

Communities, Equality and Local Government Committee

Meeting Venue:

Committee Room 2 – Senedd

Meeting date:

Wednesday, 5 November 2014

Meeting time:

09.00

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

Sarah Beasley

Committee Clerk

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Agenda

At its meeting on 23 October, the Committee agreed a Motion under Standing Order 17.42 (vi) to resolve to exclude the public from today's meeting

1 Inquiry into Poverty in Wales: forward work planning (09.00 – 09.10)

(Pages 1 – 10)

2 Legislative Consent Memorandum – Consumer Rights Bill:

Amendment in relation to letting agency fees (09.10 – 09.20) (Pages 11 – 19)

3 Gender-based Violence, Domestic Abuse and Sexual Violence (Wales)

Bill: consideration of draft report (09.20 – 10.00) (Pages 20 – 74)

4 Papers to note (Pages 75 – 87)

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Agenda Item 3

By virtue of paragraph(s) vi of Standing Order 17.42

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Agenda Item 4

Communities, Equality and Local Government Committee
CELG(4)-29-14 Paper 3

Safer Wales Response to the outstanding questions to the committee for the Gender Based Violence, Domestic Abuse and Sexual Violence (Wales) Bill

Definitions

- **Is there potential for confusion over the definitions used between different devolved and non-devolved agencies?**
- **Is 'gender-based violence' an appropriate definition to use in the Bill?**

Safer Wales believe that there would be confusion between devolved and non devolved agencies if the current definitions contained within the Bill is used. These definitions are different from current internationally accepted definitions.

The current internationally accepted definition of 'violence against women' used by the United Nations, World Health Organisation, Crown Prosecution Service, UK Government and international governments is:

*'Any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.'*¹

Safer Wales recommend that the definition 'Violence Against Women', as expressed above, be used in the Bill to direct and drive national and local priorities and commissioning strategies across Wales. Safer Wales has concerns that 'gender-based violence' terminology will misguide strategies.

Safer Wales is concerned that 'Gender Based Violence' terminology will imply that the prevalence of such crimes is equal between men and women. Safer Wales supports evidenced based services for women and men. The 'Violence against Women' definition will recognise and reflect the disproportionate effect on women and girls. Safer Wales developed and delivers the Safer Wales Dyn Project, a dedicated service that works with Heterosexual, Gay, Bisexual and Transgender men in Wales. Safer Wales do not believe that violence against women strategies would exclude men and boys. Local and national gender-informed strategies would include proportionate services for men and boys

¹ United Nations: 'Declaration on the Elimination of Violence against Women', General Assembly
<http://www.un.org/documents/ga/res/48/a48r104.htm>

Financial implications

- **Is there a danger that the requirements of the Bill could divert resources away from frontline services?**
- **Are you concerned that the Bill may lead to an increase in demand for services without increased funding to deliver them, and is there a need to commission services in a different way to ensure value for money?**
-

Safer Wales believes that the Bill could divert resources away from frontline services. Safer Wales recommends that the Welsh Government recognise the societal impact and financial savings of frontline interventions. Safer Wales would recommend that there is recognition of existing sector standards e.g. CAADA qualified IDSVAs being integral to delivery, criminal justice and value for money. Safer Wales recommend that the Welsh Government influence local commissioning strategies to ensure that standards are maintained across the sector which could be achievable with the CAADA IDSVAs standard, which the Welsh Government have already invested in the provision of training.

Safer Wales recognises that, particularly at a time of financial constraints, standards need to be upheld if we are to continue to deliver highly effective, risk-led services. In addition, retention of skilled, experienced staff teams bring added value that would not be recognised within a procurement-led commissioning model. Without ignoring the benefits of constructive competition, consideration may be given to an agreed pay scale for key frontline staff delivering specialist services. Including an expectation for service providers to demonstrate access to opportunities for continuous professional development. This will support Wales in continuing to lead the way in reducing risk, making victims safe, reducing re-offending and achieving effective justice. Safer Wales recognises that the Domestic Abuse and Sexual Violence sector is predominately staffed by women, many of which have been survivors. Safer Wales recommends that skills are kept and valued within the sector.

