

Cornwall

Domestic Abuse and Sexual Violence Strategy



2023 - 2028

**SAFER
CORNWALL**

Kernow Salwa



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The past three years have seen some of the most difficult times we have ever faced. The Covid-19 pandemic and lockdown restrictions imposed strict limits on daily life - for adults and children affected by domestic abuse and sexual violence, the impacts were especially severe, and ongoing challenges remain.

Nationally, there was recognition that victims of domestic abuse and sexual abuse living at home, with their families or wherever they were, would struggle even more. Locally, we worked quickly to make sure that victims could still reach out for help, thinking creatively to ensure there were channels in place to contact and support individuals and their families.

Initially we saw a reduction in cases and we expected that as we came out of lockdown the number of victims coming forward would rise quickly, which they did. Specialist services were amazing in continuing to provide high-quality support throughout despite these challenging conditions, and this is a credit to their passion and determination to make a real difference in people's lives.

Our new strategy is more important and relevant than ever, reflecting what we have learned from the last few years; what victims, survivors, children and young people and those engaging in abusive behaviours have told us. We now need to turn that into truly positive action.

This new strategy brings together Safer Cornwall (Cornwall's Community Safety Partnership); Our Safeguarding Children's Partnership; and Cornwall's Safeguarding Adults Board. It is the first cross partnership DASV strategy for Cornwall and the Isles of Scilly, bringing together the key organisations who play a role in making our county a place where domestic abuse and sexual abuse is not tolerated.



Three boards | One vision

This strategy brings together the three statutory boards in Cornwall, with responsibility for community safety and safeguarding adults and children, to develop a shared vision and understanding to end domestic abuse and sexual abuse/violence. This strategy and its delivery plan are co-owned by all three boards with a joint commitment to its implementation. Safer Cornwall holds the statutory duties under the Domestic Abuse Act 2021 and the Crime and Disorder Act 1998 for Domestic Homicide Reviews and takes the lead on this approach.

Safer Cornwall

Safer Cornwall is the statutory Community Safety Partnership for Cornwall. It is responsible for working together to reduce crime and disorder, anti-social behaviour, problem use of drugs and alcohol and re-offending.

Our Safeguarding Children's Partnership (OSCP)

OSCP is the key statutory mechanism for agreeing how relevant organisations will work together to promote, safeguard and protect the welfare of children and young people across Cornwall and the Isles of Scilly.

Safeguarding Adults Board

The SAB is responsible for protecting adults from abuse, reducing the risk of abuse, and supporting people to stop abuse where it happens.

We will use a Public Health approach to develop a shared understanding of local need, to develop our strategic priorities, to inform and develop services and to evaluate and review whether we are enabling victims, their families and children and those who engage in abusive behaviours to have their needs met effectively.

Our vision is to end domestic abuse and sexual abuse/violence in Cornwall. Domestic abuse and sexual abuse/violence is unacceptable. Everyone deserves and should live without fear.

We know we can achieve real, sustainable progress and end domestic abuse and sexual abuse/violence by working together to prevent individuals from experiencing abuse and/or engaging in abusive behaviours.

Tackling domestic abuse and sexual abuse/violence is everybody's business. Whilst there has been considerable progress in Cornwall's response since the previous strategy, launched in 2019, there is still a long way to go.

This strategy is a call for action over the next five years: To end domestic abuse and sexual abuse/violence in Cornwall. It aims to embed a preventative response focussed on early identification and prevention, thus ensuring safety and support from crisis to recovery.

More information on Domestic Homicide Reviews can be found on the Safer Cornwall webpage: <https://safercornwall.co.uk/domestic-homicide-reviews-dhrs/>

This strategy is set within the wider context of the National Violence Against Women and Girls Strategy 2021; the National Strategic Direction for Sexual Assault and Abuse Services; and the National Domestic Abuse Plan.

We recognise the gendered nature of violence against women and girls, whereby women and girls make up the majority of victims and experience the most severe and dangerous forms of domestic abuse and sexual abuse/violence; and the majority of individuals engaging in abusive behaviours are men and boys. Our strategy recognises that men and boys also experience abuse and violence and that every member of our community deserves to feel safe and free from abuse, violence and fear.

