham base, but across north Wales, taking the experience of the south Wales service, developing it and looking at how it could be particularly applied in rural communities across north Wales.

[110] In 2006, we developed the Caring Dads programme, which was brought over from Canada by Helena Jones, our children's service manager in the south Wales service. We realised that we were working with a lot of perpetrators of domestic abuse, but that not all of them had access to children and young people themselves. As a child protection and safeguarding agency, that is our primary concern, so we developed the Caring Dads programme.

[111] Since February 2007, NSPCC has delivered the Childline service across the UK, which added to the existing NSPCC Asian helpline and the NSPCC adult services. Throughout our services, we try to show that there is a need to holistically approach the issue of domestic abuse. There is a need to work with those who perpetrate domestic abuse, victims of domestic abuse and children and young people, but our focus is always on children and young people. So we work with the victims in terms of how they can protect children and young people and we have worked with perpetrators to ensure that they are aware of the impact that their behaviour has on children.

[112] It is fair to say that the Welsh Assembly Government's strategy has raised the profile of children and young people as victims. We are very supportive of the definition that the

Welsh Assembly Government has adopted, which clearly includes children and young people.

[113] We now believe that we are coming to the end of the first stage of this domestic abuse strategy and the next stage must ensure that those good words and intentions are being seen in better interventions on the ground for children and young people, and that it is not just about recognising and paying lip service to children and young people as victims, but what we can do to help them to overcome their experience.

[114] I want to finish on points relating to the United Nations Convention on the Rights of the Child. Domestic abuse is clearly an infringement of children's rights under article 19 of the convention, which relates to the duty on the state party to protect and safeguard children and young people from abuse, violence and neglect. The services that should be there to help them should be provided as a right under article 39, which relates to a duty on the state party to help children and young people who have experienced these situations to overcome abuse and to 'reintegrate'—that is the word used—into society. I was interested in the evidence given by the Equality and Human Rights Commission, which talked about how the gender equality duty could be used to improve services, as well as the race and disability equality duty. We also heard last week in relation to the Equality Bill that there is a potential age equality duty. There is no specific children and young people's equality duty, so there is not that mechanism for ensuring that children get their rights to service and to be protected. As the UN Convention on the Rights of the Child has not been fully adopted into UK law, children are not only voiceless victims but they are also partly rightless victims. I thought that that was quite interesting as a contrast to the other equality duties.

[115] Finally, the NSPCC has been one of the founder members of the Children Are Unbeatable! Alliance, and it has been active in steering groups across Wales; I represent NSPCC Cymru/Wales on the Welsh steering group. Equal protection for children and young people from physical punishment is a core business for us, as is core business for child protection. It is very difficult to articulate a message to children and young people that it is wrong for adults to hit or be violent towards each other, when on the other hand we say that it is okay for adults to hit children and young people. That is a contradiction that goes to the core of how we approach the issue of domestic abuse with children and young people.

[116] **Janice Gregory:** Thank you very much. We will move to questions now, and the first question is from Joyce Watson.

[117] **Joyce Watson:** Good morning, and thank you for your paper, which I read with interest. You recommend in your paper that the Assembly Government should undertake a service provision mapping exercise to identify the standard of provision of services to children and young people affected by domestic abuse and highlight gaps in that provision. Are you aware of any work to identify the range and standards of services that should be in place against which current service provision in Wales could be mapped?

[118] **Mr Jones:** I am not aware of any work currently being undertaken in that regard; there is a piece of work going on to look at the provision of child and adolescent mental health services across Wales, and some of those services may fall into that arena, so we await the outcome of that work with interest. We are very pleased to see the funding that has been given to Women's Aid to develop child refuge workers. From our point of view, there is also a need to look at what happens after a young person leaves the refuge. We do not feel that there is equity of service across Wales in providing this type of intervention. A young person or a child may be in a refuge for a certain time—I think that the maximum is about 12 weeks, or that is the proposed amount—but after that they still carry the scars and have those issues. We have piloted and deliver work with teenagers who show aggressive behaviour against siblings, their partners or parents, to look at how we can help them to begin to overcome some of the things that they have seen and heard or experienced directly. As I said, there is a clear

connection between domestic abuse in a family and all other types of abuse: sexual abuse, physical abuse, neglect and emotional abuse. So, when we look at services for these young people, they are often not just in a domestic abuse situation—they are also experiencing many other difficulties in their lives. We felt that it would be a positive step forward to look at what is out there—if you are a young person and you are struggling to come to terms with this, what can you access, where can you go for help and support and who is signposting you to help and support?

10.40 a.m.

[119] **Ms Kett:** There is a great deal of work being done in terms of awareness-raising and where children and young people can be signposted to. The problems tend to occur when those services are not available when the issues are highlighted. There are very few therapeutic post-abuse provisions in Wales and there is certainly a lack of consistency, so when issues are highlighted and people are signposted on, quite often there is inconsistency in service availability.

[120] **Lesley Griffiths:** The planning and funding arrangements to ensure that services are available to support children and young people affected by domestic abuse are very complex and lots of different agencies, both voluntary and statutory, are involved. As you say, there is a lack of consistency. Along with you, a number of witnesses have highlighted this to us. Simon, you just mentioned the Butterflies project here in Wrexham, which I know is one of the innovative services that the NSPCC provides. In your view, how does the current balance between the funding of core services and projects such as Butterflies shape the provision of effective and accessible services for children and young people?

[121] **Mr Jones:** Much as we talk about children and young people as being victims of domestic abuse, this strategy has certainly pushed the issue up the agenda and more agencies and commissioning bodies are actually looking at this as an issue and we have been very fortunate to receive funding to deliver some of these services. However, I certainly feel that if you look at community safety partnerships—I am sure that Joy can add to this—their primary aim is crime reduction and domestic abuse falls under them. You have the situation where you have local safeguarding children's boards that have broad responsibility for safeguarding children across an area and you have community safety partnerships that have responsibility for reducing crime and domestic abuse. We need to be very clear about where children actually fit between those partnerships and where the funding streams come. Then you have child and adolescent mental health services regionally commissioning as well. Is it a CAMHS service that we are delivering within tier 2 or is it something that should be commissioned via children and young people's partnerships? There needs to be more clarity around what the funding stream is. In our experience, we pick up funding from a variety of different sources, and we are very grateful for it, but I do not think that it helps the strategic approach to providing these services or that it helps us to be able to develop ongoing services and know that we can go on to continue to deliver these services as we could if the funding stream was secure.