Safer Wales are concerned that this is not undermined through commissioning and competition pressures. Safer Wales recommend that commissioning of services are weighted towards quality and experience and not highly weighted towards price.

Safer Wales recommends that frontline services be protected and standards maintained across Wales. Safer Wales would expect an increase in demand on the Safer Wales Dyn project through the 'Ask and Act' and the development of commissioning models, strategies and the training of frontline delivery staff across Wales.

Safer Wales recommend the Welsh Government recognise the financial savings frontline services e.g. IDSVAs have for the police, local authorities and health in early intervention

and risk management. Safer Wales recommend that the Welsh Government review the cost effectiveness of frontline services, and the savings to the public sector.

Safer Wales have concerns that the Bill may lead to an increase in demand for services without increased funding to deliver. Safer Wales Dyn project has seen a continued increase in men and agencies accessing our services. When national and local strategies are implemented we would expect to be contacted when services for men and boys are commissioned. Safer Wales would recommend that services which are funded are provided on an evidence base. The IDSVA services which are recognised as the standard by the Home Office prove to be value for money, reducing risks and enabling victims to access the Criminal Justice System.

During the meeting you also agreed to provide further information on the following:

- **your view as to whether to Bill should take a rights-based approach;**
- **whether there is a link between the physical punishment of children and domestic abuse in general (in the context of education and how children and young people are prepared for citizenship);**
-

Safer Wales has over 12 years direct experience providing support for women and men, including women experiencing violence and exploitation (particularly through prostitution). Safer Wales recommends that this Bill takes a human rights based approach towards ending violence against women. Such an approach recognises and has the potential to facilitate action to address the inequalities that result in the disproportionate levels of violence against women that is evident across Wales today.

In addition to work/guidance to ensure professionals are able to deliver and achieve increased understanding of a human rights based approach. A human rights based approach, would we feel require work to ensure people are empowered to exercise their rights, for example through awareness raising and education. Safer Wales believes everybody has the right to be safe and does not condone any form of violence, including physical punishment of a child. Safer Wales regularly supports victims and recognises that children witness the abuse and violence. Safer Wales understands the damaging effect that this has on children in the immediate and long term. Safer Wales feels that if we are to achieve better and more sustainable human development outcomes relating to ending violence against women and other forms of domestic abuse, then education of our children and young people is vital. In addition, reducing the likelihood of offending and re-offending is key, whether that be for known current perpetrators or to prevent offending in our future. Safer Wales supports the 3 primary intentions of the Bill to prevent, protect and support. However, to ensure adequate scope to prevent and

protect, educational requirements, including incorporating a whole school approach and working with children and young people not in education or training is vital..

- Who should be ultimately responsible for delivery of the local strategies.

Safer Wales believes that responsibility and accountability for the delivery of local strategies ultimately lies with Ministers for devolved areas and local Chief Execs for non-devolved areas and local outcomes. The Minister should have overall responsibility for the national strategy. Setting clear directions, outcomes and priorities within a National strategy will aid consistency across Wales and reduce the risk of local needs assessments not appropriately identifying all violence against women crime types for example. However, responsibility and accountability for local outcomes resulting from the delivery of local strategies need to lay with the responsible Chief Executives. To aid access to equitable services across Wales, Ministers are in a position to incentivise actions if considered necessary and appropriate to do so.

Safer Wales recommends that strategies include services for men that are proportionate, gender-informed, based on need assessments. Safer Wales experience of developing the Dyn project would recommend that services for men be gender informed, delivered with appropriate resources for incorporation into local and national strategies.