This strategy is underpinned by what people with lived experience of domestic abuse and sexual abuse have told us. Our priorities and delivery plan reflect this and were drafted from:

- Workshops, surveys, interviews and focus groups with a variety of professionals and survivors
- Case studies
- Data and information collected and consolidated in the Domestic Abuse and Sexual Violence Needs Assessment 2021/22
- Co-production through the voices of victims with lived experience and who are experts in domestic abuse and sexual abuse
- National Violence Against Women and Girls Strategy 2021
- Community Safety Partnership Strategy
- Safer Cornwall Strategic Assessment
- Lessons learnt from Domestic Homicide Reviews and Child Serious Case reviews
- Scrutiny Report commissioned by the Our Safeguarding Children Partnership



Domestic Abuse Act 2021

The Domestic Abuse Act 2021 strengthens the support for victims of abuse and enables abusers to be brought to justice.

The Domestic Abuse Act 2021 statutory definition of domestic abuse is:

Any incident or pattern of incidents of physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse, psychological, emotional or other abuse between those aged 16 or over who are or have been personally connected to each other.

The definition also recognises that domestic abuse can impact on a child who sees, hears and/or experiences the effects of the abuse and treats such children as victims in their own right where they are related to either the abuser or the abused.

The full definition can be found in Appendix 1.

Sexual abuse and/or violence

‘Sexual abuse’ and/or ‘sexual violence’ can both be defined as any behaviour perceived to be of a sexual nature that takes place without consent or without understanding.

It encompasses a broad range of activities, physical, visual and verbal, that are: of a sexual nature; take place without consent or without understanding; are experienced, at the time or later, as a threat, invasion or assault; and that take away the ability to control intimate contact.

Whilst sexual violence has been recognised as a cause and a consequence of gender inequality disproportionately affecting women and girls, we recognise there are heterosexual male victims and victims within the LGBT+ community.’

This strategy responds to sexual assault and abuse in the context of adults and should be read in conjunction with the Childhood Sexual Abuse Strategy and Child Exploitation Strategy for Cornwall. A full description of sexual assault and abuse can be found in Appendix 1.

Case Study

Hannah experienced childhood sexual abuse at the age of 6 and 8 on multiple occasions by a neighbour. He told her he would hurt her sisters if she told anyone and made her feel responsible for keeping them safe. This impacted her ability to form healthy relationships, did not trust men and felt a deep sense of shame, blame and guilt.

Hannah struggles with triggers, specifically men standing behind her; even her father cannot stand behind her as this triggers her. Hannah does not sleep in her bedroom as feels unsafe and tries to stay awake as long as possible because she is scared of nightmares when asleep. She has severe anxiety and struggles with going to shops or any situation where she is surrounded by people. This impacts her life to such an extent that Hannah feels trapped and unable to live the life she wants.

The impact of domestic abuse on children and young people

Young people can experience domestic abuse in a multitude of ways:

- They can be victims of domestic abuse in the family home.
- They can experience domestic abuse in their own intimate partner relationships.
- They may demonstrate harmful behaviours themselves, towards partners or family members.

Young people experience the highest rates of domestic abuse of any age group but have one of the lowest reporting rates. Young people in teenage years are under-represented in all services, particularly amongst those seeking housing support

“ My son was crying to leave me alone, his dad was screaming back at him, once I got back up he started coming for me again, my son had picked up a bottle and was going to hit his dad to stop him but I just shook my head to say ‘no’. ”

It is estimated that 1 in 4 children in Cornwall live in households where an adult is or has been affected by domestic abuse.

Witnessing violence / abuse is one of the Adverse Childhood Experiences (ACEs) that research shows will go on to significantly impact on not only outcomes for children, but also longer term on the health, wellbeing and mortality of the wider population.