[122] **Ms Kett:** Just to echo Simon's perspective, certainly in terms of the work that we have managed to achieve—we are very pleased with the development of the Butterflies project—we have had to undertake significant amounts of partnership and interagency working, working across different partnerships, which is hugely time consuming in terms of building up allegiances and people to support across the different frameworks, local safeguarding children boards and so on, to look at where the funding streams are located. We would support having a clear pathway to funding for therapeutic work. We have been quite fortunate in Wrexham in that we have recently managed to get some funding through the rural development fund to deliver eight new Butterflies programmes over the next two to three years. Even with that funding, the only way that we feel that we can build up the work is by

working in partnership with other agencies. So, fortunately, through the community safety partnership and the domestic abuse co-ordinator, we are now looking at how we can engage agencies to pick up on delivering this service. It is not the NSPCC alone that should be doing this work, so we are actively going to be engaging health workers, social services and education workers to co-work on the projects, so that it helps with the mainstreaming process.

[123] **Mr Jones:** That is the ethos of all our services, basically. What we intend to do is show what can be done and then look to mainstream it by influencing other agencies and providing training and consultancy. We aim to provide for where the gaps are, as we did with Caring Dads. When we started doing perpetrator work, there were very few other agencies working with perpetrators of domestic abuse. As that got taken on more, we looked to develop and move on. Joy is quite right; I doubt that you would be surprised by the flexibility of the voluntary sector when it comes to looking at how to get funding for innovative programmes. Having funding from the rural development pot is an interesting way forward.

[124] **Ms Kett:** We have also received funding from community safety partnerships across north Wales; again, this has been inconsistent, but progress has been made. However, there is always tension between the criminal justice target hardening perspective and that of therapeutic support for the victims of domestic abuse, whether they are women or children and young people.

[125] **Lesley Griffiths:** Is there anything that you want to add about the consistency of services across Wales, or the lack of balance?

[126] **Ms Kett:** Some of the groups that are in place have been really helpful. Our fora in north Wales, in particular the north Wales domestic abuse forum—there are similar fora in each of the Welsh regions—have been real champions in trying to get a more strategic and co-ordinated approach, working with domestic abuse co-ordinators and other key players. There are issues around local safeguarding children boards and the support or the direction that they can offer in terms of further promoting domestic abuse as a child protection issue.

[127] **Peter Black:** You have congratulated the Assembly Government for identifying domestic abuse as a child protection issue, but the committee recently heard evidence that social services departments do not, as a matter of course, monitor the welfare of children who remain in the family home after their mother has gone into a refuge. You have argued in your paper that the levels of protection available to children and young people affected by domestic abuse should be increased. How would you improve the situation?

[128] **Mr Jones:** The statement about the definition shows that there is an increased awareness of the fact, and the definition drives people's awareness of children and young people as victims of domestic abuse. In terms of protection, every child who is in a situation where there is domestic abuse is a child at risk. The research that is available shows that that is the case whether they are being physically harmed in some way or whether there is an emotional impact on them. If every child is a child at risk, there is an issue of how to deal with all these children who are at risk at the same time, and we need to look at how effective assessments are in ensuring that those children are safe. Initially, we are working with those who are at the most risk in their families and looking at ways in which other children and young people can be supported. I remember that, a few years ago, we were moving very much towards trying to keep the victim in the home and removing the perpetrator, and refuges being used as emergency getaways—I do not know how far we have come with that—but it is a hugely concerning situation if the victim has potentially left the home and the children are still there with the perpetrator.

[129] **Ms Kett:** I agree with what Simon said.

[130] **Peter Black:** Do you think that we need more guidance for social services departments in those sorts of circumstances?

[131] **Ms Kett:** Social services departments are under enormous pressure, and I think that it is working in a multi-agency and partnership way that will give us the best hope of further protecting children and young people. However, there are enormous challenges involved in that in terms of time and resources, ensuring that the right people are sitting around the right partnership tables to look at making those decisions and driving the issues forward.

[132] **Mr Jones:** This also touches on the role of social services in terms of leading on child protection and safeguarding children, but there are other professionals who can identify domestic abuse or who can ensure that a child who has been in that situation is overcoming it and is not experiencing that situation again.

10.50 a.m.

[133] We must remember that, in a significant number of these situations, the child is the whistleblower. The child is the one who draws attention to the situation, and that conflicts a child hugely, because they do not necessarily want to see their parents split up—they love their father and they love their mother—and it is difficult for them to articulate what is going on at home. They may well think that the same happens in every home. It is difficult for them to articulate what happens, because they feel that their family will be broken up and that the problems will just get worse. We need to make sure, as Joy said, that it is not just the social services taking a lead, as other professionals can act as an early warning system and a support system for those young people.

[134] **Peter Black:** Someone will have to take the lead in assessing the needs of these children—whether they need counselling and support—and assessing the appropriateness of them staying in the home. You cannot have a different lead in different cases depending on the partnership; you have to identify a particular agency to determine that something has to be done and then pass it on to the relevant partner.

[135] **Mr Jones:** We agree with that completely.

[136] **Joyce Watson:** You have identified particularly vulnerable groups of children and young people who have been affected by domestic abuse. Previous witnesses have identified excluded children, disabled children, the children of disabled mothers and young people aged 14 and over as being particularly vulnerable. How might current service provision be improved to meet the needs of particularly vulnerable children and young people more effectively?

[137] **Mr Jones:** That is quite a question. [*Laughter.*] Research shows that disabled children and young people are between 3.5 and 4 times more likely to experience abuse than non-disabled children. Protecting disabled children and young people from abuse in general is a massive issue. I do not think that anyone has got to grips with ensuring that practitioners are aware of that problem.

[138] In terms of young people in the 14 to 18 age bracket, agencies are seeing that the 16 to 18 age group is increasingly where the gap is, in that, while they fall within children's services, they are almost seen as getting to be too old for those services while not yet ready for adult services. There is a dearth of things for 16 to 18-year-olds. Taking our Swansea-based therapeutic service as an example, if young people come to that service to work through the issues of abuse that they have suffered, we allow them to re-refer at any point up to 25, I think, so that they can come back in to our service. When you hit 16 and those years when you are perhaps having your first sexual relationship, you may have had a child, and you are

worried that your parenting is impaired, so we allow them to come back in to talk to us again about the issues. It is about ongoing support. We cannot be in a situation, as Joy highlighted earlier, in which we have one intervention—‘That’ll deal with the domestic abuse. Six weeks, off you go; you’re better, you’re cured’. It does not work like that, which is why we need other professionals to be trained and to have awareness. Huge steps have been taken in raising awareness and in training professionals, but we also need that support to be ongoing in the 14 to 16 age group.

