

Violence Against Women and Girls Snapshot: Fourth edition

February 2024

About EVAW

The End Violence Against Women Coalition (EVAW) is a leading coalition of more than 150 specialist women's support services, researchers, NGOs and other experts working to end violence against women and girls in all its forms. Established in 2005, we campaign for every level of government to adopt better, more joined up approaches to ending and preventing violence against women and girls, and we challenge the wider cultural attitudes that tolerate and condone this abuse.

www.endviolenceagainstwomen.org.uk

Acknowledgements

This report is informed by the lived experiences of women whose lives are impacted by violence against women and girls (VAWG), and would not have been possible without the expertise, knowledge, published research and practice-based evidence of our coalition members and others in the VAWG sector.

We also want to acknowledge the work and dedication of Ruth Bashall, who sadly died in 2023. A fiercely effective and intersectional advocate for disabled women in so many spaces, she is sorely missed.

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Executive Summary

This report sets out the state of violence against women and girls (VAWG) seen in the UK across 2023 - with a focus on England and Wales.¹ We have drawn on the latest statistics, findings and insight from researchers and the specialist VAWG sector - including those led 'by and for' Black, minoritised and disabled women, to spotlight the pervasiveness of VAWG, bring important trends to light and produce an overview of the past year's key policy developments.

VAWG, which includes sexual violence, domestic abuse, stalking and harassment, female genital mutilation, forced marriage, socalled 'honour-based' abuse, exploitation and abuse of women and girls in online spaces – must be understood as a cause and consequence of gender inequality, as these forms of abuse are committed disproportionately against women and girls, and those responsible are overwhelmingly men. Women's inequality is compounded by structural oppression and discrimination experienced on the basis of race, ethnicity, disability, wealth and social class, sexuality, gender identity, religion, immigration status and age. These inequalities can drive victimisation and mean women are less likely to have access to justice and support.

¹ There is specialist work happening in the devolved nations of Scotland and Northern Ireland which have separate jurisdictions, legal contexts and political landscapes. We have provided data and a number of updates on work in these jurisdictions, but we defer to specialist VAWG organisations and EVAW members in these nations to provide a fuller picture of developments and challenges they face.

VAWG is commonly experienced as a continuum of violence,² often across women's lifetimes, that cannot be properly understood without acknowledging its interconnected instances and impacts.

Despite further turbulence in UK politics this past year,³⁴⁵ VAWG has remained relatively high in the public consciousness and political discourse. However, significant gaps remain in the commitment and resourcing required for the solutions called for by the specialist VAWG sector. Politicians have remained steadfastly focused on expanding criminal offences, without enough consideration of how they can be effectively enforced, and have lacked a clear vision of how to prevent VAWG from occurring in the first place. Meanwhile, the very foundations of what is needed to tackle VAWG in the UK are crumbling - public services eroded by austerity 2.0, under-resourced specialist VAWG services, a broken criminal justice system, and ongoing attacks on our human rights frameworks - the bedrock of this work.

The realities of such attacks on our human rights have been felt no more keenly than by migrant survivors. A series of anti-migrant legislative reforms, attempts to rollback universal human rights

 ³ Walker, P. (2023). <u>Braverman's sacking brings down curtain on turbulent tenure as UK home secretary</u>. The Guardian
 ⁴ Morton, B. (2023). <u>Robert Jenrick resigns as immigration</u> <u>minister over Rwanda legislation</u>. BBC
 ⁵ BBC. (2023). <u>Dominic Raab: Resignation letter and Rishi</u> <u>Sunak's response in full</u>

² Kelly, L. (1988) Surviving sexual violence

protections and divisive political rhetoric is having grave consequences for many survivors in the UK, while undermining government commitments to tackle VAWG and hold perpetrators to account.⁶ Increasingly divisive rhetoric directed towards the LGBT+ community, notably seen in a recent backlash to Relationships, Sex and Health Education (RSHE), is of significant concern given the pressing need for those in power to adequately prioritise and resource the prevention of VAWG.⁷ These attacks on our rights have landed in the context of an ongoing cost-ofliving crisis, which is impacting survivors and support services alike, and continues to widen gender and other inequalities.⁸⁹ Ultimately, the realities of VAWG are laid bare in the continued scale and prevalence highlighted in the figures in this report. Furthermore, we are continuing to see deeply worrying trends in the growth and evolution of online spaces fostering misogynistic views, online abuse and its offline consequences.¹⁰¹¹

We are facing a crisis of public trust in our politicians and public institutions' ability to tackle VAWG. A recent YouGov poll

⁶ EVAW (2023). <u>Government passes Illegal Migration Act shortly</u> <u>after its Bill of Rights is shelved</u>

⁷ EVAW (2023). <u>Don't politicise Relationships, Sex & Health</u> Education, 50+ VAWG experts warn

⁸ Women's Budget Group (2022). <u>The gendered impact of the</u> <u>cost-of-living crisis</u>

⁹ Institute of Race Relations (2023). <u>BME statistics on poverty and</u> <u>deprivation</u>

¹⁰ Milmo, D. (2023). <u>Al-created child sexual abuse images</u> <u>'threaten to overwhelm internet.</u> The Guardian

¹¹ Stevenson, P. (2024). <u>Sexual Assault in the Metaverse</u>. Byline Times.

commissioned by EVAW found that 68% of the public believe the government should be doing more to tackle VAWG, while 50% do not trust (very much or at all) the police to tackle VAWG, and 46% do not trust schools (very much or at all) to tackle sexual abuse that occurs on site.¹² In order to shift low levels of public trust, reduce the prevalence of VAWG and improve outcomes for survivors of abuse, we believe there must be coordinated cross-government work to address the underlying drivers of men's violence against women, with a focus on ending and preventing abuse.

It was therefore positive to see evidence of some green shoots of hope this past year. In the face of the ever-evolving online landscape, we finally saw the Online Safety Act pass into law, which, following sustained campaigning from the VAWG sector,¹³ now names women and girls and requires Ofcom to develop guidance for tech companies to reduce VAWG.¹⁴ We also saw the rollout of Operation Soteria (a new model for investigating rape),¹⁵ which has been the most promising development from the government's two-year Rape Review, and progress with public

¹² YouGov and End Violence Against Women Coalition (2024). <u>New Snapshot report finds lack of trust in institutions to tackle</u> <u>VAWG</u>

¹³ Namely led by a coalition of experts including EVAW, Glitch, Refuge, Carnegie UK, NSPCC, 5Rights and Professors Clare McGlynn and Lorna Woods,

¹⁴ Department for Science, Innovation and Technology (2023). <u>Press release: Online Safety Bill bolstered to better protect</u> <u>children and empower adults</u>. Gov.uk

¹⁵ National Police Chiefs Council (2023). <u>Op Soteria rolled out</u> across England and Wales

attitude campaigns from the <u>Home Office's 'Enough!' campaign</u>, the <u>Welsh Government's 'Sound' campaign</u>, the <u>Mayor of</u> <u>London's 'Maaate' campaign</u>, and the <u>Mayor of West Yorkshire's</u> <u>'Just Don't' campaign</u>.

With the 2024 general election on the horizon, we call on politicians and policy makers to build on these positive green shoots by centring survivors and listening to the specialist VAWG sector and the priorities we set out in our joint manifesto.¹⁶ The manifesto makes the case for a comprehensive, whole-society approach to tackling VAWG that looks beyond the criminal justice system and centres those who face the greatest barriers to support and protection.

The manifesto recommendations will help ensure we:

- Protect the human rights frameworks needed to tackle VAWG by preserving and promoting domestic and international human rights and equalities legislation, including upholding the principle of universal human rights.
- Put prevention front and centre, including:
 - Adopting a public health approach to preventing VAWG, including funding and delivery of multi-year, long-term effective public communication campaigns and community responses that challenge harmful social norms and perpetrator and bystander behaviour.
 - Strategic investment to prevent and respond to VAWG in all schools and higher education settings, including the delivery of a Whole School Approach. This should

¹⁶ EVAW et al. (2023). <u>A Whole Society Approach to Ending</u> <u>Violence Against Women and Girls: VAWG Sector Manifesto.</u>

include sufficient investment in school staff to enable training, resourcing and dedicated capacity for RSHE/RSE delivery, and dedicated funding for specialist local VAWG services, including 'by and for' organisations, to design and implement prevention interventions (see recommendations from EVAW's report 'It's #AboutTime: – A Whole School Approach to Ending Violence Against Women and Girls').¹⁷

- Create a safe online world, free from VAWG and the societal attitudes which underpin it, by making a commitment through legislation and other mechanisms to better address online VAWG - with a preventative, holistic and intersectional approach. Solutions should focus on safety-by-design and product security and require accountability and transparency from tech companies within a human rights framework. It should also be future-proofed to tackle emerging harms.
- Ensure access to support and justice for all survivors, embedding the specialist women-led and 'by and for' sector's practice of intersectionality to meet the needs of all women and girls and the intersecting forms of oppression they face. This includes:
 - Migrant survivors by dismantling 'hostile environment' policies. This would include scrapping the No Recourse to Public Funds condition, introducing a 'firewall' to block data-sharing between statutory agencies and immigration, widening access to models of protection like the Domestic Violence Rule and Destitution

¹⁷ EVAW (2023) I<u>t's #AboutTime: – A Whole School Approach to</u> Ending Violence Against Women and Girls.

Domestic Violence Concession, and removing reservations on the Istanbul Convention.

- Those who face communication barriers by implementing the recommendations from the sector's 'Listen to Us!' report.¹⁸
- Support the sustainability of the specialist VAWG sector, including 'by and for' services, by reforming the current competitive funding and commissioning landscape, and delivering a secure, national, multi-year funding settlement that is accessible to these services. This must include national ring-fenced funding for specialist services led 'by and for' Black and minoritised women, Deaf and disabled women and LGBT+ survivors.
- Resource and reform public institutions from housing to health, the welfare system, children's social care and the criminal justice system - so they are better able to prevent and respond to VAWG and to ensure a whole-society approach. This includes:
 - Reforming the criminal justice system's response to VAWG, per the recommendations set out in our briefing <u>'Government's End-to-End Rape Review: Two Years</u> <u>On'</u>.¹⁹

 ¹⁸ EVAW et al (2023). Listen to Us! Communication barriers: how statutory bodies are failing Black, minoritised, migrant, Deaf and disabled women and girls victim/survivors of VAWG.
 ¹⁹ Centre for Women's Justice, EVAW, Imkaan and Rape Crisis England and Wales (2023). What's Changed? Government's Endto-End Rape Review - Two Years On.

 Improving the response from health, housing, family courts and social care via recommendations set out in the joint VAWG sector manifesto.²⁰

²⁰ EVAW et al. (2023). <u>A Whole Society Approach to Ending</u> <u>Violence Against Women and Girls: VAWG Sector Manifesto.</u>

Introduction

As we head towards a general election, it is an opportune moment to reflect on the work that took place in the last year to tackle VAWG. This report will highlight data on the prevalence of VAWG, amplify the experiences of survivors and the services that support them, and explore the realities of the ever-expanding world of online abuse and misogyny. It will outline the grave funding realities for the VAWG sector, felt most acutely by specialist 'by and for' services,²¹ against a backdrop of cashstrapped public services²² and crumbling systems which form a vital part of the infrastructure needed to tackle VAWG - and how this has all been compounded by the cost-of-living crisis.

In light of this reality, VAWG has consistently received public and media attention and remains high on the political agenda. Indeed, it is now recognised as a national threat and strategic policing

²¹ We use the term 'by and for' to describe services which are run 'by and for' the communities they serve, such as for Black and minoritised women, Deaf and disabled women, and LGBT+ survivors. They offer a uniquely empowering experience to the communities they support, as the client group is reflected in staffing, management and governance structures of these organisations. Specialist 'by and for' services have emerged as distinct from wider specialist VAWG services in that they are led by, and seek to support, further minoritised and marginalised groups. They respond to the marginalisation of the communities they support, who face additional forms of structural inequality (racism, homophobia, classism, Islamophobia etc) alongside misogyny, sexism and violence.

²² Hall, R. (2023) <u>UK public services in 'doom loop' due to short-</u> term policies, thinktank warns.

priority for the first time.²³ Furthermore, while we have seen a slew of new government policies and legislative plans related to VAWG, these have tended towards expanding criminal offences, with little focus on prevention and a lack of resourcing required for meaningful impact. This absence of a holistic and whole-society approach to tackling VAWG - often mirrored in proposals from the opposition - has been compounded by government attacks on our collective human rights; attacks which undermine its commitments to tackling VAWG.²⁴ The increase in this divisive rhetoric and legislation, most notably regarding migrant survivors, raises serious concerns about the direction of travel.

All women and girls deserve to see the end of this year without their lives changed or taken by violence. As such, this report concludes with a series of recommendations which call for a comprehensive, whole-society approach to tackling VAWG that looks beyond the criminal justice system and centres those who face the greatest barriers to support and protection.

 ²³ Home Office (2023). <u>The Strategic Policing Requirement</u>.
 ²⁴ EVAW's Save Our <u>Rights campaign</u>

Recent Trends

The political agenda: Violence against women and girls in focus but not delivering on prevention

VAWG has remained a relatively prominent issue on the political agenda, with a number of new UK government policy announcements and legislation, a commitment from Labour to halve the prevalence of VAWG in ten years should they come to power,²⁵ and a commitment from the government in Northern Ireland to develop a Violence Against Women and Girls Strategy.²⁶ It has been encouraging to see some significant public attitude campaigns in 2023, with additional outputs from the government's 'Enough!' campaign,²⁷ and the Welsh Government's 'Sound' campaign,²⁸ and a series of locally driven campaigns such as the Mayor of London's 'Maaate' campaign²⁹ and the Mayor of West Yorkshire's 'Just Don't' campaign.³⁰ However, the vast majority of the government's approach and wider political work has had a narrow criminal justice focus, and even within this remit has often focused on bringing in new criminal offences rather than committing to the systemic transformation and resourcing needed to improve the experience of survivors who report abuse to the police.