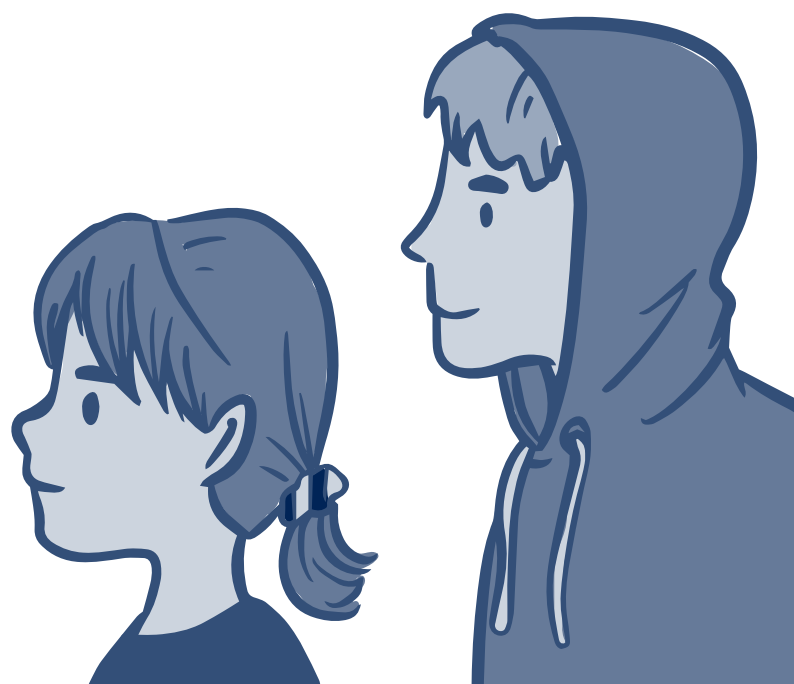
This is especially true for children from lower socio-economic backgrounds, certain ethnic minorities or from families who are socially isolated¹.

1. Bryant et al (2020) The rise of adverse childhood experiences during the COVID-19 pandemic.

For 6.2% of children (1 in 16) the abuse will have been experienced in the last year.

Impacts on children include emotional trauma, behavioural problems, mental health issues and risk-taking behaviour:

- Truancy
- Running away
- Substance use
- Alcohol use
- Eating disorders
- Sexual assaults
- Lower educational attainment
- Teen pregnancy
- Use of pornography
- Mental health problems, such as anxiety and/or depression



In Cornwall...

21%

of all crimes recorded in the Devon and Cornwall police area relate to domestic abuse

An estimated **21,500** people have experienced domestic abuse in Cornwall in the last year.



14,740 women

6,760 men²

18%



of this number received support from our community service and refuge provision last year.

2x

Women are more than twice as likely to experience domestic abuse than men.

It's estimated that only **5-10%** of victims report sexual assault to the police



Reports of **stalking** have **more than doubled** in 2020/21



2x

A person with a **disability is more than twice as likely** to experience **domestic abuse** than a person with no disability

Young people are **disproportionately affected by domestic abuse**, both as children in abusive households and as young adults experiencing abuse within their own relationships.

14%

of people have experienced sexual assault after the age of 16

That equates to **56,900** people in Cornwall.

There can be up to a **three year wait for cases to come to court**



Around

7,300

people aged **16 years or over in Cornwall are victims of sexual assault each year³**



In 2021/22 we received

10

Domestic Homicide referrals - eight progressed to DHRs

Just under

5,000

referrals to commissioned specialist DA services in 2021, **an increase of 47%** from the previous year.

In 2021/22

1,230

sexual offences were reported to the police in Cornwall



50% of all rape offences against people aged 16+ are recorded as domestic abuse

We've been told

Without the support of my DASA, I wouldn't have known it wasn't my fault, and (wouldn't have) had the knowledge and the strength to take it to the police.

More support for adults impacted by childhood sexual abuse

I want services to work with my partner, my family and me in a joined-up, co-ordinated approach

We need improved pathways for those leaving prison

A trusted worker to stay with us throughout our journey

I get amazing emotional support and do not feel judged

"I will be more confident asking questions when seeing clients" Training Attendee

There is nothing teaching us about red flags and how to deal with the situation. Having posters and assemblies in schools - What about the prevention element?

Interpreter provision across Cornwall is not fit for supporting those impacted by DASV

Non specialist Emergency accommodation often does not feel safe or meet people's needs

Stop the blame culture. Don't treat victims like offenders

I want a lead helper to co-ordinate my care and help me sort the obstacles to my progress

Those who access specialist DASV services receive a great response

It's everybody's business

"I want everyone to share my information."