[139] Support for disabled victims or other disabled young people would need to be much more intensive, and that must be recognised in funding streams as well. If we are working with a disabled child who had experienced domestic abuse, or any disabled child who comes to our service, those children’s needs increase the costs of delivering the services. We work very hard to ensure that we deliver a service, but it takes more staff time to deliver it. Different techniques are needed to work with these young people, and that needs to be reflected as well in any funding streams or planning.

[140] **Joyce Watson:** Coming back to the issue of excluded children, many of the programmes work to the assumption that most children will get some education through schooling or some support. However, we know that large numbers of children in these particular situations are not in school.

[141] **Ms Kett:** Certainly not in the projects that we have been piloting. We have spent a lot of time liaising with agencies that provide services for those particular groups of children to encourage referrals, so that they can be part of our teenager groups or any of the various age-range groups that we run. It is challenging for some of those agencies to recognise the importance of making referrals to some of the particular groups that we run in north Wales, and indeed in south Wales. On some occasions, they tend not to recognise so rapidly the impact upon children and young people, particularly around exclusion. We find working with the youth offending service particularly useful. It does a lot of work with excluded children, and our current teenagers programme is being piloted in partnership with the youth offending service in Conwy.

[142] **Mr Jones:** We deliver school counselling here in Wrexham, and that is the service that you will see later. We would hope that that would identify young people’s issues much earlier, support them, and hopefully prevent them from falling out of school. We recognise that that is a long-term goal, and there are those who are in difficult situations, who have been excluded and are simply unable to go to school. I have no doubt that, if we looked at the statistics, domestic abuse would be in the background at every turn. Looking at calls to Childline, although domestic abuse might not be the reason for a young person calling, it is often there in the background, and it is something that is discussed if they are talking about an abusive situation.

[143] So, we need to look both at how we can prevent that from continuing to happen, and how we can encourage young people who may feel quite disenfranchised, and may think that services are not reaching out to them. They have had their upbringing in the context of violence, aggression and abuse, and, sometimes, that is how they express their own emotions. They are desperately in need of intervention, but how can we encourage them to come forward, to self-refer to services, and to seek help? We heard about advocates earlier, but where are the advocates for children and young people in domestic abuse situations, helping them to access services, and so on? It is a complex and wide-ranging issue.

[144] **Ms Kett:** There is a crucial issue around the independence of services, because of the shame that is felt by many children and young people that we work with. They need to know that they have someone to turn to who will listen to them independently, and who they can trust. They need people within their own communities that they can turn to, trusted adults that

children and young people can speak to without feeling even more ashamed or stigmatised about what they are experiencing.

[145] **Janice Gregory:** We have quite a few questions to get through, so we will have to be very disciplined with our time. This is incredibly interesting, and we need to take this evidence, but we have other evidence to take as well.

[146] **Mark Isherwood:** A number of witnesses have praised the results of schemes aimed at people assessed as being at high risk of experiencing domestic abuse. However, equally, concerns have been expressed to us about the lack of support for those who have not been assessed as high-risk, and who may have been assessed as low-risk. What views do you have on that?

[147] **Mr Jones:** The difficulty is that, despite all the awareness raising, domestic abuse is still a hidden crime. We do not accurately know how many families are experiencing it, and we certainly do not know how many children are experiencing it. There is a problem with recognising situations where children or young people are under stress or experiencing abuse at home, and professionals have to know how to respond to such cases when they find them. Some young people experiencing domestic abuse are effectively in the no-risk category, because they never come into contact with any agencies. Domestic abuse does not just affect those who are known to social services, or to health services—we know from our perpetrator work that it is very much a classless crime. So, it is difficult to identify no-risk or low-risk individuals. I guess that, from our point of view, there is an ongoing awareness that this can happen to any child. Professionals need to be aware of it, but they also need to know what to do with that information, who to share it with, when to share it, and to be confident in their ability to protect and safeguard children.

11.00 a.m.

[148] **Ms Kett:** Awareness raising is one of the key issues, certainly for professionals, such as health visitors and maternity nurses in the case of pregnant women. We know that there is a higher risk of domestic abuse at that time. So, if people are aware of that fact, they can be extra vigilant, and can explore some of those issues. Staff working in schools should be aware of how domestic abuse can manifest itself in a child's behaviour. There may be changes in behaviour—a young person may even be overachieving at school, because they may think, 'If I am good and achieve at school, dad will stop hitting mum'. Staff should be aware of all the ways in which that can manifest itself. It is very complex. The key to providing support and places for low-risk young people to turn to is for all professionals who work with children and young people to have that awareness.

[149] **David Lloyd:** I want to turn to the issue of support for young witnesses in domestic abuse cases now. A sizeable fraction of this committee is from Swansea, so we are very interested in that piece of paper that outlines the young witness support service in Swansea. You recommend that the Assembly Government strengthens its domestic abuse strategy by referring to the provision of support services for young witnesses across Wales. Could you expand on what is already in your paper, and tell us about your own young witness support service in Swansea, including details of how it is funded? How extensive is young witness support provision across Wales?

[150] **Mr Jones:** What we can do, if it is okay with the committee, is provide a briefing paper specifically on the young witness support service and the type of work that it does. As it says in our evidence, the service is based in Swansea and takes referrals from Swansea and Neath Port Talbot. We feel that it is vital that children and young people get this support when they go to court. It can be a hugely traumatic experience for them. It is important not to see children and young people as one homogenous group. There are some young people out

there who do not want special measures; they want to face the person who has done this to them and have their day in court. Through all of our services, the resilience of young people in this situation is phenomenal, and we should not lose sight of that.

[151] We deliver the young witness support service in our area. Victim Support also delivers some services. However, in our experience, the provision of help for children and young people across Wales is quite patchy. I believe that it is also placed in different areas. There are also differences in how children and young people are helped before the court process. Our workers take them into court and act out court scenes using toys, so that they get an idea of who is doing what in the court and so that they have some concept of that. They take them through the court process and provide them with after-care at the end of that process. So, support is provided right the way through. There is also a close link with our therapeutic service in Swansea and the young people going through that. We have one base that can deliver two different types of service to them.

[152] We did some research a while back looking at the experiences of children and young people across England, Wales, and Northern Ireland of young witness support. Some of the findings were quite shocking, although they did not necessarily relate to Wales, as the responses were anonymised. There were examples of victims being held in the same room as the alleged perpetrators' families, and of victims spending the whole day in court and being sent home without having given evidence. I can send you a link to the research findings. It was conducted across England, Wales and Northern Ireland, so it is not necessarily all about Wales. We have come quite a way in our own area by working with local courts on what is needed. We will provide you with that evidence, and you may question us on that.

[153] **Janice Gregory:** Lovely. Thank you very much.

