

PLVAW 35

Ymchwiliad ôl-ddeddfwriaethol i Ddeddf Trais yn erbyn Menywod,
Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015

Post legislative inquiry into the Violence against Women,
Domestic Abuse and Sexual Violence (Wales) Act 2015

Ymateb gan: Cynghorydd Cenedlaethol ar gyfer Trais yn erbyn Menywod a
mathau eraill o Drais ar Sail Rhywedd, Cam-drin Domestig a Thrais Rhywiol
Response from: National Adviser for Violence Against Women and other
forms of Gender-based Violence, Domestic Abuse and Sexual Violence

**Post legislative inquiry into the Violence against Women, Domestic Abuse and Sexual
Violence (Wales) Act 2015**

**Response of the National Adviser for Violence for Violence against Women, other forms of
gender based violence, Domestic Abuse and Sexual Violence**

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1. About the National Adviser

1.1 The National Adviser provides an independent, expert perspective to the work being taken forward in Wales; advising, shaping and informing legislative, strategy and policy developments and driving forward improvements in the prevention, protection and support for all individuals affected by violence against women, domestic abuse and sexual violence in Wales.

1.2 The role is a statutory advisory role, independent of Government, and its functions are detailed in Section 21 of the Act;

The National Adviser is to exercise the following functions, subject to the direction of the Welsh Ministers

- a) To advise the Welsh Ministers about pursuing the purpose of this Act or tackling related matters*
- b) To give other assistance to the Welsh Ministers in their pursuit of the purpose of this Act or tackling related matters*
- c) To undertake research relating to the purpose of this Act*
- d) To advise and give other assistance, with the agreement of the Ministers, to any persons on matters relating to pursuing the purpose of this Act or tackling related matters*
- e) Produce reports on any matter relating to the purpose of this Act or tackling related matters*

1.3 I was appointed to the role of National Adviser through the Public Appointments process and began my term of office in September 2015 reporting to, the then Minister for Public

Services, Leighton Andrews AM. Following the National Assembly elections in May 2016 I report to the Cabinet Secretary for Communities and Children, Carl Sergeant AM.

1.4 The Act requires the National Adviser to prepare an Annual Plan setting out how they propose to exercise the functions of the role during the following financial year. The Annual Plan must state the objectives and priorities for the following year; state any matters on which the Adviser proposes to report during that year and state any other activities that the Adviser proposes to undertake. A copy of my first Annual Plan is attached to this response.

1.5 The Act further requires the National Adviser to send an Annual Report to Welsh Ministers about the exercise of the functions during the previous financial year. A copy of my first Annual Report is also attached to this response.

2. Context for this response

Internationally

2.1 In September 2015 world leaders agreed 17 new global sustainable development goals as part of the **“Transforming our World – The 2030 Agenda for Sustainable Development”**. **Sustainable Development Goal 5 commits to achieving “Gender Equality and empowering all Women and Girls”** and includes targets to

- *End all forms of discrimination against all women and girls everywhere*
- *Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation*
- *Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation*

The publication of the sustainable development goals underlines a global commitment to ending all forms of violence against women and girls and a set of indicators to monitor the progress of the goals are expected in 2016.

2.2 The **Council of Europe Convention on preventing and combating violence against women and domestic violence** (‘Istanbul Convention’), to which the UK is a signatory, sets out minimum standards for Government’s to meet to prevent violence against women, protect victims and prosecute perpetrators. The Convention sets out the standards to:

- a) protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence;
- b) contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women;
- c) design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence;
- d) promote international co-operation with a view to eliminating violence against women and domestic violence;

e) provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence.

2.3 The **EU Victims Directive** establishes a new legal standard for victim's services which include advice, practical, emotional and psychological support services. The obligations placed upon states include a minimum level of provision of specialist services for individuals and their children regardless of nationality or citizenship.

