

Respect

Domestic Abuse

Perpetrator

Intervention

Quality Assurance

Amendment Paper

7th May 2020

Domestic Abuse Perpetrator Intervention Quality assurance amendment Paper

Why an amendment is needed

The new Domestic Abuse Bill establishes Domestic Abuse Prevention Orders (DAPOS), that enable judges to require domestic abuse (DA) perpetrators to attend behaviour change interventions as part of their sentence.

There are currently no proposals to ensure that such interventions meet a minimum standard. At worst, poorly run programmes can increase risk to victims. At best, they are a waste of money. However, with the necessary quality assurance amendments, the Bill could mark a new era where perpetrators are held to account and given genuine chances to change.

Whilst the quality assurance provisions would only be written into law to apply to DAPOs, the expectation is that they would set a benchmark for all behaviour interventions commissioned by public bodies, raising for example the standard of private sector work commissioned by government in probation, from a situation, where according to HMI Probation reports:

"Some responsible officers were delivering the domestic abuse RAR [rehabilitation activity requirement] on a one-to-one basis, borrowing resources from colleagues, browsing the internet for resources or devising their own one-to-one interventions. There was no system in place to make sure that interventions were evidence-based and delivered safely and effectively!"¹

Assuring quality will be an important step forward. However, it will have to be combined with a) significant investments so that a range of interventions are available and b) skilled assessments on a case by case basis regarding the suitability of any given intervention for a specific perpetrator.

¹ HMI Probation 2018 report on the domestic abuse work of CRCs

This amendment is supported by over 25 organisations working to address domestic abuse and features in [a joint Bill position paper](#), which details key improvements required for the Bill.

Section A – the Legislation

The part of the Bill that needs amending

Section 33 deals with requirements that may be imposed by orders. It is currently drafted as follows:

Section 33

Further provision about requirements that may be imposed by orders

- (1) Requirements imposed on a person by a domestic abuse protection order must, so far as practicable, be such as to avoid— (a) conflict with the person's religious beliefs; (b) interference with any times at which the person normally works or attends an educational establishment; (c) conflict with the requirements of any other court order or injunction to which the person may be subject
- (2) A domestic abuse protection order that imposes a requirement to do something on a person ("P") must specify the person who is to be responsible for supervising compliance with that requirement.
- (3) (3) Before including such a requirement in a domestic abuse protection order, the court must receive evidence about its suitability and enforceability from the person to be specified under subsection (2).

What the amendments would look like

We are proposing amendment to require the Home Sec to publish standards for DA perpetrator interventions.

Proposed amendments to Section 33 are highlighted below in **grey**:

- (1) Requirements imposed on a person by a domestic abuse protection order must, so far as practicable, be such as to avoid— (a) conflict with the person's religious beliefs; (b) interference with any times at which the person normally works or attends an educational establishment; (c)

conflict with the requirements of any other court order or injunction to which the person may be subject.

(2) A domestic abuse protection order that imposes a requirement to do something on a person ("P") must

i) specify the person who is to be responsible for supervising compliance with that requirement.

ii) , if the requirement is to attend an intervention specifically designed to address the use of abusive behaviour, meet the standard published by the Home Secretary for domestic abuse behaviour interventions

(3) Before including such a requirement in a domestic abuse protection order, the court must receive evidence about its suitability and enforceability from the person to be specified under subsection (2i).

(New sub-clause 8) It is the duty of the Home Secretary to consult on and publish statutory standards in furtherance of section 2 ii within 12 months of royal assent to this act, and to review these standards at least once every 3 years.

Section B – the Guidance

Proposals relating to the Standards to be published by the Home Secretary

The amendments would require the Home Secretary to consult on and publish standards as statutory guidance.

Commissioners would still in principle be free to commission interventions that did not meet the standard – eg for innovation purposes – but the courts would not be free to purchase places on such schemes. Ultimately, we would hope that other public bodies would follow suit.

There are then various options for accrediting programmes and ensuring that the standard is met in practice as well as on paper. We propose the consultation process for the quality standards also seeks views on the accreditation mechanism. Our preference is for external accreditation as opposed to self-accreditation, because this is more robust. We also propose sites are accredited not programmes/curricula – this will help ensure that delivery meets required standards.

External accreditation could work as follows:

- a. A standard is included in the body of what the Home Secretary publishes.
- b. A list of approved accrediting agencies against this standard is given; with a mechanism for review (ie ways that other agencies could apply to accredit; ways that checks could be made to ensure existing accreditation agencies were performing correctly)
- b. Commissioners only commission programmes in accredited sites
- c. Re-Accreditation is required every 3 years (or earlier in the case of significant changes to the structure or operation of the programme) and in the case of an accreditation fail services have 6 months to meet the standard before commissioners are expected to de-commission.