Simon Borja
Safer Wales Project Development Officer – Dyn Project
October 17th 2014



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Communities, Equality and Local
Government Committee
CELG(4)-29-14 Paper 4

October 2014

The Chair
Communities, Equalities and Local Government Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear Chair,

RE: Welsh Women's Aid supplementary information to inform Committee scrutiny of the Gender-based Violence, Domestic Abuse and Sexual Violence Bill (Wales)

I thank the Committee for the opportunity to provide written and oral evidence to inform the scrutiny process for this Bill. During the oral session on the 25th of September, I was asked by the Committee to submit further information on an appropriate outcomes framework in relation to this Bill.

Please find attached a paper outlining Welsh Women's Aid's suggested approach to this framework, for local and national strategies under the 'Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill', to act as supplementary information to our written and oral evidence to the Committee.

I hope that the information provided will be of use to your scrutiny process, and please do not hesitate to get in touch if I, or Welsh Women's Aid can provide further clarification or information to the Committee.

Yours sincerely,

Eleri Butler
Chief Executive Officer
Welsh Women's Aid

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**Welsh Women's Aid supplementary
Committee scrutiny of the Gender-
Abuse and Sexual Violence Bill (Wales)**

**information to inform
based Violence, Domestic**

**Violence against women prevention: suggested outcomes framework for national/local
strategies**

Overview

Outcomes are the changes which come about as a result of action, activities or services provided. Outcome indicators are used to measure outcomes, and the change created may be positive or negative. For example a positive outcome may be a sense of increased confidence, and a negative outcome may be an increased feeling of fear after disclosing domestic violence. Both are equally valuable in measuring change and help us understand the impact of services, activities and programmes on individuals and communities.

Having a dedicated violence against women outcomes framework should provide the means to describe and measure the positive change created for adults, children and young people, families and communities across Wales, as a result of violence against women prevention work. The framework should describe and measure positive change using a number of outcome statements which focus on the individual. These statements are the key areas where Government, public services and the community and voluntary sector can make a difference to people and their lives.

The framework should include:

- Organisations contributions to improving outcomes for people and communities affected by and perpetrating violence against women;
- Quality standards for services which tell users what they can expect from the service;
- Outcome measures which measure, for example, the safety, health and well-being of survivors of violence and abuse;
- Performance measures which measure, for example, how organisations are contributing to the outcomes of the people who use their services.

The outcomes framework should contribute to the overarching Welsh Government Programme for Wales, and work to prevent and eradicate violence against women and girls should be interwoven into and across Welsh Government strategies, programmes and frameworks.

Suggested outcomes for a national and local violence against women strategies:

The overarching strategic outcome at a national level could be for Government, all services and partnerships nationally and locally to:

prevent and eradicate violence against women and girls across Wales so that all individuals are equally safe and respected, and women and girls live free from violence and abuse and the attitudes that help perpetuate it, so they can flourish and actively contribute to communities.

Strategy and service-level outcomes to be achieved could include:

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- ***Increased awareness and against women and girls and in its tolerance and acceptance;***
- ***Increased knowledge and skills about safe, equal and violence-free relationships;***
- ***Increased awareness of options and rights to access services by individuals and communities;***
- ***Adults, children & young people feel safe to disclose, are listened to, believed, not judged;***
- ***Improved physical /emotional safety, resilience, and freedom from harm for survivors;***
- ***Increased responsibility by perpetrators and reduced risk through timely safeguarding, justice system and public service interventions.***

***knowledge of violence
its impact, and a decrease***

To achieve these outcomes the Violence Against Women Strategy should be organised through cross-cutting themes applicable to all forms of violence against women and girls, such as prevention and earlier intervention; provision of immediate and ongoing support; protection and prosecution, and partnership working. The Strategy should also be founded on an evidence-based perspective and policy framework which recognises that to be effective in its prevention, violence against women and girls must be addressed within a gender-equality framework, linked to equalities and human rights, non-discrimination and due diligence standards.

Prevention and early intervention

The prevention of violence against women and girls must be seen as 'core business' for Government, public services and partnerships, and for commissioning, strategy, policy and service improvement work nationally and locally. We need to see a step change in emphasis on preventing violence from occurring in the first place, and where it does occur intervening at the earliest possible stage to minimise the harm caused.