There are additional barriers to accessing support for those from marginalised groups

A choice of support - what and when I need it

More support (is needed) for those engaging in abusive behaviours

Stigma still exists



Our priorities

Cornwall is a place where domestic abuse and sexual abuse is not tolerated; where everyone can expect equality and respect, and live free from fear.

1. Strengthening prevention and early identification

We aim to strengthen our approach to prevention to enable identification of domestic abuse and sexual abuse/violence at the earliest opportunity, intervene effectively, safely and prevent escalation. **We aim to break the potential cycle of abuse and trauma**, considering the needs of the whole family.

2. Increasing access and breaking down barriers

We aim to develop an inclusive and needs-led, coordinated community system accessible to all.

3. Behaviour change, justice and protection

We aim to **progress and extend gender informed prevention, support and interventions** to challenge and change abusive behaviour.

We aim to improve the Criminal Justice System (CJS) response to domestic abuse and sexual abuse/violence by **providing trauma informed support for survivors**, and **holding those engaging in abusive behaviours to account**.

4. Greater support for victims and survivors

We aim to provide **gender informed support to those impacted by domestic abuse and sexual abuse/violence** who are accessing, trying to access or unable to access specialist support.

5. Working together

We aim to **lead by example by working collaboratively** and through co-production **to simplify the system** for those who use it.



Strengthening prevention and early identification

We aim to strengthen our approach to prevention to enable identification of domestic abuse and sexual abuse at the earliest opportunity, and to intervene effectively and safely to prevent escalation. We aim to break the potential cycle of abuse and trauma, considering the needs of the whole family.

In order to eradicate domestic abuse and sexual abuse, there is a need to develop a whole community response. This should strive to promote better knowledge and understanding of abuse, promote healthy relationships and empower members of the community to respond.

We need to increase public awareness and encourage people to feel safe and confident to report to the police and/or specialist services.

We want anyone affected by domestic abuse and/or sexual abuse/violence to know that it is ok to talk about it and where to access support.

Our aim is for local organisations and agencies to have effective ways to identify needs of individuals,

children and families experiencing domestic abuse and/or sexual abuse/violence. Professionals need to feel comfortable and confident asking about domestic abuse and sexual abuse/violence, routinely, with a comprehensive knowledge of how to access safety and support and where to refer people.

We aim to work with children from a young age to educate them about equality and respect. Young people's expectations can be raised about what to expect from their own friendships and relationships as they grow.

Early recognition will lead to earlier interventions and reduce the impact of domestic abuse and sexual abuse on individuals and their families.

Lawrence witnessed physical violence towards his mother and was referred to Safer Futures Family programme due to Lawrence managing his anger the way that he has witnessed other adults in his life manage their anger.

Lawrence was quite shy to start with during the first couple of sessions. He would also say 'I don't remember' quite a lot. By the end of the second session, Lawrence was smiling a lot more and started to speak and interact a bit more.

Lawrence has developed a good understanding of his own emotions and the physical effects this can have, Lawrence has also started to learn how to cope with his anger and is using the coping strategies we have put in place - glitter jar seems to be really effective for him.

Case Study

What do we aim to do?

1. Increase public awareness of domestic abuse, including coercion and control; sexual abuse; **and healthy relationships.**

2. We will continue to **develop community responses to domestic abuse and sexual abuse/violence**, including bystander interventions, safe spaces, and working with local businesses.

3. We will work with education establishments, Early Years, and 16-18 years provision to **develop whole, inclusive approaches to DASV.**

“ My worker at FirstLight was the only person who believed me for what felt like a long time. ”

4. Work with our Safeguarding teams to **support early identification of abuse of vulnerable adults** including those with learning disabilities and abuse affecting older victims and survivors.

5. Work with our partners to **promote safety where children are displaying harmful behaviours**, understanding that this behaviour is often rooted in trauma.

6. We will commit to **developing the workforce** in being able **to feel confident in identifying and responding to domestic and sexual abuse and violence.**

7. We will continue to **develop the health response to domestic abuse and sexual abuse/violence** to ensure that everyone is asked and given the opportunity to talk about abuse they may be experiencing.