[154] **Peter Black:** Going back to issues of support for parents and children, you have recommended a closer link on the strategic and the delivery level between the strategy and the resources associated with offering parental support and with providing support to victims of domestic abuse. Could you expand on that and outline how you think closer links would benefit children and young people affected by domestic abuse?

[155] **Mr Jones:** Certainly. I know that another committee is looking at the parenting action plan, so I would not want to steal their thunder by saying anything about that. However, the parenting action plan provides a framework for parenting support services. Victims and perpetrators of domestic abuse are, in many cases, parents themselves, who have compromised their parenting by trying to overcome their own experience and to be a parent as well, which is an incredibly difficult situation to be in. It is vital that the two strategies meet in the middle at some point, so that we say, 'Okay, we need to ensure that parents who have experienced domestic abuse get some support, as that is good for children and young people in that situation, and it also meets the general goal of the domestic abuse strategy, which is to better protect children'. So, there needs to be some cross-referencing. Again, the parenting action plan is mostly delivered by children and young people's partnerships; domestic abuse work is delivered by child safety partnerships—

[156] **Ms Kett:** They are community safety partnerships.

[157] **Mr Jones:** Sorry, I meant to say community safety partnerships; we wish that they were child safety partnerships. So, it is on that local level. How those partnerships are communicating to ensure that there is a broad understanding of who is delivering what for children is an issue across Wales, in many different fields. The children and young people's partnerships are meant to be the driver, but other partnerships also have responsibility. So, there is a need to join up on a strategic, national level, but also on a delivery level.

[158] **Lesley Griffiths:** In your paper, you outline the perpetrator programmes that your organisation has been involved in—and I am thinking specifically about Caring Dads. Can you give us some evidence of how well these programmes work?

[159] **Ms Kett:** The Caring Dads programme is currently going through an evaluation process by the NSPCC, so it is early days for that programme. When it started running, it was based on a model from Canada, which evidenced effective outcomes for parents, for fathers, to begin to recognise the impacts of their behaviour. The early evidence is positive and it is having a positive effect. However, alongside that, we need to ensure that we are protecting the children and young people as their fathers go through the Caring Dads programme, so we are also providing support for mothers alongside that.

[160] **Mark Isherwood:** You have identified antenatal and accident-and-emergency pathway pilot schemes as good examples of training schemes for key professionals. Could you tell us more about those? Could you also tell us whether you have any training concerns about any other key professions?

[161] **Mr Jones:** I looked at the evaluation of the maternity pathway, which has now been rolled out in accident and emergency. On the whole, it was quite positive, although there were some initial concerns from midwives about how they would ask these questions in sensitive environments. We have the same issues as the NSPCC, including how we should gather this type of information. However, huge steps forward have been taken. I was reading just yesterday—and I am not sure whether it was raised in one of the previous evidence-taking sessions—that, in England, as soon as this came in, the domestic abuse referrals shot up. The evaluations seem to indicate that there is still a need for some cultural change within the workforce, but this has driven that kind of process, and maybe, through this type of pathway, we could look at how it is applicable elsewhere. I would be interested to see how it has gone in accident and emergency as well, which is right at the front line of incidents of all types of abuse.

[162] For other professionals, education is the key. Teachers have a huge role to play across the board, so how do we ensure that they are confident and are empowered to act if they are worried about a child? If a child comes in with a bruise or something that the teacher is worried about, how can we ensure that the teacher acts at that point, and feels confident about acting at that point? This is not a criticism of teachers; it is just that training needs to be part of the teacher training course. We have asked time and again for the protection and safeguarding element to be increased in teacher training so that teachers can be confident about applying these skills daily. We know about the prevalence of domestic abuse so they may need to do that. We have some very good teachers and schools that take this type of approach, and we hope that counselling will encourage that, but we also need to ensure that teachers are comfortable and confident in their pastoral role.

11.10 a.m.

[163] **Joyce Watson:** My question is around awareness raising and preventative interventions. How should the awareness of domestic abuse among children and young people generally be raised, and how should those who speak out about their experience of domestic abuse as a result of that awareness raising be supported?

[164] **Mr Jones:** I do not want to labour the point, but we have come a long way with this stuff. The personal and social education framework, which will start in September, now has more in it about domestic abuse. It is a non-statutory framework, but it is hugely positive. Now that it is being discussed in schools, coming back to the previous point, we need to ensure that those leading the discussions can deal with some of these situations and, if a disclosure is made to them, can take it forward.

[165] There are some innovative models for raising the issue of domestic abuse in schools. For example, Carmarthenshire domestic abuse forum has a young person's pack that can be given to schools and that covers absolutely everything. I saw it a few years ago and thought that it was a fantastic way forward. Perhaps there is a need to pool information for children, but recognising the need to reach out to those who are excluded and who might not be in school. The question is how to reach out to them on a range of issues, of which domestic abuse is just one.

[166] **Ms Kett:** Personal and social education in schools is the key, looking at the culture and the ethos of schools in encouraging and supporting respect, listening and hearing the voices of children and young people. There are some innovative peer-support programmes that encourage young people to be open and to listen, so that issues of domestic abuse can be picked up in that way. It also helps to build children and young people's resilience, to stress that being a victim of domestic abuse is not something to be ashamed of and that it is their right to be listened to, to be heard and to receive protection. It is amazing how well children and young people can be part of that supported process.

[167] **Janice Gregory:** This is the penultimate question. You mentioned in your paper the definition of 'domestic abuse', and you urge the committee and the Welsh Assembly Government to make representations to the UK Government to alter its working definition of 'domestic abuse' to refer explicitly to children and young people. What impact do you think a change in definition would have?

[168] **Mr Jones:** It would be a statement recognising that children and young people are victims of domestic abuse. We campaign and lobby the Home Office to include explicitly that children are in those situations, that they are victims of abuse, and that that needs to be recognised. With the current devolution settlement, we have some devolved agencies, such as the health service, and education and social services, working off the Welsh Assembly Government's definition, and we have others, such as the police, the probation service and youth justice, working off another definition. As much as we are pleased that the Association of Chief Police Officers and others recognise domestic abuse as a child protection issue and refer appropriately, the statement and the intention is to ensure that children are protected when they are in a domestic abuse situation. That forms the whole approach to how funding and services are developed, and how the approach to domestic abuse is developed.

[169] **Janice Gregory:** Thank you. That was very clear.

[170] **Ms Kett:** We have a lot of evidence in Wales to show that, by including that in the definition, we were able to drive forward many innovative services and to attract funding in a way that is not consistent elsewhere. So, we have many examples of its being much more than a statement, and more something that needs intention and action.

[171] **Janice Gregory:** Thank you. As I said to the previous presenters—so I did give you some prior warning—we are looking for recommendations, and so we have asked all our presenters to give us one overriding recommendation that they would like to see included in our report. Have you managed to think of one?