Gender inequality is a root cause of the problem and despite the many advances being made, there remain persistent inequalities between men and women. Prevention involves challenging and changing the systems, attitudes and behaviours which perpetuate and promote violence against women and girls: this involves challenging and changing cultural norms and practices; the promotion of socially prescribed gender roles and women's economic, social and political inequality. This also involves using the media, publicity and education programmes to change societal, institutional, community and individual attitudes and responses to violence against women and girls.

Prevention work involves challenging structures that perpetuate gender and other forms of inequality: this involves addressing gender and other inequalities in terms of ethnicity, age, class, immigration status and nationality, disability and sexuality, which intersect with gender inequality to affect individual experiences of and vulnerabilities to violence.

Prevention work also involves identifying and responding early to violence against women and girls, wherever it occurs: in the family and intimate relationships; in local communities; in the workplace or at school or college; in public spaces; in institutions, and through commercial sexual exploitation in sex industries.

A long-term commitment to prevention should incorporate clear messages about the unacceptability of using power over women and girls and the necessity of transforming perpetrators' behaviour whilst at the same time challenging the broader 'conducive contexts' of inequality and misogyny which reinforce violence against women.

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Prevention and early intervention:

suggested outcomes

Outcomes for survivors, perpetrators, children and young people, and communities through prevention work could include:

- Increased public awareness and knowledge of violence against women and its impact;
- Increased knowledge and awareness within communities of violence against women as it impacts on different groups;
- Reduced stigma, tolerance and social acceptance of violence against women within communities;
- Increased knowledge of rights to access services for those affected by violence against women and of the right to live violence-free lives;
- Increased awareness of the options and resources available for communities and individuals affected by violence against women;
- A positive change in people's perceptions of what is acceptable behaviour within relationships;
- Increased education on healthy relationships and the skills to sustain safe and equal, violence-free relationships;
- Increased knowledge of rights by women and girls in terms of gender equality.

Outcomes for adult survivors, children and young people, to be achieved through early intervention could include:

- Improved ability to speak freely about violence against women, access to a safe environment and an increase in physical and emotional safety;
- Increased understanding that violence against women is not their fault;
- Feeling of improved responses from professionals / family / community members which includes being treated with dignity and respect; feeling listened to, believed and not judged;
- Increased knowledge of options and help available;
- Improved access to violence against women services and support when required.

Outcomes for perpetrators to be achieved through early intervention could include:

- Increased responsibility for their actions and behaviour;
- Increased ability to manage and reduce the risk they pose to victims and to stop further violence;
- Increased recognition that their behaviour is abusive and to name it as 'violence against women';
- Increased awareness that help is available and where to get help to change their abusive behaviour.

Provision of immediate and ongoing support

In addition to obligations to prevent violence, Government, local authorities and other public services have a duty to take appropriate and effective action concerning violence against women, including provision of redress and support services.

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Any strategy should recognise the unique role that independent violence against women services play in the provision of support and advocacy for survivors: the most consistent findings in successive evaluations show that women and girls who use specialist women's support services report being safest and are the most satisfied by interventions. Specialised independent violence against women organisations are acknowledged to be a key source of expertise at a local and national level, and the strategic and economic value of women-only provision should be recognised and promoted.

Provision of specialist support is necessary to ensure that all women have routes to safety that are not determined by their personal circumstances, through provision of a range of services and creating options through welfare provision, access to an independent income and employment.

For example, women are three and a half times more likely to be subject to domestic violence, two and half times more likely to experience sexual violence and more vulnerable to stalking if they cannot find £100 at short notice. This not only illustrates connections between violence against women and wider gender equality but also reveals how women subject to financial abuse, women who have lower employment rates and pay levels, and women with no recourse to public funds are especially vulnerable to violence since they are least likely to have independent income.