8. We will **continue to develop our whole family approach to domestic abuse.**

9. We will **ensure this strategy is aligned to the Childhood Sexual Abuse Strategy.**



Increasing access and breaking down barriers

We aim to develop an inclusive and needs-led, coordinated community system accessible to all.

Spotlight on best practice

The DIVAS are a group of women who have a range of learning disabilities, learning difficulties and/or autism, who have experienced domestic abuse and/or sexual abuse/violence. They meet regularly in a peer support group where friendships are formed, and where they can undertake healthy relationships education to talk about boundaries and what is acceptable behaviour in intimate relationships. The group has also chosen to reach out to others in the community (e.g. the police and the council) whom they say need to hear about their experiences so they can improve their understanding and responses to women with these disabilities who have been abused.



Health and social inequalities can make it much harder for some people to access support than others. The people impacted by these inequalities include some of our most vulnerable members of the community. There are also additional barriers to escaping abuse and accessing support for marginalised groups and we know that these groups of people are unrepresented in our specialist domestic abuse and sexual violence services.

The stigma and discrimination for people from marginalised groups or with complex needs and multiple vulnerabilities is often high, meaning that they either do not or cannot access services or do not receive good quality, non-judgemental care and support.

It is important we have a better understanding and response to everyone's needs across our community, including those from marginalised groups. We need to work towards driving collaboration and reducing fragmentation, to enable

“ It is hard for people to imagine what people have to go through, especially if you have a job working full-time and that you seem to function very well in your day-to-day life. ”

a system wide response which includes increasing access and breaking down barriers to support. People should receive the response they need, when they want it, which should be tailored to all of their needs.

What do we aim to do?

1. We will continue to develop our **understanding of and improve** our response to **intersectionality and marginalised groups**.

2. We will ensure the voice of experts by experience **continuously informs our response through collaboration and co-production**.

3. We will **raise the confidence of our workforce to recognise and respond to those impacted by domestic abuse and sexual violence** who have multiple vulnerabilities or are from marginalised groups.

4. We will continue to support effective system change to **better respond to those with the most complex needs**.

5. We will promote **Compassionate Cornwall** and rollout the **Trauma-informed programme**, to complement the whole system approach.

“ loads of other places kept knocking me back ”

COMPLEX NEEDS ACCOMMODATION CLIENT

“ The word ‘historical’ pains me! The effect is not historical. I live it every single day. It affects every part of you. ”