²⁵ Neame, K. (2023). <u>Revealed: Full final policy platform set to</u> <u>shape next Labour manifesto</u>

²⁶ The Executive Office (2023). <u>Consultation on a Strategic Framework to End Violence Against Women and Girls & Foundational Action Plan</u>

²⁷ <u>Home Office's Enough campaign</u>

²⁸ Welsh Government's Sound campaign

²⁹ Mayor of London's Maaate campaign

³⁰ Mayor of West Yorkshire's Just Don't campaign

This current approach is unlikely to transform the reality of survivors' experiences within a crumbling criminal justice system, nor is it inspiring much faith from the public - with 68% of the public believing the government should be doing more to tackle VAWG.³¹ Essentially, the current response does not represent the whole-society approach needed to end VAWG.³² For example, in February 2023 the Home Office announced a series of measures building on the 2021 Tackling violence against women and girls strategy³³ and 2022 Tackling Domestic Abuse Plan.³⁴ However, despite some welcome (but inadequate) funding commitments and recognition of VAWG as a Strategic Policing Requirement, the vast majority of these measures were criminal justice focused and limited in scope. For example, this included strengthening Clare's Law by reducing the timelines for police to disclose information, and piloting new Domestic Abuse Protection Notices

³² EVAW et al. (2023). <u>A Whole Society Approach to Ending</u>
 <u>Violence Against Women and Girls: VAWG Sector Manifesto.</u>
 ³³ Home Office (2021) <u>Tackling violence against women and girls</u>
 <u>strategy</u>

³¹ YouGov and End Violence Against Women Coalition (2024). <u>New Snapshot report finds lack of trust in institutions to tackle</u> <u>VAWG</u>

³⁴ Home Office (2022). <u>Tackling Domestic Abuse Plan</u>

and Orders in three areas³⁵ - both of which land within significant current police failings with regard to VAWG.³⁶³⁷

There has also been widescale criticism of the narrow focus and problematic elements of the Victims and Prisoners' Bill;³⁸ and despite positive components of the final Online Safety Act (see legislation section - page 47), throughout its development, the government insisted that the proposed new criminal laws were sufficient to tackle online VAWG. It was thanks to the campaigning of the VAWG sector, cross-party support³⁹ and the strength of public feeling⁴⁰ that the government conceded it needed to take more holistic and preventive steps to tackling

 ³⁸ EVAW (2023) <u>Victims and Prisoners Bill won't deliver what</u> <u>victims need</u>; Refuge (2023) <u>Refuge responds to the first reading</u> <u>of victims and prisoners bill</u>; SafeLives (2023) <u>SafeLives</u> <u>welcomes the Victims Bill, but calls on Government to not leave</u> <u>any survivor of abuse behind</u>; Women's Aid Federation England (2023) <u>Women's Aid responds to the Victims and Prisoners Bill.</u> ³⁹ EVAW (2023) <u>CAMPAIGN WIN! New Online Safety Bill</u> <u>guidance to tackle abuse of women and girls</u> ⁴⁰ EVAW (2023)<u>100,000 people call for the Online Safety Bill to</u> <u>address violence against women and girls</u>

³⁵ Home Office et all (2023). <u>Domestic abusers face crackdown in</u> <u>raft of new measures</u>

³⁶ Siti, M. (2024). <u>Police forces failing to perform Clare's Law</u> <u>checks.</u> The Justice Gap

³⁷ Oppenheim, M. (2023). <u>Revealed: Scandal of police failure to</u> protect vulnerable women. The Independent

online VAWG, and introduced guidance for tech companies to reduce harm to women and girls.⁴¹

Furthermore, it has been deeply concerning to see political commitment to the prevention of VAWG significantly undermined by a backlash to Relationships, Sex, and Health Education (RSHE)⁴² - a cornerstone of prevention work. In March 2023, we saw the government release details of its review of the RSHE statutory guidance.⁴³ The specialist VAWG sector has raised concerns about the framing of this review;⁴⁴ in particular, the fact it appears disproportionately concerned with contested claims of 'inappropriate content' being taught in schools and a handful of sensationalist headlines,⁴⁵ rather than ensuring this critical part of children and young people's education is delivering what they say they need most.⁴⁶ Despite the government stating the review would be completed by the end of 2023, at the time of publication, the public consultation had not yet been launched. Yet with 46%

 ⁴² EVAW (2023). <u>Concerns vital Relationships & Sex Education</u> review is based on contested claims and anti-LGBTQ+ rhetoric
 ⁴³ Department of Education (2023).<u>Press release: Review of</u> relationships, sex and health education to protect children to conclude by end of year

⁴⁴ EVAW (2023). <u>Concerns vital Relationships & Sex Education review is based on contested claims and anti-LGBTQ+ rhetoric.</u>
 ⁴⁵ Adu, A. and Adams, R. (2023). <u>Sex education review is</u>
 ⁴⁶ Sex Education Forum (2023). <u>Broken promises on RSE leave</u>
 young people unprepared - RSE Poll

⁴¹ Department for Science, Innovation and Technology et al (2023) <u>Press release UK children and adults to be safer online as</u> world-leading bill becomes law

of the public recently polled by YouGov stating they don't trust schools very much or at all to deal with sexual abuse happening on site,⁴⁷ and 80% of girls surveyed by EVAW in 2023 saying that schools need to do more to tackle sexual abuse,⁴⁸ there is a clear urgent need for the government to show leadership on delivering high quality RSHE that meets the needs of all young people. The specialist VAWG sector are clear about where prevention should sit on the political agenda,⁴⁹ and as highlighted in a report by EVAW, political will and commitment to prevention is a significant barrier to the work needed.⁵⁰

"A lot of systems in schools are so invalidating and completely downplay experiences of sexual harassment and assault." Young person, #AboutTime focus group

Crumbling foundations A broken criminal justice system

An approach to tackling VAWG with a narrow focus on new criminal laws is both unambitious and critically flawed, most

⁴⁷ YouGov and End Violence Against Women Coalition (2024). <u>New Snapshot report finds lack of trust in institutions to tackle</u> <u>VAWG</u>

⁴⁸ nfpResearch conducted, on behalf of EVAW, an online survey of 1,000 young women and 500 young men aged 16 – 18 between 3rd and 14th November 2022. EVAW (2023) <u>It's</u>
<u>#AboutTime: – A Whole School Approach to Ending Violence Against Women and Girls</u>.

⁴⁹ EVAW et al. (2023). <u>A Whole Society Approach to Ending</u>
 <u>Violence Against Women and Girls: VAWG Sector Manifesto.</u>
 ⁵⁰ EVAW (2023) It's #AboutTime: – A Whole School Approach to Ending Violence Against Women and Girls.

notably by its reliance on a criminal justice system which has been described as "on its knees" by the Victim's Commissioner in February 2024.⁵¹ EVAW, along with our members and the wider VAWG sector, has long evidenced the failures of police, prosecutors and courts to work together to deliver access to justice for survivors of VAWG.⁵²⁵³ This includes last year's Snapshot report, which outlined the extent of the crisis in the criminal justice system response, which has continued into 2023. Once again, this year has seen police misogyny, racism, homophobia and ableism laid bare by the Casey Review.⁵⁴ This sits alongside the establishment of a police taskforce dedicated to reviewing sexual and domestic abuse related misconduct within the Metropolitan Police (Operation Onyx), which has illuminated real concerns with the ineffectiveness of the current system for dealing with such abuse.⁵⁵

 ⁵¹Das, S. (2024). <u>Crime victims die while waiting for justice as</u> <u>England and Wales legal system 'on its knees</u>' Guardian
 ⁵² Centre for Women's Justice, EVAW, Imkaan and Rape Crisis England and Wales (2020). <u>The Decriminalisation of Rape: Why</u> <u>the justice system is failing rape survivors and what needs to</u> <u>change.</u>

⁵³ Centre for Women's Justice, EVAW, Imkaan and Rape Crisis England and Wales (2023). Centre for Women's Justice, EVAW, Imkaan and Rape Crisis England and Wales (2023). <u>What's</u> <u>Changed? Government's End-to-End Rape Review – Two Years</u> <u>On</u>.

⁵⁴ Centre for Women's Justice, EVAW, Imkaan and Rape Crisis England and Wales (2023). <u>What's Changed? Government's End-</u> to-End Rape Review - Two Years On.

⁵⁵ EVAW (2023). <u>Operation Onyx reassessing hundreds of Met</u> <u>Police officers for abuse accusations.</u>

Data available in 2023 has done little to improve faith in the criminal justice system to deliver the justice and safety survivors need and deserve. For example, Crown Prosecution Service (CPS) data for the year-ending September 2023 showed marginal progress in charging cases of domestic abuse (47,881) along with a slight increase in police referrals (69,589) compared to the year before. However, these volumes remain significantly lower than the year-ending September 2019 (59,685 and 86,665 respectively). Furthermore, the number of completed prosecutions across the year (51,323 in the year-ending September 2023 compared to 85,702 in the year-ending September 2019) and convictions (39,033 in the year-ending September 2019) remained in decline in a period where the police flagged 862,765 recorded offences as domestic abuse related.^{56 57}

Regarding rape, in the same period we saw police referrals and charging move in the right direction. However, the number of convictions remained largely stagnant when compared with the previous year, with 2,008 convictions in the year-ending September 2023. In a year where 67,938 rape offences were recorded by the police,^{58 59} this is a dire benchmark.

⁵⁶ Office for national Statistics (2024). <u>Crime in England and</u> <u>Wales: year ending September 2023.</u>

⁵⁷ Crown Prosecution Service (2024). <u>CPS data summary Quarter</u> <u>2 2023-2024.</u>

⁵⁸ Office for National Statistics (2024). <u>Crime in England and</u> <u>Wales: year ending September 2023.</u>

⁵⁹ Crown Prosecution Service (2023). <u>CPS data summary</u> <u>Quarter 1 2023-2024.</u>

Beyond these numbers are survivors whose lives have not only been deeply harmed by the abuse they have experienced, but also the failing systems they have turned to for support. This is a reality made all too clear by Rape Crisis England & Wales' 2023 report 'Breaking Point',⁶⁰ which highlights how the Crown Court's backlog of cases is re-traumatising rape and sexual abuse survivors. The report documents an average wait of 839 days between a survivor's first report to the police and its conclusion in court. There are numerous examples of cases being adjourned for over a year and the immense impact of this on survivors' wellbeing. This report sits alongside the findings of Operation Soteria's survivor survey, which found that three out of four of the nearly 2,000 survey respondents stated their mental health "has worsened as a direct result of what the police did, or failed to do, in their case".⁶¹ Many reported feeling "deep regret for having trusted the police with their case and wished they had never reported the crime", with 6% of respondents stating 'they are unlikely to report a rape to the police again.⁶² Similarly, the most recent victims' survey from the interim Victims' Commissioner for England and Wales, Baroness Newlove, found that 71% of respondents were dissatisfied with the police response to the crime, with over a third (34%) stating they would not report a crime to the police again - rising to 37% for women and 43% for

 ⁶⁰ Rape Crisis England and Wales (2023). <u>Breaking Point.</u>
 ⁶¹ Hohl, K et al (2023). <u>Operation Soteria Bluestone Rape and</u> <u>sexual assault survivors' experience of the police in England and</u> <u>Wales Survey Report I: January – June 2023</u>. City University
 ⁶² ibid

disabled people.⁶³ It is therefore unsurprising that public trust in the police to tackle VAWG remains low, with EVAW's YouGov survey finding 50% of the public don't trust the police (very much or at all) to tackle VAWG.⁶⁴

Crumbling foundations

Scarce resources - cost-of-living crisis and austerity 2.0

In our previous Snapshot report, the cost-of-living crisis came into stark focus; a reality that continued into 2023. In November 2023, a visit from the United Nations' poverty envoy underlined the current state of poverty in the UK, stating "it's simply not acceptable that we have more than a fifth of the population in a rich country such as the UK at risk of poverty today", referring to government data showing that 14.4 million people lived in relative poverty in 2021-22 – a million more than the previous year.⁶⁵ We also know that people from certain groups are disproportionately affected by poverty, including Black and minoritised groups, children and disabled people.⁶⁶

The impact of this cost-of-living crisis on survivors and the services that support them has been well documented. Women's Aid Federation of England's 2023 'No Woman Turned Away' report illustrated the continued impact of the cost-of-living crisis -

 ⁶³ Victims' Commissioner (2023) <u>2022 Victim Survey</u>
 ⁶⁴ YouGov and End Violence Against Women Coalition (2024).
 <u>New Snapshot report finds lack of trust in institutions to tackle</u>
 <u>VAWG</u>

 ⁶⁵ Booth, R. (2023). <u>UK 'in violation of international law' over poverty levels, says UN envoy</u>. The Guardian
 ⁶⁶ Joseph Rowntree Foundation (2024). UK Poverty 2024

seeing a 4% annual rise in women without enough money to pay for essentials for themselves and their children while waiting for a refuge space.⁶⁷ A Women's Resource Centre report outlined the ways in which the cost-of-living crisis is impacting both the specialist women's sector and the survivors it supports, including an increase in demand for support services and increased complexity of needs among those seeking help, compounded by funding challenges with rising business costs such as rent bills and salaries.⁶⁸ The report describes how survivors are facing an increased risk of violence, growing poverty levels and a decline in mental health; and noted how Black and minoritised women are feeling the effects of the crisis to a greater extent on all counts.⁶⁹

In light of these challenges, the government's response to the VAWG sector's calls for an emergency pot of funding to help survivors flee abusers was welcome, with a £300,000 fund piloted to offer one-off payments to survivors.⁷⁰⁷¹ The entirety of the non-ring-fenced funding pot was allocated to survivors within five working days, illustrating the scale of need and how much more is needed.⁷² We therefore welcome a recent government

⁶⁷ Austin, J. (2023). <u>Nowhere to Turn 2023</u>. Women's Aid Federation of England
⁶⁸ Women's Resource Centre (2023). <u>The impacts of the cost-of</u> <u>living crisis on the women's sector</u>
⁶⁹ ibid
⁷⁰ EVAW et al (2022). <u>Women's organisations call for urgent</u> <u>action to address the cost-of-living crisis</u>
⁷¹ Women's Aid (2023). <u>Excellent start' as government</u> <u>announces pilot of emergency fund for domestic abuse survivors</u>
⁷² Women's Aid Federation of England (2023). <u>Emergency fund</u>

evaluation report

announcement to extend this scheme in 2024, and the continued role of Women's Aid Federation of England in administering the fund.⁷³

The cost-of-living crisis has compounded the existing funding crisis faced by specialist VAWG services - one of the most pressing challenges raised by EVAW members in our annual survey, and most acutely experienced by 'by and for' services. Research on community-based services conducted by Refuge in 2023 found that more than 4 in 5 (85%) frontline workers believe that their service is impacted by insufficient funding, 89% of frontline workers said uncertainty over future funding was impacting their service, and 64% said their service was impacted by short-term contracts.⁷⁴ Refuge also noted the impact the funding crisis, and compounding factors such as the cost-of-living crisis and the ongoing impact of the Covid-19 pandemic, is having on staff retention and recruitment;⁷⁵ a concern also echoed in the aforementioned Women's Resource Centre report.⁷⁶ The Women's Resource Centre report also notes how Black and minoritised organisations reported higher rates for every issue, including demand, staff wellbeing, and recruitment and retention.⁷⁷ This picture of a funding crisis, compounded by high demand and increasing complexity, staff recruitment and

 ⁷³ Women's Aid Federation of England (2024). Women's Aid welcomes £2 million fund to help survivors of domestic abuse
 ⁷⁴ Refuge (2023). Local Lifelines: The importance of domestic abuse community-based services

⁷⁵ ibid

⁷⁶ Women's Resource Centre (2023). <u>The impacts of the cost-of</u> <u>living crisis on the women's sector</u>

⁷⁷ ibid

wellbeing challenges, is one mirrored in Wales⁷⁸ and Scotland. A strategic review of funding and commissioning of VAWG services by the Scottish government found that the current level of funding results in limited capacity to help survivors and creates long waiting lists. The report called for a long-term funding solution that increased the range and accessibility of services available and ensured the sustainability of the specialist VAWG sector.⁷⁹