[172] **Mr Jones:** Yes, probably quite a few.

[173] **Janice Gregory:** We have had up to 20, but we can only accept one.

[174] **Mr Jones:** In terms of what the Welsh Assembly Government can do in putting aside the definition and issue of children's rights and equal protection—equal protection is really important in this debate and needs to be included. It is about asking what provision is made

and what ongoing support there is for a young person who has experienced domestic abuse and has come out of a refuge, if they have been in a refuge, to begin to deal with the things that they have witnessed and overcome such issues. Some of that might come out of the review of child and adolescent mental health services, but we need to be clear about who should commission these services. If it is community safety partnerships, what are they doing to involve children and young people in the development of their plans? If it is not community safety partnerships, we need to be clear about that. So, that would be our overarching recommendation.

[175] **Janice Gregory:** Thank you both. You will be sent a transcript of your evidence. You cannot take out something that you wish you had not said, but we would appreciate it if you would check the transcript for factual accuracy. We look forward to visiting you this afternoon.

[176] Moving on to the final part of our evidence-gathering session this morning, I welcome Cathy Davies, who is chief executive of Cymdeithas Tai Hafan. I remind Members that we are visiting Cymdeithas Tai Hafan this afternoon.

[177] Thank you, Cathy, for your paper. I know that you have sat there patiently throughout all the evidence that has been given this morning, so you have a good idea of how we work. I wish to make this as enjoyable an experience as possible for you. It is a sincere attempt on our part to ensure that we gather as much evidence as possible. So, perhaps you would like to make a presentation on the paper that you have supplied to us, after which Members will ask you questions.

[178] **Ms Davies:** Thank you for inviting Cymdeithas Tai Hafan to present to you. Our paper is taken in the context of Cymdeithas Tai Hafan's 19 years of experience of providing services, primarily to women and children escaping domestic abuse. Therefore, our perspective on domestic abuse is primarily from a gender-based point of view in terms of the issues of power and control. However, we recognise the importance of including in that children and young people and men, who can also be victims of domestic abuse. As a result of that, we have recently changed our constitution to allow us to support men and primarily to provide support to male victims of domestic abuse, including young men, because we feel that there is an issue there.

[179] We grew out of an initiative of Welsh Women's Aid in the early days to provide longer term housing and support to women moving out of refuges primarily and, in particular, to address the multiple and complex needs that often accompany domestic abuse, including mental ill health and substance misuse in particular.

[180] We now operate across 18 local authority areas in Wales, and we intend to operate across 22 before I retire. We offer annual support to at least 700 women and over 1,000 children, so that demonstrates the range of our services. We own two refuges, which we do not run ourselves, and we are developing a refuge that we will run ourselves, and we have been asked to develop another recently. We have six young women's projects that, in particular, focus on 16 to 24-year-olds, and 16 to 18-year-olds as a priority, and I have outlined in the paper how a high proportion of those have experienced sexual abuse, in particular. We have temporary supported housing projects for women escaping domestic abuse and 17 floating support projects, which is where we support people in their own homes or across a range of tenure throughout Wales. We also host a number of other services, including a number of independent domestic violence advisers throughout Wales on behalf of domestic abuse fora, and we are the only voluntary agency in Wales working with the probation service, providing women's safety work to accompany their integrated domestic abuse programme.

11.20 a.m.

[181] We run the freedom programme, which is a behaviour-changing programme for survivors of domestic abuse, and we have developed an initiative to develop that for young people, in partnership with Sure Start, more recently. The programme that we are particularly proud of in terms of our domestic abuse preventative services is the programme that goes into schools. We have a personal and social education pack that delivers a service primarily to years 7, 8 and 9, and which raises awareness of the effects of domestic abuse on children and young people and raises awareness of the effects that domestic abuse can have with teachers, who can help to support them. We echo what the NSPCC said about the need to train teachers.

[182] We have particular concerns at the moment. Our background is in housing-related support provision, so most of our funding comes through the Supporting People funding stream. We get no dedicated funding whatsoever, except in very small amounts in some specific areas, to support the children and young people whom we house, and as I said earlier, there are over 1,000 of those a year. We have particular concerns around that.

[183] We also have concerns about the increasing push that we feel that there is from local authority Supporting People teams to provide generic services, and we wish to make a very strong case for single-sex provision, particularly for young people who have experienced domestic abuse and, especially, sexual abuse, of whom we support a fair few. We feel that those are particular priorities.

[184] **Janice Gregory:** Thank you very much, Cathy. The first question is from Dai Lloyd.

[185] **David Lloyd:** My question follows on neatly from your last point. You have indicated in your paper that some service providers are under pressure from local authority commissioners to change service provision previously aimed at women only into mixed-gender provision, and that, in the main, local authority commissioners are unwilling to commission single-sex provision. Will you expand on what you have just said and explain why resources should be targeted to increase the provision of single-sex refuge and supported housing for women? What has been the impact of local authority unwillingness to commission single-sex provision?

[186] **Ms Davies:** There is no push to change refuge provision, which is important because it is vital that women who are in crisis—and men who are in crisis, for that matter—and who need to leave their homes have a provision which is specific to them. The case has been made for many years with regard to the importance of being able to address such issues in a single-sex environment. In particular, our experience of working with women demonstrates that women can often be very frightened of the opposite sex when they are experiencing, and trying to escape from, a violent relationship, and it is very important that they are able to regain their self-confidence and self-esteem in that protected environment. That is also true of children.

[187] However, in relation to other services, including temporary supported housing that is non-refuge and the provision of floating support, that is less key—particularly in terms of temporary supported housing. As an agency, we have been asked to change our provision for young women into mixed-gender provision, and I have demonstrated in my paper that at least 50 per cent of young women whom we housed last year had experienced sexual abuse. For similar reasons, we feel that it is very important to do that in a single-sex environment. We have changed our constitution to enable us to provide services for men, and we hope to be able to provide a similar type of service for young men, because there is probably an enormous amount of undisclosed sexual abuse in that regard. That would initially need to be done in a sensitive and protective environment, to allow people to regain their self-esteem and

self-confidence.

[188] **Lesley Griffiths:** In your paper, you identify children and young people as a group for whom resources should be targeted to increase service provision. In that group, you include young people who are at risk of abusing. Can you tell us more about the needs of young people who you feel are at risk of abusing, and the provision and services that you have for them at present?