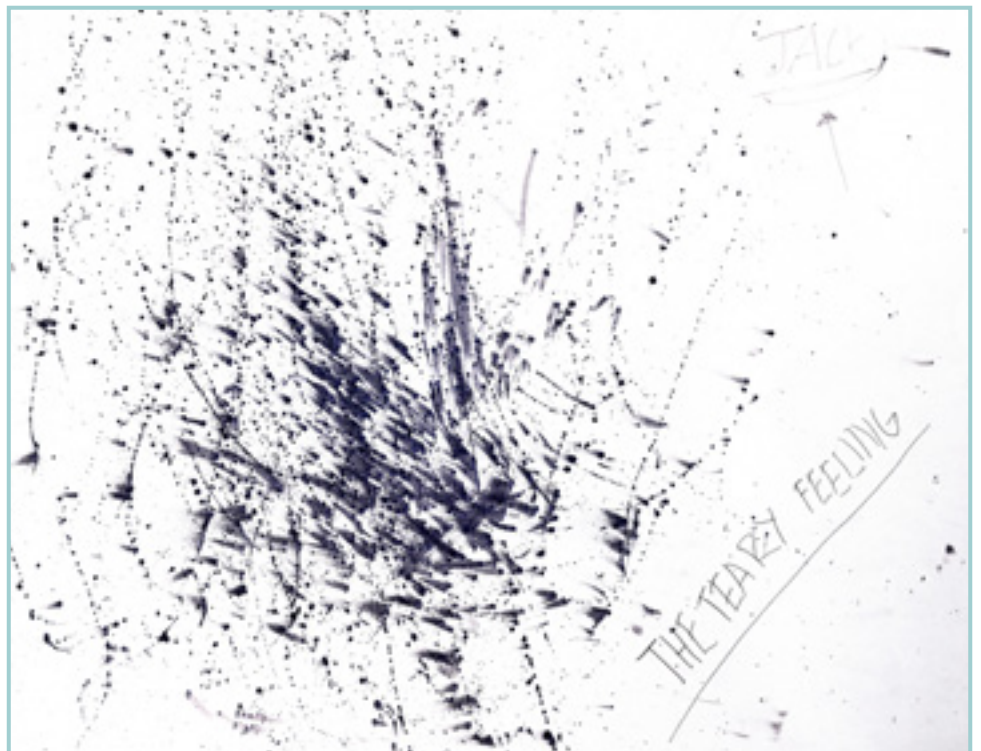


Photo credit: Clear Ideas

Behaviour change, protection and justice

We aim to progress and extend gender-informed prevention, support and interventions to challenge and change abusive behaviour.

We aim to improve the Criminal Justice System response to domestic abuse by providing trauma informed support for survivors, and holding those engaging in abusive behaviours to account.

In order to stop violence and abuse happening, we must improve our offer of support to individuals engaging in domestic abuse and/or sexual abuse/violence and improve our criminal justice response to domestic abuse and sexual violence. We need to do more to ensure people who engage in abusive behaviours are held to account for their actions.

This includes reducing the impact of abuse on the family and reducing the likelihood of future incidents, whether through pursuing those showing abusive behaviours through the criminal justice system; via civil outcomes; through working with families to change behaviour; or through rehabilitation (within prison or the community).

We need to support sustainable behaviour change to respond to the need of families wanting to stay together, despite the presence of abuse. Accessible and effective support can ensure that the whole family is as safe as possible while they recover, learn and manage change together.

“ Court processes are lengthy, advice and legislative support is very grey ”

“ Police focus on ‘getting the right result’ for the victim can lead to them **not being brought to account, increasing the risk of re-offending. ”**

There needs to be adequate support for people reporting abuse and violence throughout the criminal justice process so more people experiencing abuse and violence have the confidence to speak out.

We are committed to transforming our community response to those engaging in abusive behaviours, so the right intervention is received at the right time



Case Study

Phil self-referred to Safer Futures Change 4U programme after losing access to his three children six years ago.

During the assessment, Phil took accountability for his abusive behaviours, admitting to becoming physically abusive after the relationship failed due to his affair. Phil's current partner of six years engaged with partner support. Barriers were identified with regards to communication, specifically around difficult conversations/ disagreements.

Phil worked hard addressing these, practicing techniques with his partner who had been taught the same practices through partner support. He was able to make use of the coping mechanisms such as the breathing techniques, mediation, and time out.

Phil has now completed his behaviour change course - he has worked on topics that focus on parenting and co parenting skills and acknowledged his past behaviours. There have been no further incidents reported from the partner worker.

What do we aim to do?

- 1.** We will jointly ensure that there is a **robust approach to identifying and responding to those engaging in abusive behaviours**. We will focus on increasing the challenge to those who engage in abuse and making those who engage in abuse more accountable for their actions.
- 2.** We will ensure there is **support and behaviour change programmes available** to those who engage in abusive behaviour. We will continue to **deliver and expand our community domestic abuse programme**.
- 3.** We will **reduce the huge disparity** between the number of reports to the police and positive criminal justice outcomes.
- 4.** We will **improve our response to women in the criminal justice system** who have been impacted by domestic abuse and/or sexual abuse/violence.
- 5.** We will **support individuals and families through their criminal justice journey** from arrest through to prosecution and beyond in order to ensure the timely, meaningful delivery of justice.
- 6.** We will **end the blame culture for victims**, treating them with respect and support.

Greater support for victims and survivors

We aim to provide gender-informed support to those impacted by domestic abuse who are accessing, trying to access or unable to access specialist services.

In order to prevent further abuse we aim to provide a comprehensive range of services, from crisis support to longer term recovery and emotional well-being support.

We recognise that there are a variety of factors which may increase the likelihood of domestic abuse and sexual abuse/ violence and therefore, there is a need for different solutions which may be offered to those affected by it. In Cornwall we have a wide range of services for people impacted by domestic abuse, including, victim support, behaviour change programmes, child-centred approaches and couple and whole family interventions. These are described in more detail in our DASV Needs Assessment.