The UK Government has made some welcome funding commitments, including those outlined in its response to the Domestic Abuse Commissioner's 2022 mapping report.⁸⁰ However, in some significant cases, the funding has not been allocated appropriately. For example, the Home Office's 2023 £8.3m VAWG Support and Specialist Fund was an incredibly important endeavour, however in the absence of complete ring-fencing, a significant proportion was directed to statutory services - limiting the fund's reach to smaller, non-commissioned services led 'by and for' Black and minoritised women and other marginalised groups.⁸¹ Furthermore, a 2023 report from ROSA mapping allocation of funding in the UK for the women and girls sector found that in 2021, one third of grant funding for women

⁷⁸ Welsh Women's Aid (2022). <u>A Perfect Storm: The Funding</u>
 <u>Crisis Pushing the Welsh VAWDASV Sector to the Brink</u>
 ⁷⁹ Scottish Government (2023). <u>Violence against women and girls</u>
 <u>funding review: analysis of responses</u>

⁸⁰ HM Government (2023). <u>Domestic Abuse Commissioner's</u> <u>Report: "A Patchwork of Provision: how to meet the needs of</u> <u>victims and survivors across England and Wales" - Government</u> <u>Response</u>

⁸¹ EVAW (2023). <u>New government VAWG fund fails to reach</u> <u>services supporting the most marginalised</u>

and girls focused activity was awarded to organisations which were not women and girls organisations – adding up to \pounds 24.7 million.⁸²

Critically, despite this stark funding reality and commitments to tackle VAWG from both the Westminster government and Labour opposition, neither has committed to matching such pledges with adequate funding commitments. This is despite research this year from Women's Aid Federation of England illustrating the economic case for adequately and sustainably funding the specialist women's sector. Their research estimated that the annual economic and social cost of domestic abuse in England is £77,963,000,000, while the cost of fully funding domestic abuse services in England is £426,595,806. Fully funding domestic abuse services therefore results in a benefit of £3,898,100,000. Overall, this equates to a saving to the public purse of £9 for every pound invested in domestic abuse support services.⁸³

It is essential to situate the specialist VAWG sector in a wider picture of public services which are vital to tackling VAWG and provide survivors access to justice and safety through housing, healthcare, policing, social care and welfare. However, public services have continued to struggle to meet basic levels of demand from victims and survivors of VAWG. In September 2023,

⁸² Centre for Regional, Economic and Social Research (CRESR) and ROSA (2023). <u>Mapping the UK Women and Girls Sector and</u> <u>its Funding: Where Does the Money Go?</u>

⁸³ Davidge, S. (2023). <u>Investing to save The economic case for</u> <u>funding specialist domestic abuse support</u>. Women's Aid Federation of England

Birmingham council issued a section 114, followed by Nottingham council in November - effectively declaring themselves bankrupt.⁸⁴ These deeply worrying developments have come with warnings that other councils could follow suit, with 1 in 5 council leaders and chief executives in England surveyed by the Local Government Association thinking it is very or fairly likely they will need to issue a Section 114.⁸⁵ This is a real concern for the specialist VAWG sector - both in relation to local authority funding for their vital services, and because it is the women's sector who are picking up the pieces of a weakening public infrastructure, with 36% of organisations reporting increasing difficulties for their service users accessing statutory services.⁸⁶ The impact of austerity has been deemed by the Women's Budget Group and Oxfam to be a form of gender-based violence,⁸⁷ and substantially undermines the government's commitments to tackle VAWG.

In response to this backdrop, Agenda Alliance and Changing Lives published their 2023 report 'Dismantling Disadvantage: Levelling up public services for women with multiple unmet

⁸⁴ Forsyth, A. (2023). <u>Councils in England warn of growing</u> <u>financial crisis.</u> BBC

⁸⁵ Local Government Association (2023). <u>Section 114 fear for</u> <u>almost 1 in 5 council leaders and chief executives after cashless</u> <u>Autumn Statement</u>

⁸⁶ Women's Resource Centre (2023). <u>The impacts of the cost-of</u> <u>living crisis on the women's sector</u>

⁸⁷ Women's Budget Group (2022). <u>Austerity is Gender-based</u> <u>Violence</u>

needs'.⁸⁸ The report outlines the relationship between public service provision and growing societal inequality, and documents how public services are overstretched and struggling - grappling with the triple-shock of over a decade of austerity, the Covid-19 pandemic, and the cost-of-living crisis. The report draws attention to how women at the sharpest edge of inequality are being systematically failed by the services that should be supporting them and provides a timely assessment of the ways in which public services can be reformed to better meet these women's needs.⁸⁹

Crumbling foundations:

Ongoing threats to our human rights and divisive rhetoric Women's right to live free from violence is inextricable from the principle of the universality of human rights - the bedrock of our work to tackle VAWG. Yet despite this reality, the UK Government has continued to impede its own commitment to tackling VAWG by undermining this principle. We identified this trend in last year's Snapshot report and we have seen it continue at pace into 2023, with divisive immigration policy dominating political discourse and legislation.

In May 2023, after significant challenge from the VAWG and human rights sectors on the harm of scrapping the Human Rights

 ⁸⁸ Agenda Alliance and Changing Lives (2023). <u>Dismantling</u>
 <u>Disadvantage: Levelling up public services for women with</u>
 <u>multiple unmet needs</u>.
 ⁸⁹ ibid

Act,⁹⁰ the government shelved its so-called Bill of Rights. However, the threat to human rights protection remains, as many of the objectives of the much-maligned Bill of Rights have reappeared in other legislation. For example, the UK Government extended the remit of the former Victims Bill, which has become the Victims and Prisoners Bill, and under the veil of tackling VAWG, are seeking to disapply section 3 of the Human Rights Act (HRA)⁹¹ to the legislative framework governing offenders across England and Wales.⁹² Similarly, in passing the so-called 'Illegal' Migration Act - the UK Government could not state it was compatible with the European Court of Human Rights (ECHR) and disapplied part of the Human Rights Act.⁹³

This deeply worrying direction of travel appears set to continue, with ongoing threats to the ECHR seen in the Rwanda Bill (see page 55) and signalling from some Ministers.⁹⁴ These threats to the universality of human rights are heightened by a building anti-migrant and anti-LGBT+ rhetoric in political discourse. In this vein,

⁹⁰ EVAW et al (2022) <u>Women's Rights are Human Rights: How</u> the Bill of Rights harms the fight to end violence against women

⁹¹ Section 3 of the Human Rights Act requires anyone interpreting laws to do so in a way that is compatible with human rights "so far as it is possible to do so", including courts, public authorities and tribunals

⁹² Liberty (2023). Liberty's briefing on the human rights act and the Victims and Prisoners Bill for second reading in the house of Commons.

⁹³ Joint Committee on Human Rights (2023) <u>Legislative Scrutiny:</u> <u>Illegal Migration Bill.</u>

⁹⁴ Savage, M. (2023). <u>Suella Braverman makes fresh attack on</u> <u>European court of human rights</u>. The Guardian

it is concerning to see rhetoric which seeks to weaponise VAWG or pit women's rights against other inequalities. The former Home Secretary's inflammatory and inaccurate comments about grooming gangs in April 2023 are a prime example of this and a narrative we vehemently oppose.⁹⁵⁹⁶ It is essential that the government situates tackling VAWG within a human rights framework, and shores up, rather than attacks, this essential bedrock of our work to tackle VAWG.

The reality VAWG prevalence

While we continue to grapple with the shortcomings of the state response to VAWG, survivors and wider society continue to suffer the effects of VAWG on a vast scale, as highlighted by 2023 data and survivor research outlined below.

Sexual violence and harassment

Latest estimates from the Crime Survey for England and Wales (CSEW) for the year ending March 2023 showed that 2.1% of people aged 16 years and over had experienced sexual assault in the last year (in line with the previous year).⁹⁷ Police recorded sexual offences decreased by 3% in the year-ending September 2023 (191,186 offences) compared with the previous year

⁹⁶ EVAW supported the work of Hope not Hate in 2023 to create guidance to help challenge the far-rights weaponisation of gender-based violence. Available <u>here</u>.

⁹⁵ EVAW (2023). <u>Child sexual abuse survivors' experiences must</u> not be weaponised for racist agendas

⁹⁷ ONS (2023). <u>Crime in England and Wales: year ending</u> September 2023

(198,106 offences). However, it is important to remember that police recorded crime is only a small part of the picture, with CSEW data providing an estimation that fewer than one in six victims of rape report the crime to the police (and this is likely an over estimation of reporting).⁹⁸ Furthermore, when comparing current police recorded sexual offences to pre-Covid pandemic levels (e.g. the year-ending March 2020), there has been a 17% increase (163,326 offences).⁹⁹

Sexual crimes accounted for 5% of all crimes recorded in Scotland in 2022-23. The number of sexual crimes recorded by the police in Scotland decreased by 3% from 15,049 in 2021-22 to 14,602 in 2022-23, with rape and attempted rape accounting for 17% of all sexual crimes.¹⁰⁰ In the year December 2022 to November 2023 in Northern Ireland, the police recorded 1,199 cases of rape - a very slight decrease of 67 offences compared with the previous year, and 3,007 other sexual offences (a slight increase of 137 offences compared with the previous year).¹⁰¹

With regard to image-based sexual abuse, the Revenge Porn Helpline reported in 2023 that they supported over 9,000 cases the previous year, with phone calls to the helpline increasing more than three times between 2021 and 2022.¹⁰² Furthermore, a

⁹⁸ ibid

⁹⁹ ibid

¹⁰⁰ Scottish Government (2023). <u>Recorded Crime in Scotland,</u> <u>2022-23</u>

 ¹⁰¹ Police Service in Northern Ireland (2023). <u>Police Recorded</u>
 <u>Crime in Northern Ireland Update to 30th November 2023</u>
 ¹⁰² SWGfl (2023). <u>Revenge Porn Helpline 2022 Annual Report</u>

survey by EVAW found that 1 in 4 girls (24%) have shared a sexual image of themselves, and of those, a quarter (24%) said they felt pressured into it, and almost a third (31%) initially wanted to but later regretted it.¹⁰³ Internet Matters' 2023 research found that vulnerable children are disproportionately victims of image-based harassment and abuse, and that the overwhelming majority (81%) of teenagers aged 13-16 think that sharing nudes is always harmful.¹⁰⁴ 2023 also saw a Freedom of Information (FOI) request by Refuge highlight the woefully low charging rates for image-based sexual abuse.¹⁰⁵

Data from the Office for National Statistics (ONS) has shown that almost a quarter of women aged 16-24 experienced sexual harassment last year, with younger women more likely to experience harassment.¹⁰⁶ This mirrors findings from various reports from the women's sector this past year documenting the sexual harassment experienced by girls and young women, and how these experiences are racialised for Black and minoritised young women. Plan UK's report on girls' experiences of sexual

¹⁰³ nfpResearch conducted, on behalf of EVAW, an online survey of 1000 young women and 500 young men aged 16 – 18 between 3rd and 14th November 2022 EVAW (2023) <u>It's #AboutTime: – A</u> <u>Whole School Approach to Ending Violence Against Women and Girls</u>.

¹⁰⁴ Internet Matters (2023). "<u>It's really easy to go down that path":</u> Young people's experiences of online misogyny and image-based abuse.

 ¹⁰⁵ Refuge (2023). <u>Press release: Refuge publishes data showing charging rates remain woefully low on intimate image abuse</u>
 ¹⁰⁶ ONS (2023). <u>Experiences of harassment in England and</u>
 <u>Wales: December 2023</u>

harassment, 'Everything is Racialised on Top', found that 88% of mixed-race girls have experienced public sexual harassment compared to 75% of white girls.¹⁰⁷ The report also noted that "girls and young women spoke about the double-edged sword of being more likely to experience objectification and sexual harassment, but being less likely to be taken seriously as victims when they report harassment".¹⁰⁸ Research suggests this is linked to the wider issues of racism, dehumanisation and adultification experienced by Black and minoritised girls.¹⁰⁹

EVAW's survey of young people published in 2023 found that almost a third (30%) of young women don't feel safe from sexual harassment in school, and a similar proportion (32%) don't think schools wouldn't take reports of sexual harassment seriously.¹¹⁰

¹⁰⁷ Sundaram, V., Jessop, N., Bell, B. & Jackson, E. (2022). <u>Everything is racialised on top: Black and minoritised girls' and</u> <u>young women's experiences of public sexual harassment in the</u> UK. Plan International UK.

¹⁰⁸ Brinkman, B.G., Elliott, K., Bates, S.L. and Smith, O. (2021) Centering Black Girls in Sexual Harassment Research: A Community-Based Participatory Action Research Approach.
Women & Therapy 44(3–4), pp.252–270; Harris, J. and Kruger, A.C. (2020) "We Always Tell Them, But They Don't Do Anything About It!" Middle School Black Girls Experiences with Sexual Harassment at an Urban Middle School. Urban Education; Wilmot, J.M., Migliarini, V. and Ancy Annamma, S. (2021) Policy as Punishment and Distraction: The Double Helix of Racialized Sexual Harassment of Black Girls. Educational Policy 35(2), pp.347–367.

¹⁰⁹ ibid.

¹¹⁰ nfpResearch conducted, on behalf of EVAW, an online survey of 1000 young women and 500 young men aged 16 – 18 between

Furthermore, a 2023 study from the University of Suffolk and Crimestoppers found that the majority of participants were first subject to unwanted behaviours from early puberty to their midteens.¹¹¹ This study also found that the majority of respondents felt that sexual harassment continues to pose a significant problem in the UK.

There has also been a wealth of evidence in 2023 about the realities of sexual harassment in the workplace. Welsh Women's Aid's report 'No Grey Area' found that 4 out of 5 women surveyed have experienced some form of sexual harassment at work.¹¹² Moreover, a Trades Union Congress (TUC) poll of more than 1,000 women found 3 in 5 women say they have experienced sexual harassment, bullying or verbal abuse at work – rising to almost 2 in 3 women aged 25 to 34.¹¹³

Child sexual abuse and exploitation

Based on datasets collected from 42 police forces, the Vulnerability Knowledge and Practice Programme has for the first time been able to pull together a more detailed picture of reported

3rd and 14th November 2022. EVAW (2023) <u>It's #AboutTime: – A</u> <u>Whole School Approach to Ending Violence Against Women and</u> <u>Girls.</u>

¹¹¹ Maitra, D. Allen, K. Hermolle, M and Adisa, O. (2023). <u>Sexual</u> <u>Harassment in Public Spaces: Communicating Harms and</u> <u>Challenging Perpetration.</u> University of Suffolk and Crime Stoppers

¹¹² Welsh Women's Aid (2023). <u>No Grey Area: Experiences of</u> <u>Workplace Sexual Harassment</u>.