[189] **Ms Davies:** I will use my experiences of working in a women's refuge many years ago to answer that. Anecdotally, I can confirm that a large number of the young boys whom we housed in the refuge would replicate abusive behaviour, which would get worse the closer they got to being teenagers and the older they became. I am not saying that that was the case in all instances, but it was something that I witnessed at first hand, and it is something that our staff have witnessed. It is 20 years since I worked in a refuge, but our staff have witnessed the same sort of thing more recently. Currently, we have very little that is specifically aimed at the group that is at risk of abusing. We are setting up a freedom for young people partnership in Swansea, with Sure Start, through which we hope to be able to do some work on that, and we know that there are other agencies doing this kind of work—the NSPCC outlined very well the work that it is doing in this field. We feel that there is not enough provision of this kind, and we would very much like to see more of it. We do not feel that we necessarily have to do it ourselves, but we feel that there is a huge need for that preventative work.

[190] **Janice Gregory:** Thank you. I am sorry, I have lost my place because I was busy looking at something else. Somebody help me out here, please. Who is next?

[191] **Peter Black:** I am.

[192] **Janice Gregory:** Peter, that is wonderful. I was just testing.

[193] **Peter Black:** Can you tell us what can be done to increase the accessibility of services in rural and remote areas?

[194] **Ms Davies:** This is a particularly difficult question to answer at the moment, especially in the light of increasing fuel costs. We provide such services, and I will use Powys as an example because it is a particularly difficult area in which to provide services to women, or to anyone experiencing domestic abuse for that matter, as it is such a rural community. We feel that floating support is a very useful means of delivering those sorts of services because, by its very nature, it is something that goes out to the individual. However, I have to say that the current situation in terms of the fuel crisis is going to affect that in the long term, and all agencies are going to have to deal with that with some urgency. In Powys, we have reconfigured our services to centre them on specific centres of population, which will help to deal with that, but it is not going to address the issues of outlying communities very well. We do feel, however, that there is a need to increase that kind of floating, or peripatetic, outreach support for individuals, particularly in the rural areas of Powys and Gwynedd, but there are similarly difficult-to-reach areas in other communities.

[195] **Peter Black:** Some local authorities have supplemented the hostel provision, either because they do not have the resource or because it is more appropriate, by trying to make the victim's home more secure. That is used as an alternative to taking people out of their home and putting them into a hostel. Is that a solution that might be applied to a rural area, or does it depend on the individual circumstances?

[196] **Ms Davies:** It does depend on individual circumstances, but those target-hardening measures can be very helpful. We support those measures, and we work in close liaison with other agencies to ensure that they are put in place where we are supporting people. I would,

however, sound a note of caution. As an agency, we have some major concerns about the concept of panic rooms. We do not feel that they are very effective; they can actually be counterproductive.

[197] **Peter Black:** I have some concerns on that too. The issue about hostels is that they are particularly under pressure in urban areas and, in rural areas, they can be inaccessible and it can be difficult for people to keep in contact with family and friends. Do you think that the Assembly Government needs to look at providing a series of smaller hostels in rural areas to try to counter that measure? Do you think that that is a solution that we should be suggesting that the Government should look at?

[198] **Ms Davies:** We would certainly support that. There are counties that are already beginning to look at that provision. The issue that we have on that is around how you fund them, because the smaller the provision is, the less cost-effective it is. In fact, in a time of scarce resources, which is what we are all experiencing at the moment, the Supporting People funding, which is what primarily funds such provision, will not allow you to run something that has fewer than about six bed spaces because it does not work financially.

[199] **Peter Black:** That is why I suggested that the Assembly Government should look at it, because it has money.

[200] **Ms Davies:** I would agree.

[201] **Joyce Watson:** This is a sort of supplementary to Peter's question. In terms of rurality and relocating people, there are other issues about locating continuing housing, with local people feeling that they ought to have had that house rather than somebody who may have come in from outside the area. How do you deal with that?

11.30 a.m.

[202] **Ms Davies:** I have seen the development of understanding about the need for what is called reciprocity between local authorities in terms of the need to move people around because they are victims of domestic abuse. There is now a much greater understanding of that need from the housing authority and professional agencies, and that need is supported. There is, however, and you are right to point it out, still an issue of perception among the public, and it is difficult to know how to counter that other than going back to the concept of raising awareness across the board. The all-Wales strategy has started to help with that, as have all the new initiatives that have come about since the all-Wales strategy came into place and started to help raise the awareness of the public. There is always an awful lot more to do in that regard.

[203] There is another issue for providers like us, which is accessing housing for those who have been in temporary supported housing, in refuge or in our young women's projects, because there is a decreasing amount of social housing available for people when they need to move on from housing-related support provision. This is an issue that is being tackled by the Assembly Government and by local authorities, but it is difficult to find convenient solutions. We have one project that works with private sector landlords to convince them to house—and this is in conjunction with the young women's project in north Wales—vulnerable young people who are in need of support, where we will go in and provide that support and support the landlord as well. That is working well, and we would like to see it replicated elsewhere, because we are in a situation where we have to use the private sector, and this helps upskill the private sector in terms of its knowledge of the needs of those people, but it also helps to increase awareness of the need for good-quality private sector housing, which has been an issue historically.

[204] **Joyce Watson:** Moving on from that, but in the same direction, we know that there are issues for some particular people affected by domestic abuse, including disabled children, the children of disabled mothers, excluded children, women from black minority ethnic communities and young people aged 14 and over. On the basis of your experience, are there any other groups, apart from those that I have named, of people who find it particularly difficult to access services that meet their needs that we need to be aware of?

[205] **Ms Davies:** You have highlighted between you the geographical issues for those living in rural areas to do with the accessibility of services. Other than that, I think that that sounded fairly comprehensive. I would stress that I do not think that any of us have yet started to tackle the issues around people with disabilities who are experiencing domestic abuse in its widest context, and I would also include learning disabilities within that. We forget at our peril that client group and the needs of those individuals, who are at huge risk, both from carers and other individuals.

[206] **Mark Isherwood:** To slip in a supplementary, following on from the questions about generic services, when I visited your young women's project in Rhyl, I noticed that there were male visitors there at the invitation of some of the residents. Where do you draw the line and how do you define that barrier?

[207] **Ms Davies:** It is important to see any abuse in the context of society, and we do not live in a single-sex society. We have no intent, therefore, in single-sex provision to exclude people of the other sex. Rather, it is about trying to create as safe an environment as you can to enable people to rebuild their self-confidence. So, we allow them to have male visitors, and they do so. As an aside, one of the reasons why we have chosen to change our constitution is because, by default, we were supporting an awful lot of young men who would be visitors to our projects and who had needs of their own. We draw the line at residency; they can have visitors, but those visitors cannot stay and cannot live there. That is the line that we draw.

[208] **Mark Isherwood:** Briefly, you mentioned Supporting People, what is your current view of the direct payment of Supporting People revenue grant and how important, or otherwise, that is?