We know that when people access services in Cornwall, they receive a good response. But often getting access is difficult due to different routes of access, waiting lists and service capacity, particularly for those who have experienced sexual

abuse. We also know some people are not aware of the support that is available to them.

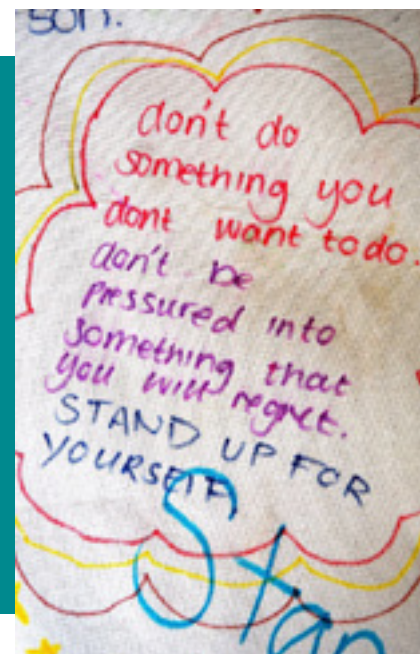
We aim to improve access to services; increase the number of people and families seeking support; and improve the long-term health and well-being of victims and their children. Services should be gender-informed and offer choice and flexibility.

A multi-agency response will be key to providing responsive, flexible services, which respond as early as possible.

Commissioning and service planning will be underpinned by human learning system principles, which ensure services meet the diverse needs of those who require them. When services are working with survivors and families, they will be needs-led, addressing the holistic needs of the families, including mental health and emotional wellbeing. Services will be based on need, rather than risk.

Spotlight on best practice

A team of children and young persons' sexual violence advocates have been brought together to support children and young people in Cornwall who have been impacted by non-contact child sexual abuse. These children would not have previously had access to advocate support. The service provides individual, emotional and practical support to meet the needs of the victim/survivor and their families; stay with them throughout their journey; and help them navigate other services.



What do we aim to do?

- 1.** We will ensure services work together to **make the system easier to navigate and access.**
- 2.** We will ensure there is a **range of choice and flexibility in the support we offer** across Cornwall, including gender specific services.
- 3.** We will ensure **long term recovery support is prioritised alongside crisis support.**
- 4.** We will **increase the support available** for adult victims of historic childhood sexual violence.
- 5.** We will **develop our response** for those who are engaged in sex work and victims of sexual exploitation.
- 6.** We will **support children and young people impacted by domestic abuse** as victims in their own right.
- 7.** We will **review our service provision** for families impacted by child to parent/carers abuse and interfamilial domestic abuse.
- 8.** We will **improve support to victims going through the family courts.**

“ it takes time for the victim to accept what has happened. You go within yourself not trusting anyone or anything. It’s a roller coaster of feelings, thinking that you are responsible for what happened to you. Sorry is a word that you say a million times but you don’t know what you are sorry for. ”

“ As a rape survivor I really need ongoing support, such as monthly specialist counselling sessions, to help me try and achieve a more ‘normal’ life. The result of the trauma I experienced means that I can never get certain things out of my head which makes it extremely difficult to engage with people and society in any meaningful way. ”



Photo credit: Clear Ideas

We aim to lead by example by working collaboratively and through co-production to simplify the system for those who use it.

Domestic abuse and sexual abuse/violence have an enormous impact on every aspect of a person's life; an impact that is not limited to the individual experiencing the abuse directly but is felt by their whole family. Despite this, there is still a tendency for services to focus on one aspect of a person's life. This does not recognise the complexity of the issues and leads to simplified responses, where not everyone in the family gets the support they need.

Tackling domestic abuse and sexual abuse requires a 'whole-system' approach. A 'whole system' approach means different professionals and agencies (including criminal justice professionals,

as well as teachers, health and social care professionals and others); local and national Government; charities; and others all **working together** to end domestic abuse and sexual abuse/violence.

A successful partnership will have good working relationships and respect between agencies, but the key measure is the effect it has on improving support to survivors and their families. We will work together to lead a programme of work that will support changing attitudes and responses towards domestic abuse and sexual abuse/violence.