¹¹³ TUC (2023). <u>New TUC poll: 2 in 3 young women have</u> experienced sexual harassment, bullying or verbal abuse at work. child sexual abuse and exploitation crimes across England and Wales. There were around 107,000 offences reported in 2022 – a 7.6% increase on 2021, and nearly four times higher than a decade ago. This report found that around 75% of child sexual abuse offences related to sexual offences committed directly against children, and around 25% relate to online offences of indecent images of children. Furthermore, the report found that historically, child-on-child abuse accounted for around a third of offences, whereas the data now suggests that today this is just over half.¹¹⁴ In light of these findings, the National Police Chiefs' Council (NPCC) lead for child protection, Ian Critchley, reflected on how this trend has been "exacerbated by the accessibility of violent pornography and the ease with which violent pornography is accessible to boys and, therefore, a perception that is [normal] behaviour".¹¹⁵

While the above statistics are hugely concerning, we acknowledge that children may be involved in harmful or problematic sexual behaviour but would not necessarily refer to them as perpetrators of abuse. There is also unhelpful confusion regarding young people consensually sharing nude images with other young people (which, while technically illegal, is not something that is best dealt with as a crime nor done so by the police in many cases), and non-consensual image sharing, which also takes place among young people.

 ¹¹⁴ National Policing Vulnerability Knowledge and Practice
 Programme (2023). <u>National Analysis of Police-Recorded Child</u>
 <u>Sexual Abuse and Exploitation (CSAE) Crimes Report 2022</u>
 ¹¹⁵ Dodd, V. (2023). <u>Children now 'biggest perpetrators of sexual abuse against children.</u> The Guardian

We are also likely to see a substantial increase in reporting of child sexual abuse in the coming years if plans to introduce mandatory reporting go ahead - an outcome of the Independent Inquiry into Child Sexual Abuse (IICSA)¹¹⁶ and a recommendation the government consulted on in 2023. There are significant concerns about the possible unintended consequences that a scheme of mandatory reporting could create for victims of child sexual abuse, including exposure of children to systems that have the potential to cause more harm t - especially for Black and minoritised children, the potential silencing effect caused by fear of said systems, and the need to ensure the prioritisation of the most protective response to disclosure.¹¹⁷ These concerns have been communicated with the government through the consultation process and we await next steps in 2024.

Domestic abuse

Latest estimates from the Crime Survey for England and Wales (CSEW) showed that 4.4% of people aged 16 years and over experienced domestic abuse in the year-ending March 2023.¹¹⁸ When analysing data over time, the ONS use the 16 to 59 years age range to give a comparable time series. The CSEW for the year-ending March 2023 estimated that 5.1% of people aged 16

¹¹⁶ Home Office (2022). <u>IICSA: report of the Independent Inquiry</u> <u>into Child Sexual Abuse</u>

¹¹⁷ Rape Crisis England and Wales (2023). <u>Rape Crisis</u> <u>comments on government response to the Independent Inquiry</u> <u>into Child Sexual Abuse</u>

¹¹⁸ ONS (2023). <u>Crime in England and Wales: year ending</u> September 2023

to 59 years experienced domestic abuse in the last year. Therefore, there was a significant decrease compared with the year ending March 2020 (6.1%).¹¹⁹ Further analysis is needed to explore the reasons for said decrease; the ONS notes the limitations of the CSEW to measure domestic abuse, particularly when taken in isolation.¹²⁰

The police flagged 862,765 recorded offences as domestic abuse-related in the year-ending September 2023. This represented a decrease of 4% compared with the year ending September 2022 (895,429 recorded offences).¹²¹ However, significant concerns have been raised, including by the Domestic Abuse Commissioner, about recent changes to the rules which govern how police record crime and how these may be falsely deflating police-recorded domestic abuse statistics.¹²² In Scotland, relevant crimes continue to be recorded within the 'nonsexual crimes of violence' group under the Domestic Abuse (Scotland) Act 2018. As such, 'non-sexual crimes of violence' accounted for almost a quarter (24%) of all crimes recorded in Scotland in 2022-23, with a one percent decrease from 2022-23 from 2021-22 from 69,286 to 68,870.¹²³ In the 12 months from 1st October 2022 to 30th September 2023, there were 33,229 domestic abuse incidents reported in Northern Ireland; an

¹¹⁹ ibid

121 ibid

¹²⁰ ONS (2023). <u>Domestic abuse in England and Wales overview:</u> <u>November 2023</u>

¹²² Domestic Abuse Commissioner (2024) <u>Letter to Policing</u> <u>Minister on falling police-recorded crime</u>

¹²³ Scottish Government (2023). <u>Recorded Crime in Scotland,</u> 2022-23

increase of 126 (0.4 per cent) on the previous 12 months.¹²⁴ In the year-ending March 2023, the National Domestic Abuse Helpline, run by Refuge, delivered 171,490 calls.¹²⁵

So-called 'honour-based' abuse, female genital mutilation (FGM) and forced marriage

In the year-ending March 2023, there were 2,018 so-called 'honour-based' abuse (HBA) related incidents (and 2,905 HBA-related offences) recorded by the police in England and Wales (excluding Devon and Cornwall) - an increase of 10% compared with the previous year. Of the 2,905 HBA offences, 84 were FGM and 172 were forced marriage offences. In the year ending March 2023, 19% of HBA-related offences were for controlling and coercive behaviour, 16% for assault with injury and 12% for assault without injury.¹²⁶

A Women and Equalities Select Committee inquiry into so-called 'honour-based' abuse noted the limited and inconsistent data collected by the police regarding this form of abuse, and poor understanding and identification by statutory services.¹²⁷ The report also noted how immigration status was often used by perpetrators to control survivors, and echoed calls from the

¹²⁴ Police Service in Northern Ireland (2023). <u>Domestic Abuse</u> <u>Incidents and Crimes Recorded by the Police in Northern Ireland</u> <u>Update to 30th September 2023</u>

¹²⁵ Refuge (2023). <u>Press Release: Refuge responds to ONS</u> <u>domestic abuse data</u>

¹²⁶ Home Office (2023). <u>Statistics on so called 'honour-based'</u> <u>abuse offences, England and Wales, 2022 to 2023</u>

¹²⁷ Women and Equalities Committee (2023). <u>So-called honour-based abuse</u> Inquiry

specialist 'by and for' VAWG sector for a firewall between the police and the Home Office to prevent data sharing for the purpose of immigration enforcement against victims of abuse. It also called on the government to remove the reservation of Article 59 of the Istanbul Convention, to ensure migrant women have access to the support and justice they deserve.

Femicide and survivor suicide

In 2023, Imkaan and the Centre for Women's' Justice launched groundbreaking research on the deaths of Black and minoritised women due to domestic abuse.¹²⁸ The research undertook a deep dive into the issue through an examination of detailed case studies, including 38 domestic homicides, six suicides following domestic abuse and two cases of women who killed their abusive partners. The report highlights the barriers women face when they seek help and how state failures by the police and other services, against a backdrop of intersecting race and sex discrimination, have contributed to the tragic deaths of Black and minoritised women.

Furthermore, Killed Women released their report 'You Were Told -A Voice for Killed Women' in December 2023, which highlighted the findings of a national survey for bereaved families who have lost a female relative to male violence. The survey found:

• Just 4% of respondents felt their loved one's death was 'not preventable at all'.

¹²⁸ Centre for Women's Justice and Imkaan (2023). <u>Life or Death?</u> <u>Preventing Domestic Homicides and Suicides of Black and</u> <u>Minoritised Women</u>

• Two thirds (65%) of respondents said the perpetrator had a history of violence or abuse.

At the time of writing this report, Counting Dead Women had recorded at least 100 women who were killed in 2023 in the UK in circumstances where a man or men are the principal suspect.¹²⁹

The reality

An ever-expanding world of online misogyny and harm

Although 2023 saw the Online Safety Act pass into the statute books, we also continued to bear witness to the pace at which technology and online spaces morph and develop to enable those perpetrating VAWG and foster a breeding ground for the misogynistic views which sustain VAWG on the scale we see today. These concerns were illustrated by the National Police Chiefs' Council (NPCC) in their 2023 National VAWG Strategic Threat and Risk Assessment (STRA), which named tech-enabled VAWG as one of the biggest threats to women, alongside the 'manosphere' (a network of online communities that promote misogynistic beliefs).¹³⁰

The pace of developments in Artificial Intelligence (AI) is a critical example of how technology is being utilised to enable VAWG in new and ever-changing ways which legislators, regulators and services are currently unable to keep a pace with. In October 2023, The Internet Watch Foundation (IWF) said it had found

 ¹²⁹ Ingala Smith, K. (2023). <u>At least 100 UK women are suspected</u> to have been killed by men in 2023. Counting Dead Women
 ¹³⁰ National Police Chiefs Council (2023). <u>Violence Against</u> Women and Girls Strategic Threat Risk Assessment 2023

nearly 3,000 AI-made abuse images that broke UK law, with the watchdog warning the 'worst nightmares' about artificial intelligence-generated child sexual abuse images are coming true and threatening to overwhelm the internet.¹³¹ We also recently saw the first police investigation into the virtual rape of a girl's avatar in the Metaverse (a virtual reality space where people can use an avatar to interact with other users and computer-generated environments).¹³²

All too often, the public and political narrative on AI and deepfakes has only honed in on concerns relating to the manipulation of elections, fraud and threats to national security, despite the fact the vast majority of deepfakes shared on the internet are non-consensual sexual depictions of women.¹³³ For example, a 2019 report found that 96% of deepfakes were pornographic, 99.9% depicting women.¹³⁴ In light of this, Glitch and the European Network Against Racism (ENAR) held two workshops on AI harms in 2023, noting a number of factors increasing the urgency of tackling the potential misogynistic and racist harms of AI - namely the unprecedented realism of the

¹³¹ Milmo, D. (2023). <u>Al-created child sexual abuse images</u> <u>'threaten to overwhelm internet.</u> The Guardian

¹³² Stevenson, P. (2024). <u>Sexual Assault in the Metaverse</u>. Byline Times.

¹³³ Lucas, K. T. (2022) <u>Deepfakes and Domestic Violence:</u> <u>Perpetrating Intimate Partner Abuse Using Video Technology,</u> <u>Victims & Offenders, 17:5, 647-659.</u>

¹³⁴ Deeptrace (2019). <u>The state of Deepfakes - landscape, threats,</u> and impact.

images being created, and the efficiency and accessibility of the tools available to make them.¹³⁵

The UK Government has introduced new laws relating to deepfakes within the Online Safety Act, however as outlined elsewhere in this report, there are concerns about the limited impact of an approach to such harms based on criminal offences alone. There is a need to invest attention and resource in prevention, media literacy, and holding tech companies accountable - something they have evaded to date.¹³⁶ Similarly, in a recent briefing following the government's white paper on AI regulation published in August 2023 and the government's first Artificial Intelligence (AI) Safety Summit in November 2023, Refuge raised concerns about the lack of focus on protecting women and girls from harms caused by AI, and the limitations of an approach which only seeks to create new criminal laws.¹³⁷

The Children's Commissioner has published a series of briefings and reports on children and young people's ease of access to pornography and the impact of such exposure as it relates to the perpetration and experiences of VAWG. In her January 2023 report, the Commissioner found that the average age at which children first view pornography is 13, with a substantial proportion of young people viewing it aged 11 (27%), and 10% having

 ¹³⁵ Glitch and ENAR (2023). <u>AI Deepfake Roundtable 1: Briefing</u>
 ¹³⁶ ibid

¹³⁷ Refuge (2023). <u>Amidst the excitement for AI innovation, the</u> government must not forget its responsibility for protecting women and girls.

viewed it at the age of 9.¹³⁸ The report highlighted the 'unbearable pressure' young people face to view hardcore pornography even when they don't want to, and how often these forms of pornography depict degrading acts of violence against women.¹³⁹

The Commissioner's case analysis of child-on-child sexual abuse found deeply concerning reference to specific acts of sexual violence commonly seen in pornography, and found some children themselves suggesting direct links between exposure to pornography and the abuse which took place.¹⁴⁰ Similarly, the All-Party Parliamentary Group (APPG) on Commercial Sexual Exploitation's 2023 inquiry into the pornography trade found that violence against women is prolific in mainstream pornography, and fuels sexual violence, social and political harms against women and girls, and perpetuates racist stereotypes.¹⁴¹ Both reports call on the government to do more to regulate online spaces, access to pornography for children and young people, and the industry as a whole. It was therefore a positive development to see the government announce a Pornography Review in July 2023 which will advise the government on ways to tackle the harmful impact of pornography on viewers and how abuse and exploitation is addressed in the modern industry, with

¹³⁸ Children's Commissioner (2023). <u>'A lot of it is actually just</u> <u>abuse'- Young people and pornography</u>

 ¹³⁹ Children's Commissioner (2023). Evidence on pornography's influence on harmful sexual behaviour among children
 ¹⁴⁰ ibid

¹⁴¹ <u>https://www.appg-cse.uk/wp-content/uploads/2023/02/Inquiry-on-pornography.pdf</u>

Baroness Gabby Bertin appointed in December 2023 as the independent lead reviewer.¹⁴²

The basis of all these harms is inequality and misogyny, and the online world continues to prove a fertile ground for facilitating and amplifying such harmful views. We have long known that tech companies are profiting from the proliferation of such views. In her 2023 report 'Monetizing Misogyny: Gendered Disinformation and the Undermining of Women's Rights and Democracy Globally', Lucina Di Meco illustrates how the design of the majority of digital platforms enables "the current hellscape experienced by women online", noting the role of algorithms that boost and amplify harmful narratives.¹⁴³ She also notes how women who face intersecting forms of oppression (e.g. sexism and racism) are the target of some of the most "violent, vicious gendered disinformation and online hate campaigns".¹⁴⁴ This critical point is also illustrated in Glitch's 2023 report which found digital misogynoir to be "toxic, dehumanising, and unchecked by major social media platforms".¹⁴⁵

Much of the analysis of exposure to online misogyny has focused on its impact on children and young people, most frequently

¹⁴² All-Party Parliamentary Group (APPG) on commercial sexual exploitation (2023) <u>Pornography regulation: The case for</u> <u>Parliamentary reform</u>

¹⁴³ Di Meco, L. (2023). <u>Monetizing Misogyny: Gendered</u> <u>Disinformation and the Undermining of Women's Rights and</u> <u>Democracy Globally</u>

¹⁴⁴ ibid

¹⁴⁵ Glitch (2023). <u>The Digital Misogynoir Report: Ending the</u> <u>dehumanising of Black women on social media</u>

relating to Andrew Tate, an online misogynistic influencer charged with rape and human trafficking in 2023¹⁴⁶. For example, a 2023 report by Women's Aid Federation of England found that "children and young people exposed to misogynistic social media content like Andrew Tate were almost 5x more likely than those not exposed to it to view hurting someone physically as acceptable if you say sorry afterwards". Moreover, Internet Matters found that the majority of children believe that the online world has made misogyny worse, and noted that a significant number of teenage boys have a favourable view of Andrew Tate.¹⁴⁷ They also found that an even higher proportion of dads have a positive view of Andrew Tate (a third (32%) of dads and over half (56%) of younger dads aged between 25-34); representing the significant reach that Tate and his ilk possess.¹⁴⁸

¹⁴⁶ Williamson, L. and Wright, G. (2023). <u>Andrew Tate charged</u> with rape and human trafficking. BBC

 ¹⁴⁷ Internet Matters (2023). "<u>It's really easy to go down that path":</u> Young people's experiences of online misogyny and image-based <u>abuse.</u>
 ¹⁴⁸ ibid

Key Developments

Legislation Online Safety Act 2023

Six years on from the first green paper and eight Secretaries of State later, the Online Safety Act is now law, receiving Royal Assent in October 2023. The Act appoints Ofcom as the independent regulator in charge of overseeing a risk management regime of all social media. Among other things, companies are now required to understand the risks presented by the design and functionality of their services, with, for the first time, the threat of sanctions for failings. In particular, the Act seeks to protect children from illegal or harmful content such as grooming and bullying and the promotion of self-harm and eating disorders.