[209] **Ms Davies:** Do you mean direct payments to us?

[210] **Mark Isherwood:** Yes.

[211] **Ms Davies:** As you will be aware, there is a proposal at the moment to transfer the Supporting People revenue grant to local authority administration. We currently have seven contracts with local authorities to provide services to them where they receive the SPRG. One concern that we have is that, although we value our partnerships very much, we feel that we are less able to use our own uniqueness in the provision, in that what we do is determined very clearly by the authority. We would, therefore, be very much in favour of SPRG and its administration being retained within the Assembly Government, with a very strong guide from the Assembly Government as to the specification and tariff.

[212] **Mark Isherwood:** I will now move to the scripted question, which repeats a question that was previously asked of the NSPCC. A number of witnesses have praised the outcomes of schemes targeted at people who are assessed as being at high risk of abuse, but concern has been expressed about insufficient support for those who have not been assessed as being at high risk. To an extent, you have already endorsed the NSPCC response in terms of teachers, but do you have any other opinions or views on this that you would like to share with us?

[213] **Ms Davies:** We, as an agency, support people who run the gamut of high and low risk. Not all of our referrals are by any means domestic abuse referrals. I quoted the figure

that 98 per cent of those whom we support have been identified as experiencing abuse; interestingly, of the referrals, only 50 per cent were identified as experiencing domestic abuse. Therefore, you can see that the risk may be lower for those who are primarily identified as having some other need. So, we are already supporting those people who are at risk. I know that other providers, such as Women's Aid, will provide support at all levels, not just to those who are at high risk of domestic abuse. This goes back to general awareness raising. We need to be increasing awareness among all professionals of the need to identify any signs at the earliest possible instance.

[214] **Mark Isherwood:** Who should deliver that awareness training?

[215] **Ms Davies:** I would obviously include us as an expert body, but both we and Women's Aid are in a good position to do that, and are doing that in many areas.

[216] **David Lloyd:** Turning to planning and commissioning arrangements, you have suggested in your paper that current planning and commissioning arrangements do not support the effective implementation of the Assembly Government's domestic abuse strategy. Two points follow from that: what are the main problems with the current arrangements for commissioning, and how would formalisation of the domestic abuse forum and domestic abuse co-ordinator, coupled with a requirement for all counties in Wales to produce a domestic abuse strategy, address these problems?

[217] **Ms Davies:** One of the issues has already been alluded to by the criminal justice board and the CPS, and that is consistency. Domestic abuse may have local variances but, on the whole, it is pretty much the same anywhere. However, there is a huge variance between the services in each local authority area. To my knowledge—and I am sure that you will correct me if I am wrong—the domestic abuse forum has no formal role within the structure. It answers to the community safety partnership, but that is not formalised anywhere, nor is the role of the domestic abuse co-ordinator. It is not standardised with regard to salary, job description, or employment. Domestic abuse fora can be hosted by the police or local authorities, while others are independent; some are registered charities. So, there is a huge variance in this. Standardising that and having a standardised and consistent approach across Wales will assist the Assembly in delivering services much better.

[218] **Lesley Griffiths:** In your paper, you give a list of recommendations, and I know that the Chair will ask you at the end which you think we should include. One of them is that dedicated funding should be set aside to support the provision of specialist services to children and young people. What do you think would be the advantages of having a dedicated funding stream, and how do you envisage that it would work?

11.40 a.m.

[219] **Ms Davies:** To some extent, the need for a dedicated funding stream has been well outlined by the NSPCC, and I would not want to repeat what they have already said. There is a channel that I feel is not currently being used properly. Supporting People funding currently allows £37 per week to provide for support to children; that is per family, I hasten to add. It is not a huge amount, and could be increased. There are a large number of housing-related support providers here in Wales, supporting people. We, along with Women's Aid, are probably the biggest providers, but there are others that will be supporting people experiencing domestic abuse across Wales. Were that allowance increased to create a much more robust funding stream, it could assist greatly. So, that is certainly one stream that could be put in place.

[220] **Mark Isherwood:** You report that just 25 per cent of domestic violence cases are pursued through the criminal justice system. You have made a case for more resource going

to agencies working outside the criminal justice system. However, what are the reasons for that underreporting? That has been highlighted in the Assembly this week, as you are probably aware. What can be done to increase the number of people who feel able to report matters to the police?

[221] **Ms Davies:** This is a huge subject, to be perfectly frank, and it would take a long time to outline all of the reasons why people do not go through the criminal justice system, or choose not to. Not the least of those reasons are the wish to avoid going public, discrimination, and the reactions of courts, which are still negative. I will give one piece of anecdotal evidence from one of the IDVAs that we host, who recently told me that a judge—it may have been a magistrate—asked a woman whom she was supporting through court, ‘How do I know that you have not caused these injuries yourself?’. These were very clear, physical injuries. That sort of response will not encourage people to come forward into the criminal justice system. The role of the IDVA has been helpful, but I have views about how it has been put in place, the inconsistency of funding, the difficulty of funding it, and the fact that you already had an agency doing a lot of this support—namely, Women’s Aid. Perhaps some thought could have been given to funding Women’s Aid to provide this role, rather than bringing in a separate one, although that is a very personal view.

[222] So, to improve the conviction rate, or the reporting rate, would require a multi-agency approach, and a much greater openness from all of us to assist people to go through the system. It is not easy. However much you try to encourage people, there will always be a large proportion that do not wish to do that. I am not sure that you will ever get everyone reporting.

[223] **Mark Isherwood:** Do you think that there are different issues relating to domestic abuse and domestic violence where the perpetrator is a family member or someone living in the home with you, or a friend or a neighbour, and those where it is a stranger being abusive or violent?

[224] **Ms Davies:** I do not have the research evidence to support this, but I would assume that it is easier when it is a stranger. Someone very close to me was sexually abused by a stranger, and did report it, and found it easier to report because it was not someone whose relationship would have an impact on the rest of that person’s social and family life.

[225] **Janice Gregory:** In your paper, you mention the Spectrum project, and I would like to take us down that road. Could expand on the Spectrum project, which seems very interesting, from what I have read? Perhaps you could talk about the role of the peer educators in delivery.

[226] **Ms Davies:** The Spectrum project arose from a piece of work at our tenth birthday party in 1999, which was done by some of the young people whom we were supporting. It was a very strong piece of theatre, which raised the spectre for them of how stigmatised and isolated they felt, having had to leave their homes because of domestic abuse, and how they felt they were not being understood, particularly in the school by either their peers or their teachers. This led to us deciding that we needed to do something about it. Interestingly, a European funding stream was laid on my desk the day after the conference, for which we applied for money, and we were able to develop a personal and social education pack, which was developed in line with the PSE framework that was coming in at the time—this was in 2000-01. That pack is primarily to deliver services to years 7, 8 and 9. We were then lucky in obtaining money from Comic Relief for three years to take that into schools.