Spotlight on best practice

Joint commissioning

The partnership working and joint commissioning of Cornwall's Integrated DASV Community Service (Safer Futures) has been recognised as best practice nationally. The model brings together Cornwall Council, NHS England, Cornwall's Integrated Commissioning Board, Public Health and the Office of the Police and Crime Commissioner to jointly fund the DASV community service. This has ensured that partners work together in their response and priorities and that access to DASV services is simplified.

We will know we are successful when...



Accessibility to services increases



We see increased reporting rates to the police and local services



People know what support is available and where to access it



People receive support at the right time and in the right place



Communities participate in being part of the solution

Professionals, parents/carers, young people, local businesses and residents, can identify domestic abuse and sexual violence, know who to contact and know what will be done in response



Lessons from Domestic Homicide Reviews (DHRs) and other safeguarding reviews relevant to multi-agency working are put into practice and processes for monitoring implementation are agreed



Children and young people know what a healthy relationship looks like



Our community shows no tolerance for and challenges any behaviours that constitute domestic abuse or sexual violence



People feel supported by services who work together



People feel listened to by services, and in control of their own support

Representation from those from marginalised groups increases within our services



Successful criminal justice outcomes increase



Victims and survivors feel safer



We see a reduction in reoffending and revictimisation

There is justice for victims and survivors



Joint working protocols and practice will be in place that support robust information sharing between statutory and specialist domestic abuse services



Partnership investment is made available to support the ongoing development of co-location of specialist domestic abuse staff within appropriate organisations



Appendix 1

What is domestic abuse?

The Domestic Abuse Act 2020 confirms the revised cross-government definition of domestic abuse as:

The behaviour of a person towards another person is domestic abuse if a) the two people are each aged 16 or over and are personally connected to each other, and b) the behaviour is abusive. This can include behaviour directed at the child of the person experiencing abuse.

The definition is in two parts. The first part deals with the relationship between the abuser and the abused. The second part defines what constitutes abusive behaviour:

Section 1 | Definition of “domestic abuse”

1. This section defines “domestic abuse” for the purposes of this Act.

2. Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if —

- a) A and B are each aged 16 or over and are personally connected to each other, and
- b) the behaviour is abusive.

3. Behaviour is “abusive” if it consists of any of the following —

- a) physical or sexual abuse;
- b) violent or threatening behaviour;
- c) controlling or coercive behaviour;
- d) economic abuse (see subsection (4));
- e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

4. “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to —

- a) acquire, use or maintain money or other property, or
- b) obtain goods or services.

5. For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

6. References in this Act to being abusive towards another person are to be read in accordance with this section.

7. For the meaning of “personally connected”, see section 2.

Section 2 | Definition of “personally connected”

1. Two people are “personally connected” to each other if any of the following applies —

- a) they are, or have been, married to each other;
- b) they are, or have been, civil partners of each other;
- c) they have agreed to marry one another (whether or not the agreement has been terminated);
- d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- e) they are, or have been, in an intimate personal relationship with each other;
- f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));
- g) they are relatives.

2. For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if —

- a) the person is a parent of the child, or
- b) the person has parental responsibility for the child.

3. In this section —

- “child” means a person under the age of 18 years;
- “civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;
- “parental responsibility” has the same meaning as in the Children Act 1989;
- “relative” has the meaning given by section 63(1) of the Family Law Act 1996

Section 3 | Definition of “sexual assault”

- Any non-consensual sexual activity within any context
- Any penetrative or non-penetrative offence
- Sexual exploitation and grooming
- Trafficking of people for the purpose of sexual exploitation
- Pressure or coercion into sexual activity
- Sexting (sending, receiving, or forwarding sexually explicit messages, photographs, or videos
- Sexual abuse via social media and online technology
- Sexual harassment
- Upskirting (where someone takes a picture under a person’s clothing without their permission)
- Image based sexual abuse (it is now a crime to disclose or threaten to disclose private sexual photographs and films with intent to cause distress)
- Female genital mutilation (FGM)

If you would like this information in another format or language please contact us:

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www.cornwall.gov.uk