The legislation aims to tackle forms of VAWG that reach a criminal threshold, such as harassment, stalking, and controlling or coercive behaviour (thanks to a campaign by Refuge), and heavily relies on criminal law as the barometer for action. However, following extensive campaign work from the VAWG sector, led by a coalition of experts including EVAW, Glitch, Refuge, Carnegie UK, NSPCC, 5Rights and Professors Clare McGlynn and Lorna Woods, the final Act does now also legislate for Ofcom to create guidance for tech companies to reduce harm to women and girls (scheduled for publication in Spring 2025).¹⁴⁹ Furthermore, we also saw the Victims' Commissioner and Domestic Abuse Commissioner added as statutory consultees for Ofcom's codes of practice.

¹⁴⁹ Department for Science, Innovation and Technology (2023). <u>Press release: Online Safety Bill bolstered to better protect</u> <u>children and empower adults</u>. Gov.uk

Victims and Prisoners Bill

The Victims and Prisoners Bill continues to make its way through Parliament, moving to the House of Lords in late 2023. As previously stated, although the Bill contains some important measures, it has inspired little confidence in its ability to suitably improve circumstances for victims and survivors of VAWG,¹⁵⁰ and concerns have been raised about the Justice Secretary's decision to expand the scope of the Bill to cover prisoners and disapply Section 3 of the Human Rights Act (HRA).

We welcomed the legislation's aim of putting the Victims' Code on a statutory footing, and the government introduced some positive amendments at Report Stage in the Commons, such as Jade's Law,¹⁵¹ a one-year trial for rape victims to request sentencing remarks free of charge (following a campaign by the London Victim's Commissioner¹⁵²), and a requirement for commissioning

¹⁵⁰ EVAW (2023) <u>Victims and Prisoners Bill won't deliver what victims need</u>; Refuge (2023) <u>Refuge responds to the first reading of victims and prisoners bill</u>; SafeLives (2023) <u>SafeLives</u> welcomes the Victims Bill, but calls on Government to not leave any survivor of abuse behind; Women's Aid Federation England (2023) <u>Women's Aid responds to the Victims and Prisoners Bill.</u>
¹⁵¹ Jade's Law: parents who kill a partner or ex-partner with whom they have children will automatically have their parental responsibility suspended upon sentencing. Ministry of Justice (2023). Available <u>here</u>.

¹⁵² London Victims' Commissioner campaign - Open Justice for All

bodies to assess local need.¹⁵³ However, many of the key priorities of VAWG organisations are still not reflected in the Bill.¹⁵⁴

Key calls for the Victims and Prisoners Bill:

- Legislative protection for migrant survivors of VAWG,¹⁵⁵ including
 - a firewall between statutory services and the Home Office;
 - a model of protection so that survivors can escape abuse, through extension of eligibility for the Domestic Violence Rule and Destitution Domestic Violence Concession to all survivors of VAWG.
- Reform for survivors of rape and sexual abuse, including
 - better protection for survivors' counselling and therapy records, with a higher legal threshold for their disclosure and the introduction of judicial scrutiny;¹⁵⁶

¹⁵³ Domestic Abuse Commissioner (2023). <u>Domestic Abuse</u> <u>Commissioner welcomes new changes to Victims and Prisoners</u> <u>Bill at Report Stage</u>

¹⁵⁴ EVAW et al (2023). <u>Victims and Prisoners Bill House of Lords</u> <u>Second Reading Briefing: Joint briefing on behalf of Violence</u> <u>Against Women Girls (VAWG) organisations</u>

¹⁵⁵ Latin American Women's Rights Service, Southall Black Sisters, et al (2023) <u>Victims and Prisoners Bill House of Lords</u> <u>Second Reading Briefing: Joint briefing on behalf of Violence</u> <u>Against Women Girls (VAWG) organisations</u>

¹⁵⁶ Centre for Women's Justice, EVAW, and Rape Crisis England and Wales (2023). <u>Keep Counselling Confidential: Full Briefing</u>

- independent legal advice and representation for survivors of rape and sexual abuse who report.¹⁵⁷
- Funding for community-based services, including a national government duty to fund specialist 'by and for' services for minoritised survivors, disabled survivors and LGBT+ survivors.¹⁵⁸

For a full list of VAWG sector asks for the Victim and Prisoners Bill, please refer to the sector's joint briefing.¹⁵⁹

Criminal Justice Bill

The Criminal Justice Bill was introduced in the House of Commons in November 2023. The government describes the purpose of the Bill as being to "reform the criminal justice system to cut crime and deliver for victims".¹⁶⁰ The Bill includes an array of new measures, some of which are focused on tackling VAWG,

¹⁵⁷ Centre for Women's Justice, EVAW, Rape Crisis England and Wales, and Rights of Women (2023) <u>Briefing: Independent Legal</u> <u>Advice and Representation for Survivors of Sexual Violence and Abuse</u>

¹⁵⁸ Refuge, Women's Aid Federation of England et al (2023) Victims and Prisoners Bill House of Lords Second Reading Briefing: Joint briefing on behalf of Violence Against Women Girls (VAWG) organisations

¹⁵⁹ EVAW et al (2023). <u>Victims and Prisoners Bill House of Lords</u> <u>Second Reading Briefing: Joint briefing on behalf of Violence</u> <u>Against Women Girls (VAWG) organisations</u>

Committee Stage of the Victims and Prisoners Bill in the House of Lords

¹⁶⁰ Home Office and Ministry of Justice (2023). <u>Criminal Justice</u> <u>Bill 2023</u>

such as legislation relating to the taking of intimate images and measures to ensure perpetrators of domestic homicide who kill their partner at the end of their relationship spend longer in prison.¹⁶¹ It also includes measures which families of victims of VAWG have campaigned for, such as compelling defendants to attend their sentencing hearing, a measure called for by the family of Zara Aleena.¹⁶²

However, the Bill also includes a series of draconian laws such as those targeted at so called 'nuisance' begging and rough sleeping,¹⁶³ and proposals to establish powers to transfer prisoners to serve their sentence abroad.¹⁶⁴ As such, there are significant concerns about how the government may weaponise VAWG to bring in legislative measures which are opposed to the principles and approaches needed to truly tackle VAWG. Furthermore, it is important to note the significant links between both women's homelessness and imprisonment, and VAWG. Over half the women in prison have suffered domestic violence and 53% of women in prison report having experienced emotional, physical or sexual abuse as a child.¹⁶⁵ St Mungo's data

¹⁶¹ Domestic Abuse Commissioner (2023). <u>Domestic Abuse</u> <u>Commissioner responds to Sentencing Bill and Criminal Justice</u> <u>Bill</u>

¹⁶² Hall, R. (2023). <u>Offenders could be forced to attend sentencing</u> <u>after Zara Aleena case.</u> The Guardian

¹⁶³ Basran, J. (2023). Why the Criminal Justice Bill presents as much danger to people sleeping rough as taking away tents. Crisis.

¹⁶⁴ Prison Reform Trust (2023). <u>Prison Reform Trust Briefing on</u> <u>the Criminal Justice Bill</u>

¹⁶⁵ Prison Reform Trust (no date) Women in Prison

highlighted that at least 54% of their female residents with a history of rough sleeping had experienced violence or abuse from a partner or family member.¹⁶⁶

Sentencing Bill

The Sentencing Bill was introduced into the House of Commons in November 2023. The government described the Bill as legislation to "make provision about the sentencing of offenders convicted of murder or sexual offences; to make provision about the suspension of custodial sentences; to make provision about the release of offenders, including provision about release on licence; and for connected purposes".¹⁶⁷ This includes provisions to introduce a presumption against short sentences, excluding those who breach a court order or those who put an individual at significant risk of psychological or physical harm.¹⁶⁸ Please see the criminal justice section below for further analysis of current policy work around sentencing, most notably with regard to the ongoing consultation by the Sentencing Council.

Protection from Sex-based Harassment in Public Act 2023

The Protection from Sex-based Harassment in Public Act reached Royal Assent in September 2023. The Act makes provisions relating to "causing intentional harassment, alarm or distress to a person in public where the behaviour is done because of that

¹⁶⁶ St Mungo's (no date). <u>Ending homelessness? Fund domestic</u> <u>abuse services</u>

¹⁶⁷ UK Parliament (2023). Sentencing Bill

¹⁶⁸ Domestic Abuse Commissioner (2023). <u>Domestic Abuse</u> <u>Commissioner responds to Sentencing Bill and Criminal Justice</u> <u>Bill</u>

person's sex; and for connected purposes".¹⁶⁹ The Bill works by using the 'intentional harassment, alarm or distress' offence in Section 4A of the Public Order Act to allow tougher sentences to be imposed if the perpetrator acted because of the target's perceived sex. The successful passing of the Bill follows a threeyear campaign by Plan International UK and Our Streets Now to criminalise public sexual harassment.¹⁷⁰ However, there were concerns - shared by EVAW - about focusing efforts on bringing in new criminal laws in light of the woefully low reporting, prosecution and conviction rates for existing VAWG-related criminal offences, and the need for greater focus on and resourcing of prevention.

Worker Protection (Amendment of Equality Act 2010) Act 2023

The Worker Protection Act reached royal assent in October 2023. The act aimed to "make provision in relation to the duties of employers and the protection of workers under the Equality Act 2010". Following campaign work led by the Fawcett Society and the This Is Not Working Alliance, the Act will do more to tackle workplace sexual harassment; creating a 'preventative duty' which requires employers to prevent sexual harassment from happening in their workplaces, shifting the focus from redress to prevention.¹⁷¹ However, there was disappointment that the government did not carry through with earlier commitments to introduce 'third party protections' which would have placed a

¹⁶⁹ Protection from Sex-based Harassment in Public Act 2023

¹⁷⁰ Plan International (2023). <u>Landmark bill to tackle public sexual</u> <u>harassment will become law</u>

¹⁷¹ Fawcett (2023). The worker protection bill will become law

similar duty on employers to protect staff from harassment from third parties, such as customers or patients.¹⁷²

'Illegal' Migration Act 2023

The so-called 'Illegal' Migration Act became law in July 2023 with the stated intention to 'stop the boats' - referring to people arriving by boat from France and applying for asylum. However, the Act relates to all those who arrive 'irregularly' into the UK, which is defined by four conditions in the legislation. Under the Act, the government has a duty to remove all those who arrive after 20 July 2023, and who meet the four conditions, as soon as practicable to their country of nationality or to one of the countries listed in the act as considered safe (which includes Rwanda - key to the government's immigration and asylum plans¹⁷³). If they have claims for protection as refugees or victims of trafficking or modern slavery, those claims will be expected to be made and dealt with in the country to which they have been removed. Any protection or human rights claim will be automatically deemed 'inadmissible', i.e. the UK Government will not consider it. The government's plans to implement this duty have however stalled due the Supreme Court's ruling that removals to Rwanda are not lawful.¹⁷⁴ This ruling has led to the Rwanda Bill (see below).

¹⁷² ibid

 ¹⁷³ BBC News (2022) <u>What is the UK's plan to send asylum</u>
 <u>seekers to Rwanda and how many could go?</u>
 ¹⁷⁴ Supreme Court (2023) Rwanda Judgement

There are grave concerns about the 'Illegal' Migration Act and its impact.¹⁷⁵ The Act will force people into situations that threaten their lives – whether by placing children in detention or sending people to countries they have fled or other countries where their safety may be put at risk. Moreover, the Act is a grave attack on universal human rights, and not only abandons the UK's moral and legal obligations but risks breaching multiple international human rights treaties, including the Refugee Convention and the European Convention on Human Rights, while shielding the government from accountability.¹⁷⁶

There was, however, an important amendment during the passage of the Act, which saw the protection of the 72-hour time limit on the detention of pregnant women, thanks to a campaign led by Women for Refugee Women and supported by Medical Justice, Birth Companions, The Royal College of Midwives, The Royal College of Obstetricians and Gynaecologists, the British Medical Association and Maternity Action.¹⁷⁷

Safety of Rwanda (Asylum and Immigration) Bill

This Bill was introduced into parliament in December 2023 as a result of the Supreme Court's ruling that the removal of asylum seekers to Rwanda is unlawful.¹⁷⁸ The Bill states that it aims to

¹⁷⁵ Refugee Council (2023) <u>Briefing: Impact of the Illegal</u> <u>Migration Act on people seeking asylum</u>

¹⁷⁶ Liberty et al (2023) <u>Joint civil society statement on the passage</u> of the Illegal Migration Act

¹⁷⁷ Women for Refugee Women (2023). <u>The 72-hour time limit on</u> the detention of pregnant women is maintained

¹⁷⁸ Human Rights Watch (2023). <u>UK Supreme Court Finds UK-</u> Rwanda Asylum Scheme Unlawful

"allow Parliament to confirm the status of the Republic of Rwanda as a safe third country, thereby enabling the removal of persons who arrive in the United Kingdom (UK) under the Immigration Acts".¹⁷⁹

However, the Bill has been widely and heavily condemned for, among other things, seeking to reverse the Supreme Court's factual assessment of the risk of harm in Rwanda, and "ousting our domestic courts' jurisdiction to consider the issue", described as "an abuse of Parliament's role".¹⁸⁰ EVAW joined over 260 charities and expert organisations opposing the Bill in its entirety in a joint statement to parliamentarians.¹⁸¹

Conversion Therapy Prohibition (Sexual Orientation and Gender Identity) Bill

The Conversion Therapy Prohibition Bill was introduced into the House of Lords as a private members' bill in November 2023, aiming to "prohibit sexual orientation and gender identity conversion therapy; and for connected purposes".¹⁸² This followed government legislation to ban conversion practices being dropped from the King's Speech earlier that month. In 2022, Galop

¹⁷⁹ Refugee Council (2023) <u>Briefing: Impact of the Illegal Migration</u> <u>Act on people seeking asylum</u>

¹⁸⁰ ILPA, Justice and Freedom From Torture (2024). <u>Safety of</u> <u>Rwanda (Asylum and Immigration) Bill Joint Briefing for Second</u> <u>Reading in the House of Commons</u>

¹⁸¹ Liberty et al (2024). <u>Over 260 charities and expert</u> organisations call on house of lords to reject shameful Rwanda <u>Bill</u>

¹⁸² <u>Conversion Therapy Prohibition (Sexual Orientation and</u> <u>Gender Identity) Bill</u>

published a report 'There was Nothing to Fix',¹⁸³ documenting the harm and prevalence of conversion therapy and making recommendations outlining what a comprehensive ban should look like - a recommendation mirrored in the VAWG sector's 2024 General Election manifesto.¹⁸⁴

Marriage and Civil Partnership (Minimum Age) Act 2022

The Marriage and Civil Partnership (Minimum Age) Act, which bans civil partnership and marriage for 16 and 17-year-olds with no exceptions, came into force in February 2023. This is a significant campaign win for the Iranian Kurdish Women's Rights Organisation's (IKWRO) Safeguard Futures Ban Child Marriage Campaign,¹⁸⁵ and a vital step forward for children's rights and the prevention of child marriage.

Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)

The Istanbul Convention is widely recognised as the gold standard legal framework for tackling VAWG, setting minimum standards for each state's approach. The UK Government finally ratified the Convention on 21st July 2022, ten years after signing it, however with reservations on article 59 regarding the provision

¹⁸³ Galop (2022). '<u>There was Nothing to Fix' LGBT+ Survivors</u> <u>experiences of conversation therapy</u>

 ¹⁸⁴ EVAW et al. (2023). <u>A Whole Society Approach to Ending</u> <u>Violence Against Women and Girls: VAWG Sector Manifesto.</u>
 ¹⁸⁵ IKWRO (2023) <u>Press Release – IKWRO's Safeguard Futures</u> <u>Ban Child Marriage Campaign succeeds into law in England and</u> <u>Wales: The Marriage and Civil Partnership (Minimum Age) Act</u>

of equal support and protection for migrant women, and article 44 relating to extraterritorial jurisdiction.

In 2023, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) - the independent expert body responsible for monitoring the implementation of the Istanbul Convention - began the process of evaluating the extent to which the UK Government is meeting its duties under the Convention. Ahead of their visit to the UK in early 2024, the government submitted its own evaluation report,¹⁸⁶ as did the specialist VAWG sector in England and Wales.¹⁸⁷ In this report, a coalition of 58 VAWG organisations, including those led by and for Black and minoritised women, LGBT+ and Deaf and disabled survivors, outlined the areas in which the UK is undermining its own commitments to tackle violence against women. Furthermore, Scottish Women's Aid collected responses from across the women's sector in Scotland, with contributions from Rape Crisis Scotland and Zero Tolerance,¹⁸⁸ while Women's Aid Northern Ireland joined forces with their sister Women's Aid

¹⁸⁶ UK Government (2023). <u>Report submitted by the United</u> <u>Kingdom pursuant to Article 68, paragraph 1 of the Council of</u> <u>Europe Convention on preventing and combating violence against</u> <u>women and domestic violence (Baseline Report</u>). GREVIO -Council of Europe

¹⁸⁷ EVAW et al (2023). <u>Violence Against Women and Girls Sector</u> (England and Wales): <u>Shadow Report on the Implementation of</u> the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)

¹⁸⁸ Scottish Women's Aid et al (2023). <u>A consolidated shadow</u> report from Scotland in response to the UK baseline evaluation

Federations across the UK to write to GREVIO as part of the evaluation process.¹⁸⁹

Policy areas Prevention and public attitudes

There has been some welcome investment in public attitude campaigns developed by central government and regional authorities in consultation with the VAWG sector, which the sector has long called for.¹⁹⁰ However, the government's reactionary approach to the ongoing review of RSHE statutory guidance is undermining progress in this area (as explored on page 61), and overall, there is a distinct lack of political commitment and resourcing to meaningfully deliver VAWG prevention work in a holistic way.

A series of key publications in 2023 have underlined the urgent need for prevention work. In July 2023, the Women and Equalities Committee published its report on attitudes towards women and girls in educational settings, finding ongoing failures to address and even acknowledge the crisis of sexual violence in schools.¹⁹¹ The Committee echoed the VAWG sector's calls for urgent action to address the crisis of misogyny and violence against women and girls in schools. Its report set out a series of

 ¹⁸⁹ Women's Aid Federation Northern Ireland et al (2023). Letter to Secretariat of the Istanbul Convention Monitoring Mechanism
 ¹⁹⁰ Home Office's 'Enough' campaign; Welsh Government's 'Sound' campaign; Mayor of London's 'Maaate' campaign; Mayor of West Yorkshires 'Just Don't' campaign.

¹⁹¹ Women and Equalities Select Committee (2023). <u>Attitudes</u> towards women and girls in educational settings

recommendations which included calling for a new government strategy for engaging with boys and young men in schools on sexual harassment and gender-based violence as part of the review of RSHE - a recommendation the government has since refused to commit to.¹⁹²

Furthermore, we recently saw publication of CPS research with Equally Ours into public understanding of rape and serious sexual offences (RASSO) and consent. The research showed that, overall, the public's accurate understanding of rape "is outweighed by false beliefs, misunderstanding, lack of knowledge, and underlying stereotypes". For example, stranger rape involving physical violence was one of the most common perceptions of rape, and few people (39%) correctly identified that women rarely make up rape allegations. Concerningly, and making a strong case for resourcing RSHE, was the revelation that these misconceptions are more prevalent among 18–24-year-old respondents than older respondents.¹⁹³

In the past year, a wealth of evidence on the need for prevention work with children and young people was published by the VAWG sector and wider third sector, much of which platformed the oftenignored voice of young people themselves. In January 2023, EVAW launched their 'About Time' campaign film alongside data

¹⁹² Women and Equalities Select Committee (2023). <u>Government</u> <u>ignores calls for sex education targeted at boys to tackle</u> <u>harassment.</u>

¹⁹³ CPS and Equally Ours (2024) <u>Rape and serious sexual</u> <u>offences: public understanding and attitudes and Reframing</u> <u>Rape: Effective communication about rape</u>

from a survey of 1,500 young people about their experiences of VAWG in schools and educational settings.¹⁹⁴ This was followed by a Whole School Approach policy report in June 2023 which illustrated the key blockages to the roll out of the work needed to tackle VAWG in schools, including political will and resourcing to prevent VAWG, alongside a series of recommendations to move this agenda forward.¹⁹⁵

Women's Aid Federation of England's report, 'Influencers and Attitudes', found that 1 in 3 women experienced the RSHE they had in school as rushed and awkward, and called for RSHE to be strengthened.¹⁹⁶ A poll published in 2023 by the Sex Education Forum found children and young people felt certain topics had not been covered enough or at all. This included power imbalances in relationships (58%), pornography (58%), culture and faith-based perspectives (57%), LGBTQ+-relevant information (54%), the attitudes and behaviour of boys and men towards women and girls (55%), and what a healthy relationship looks like, including online relationships (54%).¹⁹⁷ SafeLives and Sex Education Forum research noted that children and young people want to see

 ¹⁹⁴ nfpResearch conducted an online survey of 1000 young women and 500 young men aged 16 – 18 between 3rd and 14th November 2022. EVAW (2023). <u>Sexual harassment at school:</u>
 <u>new film co-created with young people supported by latest data</u>
 ¹⁹⁵ EVAW (2023) It's #AboutTime: – A Whole School Approach to Ending Violence Against Women and Girls.

¹⁹⁶ Women's Aid Federation of England (2023). <u>Influencers and</u> <u>Attitudes: How will the next generation understand domestic</u> <u>abuse?</u>

¹⁹⁷ Sex Education Forum (2023). <u>Broken promises on RSE leave</u> young people unprepared - RSE Poll

more open discussions in RSHE.¹⁹⁸ Furthermore, SafeLives' 'On the Verge of Harm' report provided vital insight into children and young people at risk of harming others, finding that 30% of young people surveyed had used harmful behaviours in a relationship, with many young people expressing a lack of understanding of how to have a healthy relationships. The report also made recommendations calling for more healthy relationships and prevention work.¹⁹⁹

There have been some positive developments in Scotland as the Scottish Government's Gender Based Violence in Schools Working Group, which was established to develop a national framework to prevent and respond to harmful behaviour and gender-based violence in schools, is expected to launch their Whole School Approach work imminently.²⁰⁰

Health and Adult Social Care

The introduction of Integrated Care Boards (ICBs), replacing Clinical Commissioning Groups following the passage of the Health and Social Care Act 2022, provided a vital opportunity for health bodies to take a more leading, and critically needed, role in tackling VAWG. It was therefore positive to see a bid by Women's Aid, IRISi and the Health Foundation to make this a reality by

¹⁹⁸ Safe Lives (2023). <u>"I love it, but I wish it was taken more</u> seriously": An exploration of Relationships & Sex Education in schools

 ¹⁹⁹ Safe Lives (2023) <u>Verge of Harming: Exploring abuse in young people's relationships and support for young people who harm.</u>
 ²⁰⁰ Scottish Government - <u>Gender Based Violence in Schools</u> <u>Working Group</u>

holding a summit on improving outcomes for survivors in healthcare.²⁰¹ The summit heard about the work of the Domestic Abuse and Sexual Violence Programme at NHS England, including plans to ensure all ICBs appoint a new domestic abuse and violence lead at the executive level, and reiterated the need for ICBs to consider victims of abuse in their Joint Forward Plans.²⁰² Furthermore, NHS England launched its first ever sexual safety charter in September 2023.²⁰³ However, there are ongoing concerns about the lack of funding and capacity for NHS England to deliver on this work meaningfully.

Furthermore, as highlighted by Domestic Abuse Commissioner (DAC) research analysing domestic homicide reviews, health and adult social care still has a great deal of work to do to sufficiently play their role within a whole-society approach to tackling VAWG.²⁰⁴²⁰⁵ This recent research by the DAC office reiterates the key action needed from health bodies to better tackle VAWG, such as improving domestic abuse awareness and skills among

²⁰¹ IRISi (2023). Empowering ICBs: After the Health Summit and NHS announcement, IRISi is ready to make a difference and collaborate to enhance the healthcare response to Gender-Based Violence

²⁰² ibid

²⁰³ NHS England (2023) <u>NHS sexual safety charter</u>

 ²⁰⁴ Chantler, K. Baker, V. Heyes, K. Gunby, C. (2023) <u>Domestic</u> <u>Homicide Oversight Mechanism for Health</u>. Domestic Abuse
 Commissioner and Manchester Metropolitan University
 ²⁰⁵ Chantler, K. Baker, V. Heyes, K. Gunby, C. (2023). <u>Domestic</u> <u>Homicide Oversight Mechanism for Adult Social Care</u>. Domestic
 Abuse Commissioner and Manchester Metropolitan University professionals, multi-agency working and further rollout of programmes such as IRISi.²⁰⁶

The government recently published its Safe care at home review,²⁰⁷ a joint review led by the Home Office and Department of Health and Social Care (DHSC) into the protections and support for adults abused, or at risk of abuse, in their own home by people providing their care. The review was undertaken in response to evidence presented during the passage of the Domestic Abuse Act 2021, most notably by Stay Safe East, which shed light on abuse experienced by Deaf and disabled survivors at the hands of carers and called for an expansion of the definition of domestic abuse (specifically widening the definition of 'personal connection') to cover such abuse.²⁰⁸ The review highlighted limitations in current understanding of the prevalence and nature of this type of abuse, as well as the challenges of detecting, reporting and investigating abuse in care relationships, and outlined a series of actions and recommendations relating to leadership and accountability, effectiveness of the local response to abuse in the home, and research, evidence and learning.²⁰⁹

In the past year we also saw a number of key VAWG sector publications relating to the intersection of mental health and

²⁰⁶ ibid

²⁰⁷ Home Office and Department of Health and Social Care (2023). <u>Policy paper</u>

Safe care at home review.

 ²⁰⁸ Stay Safe East (2021). <u>Domestic Abuse Bill Proposed</u>
 <u>Amendments: Disabled Survivors - Briefing for the House of Lords</u>
 ²⁰⁹ HM Government (2023). <u>Safe Care at Home Review</u>

VAWG. This included a report from Agenda on the link between suicidality and intimate partner violence.²¹⁰ The report found that:

- Women who have experienced intimate partner abuse (IPV) are three times more likely than women who have not experienced IPV to have made a suicide attempt in the past year.
- Women who have experienced sexual IPV are seven times more likely than those who had not experienced sexual IPV to have attempted suicide in the past year.

Critically, this report also shed light on how intersecting identities and experiences, such as poverty, disability and ethnicity, also exacerbate risk of both suicidality and IPV.²¹¹ Similarly, Hibiscus' report on Black, minoritised and migrant women in contact with the criminal justice system found that these women face significant barriers to the support they need, including healthcare, which has a detrimental effect on their mental health.²¹²

British Pregnancy Advisory Service (BPAS) are leading a coalition working to reform cruel and outdated abortion laws, which have been repealed in Northern Ireland, but are being used today in England and Wales to prosecute women who find themselves in extremely difficult circumstances and in need of healthcare

 ²¹⁰ Agenda Alliance and VISION Consortium (2023).
 <u>Underexamined and Underreported: Suicidality and intimate</u> partner violence - connecting two major public health domains
 ²¹¹ ibid

²¹² Hibiscus (2023). <u>Race, Migration, Criminalisation and Mental</u> <u>Health: the gendered experiences of Black, minoritised and</u> <u>migrant women in contact with the criminal justice system</u> <u>supported by Hibiscus Initiatives.</u>

interventions.²¹³ The current legislative vehicle in sight is the Criminal Justice Bill, with an amendment tabled aiming to ensure that vulnerable women in England and Wales would no longer be subject to years-long investigations, criminal charges and custodial sentences for ending their own pregnancy.²¹⁴

Housing

Housing remains one of the most pressing issues faced by survivors of VAWG seeking to flee abuse and rebuild their lives, and is a central theme of the VAWG sector's manifesto.²¹⁵ Women's Aid's annual report on their 'No Woman Turned Away' project highlighted how, of the 254 women who completed support from the programme in 2022, 46 spent time sleeping on other people's sofas, 39 had no money for essentials and nine slept rough. The report also highlighted the demographics of those most impacted: 24% of the women had a disability, 37% had no recourse to public funds and 40% were from Black and minoritised backgrounds. Earlier in 2023, the Domestic Abuse Safe Accommodation National Expert Steering Group, which was set up to monitor how councils are meeting their statutory duties to provide accommodation-based services under the Domestic Abuse Act of 2021, published its first annual progress report

²¹³ Williams, Z. (2023). <u>The women being prosecuted in Great</u> <u>Britain for abortions: 'Her confidentiality was completely</u> <u>destroyed'</u> The Guardian

²¹⁴ BPAS (2023). <u>Joint release on amendment to the Criminal</u> Justice Bill

²¹⁵ EVAW et al. (2023). <u>A Whole Society Approach to Ending</u> Violence Against Women and Girls: VAWG Sector Manifesto. which showed that more than 10,000 women escaping domestic abuse across England were refused safe housing last year.²¹⁶

There has been a great deal of vital work from the VAWG sector highlighting concerns and providing solutions to the array of challenges relating to housing and VAWG, including the work of the National Housing and Domestic Abuse Policy and Practice Group led by the Domestic Abuse Housing Alliance (DAHA).²¹⁷ This includes their lobbying work on the Renters Reform Bill and a series of recommendations for this Bill as set out in a 2023 briefing.²¹⁸ DAHA's lobbying included calls to ensure that any legislation seeking to tackle anti-social behaviour (ASB) does not make the lives of survivors more challenging; noting that victims and survivors of domestic abuse are four times more likely to have ASB complaints made against them,²¹⁹ often due to the misidentification of domestic abuse as ASB.