[227] It is a modular pack; it has six modules, but it primarily centres around three, namely belonging, relationships, and family. It is not detailed in its description of domestic abuse—it raises awareness, but it does not do it in an extreme manner; it is quite gentle. The pack could

be used, for instance, with bullying, because, after all, bullying is a form of harassment, which is also a form of abuse. It has proved extremely successful in the schools where we have delivered it. We only had money for one member of staff for three years; she was doing her level best to deliver throughout Wales, but was having some difficulties, as you can imagine, visiting all secondary schools.

[228] We now have further money from Comic Relief to take this throughout Wales, and a small amount of funding from the Assembly, which is supporting that work. We are now more able—we have four schools liaison officers who go into schools and deliver workshop sessions to children, teachers and whole-school groups. That work is being very well-received, and we would very much like to expand it. We have been talking to other agencies about including issues around honour-based violence within that, because there is a concern that that is not currently covered in our pack. Although we are currently delivering services to year 6, which is the top year of primary school, through Crucial Crew events, we are not getting through to the younger children, and we feel that we should be, because there is a capacity to raise awareness among them.

[229] As I say, it is quite a gentle way of doing it, because one of our concerns is that we do not want to raise alarm bells among teachers. Again, it has already been outlined that there is some concern about dealing with domestic abuse in schools, because people feel that they do not understand the issue. There is a huge need to train teachers as part of their postgraduate certificate in education, or their degree courses, which currently does not happen—they get a small amount of training on child protection, but nothing on domestic abuse. We believe that that is vital.

[230] **Janice Gregory:** If children and young people disclose, as part of the Spectrum project, that they have either witnessed domestic abuse or have been victims themselves, what support can be given to those children and young people?

[231] **Ms Davies:** First, our staff are trained teachers and specialists in domestic abuse, so they themselves understand the issue. Therefore, if the disclosure takes place during a session, or at the end of a session, which does happen, they are clear with the young person that they cannot keep this information to themselves—it is not a confidential matter—and that they have to refer it on. They refer it on through the school's own systems, which will mainly be to the child-protection-identified individual in a school; that is sometimes a senior teacher, and sometimes it is not. We hand out cards for Childline, the domestic abuse helpline, and the notyourfault.org website, so that children and young people who wish to disclose at that point have information as to how to deal with issues that they may be experiencing, or, if they know someone who is experiencing or witnessing domestic abuse, they can do something about it outside the classroom.

[232] **Janice Gregory:** Is the programme being evaluated, and, if so, what are the outcomes?

[233] **Ms Davies:** It is not being evaluated at the moment, primarily because we do not have the resources to do it. However, we are keen to try to get it evaluated by Estyn, or whoever is the appropriate agency to do that; we would very much like that to happen, so that we can have an external evaluation.

11.50 a.m.

[234] **Janice Gregory:** From what you have said and from what I have read about it, Spectrum sounds vital in the work that it does in schools and even with younger children. What would be the challenges in delivering that programme outside of the school setting?

[235] **Ms Davies:** We already deliver in some youth club settings. We only have three full-time school liaison officers, so we cannot do a huge amount of that work, because we are already fairly strapped with the work that we are doing in schools. However, we deliver in some of those settings, and we have rewritten some of the modules in order to make them more applicable to those more informal settings. The challenges are around the informality of other settings; it is much easier if you have a captured audience in a classroom with a teacher sitting in the back, because they are much more likely to take note and it would become formalised and also, hopefully, then followed up.

[236] Going back to the question about awareness raising, one piece of work that could be done is to work with youth workers, because I am not aware of them having any training on domestic abuse. I chair a youth project and our staff do not receive that training. So, youth and community-work courses that are undertaken could include an element of training and raising awareness of the effects of domestic abuse and how to highlight and note it.

[237] **Janice Gregory:** Thank you; that is interesting.

[238] **Joyce Watson:** You have expressed concerns in your paper about the development of perpetrator programmes that are neither accredited nor accountable. Can you tell us more about those concerns and how we might be able to address them? You have also linked those concerns to the concerns of perpetrators in a shared living context, so can you tell us more about that link, because I believe that they do go together?

[239] **Ms Davies:** They do, I agree with you entirely. I would like to clarify that I do not include the NSPCC programme, which has been outlined here, in our concerns at all, because we are aware that the safety framework that we talk about in our paper is in existence and that this, by no means, applies to all perpetrator programmes in the community. However, we are aware that there are some community perpetrator programmes run by agencies that do not have a safety framework, and by that I mean particularly the work with the woman or the victim—male or female—of domestic abuse where the partner is taking part in a perpetrator programme. That is a particular concern for us, because we feel that that is key and must work alongside any work with perpetrators. The risk to a victim—a survivor of domestic abuse—is greater when someone is going through a perpetrator programme.

[240] I am also aware of at least one initiative where there is a proposal to develop a shared housing context for perpetrators, and that is a concern for us. I would take it from the child protection perspective and the work that has been done with child abusers, where it is clearly noted that if you put abusers together, they are likely to feed off each other, and that increases the possibilities for further abuse, rather than decreasing them. We feel that this is not positive. We are not saying, 'Do not support perpetrators', but what we are saying is that doing it in a shared living or shared housing context is not appropriate.

[241] **Janice Gregory:** Thank you, Cathy, for your evidence this morning; it has been very interesting, as has the evidence of all of our presenters. You will be sent a transcript of today's meeting; please check it for factual accuracy.

[242] Finally, do you have one recommendation that you would like to see in this report?

[243] **Ms Davies:** It will not come as a surprise that, for us, appropriate funding for preventative work within schools is key. We would hope that that would be through the Spectrum pack, but if it is not, we would hope that that work is properly and adequately funded, because this is key in attempting to prevent domestic abuse in future generations.

[244] **Janice Gregory:** Thank you. The meeting is now coming to a close. I thank the staff of the North East Wales Institute for providing us with these marvellous facilities and for the

easy way that we have been able to deal with them in organising today's meeting.

[245] The next meeting is on Thursday, 17 July, at 1.30 p.m., when we will be taking further evidence for this inquiry from the Children's Commissioner for Wales, BBC Children in Need and the Dyn Project. We have talked this morning about men in domestic abuse situations and that is what the Dyn Project is about.

[246] Thank you all for your attendance. It is lovely to see so many people in the public gallery; thank you for taking the time to be here with us. I declare the meeting closed.

Daeth y cyfarfod i ben am 11.56 a.m.
The meeting ended at 11.56 a.m.