The provision of services needs to be coordinated within commissioning and funding streams. Through joint strategic commissioning that involves pooling resources, commissioners will ensure consistency and quality of service provision as well as opportunities for development work to be implemented. Outcomes for survivors, in terms of safety, access to support, well-being and empowerment should be the measure of success across the statutory and voluntary sector.

Provision of support for survivors: suggested outcomes

Outcomes for survivors (adults, children and young people) to be achieved through effective provision of services could include:

- Increased physical safety and freedom from harm caused by violence and abuse, including:
 - Reduced risk of further harm;
 - Feel safer in their environment;
 - Free from immediate harm and in the longer term;
- Increased emotional safety, social and personal well-being for survivors, including:
 - Increased feeling of trust and belonging;
 - Improved ability to build supportive relationships;
 - Improved emotional well-being;
 - Increased positive functioning;
 - Increased resilience and self-esteem;
- Improved physical and mental health and well-being;
- Ability to have safe, healthy and equal relationships, free from violence;
- Improved quality of life;
- Independence and access to training, education, employment opportunities;
- Increased access to immediate safety for their children and to longer term support for their children to recover from violence against women;
- Safe and supportive contact arrangements with non-resident parents.

Protection and prosecution

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Protection is not just about immediate deeper sense of safety and security, and their right to live free from violence, accessible protective measures must be available across all forms of violence against women and girls.

physical safety but also a in order for survivors to realise

The Strategy should recognise that the provision of high-quality violence against women support services is a core form of protection. Such services provide the foundation for all protective measures, since they keep survivors safe in the moment (through crisis intervention) and in the aftermath of violence (through ongoing practical and emotional support).

Effective protection is also dependent on access to criminal and civil law measures designed to address violence against women and girls, through various protection orders and arrangements in respect of access to children. The accessibility and effectiveness of civil remedies are crucial, given that so few survivors choose to pursue a criminal prosecution. Greater focus must also be given to targeted perpetrator interventions.

For example, Police Scotland is introducing Multi-Agency Tasking and Co-ordinating Groups (MATAC) across Scotland to target serious and serial offenders of domestic abuse and is committed to developing a Performance Framework to measure outcomes, recidivism and rates of re-offending.

The strategy should also recognise that if protecting women from violence is to be realised, public safety issues must also be addressed, whether this be through environmental design or addressing public space harassment or representations of women that reinforce their sexual availability and commodification. Parallel approaches to protection and prosecution will be developed, for example prioritising the protection and promotion of the rights of women and girls while they are still involved in the sex industry, or in conditions of sex trafficking or sexual exploitation, whilst penalising traffickers, pimps, procurers and promoters of the sex industry and simultaneously supporting women who chose to exit the sex industry.

Protection: suggested outcomes

Outcomes for all through protection and prosecution could include:

- Safety and well-being is increased while the risk posed by perpetrators / offenders is reduced;
- Men desist from all forms of violence against women and girls and perpetrators of such violence receive a robust and effective response;
- Improved feeling of physical safety and reduced risk of harm;
- Improved health and well-being, increased feeling of trust, independence and self-esteem;
- Reduced risk posed by perpetrators through timely safeguarding / justice system interventions;
- Increased ability by women to reduce or prevent their offending.

Outcomes for perpetrators to be achieved through effective intervention by services could include:

- Cessation of violence and abuse in the short and longer term, improved relationships based on equality and respect, and ability to sustain safe and violence-free relationships in future;
- Increased self-awareness, recognition of and responsibility for their abusive and violence behaviour;
- Increased awareness, understanding and empathy of the full impact of violence on their victims;
- Increased ability to reduce the risk they pose to their victims and stop further violence;

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- Reduced risk and threat to through criminal and civil justice and integrated offender management;
 - Increased understanding of the impact of their abuse and violence on their family and children;
 - Improved parenting;
 - Increased safe contact with children and their primary carer, post separation.
- victims, children and family interventions, safeguarding

Partnership working

Work in partnership nationally and locally is needed to deliver co-ordinated action across all services and partnerships, informed by consistent and coordinated policies, systems and leadership, to obtain the best outcome for survivors and their families.