Furthermore, 2023 saw publication of the 'Homes for Healing' report, which outlined findings from the Women Against

²¹⁶ Home Office and Department for Levelling Up, Housing and Communities (2023). <u>Policy paper: Annual progress report from</u> <u>the Domestic Abuse Safe Accommodation National Expert</u> <u>Steering Group 2021-22</u>

²¹⁷ National Housing and Domestic Abuse Policy and Practice Group

²¹⁸ National Housing and Domestic Abuse Policy and Practice Group (2023) <u>Briefing on antisocial behaviour (ASB) & domestic</u> <u>abuse</u>

 ²¹⁹ Jackson (2013), cited by Henderson, K. (2019) p.60. <u>The role of housing in a coordinated community response to domestic abuse</u>. Durham University; SafeLives (2018) <u>Safe at Home</u>

Homelessness and Abuse (WAHA) initiative run by the Latin American Women's Aid (LAWA) in collaboration with the OYA consortium of 'by and for' specialist Black and minoritised refuge providers in London. The report platforms the housing experiences of Black and minoritised women survivors of genderbased violence, and outlines challenges such as chronic shortage of affordable accommodation, precarity due to immigration status, precarious jobs, and inadequate responses from housing officers.²²⁰

Family courts and children's social care

The Domestic Abuse Commissioner's recent research into the findings of domestic homicide reviews also earmarked children's social care as a key agency requiring much work if it is to perform its necessary role in tackling VAWG. Again, the recommendations will be of little to surprise to those involved in such work, with calls to improve multi-agency work, training and development of staff, and development of best practice.²²¹

The DAC office, alongside the VAWG sector, has also continued its focus on pushing for cultural change within the family courts - a change that is long overdue. 2023 saw the government publish its progress update on the Harm Panel report: a Ministry of Justice

²²⁰ Quevedo, G. (2023) <u>Homes for Healing: research updates</u> <u>from the WAHA initiative</u>. Latin American Women's Aid and Trust for London.

 ²²¹ Chantler, K. Baker, V. Heyes, K. Gunby, C. (2023) <u>Domestic</u>
 <u>Homicide Oversight Mechanism for Children's Services</u>. Domestic
 Abuse Commissioner and Manchester Metropolitan University

review into the family courts' dealings with domestic abuse.²²² However, despite the government claiming "huge strides" and delivery of "cultural changes across the family justice system to ensure domestic abuse victims feel supported and protected", specialists remain concerned about the lack of progress.²²³ The critical advocacy role of the VAWG sector in challenging institutions such as the family court was highlighted by a landmark case relating to protecting the confidentiality of refuge addresses within the family court - a result of vital work led by Latin American Women's Aid.²²⁴

The DAC office's 2023 report,²²⁵ 'The Family Court and domestic abuse: achieving cultural change', documents the continuing major issues for survivors of domestic abuse going through private family law children proceedings. This includes the lack of holistic support, a culture of disbelief, the minimisation of domestic abuse, the absence of the voice of the child, and the harmful effects current practice has on children.²²⁶ Within this report, the DAC made ten recommendations, which the

 ²²² Ministry of Justice (2023). <u>Assessing Risk of Harm to Children</u> and Parents in Private Law Children Cases Implementation Plan <u>– delivery update</u>.

²²³ Women's Aid Federation of England (2023). <u>Women's Aid</u> responds to the Harm Panel progress report

²²⁴ Latin American Women's Aid (2023). <u>Press release: Women's</u> rights organisations, led by Latin American Women's Aid, win landmark case in ensuring confidentiality of women's refuge addresses

 ²²⁵ Domestic Abuse Commissioner (2023) <u>The Family Court and</u>
 <u>domestic abuse: achieving cultural change</u>
 ²²⁶ ibid

government responded to in November 2023.²²⁷ The recommendations related to monitoring and oversight, best practice, training and transparency, the voice of the child, legal aid, qualified legal representatives and the regulation of experts.

Efforts to improve the family court's approach to VAWG sit alongside a wider need to understand how changes which recognise children as victims in their own right - brought in by the Domestic Abuse Act 2021, are playing out in practice and how these legislative developments can have a greater impact on the ground.²²⁸ It was therefore positive to see the government announce £10 million of funding through the Children Affected by Domestic Abuse Fund earlier in 2023 in light of these legislative changes, with both Welsh Women's Aid and SafeLives being recipients. However, so much more is needed, as outlined in the DAC's 2022 mapping report, 'A Patchwork of Provision', which found that just 29% of victims and survivors who wanted support for their children had received it.²²⁹

Immigration

This past year has seen the continuation of deeply troubling antimigrant rhetoric and draconian immigration legislation. This has

²²⁷ Ministry of Justice (2023) <u>Domestic Abuse Commissioner's</u> <u>Report - 'The Family Court and domestic abuse: achieving</u> cultural change' Government Response

²²⁸ Domestic Abuse Commissioner (2023) <u>Children and Young</u> <u>People Subject to Domestic Abuse: Professionals' Insights</u> <u>Briefing</u>

²²⁹ Domestic Abuse Commissioner (2022). <u>A Patchwork of</u> <u>Provision How to meet the needs of victims and survivors across</u> <u>England and Wales</u>

dominated political discourse and continues to chip away at our human rights framework. In the legislation section above we have outlined a number of key Bills and Acts putting such dangerous rhetoric into action, including the 'Illegal' Migration Act 2023 and the Rwanda Bill currently making its way through Parliament. In December 2023, the government also announced its five-point immigration plan,²³⁰ in line with similar anti-rights principles.

In the face of such government action, the VAWG sector and wider civil society have endeavoured to challenge this direction of travel. Critically, it was action from civil society that saw the Supreme Court find the government's Rwanda scheme unlawful (see page 55 for more details). This past year, over 70 organisations wrote a joint letter in response to the government's five point immigration plan.²³¹ Women for Refugee Women won a legal challenge, securing face-to-face provision of all legal advice surgeries in immigration detention.²³² Furthermore, the Public Law Project has taken the first steps in bringing legal proceedings against the Lord Chancellor, arguing that he is in breach of his constitutional duty to make legal aid available for immigration and asylum issues.²³³

²³⁰ Home Office (2023) <u>Home Secretary unveils plan to cut net</u> <u>migration</u>

²³¹ Southall Black Sisters et al (2023). <u>Open Letter on Immigration</u> <u>Changes</u>

²³² Women for Refugee Women (2023). <u>Campaign win! All legal</u> advice surgeries in immigration detention must now take place face-to-face.

²³³ Public Law Project (2023). Lord Chancellor faces legal challenge over legal aid crisis

The VAWG sector, most notably the Step Up Migrant Women campaign led by the Latin American Women's Rights Service and Southall Black Sisters, has continued to build on its campaign calling for a firewall between Immigration Enforcement and public services, and tackling the barriers to support faced by women with no recourse to public funds (NRPF). This work has been greatly supported by the Domestic Abuse Commissioner (DAC), who published new data in 2023 revealing that over a three-year period, every single police force in England and Wales had shared the data of a victim of domestic abuse with Immigration Enforcement. The DAC also called for greater protection to be brought in via the Victims and Prisoners Bill in the shape of a firewall.²³⁴ Moreover, the government finally responded to the DAC's 2022 'Safety Before Status: The Solutions' report, which laid out evidence-based estimates of the number of migrant survivors with NRPF in the UK in need of support, as well as the cost of providing support and the benefits of doing so.²³⁵ However, despite robust evidence of the dire need to improve support for migrant women, the government is still unwilling to take the necessary action.²³⁶

This lack of government action in the face of mounting evidence is of particular note given the 2023 publication of its evaluation of

²³⁵ Domestic Abuse Commissioner (2023). <u>The Domestic Abuse</u>
 <u>Commissioner responds to the Government's response to 'Safety</u>
 <u>Before Status the Solutions'</u>
 ²³⁶ ibid

²³⁴ Domestic Abuse Commissioner (2023) <u>Safety Before Status:</u> <u>How to ensure the Victims and Prisoners Bill meets the needs of</u> <u>all victims</u>

the 2020 Home Office pilot programme to support victims and survivors of domestic abuse with NRPF (the Support for Migrant Victims (SMV) Pilot). The government set up this pilot during the passage of the Domestic Abuse Act, on the premise that it required additional evidence about the level of need for such support - despite a wealth of evidence provided by the specialist VAWG sector. The government's own evaluation found that "pilot funding constraints made it hard for delivery providers to meet the complex needs of victims/survivors"; "subsistence payments provided through the Pilot were often not sufficient to cover basic expenses, and all delivery partners relied on relationships with local charities to bridge the gaps"; and "providing suitable accommodation within the constraints of the Pilot was a challenge for delivery partners". Despite this, the government has refused to take the action needed to ensure the rights of migrant women to live free from violence, and in the absence of a longer-term solution, the pilot has been extended twice and is now due to end in March 2025.

Furthermore, Southall Black Sisters commissioned the Child and Woman Abuse Studies Unit (CWASU) at London Metropolitan University to conduct a parallel evaluation of the pilot fund.²³⁷ This report sets out a series of recommendations for government based on the evaluation of the pilot, including abolishing the NRPF condition, extending the DDVC to 6 months to allow for welfare benefits to be processed, for women to gain good legal advice and overcome some of the trauma of the abuse before

²³⁷ Dhaliwal, S. and Kelly, L. (2023). <u>Living at the Edge: CWASU</u> <u>Evaluation of the Support for Migrant Victims Programme</u>. Child and Woman Abuse Studies Unit, London Metropolitan University.

they make life-changing decisions about the type of visa application they will make; and extending access to the DDVC *and* the Domestic Violence Indefinite Leave to Remain (DVILR) rule to *all* migrant women experiencing abuse with insecure immigration status.

In contrast to these recommendations, the government has instead changed the scope of the DDVC only. The concession has been renamed the Migrant Victims of Domestic Abuse Concession (MVDAC) and will now be expanded to include victims of domestic abuse who have a visa as the dependent partner of a worker or student. It will also allow applicants to include their dependent children in the application.

While the concession will grant the limited three-month visa to a wider group of eligible survivors, enabling them to access benefits and housing assistance for that short period, this new cohort will *not* be eligible to also apply for settlement as a victim of domestic abuse under the DVILR, unlike the spousal/partner group. This decision to create a separate route has raised "grave concerns" for women's organisations due to the "cliff edge" created for these survivors after three months, with no accompanying route to settlement and an expectation to leave. Organisations warn that victims and survivors will need specialist advice from a sector already under immense pressure, and that this will prevent many victim-survivors from reporting abuse due to fears of deportation.²³⁸

In more positive news, the government published new Immigration Rules in December 2023 relating to the domestic

²³⁸ Southall Black Sisters (2024). <u>Harmful changes to support</u> provisions for migrant victims of domestic abuse

abuse route to indefinite leave to remain,²³⁹ putting into force provision for those affected by transnational marriage abandonment.²⁴⁰ These new provisions were hard-won by a landmark ruling in 2022.²⁴¹

Criminal justice system

As set out earlier in the report, data from the criminal justice system, ongoing revelations about police-perpetrated abuse and reviews of the culture of policing have shed little positive light on the criminal justice system in 2023. However, Operation Soteria (a new model for investigating rape)²⁴² was one of the most promising outcomes of the government's End-to-End Rape Review, and it is positive to see some encouraging shifts in justice outcomes in Soteria pilot areas.²⁴³ We have long welcomed Operation Soteria's aims to shift rape investigations away from an undue focus on the perceived credibility of the victim, and instead focus on the actions of the suspect. Much opportunity lies in the successful implementation of the new National Operating Model for investigating rape. However, concerns have been raised about

²³⁹ Home Office (2023). <u>Policy paper: Statement of changes to</u> the Immigration Rules: HC 246, 7 December 2023

²⁴⁰ Transnational marriage abandonment is a form of abuse which consists of women being deceived into returning to their country of birth and having their travel documents confiscated before being abandoned.

²⁴¹ <u>AM, R (On the Application Of) v Secretary of State for the</u> <u>Home Department [2022] EWHC 2591 (Admin) (14 October</u> <u>2022</u>).

²⁴² National Police Chiefs Council (2023). <u>Op Soteria rolled out</u> <u>across England and Wales</u>

²⁴³ ibid

the limited future academic involvement in the project, as Operation Soteria's findings have already shown that police officers lack specialism, experience and expertise on rape and other serious sexual offences (RASSO), all of which detracts from their ability to implement this well without ongoing support.²⁴⁴

Alongside announcing the national rollout of Operation Soteria, the government published its progress report at the two-year mark of the End-to-End Rape Review.²⁴⁵ This would have been the conclusion of the Review, however an extension until the end of this Parliament was confirmed. Despite government claims to have delivered on the 'vast majority' of its action plan, EVAW, along with partners Imkaan, Centre for Women's Justice and Rape Crisis England and Wales²⁴⁶ published a briefing outlining our analysis of what has been achieved over this time period, and the outstanding gaps.²⁴⁷ The briefing documents that despite marginal progress, charging, prosecution and conviction rates still fall short of the government's own targets. Furthermore, there is ongoing failure to better understand who does and does not

²⁴⁵ Ministry of Justice (2023). <u>Rape Review Progress Report: Two</u> years on

²⁴⁶ Centre for Women's Justice, EVAW, Imkaan and Rape Crisis England and Wales (2020). <u>The Decriminalisation of Rape: Why</u> the justice system is failing rape survivors and what needs to change.

²⁴⁴ Centre for Women's Justice, EVAW, Imkaan and Rape Crisis England and Wales (2023). <u>What's Changed? Government's End-</u> to-End Rape Review - Two Years On.

²⁴⁷ Centre for Women's Justice, EVAW, Imkaan and Rape Crisis England and Wales (2023). <u>What's Changed? Government's End-</u> to-End Rape Review - Two Years On.

access the criminal justice system and further investigate the experiences of Black and minoritised victim-survivors; and there remains a lack of political commitment to preventing rape and sexual abuse in the first place and exploring what victims and survivors want to support their recovery. However, the report does acknowledge green shoots of positive change in several areas, such as the establishment of a 24/7 Rape and Sexual Abuse Support Line (delivered by Rape Crisis England and Wales), steps towards specialist rape courts, a reduction in the length of time some forces retain victims' mobile phones, and (as mentioned) the work of Operation Soteria.²⁴⁸

As part of the government's Rape Review, 2023 also saw the long-awaited launch of the Law Commission consultation on evidence in sexual offence prosecutions (findings yet to be published),²⁴⁹ and the outcome of the government's third party material consultation. The outcome of the third party material consultation supported what the VAWG sector has been saying for some time; namely that third party material requests about victims of rape and other sexual offences can be "unnecessary and disproportionate, and made to establish victim credibility", and as stated by the then Safeguarding Minister, "this aspect of the criminal justice system is not functioning effectively".²⁵⁰ Research commissioned by the CPS as part of the Rape Review Action Plan and conducted by Equally Ours was also recently

²⁴⁸ ibid

²⁴⁹ Law Commission (2023). <u>Evidence in Sexual Offence</u> <u>Prosecutions Consultation</u>

²⁵⁰ Home Office (2023). <u>Consultation outcome: Police requests for</u> <u>third party material - consultation response</u>

published; exploring public understanding of Rape and Serious Sexual Offences (RASSO) and consent (explored further in the prevention section on page 59).²⁵¹

In February 2023, the Home Secretary announced an eight point plan to tackle VAWG,²⁵² building on the 2021 Tackling Violence Against Women and Girls Strategy²⁵³ and 2022 Tackling Domestic Abuse Plan.²⁵⁴ The vast majority of measures announced were criminal justice in focus, including changes to the way high-risk, high-harm offenders are managed, the piloting of new Domestic Abuse Protection Notices and Orders in three areas, the creation of a new digital tool utilising police data to identify individuals who are high risk and likely to commit domestic abuse offences, and strengthening Clare's Law by reducing the timelines for police to disclose information.²⁵⁵ The Home Secretary also announced that VAWG would become a Strategic Policing Requirement which recognises it as a national threat alongside terrorism and serious and organised crime. This was followed in May 2023 by the National Police Chiefs' Council (NPCC) National VAWG Strategic Threat and Risk Assessment (STRA) aiming to support police forces to better understand what

²⁵¹ CPS and Equally Ours (2024) <u>Rape and serious sexual</u> offences: public understanding and attitudes and Reframing <u>Rape: Effective communication about rape</u>

²⁵² Home Office et all (2023). <u>Domestic abusers face crackdown</u> in raft of new measures

²⁵³ Home Office (2021) <u>Tackling violence against women and girls</u> <u>strategy</u>

 ²⁵⁴ Home Office (2022). <u>Tackling Domestic Abuse Plan</u>
 ²⁵⁵ Home Office et all (2023). <u>Domestic abusers face crackdown</u> in raft of new measures

contributes to VAWG. It contains some alarming figures on policing and VAWG, acknowledges inequalities in the prevalence and experience of different groups as well as gaps in data to understand this reality better, and notes declining trust in the police in light of longstanding concerns about police-perpetrated abuse and the realities of racism, misogyny, ableism and anti-LGBT cultures within police forces (as referenced earlier regarding the 2023 Casey Review).²⁵⁶

Concerns raised about the health of the criminal justice system to respond to VAWG go beyond policing. In June 2023, the HM Inspectorate of Probation published a report detailing concerns about the Probation Service's response to domestic abuse, which highlighted poor risk assessments, poor planning, poor implementation and delivery, and poor reviewing practices.²⁵⁷ These echoed grave concerns raised by HM Inspectorate of Probation following the murder of Zara Aleena by Jason McSweeney in 2022. In January 2023, the inspectorate published its Independent Serious Further Offence review (SFO) into the case; finding that given Jason McSweeney's long history of violence and convictions, he should have been considered a high risk of serious harm offender.²⁵⁸

 ²⁵⁶ National Police Chiefs Council (2023). <u>Violence Against</u>
 <u>Women and Girls Strategic Threat Risk Assessment 2023</u>
 ²⁵⁷ HM Inspectorate of Probation (2023). <u>A thematic inspection of</u>
 <u>work undertaken, and progress made, by the Probation Service to</u>
 <u>reduce the incidence of domestic abuse and protect victims</u>
 ²⁵⁸ HM Inspectorate of Probation (2023) <u>Independent serious</u>
 <u>further offence review of Jordan McSweeney</u>

With regard to sentencing, the government published Clare Wade KC's review into sentencing for domestic homicide in March 2023.²⁵⁹ The review was commissioned by the government following a joint letter from the then Victims' Commissioner and Domestic Abuse Commissioner, in which they called for action to address a culture of misogyny throughout the criminal justice system.²⁶⁰ The government published its response in July 2023 with a package of measures, including consultation on proposals for tougher sentences for perpetrators of domestic abuse who kill their victims.²⁶¹

The VAWG sector welcomed the government's acknowledgment that coercive and controlling behaviour must be recognised in domestic homicide cases, both as an aggravating factor when abusers kill, and a mitigating factor for abused victims who kill their perpetrator. However, there are concerns about some of the proposals, particularly regarding unintended consequences for victims who kill abusive partners. For example, the Centre for Women's Justice (CWJ) opposes an automatic increase in sentences for use of a knife within the home due to concerns that such a measure would have serious consequences for women who kill their abusers. And in this vein, CWJ published a briefing in July summarising reforms undertaken in Canada, New Zealand

²⁶⁰ Victims' Commissioner and Domestic Abuse Commissioner
 (2021). Joint letter from Victims' Commissioner and Domestic
 Abuse Commissioner on domestic homicide

²⁵⁹ Ministry of Justice (2023). <u>Domestic Homicide Sentencing</u> <u>Review and government response</u>

²⁶¹ Ministry of Justice (2023). <u>Domestic Homicide Sentencing</u> <u>Review and government response</u>

and Australia to make self-defence more accessible to victims of domestic abuse who use force against their abuser.²⁶² This should prove key to informing the Law Commission's review of the use of defence in domestic homicide cases. With regard to the sentencing guidelines consultation, we also note the work of Level Up and their campaign to put an end to prison sentencing for pregnant women, as proposals put forward by the Sentencing Council include measures that instruct courts to "avoid the possibility of an offender giving birth in prison".²⁶³

In 2023, further evidence was published highlighting how intersecting forms of oppression impact survivors' access to and experiences of the criminal justice system. This included a qualitative research report commissioned by the Ministry of Justice on the support needs of disabled adult victim/survivors of sexual violence.²⁶⁴ A collaborative VAWG sector report on communication barriers was published, exposing how statutory bodies - primarily the police - are failing Black, minoritised, migrant, Deaf and disabled women and girls, and making a series of recommendations for change.²⁶⁵ In addition, Standing Together Against Domestic Abuse and the Centre for Justice Innovation published a report on providing effective advocacy to Black and minoritised victim-survivors of domestic abuse and harmful

 ²⁶² Centre for Women's Justice (2023). <u>Self-Defence Briefings</u>
 ²⁶³ Level Up: <u>Pregnancy in Prison Campaign</u>

²⁶⁴ Hollomotz, A. Burch, L. and Bashall, R. (2023). <u>Formal support</u> <u>needs of disabled adult victim-survivors of sexual violence A</u> <u>qualitative research report</u>

²⁶⁵ EVAW et al (2023). <u>Listen to Us! Communication barriers: how</u> <u>statutory bodies are failing Black, minoritised, migrant, Deaf and</u> <u>disabled women and girls victim/survivors of VAWG.</u>

practices who are in contact with the criminal justice system, noting how the criminal justice system creates additional barriers to engagement for Black and minoritised victim-survivors.²⁶⁶

Perpetrators

Working with perpetrators is a critical element of tackling VAWG and forms a key component of the VAWG sector's general election manifesto.²⁶⁷ However, approximately only 1% of perpetrators currently get any kind of intervention to address their behaviour, and often interventions may not be quality assured or safe.²⁶⁸ Getting this work right is difficult and the risks are high - a challenge which highlights the importance of expert organisations who have a gendered analysis and holistic approach, such as Respect. Respect relaunched their perpetrator standards in January 2023,²⁶⁹ and released a series of briefings this past year for commissioners, funders, policy makers and referring agencies who have an interest in perpetrator work and accreditation standards.²⁷⁰ In addition, it was positive to see work commissioned by the Home Office to develop evidence-based

²⁶⁶ Standing Together and Centre for Justice Innovation (2023). '<u>A</u> safe place and a safe time' Providing effective advocacy to Black and Minoritised victim-survivors of domestic abuse and harmful practices in contact with the criminal justice system
²⁶⁷ EVAW et al. (2023). <u>A Whole Society Approach to Ending</u>
²⁶⁸ Safe Lives (2018). <u>SafeLives Insights National Briefing</u>
²⁶⁹ Respect (2023) <u>The Respect Standard 4th edition, 2022</u>
²⁷⁰ Respect (2023) <u>Respect Standard and Home Office Standards</u>
for perpetrator work briefing; and Working with perpetrators with criminal justice involvement or in Family Court proceedings

standards for interventions with perpetrators of domestic abuse, which was published in January 2023,²⁷¹ and a £36 million funding commitment from the Home Office in February 2023 for perpetrator interventions.²⁷²

However, the government's focus on perpetrators remains largely through the criminal justice lens. For example, this includes changes to the way high-risk high-harm offenders are managed.²⁷³ There is, however, work seeking a more expansive approach to working with perpetrators that looks beyond the criminal justice system and builds on the work of early response programmes based in the community, such a 'Make a Change', run by Respect and Women's Aid, who published their policy position statement in 2023.²⁷⁴

The media

The media plays a significant role in shaping public discourse on VAWG, and therefore in either upholding or challenging the societal norms which underpin VAWG, as well as narratives about those who experience and perpetrate such abuse. The specialist VAWG sector and wider women's sector are all too aware of the damage poor media reporting can do. These concerns are shared by the Domestic Abuse Commissioner, who this past year

²⁷² Home Office et all (2023). <u>Domestic abusers face crackdown</u> in raft of new measures

²⁷¹ Westmarland, N. and Kelly, L. (2023) <u>Standards for domestic</u> <u>abuse perpetrator interventions</u>. Home Office

²⁷³ ibid

 ²⁷⁴ Make a Change (2023). <u>Make a Change: Policy Position</u>
 <u>Paper</u>. Respect and Women's Aid Federation of England.

published her analysis of the problematic media coverage of a number of recent murders of women, along with her plans to write to the Independent Press Standards Organisation (IPSO), Ofcom and the Secretary of State for Digital, Culture, Media and Sport on the matter and calling for IPSO to conduct an investigation.²⁷⁵

Furthermore, a 2023 academic study on different framings of femicide in the media concluded that "media reporting is a decisive factor in overcoming the downplaying of structural and personal violence against women".²⁷⁶ This is why EVAW and Zero Tolerance run annual Write to End Violence Against Women (WEVAW) Awards which recognise journalists and writers who report on VAWG responsibly, sensitively and accurately. In 2023, WEVAW saw a host of deserving winners, alongside this year drawing attention to the invisibilisation of Black and minoritised women in reporting on VAWG.²⁷⁷

There is some relevant guidance that already exists in different parts of the IPSO Editors' Code of Practice and accompanying guidance, and we were encouraged this year to see IPSO uphold a complaint brought by The Fawcett Society and The WILDE Foundation on the basis of sexism – the first time it has done so; requiring newspaper The Sun to inform its readers of the finding

²⁷⁵ Jacobs, N [Domestic Abuse Commissioner] (2023) <u>What</u> <u>coverage of Nicola Bulley, Emma Pattison and Brianna Ghey tells</u> <u>us about an out-of-control media.</u> The Guardian
²⁷⁶ Schnepf, J. and Christmann, U.,(2023) <u>"Domestic Drama,"</u> <u>"Love Killing," or "Murder": Does the Framing of Femicides Affect</u> <u>Readers' Emotional and Cognitive Responses to the Crime?</u>
²⁷⁷ EVAW (2023). <u>Winners announced: Write to End Violence</u> <u>Against Women Awards 2023</u> against it.²⁷⁸ This past year, IPSO also began the process of reviewing its <u>Editors' Code of Practice</u>, including a public consultation. However, its subsequent 2023 Editors' Code of Practice Review Report disappointingly showed no real change to the code in terms of VAWG, including no agreement to change the Code in line with Level Up's proposed amendment on reporting fatal domestic abuse,²⁷⁹ which was endorsed and supported by a number of VAWG specialists including the Domestic Abuse Commissioner and EVAW.

 ²⁷⁸ Independent Press Standards Organisation (2023) <u>18626-22</u>
 <u>The Fawcett Society and The WILDE Foundation v The Sun</u>
 ²⁷⁹ Level Up's <u>Media Guidelines campaign</u>

Recommendations

- Protect the human rights frameworks needed to tackle VAWG in preserving and promoting domestic and international human rights and equalities legislation, including upholding the principle of universal human rights.
- Put prevention front and centre, including:
 - Adopting a public health approach to preventing VAWG, including funding and delivery of multi-year, long-term effective public communication campaigns and community responses that challenge harmful social norms and perpetrator and bystander behaviour.
 - Strategic investment to prevent and respond to VAWG in all schools and higher education settings, including the delivery of a Whole School Approach. This should include sufficient investment in school staff to enable training, resourcing and dedicated capacity for RSHE/RSE delivery, and dedicated funding for specialist local VAWG services, including 'by and for' organisations, to design and implement prevention interventions (see recommendations from EVAW's report 'It's #AboutTime: – A Whole School Approach to Ending Violence Against Women and Girls').²⁸⁰
- Create a safe online world, free from VAWG and the societal attitudes which underpin it, by making a commitment through legislation and other mechanisms to better address online VAWG with a preventative, holistic and intersectional

²⁸⁰ EVAW (2023) I<u>t's #AboutTime: – A Whole School Approach to</u> Ending Violence Against Women and Girls.

approach. Solutions should focus on safety-by-design and product security, and require accountability and transparency from tech companies within a human rights framework. It should also be future-proofed to tackle emerging harms.

- Ensure access to support and justice for all survivors, embedding the specialist women-led and 'by and for' sector's practice of intersectionality to meet the needs of all women and girls and the intersecting forms of oppression they face. This includes:
 - Migrant survivors by dismantling 'hostile environment' policies. This would include scrapping the No Recourse to Public Funds condition, introducing a 'firewall' to block data-sharing between statutory agencies and immigration, widening access to models of protection like the Domestic Violence Rule and Destitution Domestic Violence Concession, and removing reservations on the Istanbul Convention.
 - Those who face communication barriers by implementing the recommendations from the sector's 'Listen to Us!' report.²⁸¹
- Support the sustainability of the specialist VAWG sector, including 'by and for' services, by reforming the current competitive funding and commissioning landscape, and delivering a secure, national, multi-year funding settlement that is accessible to these services. This must include

²⁸¹ EVAW et al (2023). <u>Listen to Us! Communication barriers: how</u> <u>statutory bodies are failing Black, minoritised, migrant, Deaf and</u> <u>disabled women and girls victim/survivors of VAWG.</u>

national ring-fenced funding for specialist services led 'by and for' Black and minoritised women, Deaf and disabled women and LGBT+ survivors.

- Resource and reform public institutions from housing to health, the welfare system, children's social care and the criminal justice system so they are better able to prevent and respond to VAWG and to ensure a whole-society approach. This includes:
 - Reforming the criminal justice system's response to VAWG, per the recommendations set out in our briefing <u>'Government's End-to-End Rape Review: Two Years</u> <u>On'</u>.²⁸²
 - Improving the response from health, housing, family courts and social care via recommendations set out in the joint VAWG sector manifesto.²⁸³

 ²⁸² Centre for Women's Justice, EVAW, Imkaan and Rape Crisis
 England and Wales (2023). <u>What's Changed? Government's End-</u>
 <u>to-End Rape Review - Two Years On.</u>
 ²⁸³ EVAW et al. (2023). <u>A Whole Society Approach to Ending</u>

Violence Against Women and Girls: VAWG Sector Manifesto.