Violence against women and girls prevention is central to agendas on public health; reducing crime and the harm caused by serious violent crime; safeguarding children and adults with support needs; promoting education, learning and skills development; and promoting equality.

Those with the power to transform the cultures that perpetuate violence against women and girls must work together to achieve positive outcomes.

Partnership working: suggested outcomes

- Women and children's experiences inform improvements in services, policies, practice and partnerships;
- Women and children feel listened to and involved in the development and review of services;
- Improved coordinated agency and community responses;
- Improved access to effective awareness and skills-based training for employers and services;
- Resources maximised, used strategically and efficiently, to achieve most value for service users.

Measuring impact

Violence against women and girls prevention requires a clear, visible focus within strategic national and local planning. To increase prioritisation of the issue and enable improved understanding of the effectiveness of strategies and action plans, there is a need to take a more explicit approach to collective public accountability. Any strategy should be accompanied by a Performance Framework with appropriate outcome indicators to enable measurement of performance and progress, and to support strategic investment and commissioning to ensure that survivors across Wales benefit from consistently high-quality services.

A national accountability working group should be established and tasked with developing a robust performance management framework. This will include clear outcome indicators, and, where appropriate, targets to drive improvement.

Examples of outcomes from other national Violence Against Women Strategies

Home Office Violence Against Women Strategy: Call to End Violence Against Women and Girls:

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Prevention of violence from happening in

the first place:

- A greater proportion of society believes violence against women and girls is unacceptable and is empowered to challenge violent behaviour;
- Fewer victims of sexual and domestic violence each year;
- Frontline professionals (e.g. teachers, doctors, police and prosecutors) are better able to identify and deal with violence against women and girls;
- More employers recognise and support victims of domestic and sexual violence.

Provision of services:

- Violence against women and girls victims receive a good and consistent level of service across England and Wales;
- Statutory, voluntary and community sector get the response right the first time;
- High quality commissioning and service provision at a local level.

Partnership working:

- Better support available for victims and their families with statutory, voluntary and community sectors working together to share information and agree practical action;
- Improved the life chances of victims of violence against women and girls overseas, with this issue an international priority for the UK.

Justice and risk reduction:

- Increased confidence of women and girls to encourage access to the Criminal Justice System;
- Improved criminal justice outcomes for victims of violence against women and girls, including the rate of convictions;
- Increased rate of rehabilitation among offenders;
- Reduced multiple incidents of violence by using the appropriate risk management tools.

Crown Prosecution Service outcomes for violence against women prevention:

- Improved effectiveness and efficiency of the CJS in bringing offences to justice;
- Improved public confidence in the fairness and effectiveness of the CJS;
- Improved experience of the CJS for victims and witnesses;
- Improved understanding and addressing of race disproportionality at key stages in the CJS;
- Greater recovery of criminal assets.

Scottish Government outcomes for violence against women strategy ('Equally Safe'):

- Scottish society embraces equality and mutual respect, and rejects all forms of violence against women and girls.
 - Positive gender roles are promoted;
 - People enjoy healthy, positive relationships;
 - Individuals and communities recognise and challenge violent and abusive behaviour.
- Women and girls thrive as equal citizens: socially, culturally, economically and politically.

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- Women and girls feel safe, respected and equal in our communities;
- Women and men have equality of opportunity particularly with regard to access to power and resources.
- Interventions are early and effective, preventing violence and promoting women's safety and wellbeing.
 - Justice responses are robust, swift, consistent and coordinated;
 - Women and girls access relevant, effective and integrated services;
 - Service providers competently identify violence against women and girls, and respond effectively.
- Men desist from all forms of violence against women and girls and perpetrators of such violence receive a robust and effective response.
 - Justice responses are robust, swift, consistent and coordinated;
 - Men who carry out violence against women and girls are held to account by the criminal justice system;
 - Men who carry out violence against women and girls are identified early and held to account by the criminal justice system.

Welsh Women's Aid
October 2014

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