UK

2.4 The publication of the **UK Government's "Ending Violence against Women and Girls Strategy 2016 -2020"** in March 2016 builds on the work of the UK Government over recent years and prioritises the prevention of violence and abuse, provision of services, partnership working and pursuing perpetrators. The accompanying action plan provides detail of the legislative and policy changes required to deliver the strategy and the resources being invested to support implementation. When considered collectively, the UK Government strategy commitments and subsequent inquiry announcements by both the Home Affairs and Women and Equalities Parliamentary Committees relating to prostitution and sexual violence and harassment in schools provides an opportunity for a complementary framework to policy commitments and practice developments in Wales. Whilst recognising the "complexities" of devolved and non-devolved policy areas it is imperative that potential duplication is avoided and opportunities for improved co-ordination, consistency and coherence identified for stakeholders and survivors.

Wales

2.5 The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (The Act) is recognised as ground breaking in its intention to improve responses of public services and arrangements for the protection, prevention and support of those experiencing any form of violence against women, domestic abuse and sexual violence. The potential of the Act now relies on effective leadership and the delivery, scrutiny and monitoring of its implementation.

2.6 Having received Royal Assent in April 2015 two commencement orders have brought into force all provisions of the Act including requirements on Welsh Ministers, Relevant Authorities and the National Adviser.

2.7 There have been consultation periods for three pieces of draft statutory guidance;

- the National Training Framework,
- Ask and Act and
- Multi Agency Collaborative Working

In March 2016, following consultation, the National Violence against Women, Domestic Abuse and Sexual Violence Training Framework was published as statutory guidance.

2.8 The draft National Strategy, as required by the Act, is currently being consulted upon and this must be an integrated, ambitious cross government strategy providing leadership and clear expectations for implementation of the Act.

2.9 **The Well Being of Future Generations (Wales) Act** aims to improve the social, economic, environmental and cultural well-being of Wales and, through the introduction of a sustainable development principle, requires Public Bodies listed in the Act to think more about the long term, work better with people, communities and each other, look to prevent problems and take a more joined up approach.

2.10 The implementation of the **Social Services and Well-Being (Wales) Act 2014** aims to improve the well-being of people who need care and support and carers who need support. The Act changes the way people's needs are assessed and the way services are delivered; promotes a range of help available within the community to reduce the need for formal, planned support and introduces stronger powers to keep people safe from abuse and neglect. The Act also has wide ranging implications for ensuring services are able to provide the right support at the right time.

2.11 The **Housing (Wales) Act 2014** requires local authorities to prevent and alleviate homelessness enhancing the enabling legislative framework that we have in Wales to address violence against women, domestic abuse and sexual violence and improve arrangement for protection, prevention and support.

2.12 The **National Independent Safeguarding Board** has been established under the Social Services and Well-being (Wales) Act 2014. The National Board is an advisory body that will advise Welsh Ministers on safeguarding people in Wales. It will work alongside the regional safeguarding adult boards and safeguarding children boards to secure improvements in safeguarding policy and practice throughout Wales and has nominated a violence against women, domestic abuse and sexual violence lead from within its membership.

2.13 In **January 2016 Public Health Wales published a report on the first Welsh Adverse Childhood Experiences Study (ACEs)**. ACEs are stressful experiences occurring during childhood that harm a child (e.g. physical or sexual abuse) or affect the environment in which they live (e.g. growing up in a house with domestic violence or abuse). Findings show that ACEs have a major impact on the development of health harming behaviours in Wales and the prevention of ACEs is likely to not only to improve the early years experiences of children born in Wales but also reduce levels of health harming behaviours such as problem alcohol use, smoking, poor diets and violent behaviour. The study found that 16% of adults had lived in households where there had been domestic abuse and that, as children, 17% of adults had experienced physical abuse and 10% had experienced sexual abuse.

2.14 All of the above provide the cross cutting context in which the Act is being implemented and should be considered by the Committee to ensure that the Act itself is not isolated from wider legislative context in Wales but rather is aligned and integrated not only across Welsh Government policy areas and devolved responsibilities, but is proactively contributing and complementary to the wider UK and international context for the prevention of violence against women, domestic abuse and sexual violence.

3. To what extent is the approach to tackling violence against women, domestic abuse and sexual violence improving as a result of the obligations of the Act

3.1 The Act has the potential to significantly improve the approach to tackling violence against women, domestic abuse and sexual violence in Wales through effective implementation of the obligations set out within.

3.2 Listed below are, to my knowledge, the obligations of the Act that have been delivered since April 2015;

1. Appointment of the National Adviser in September 2016
2. Statutory Guidance published relating to the National Training Framework in March 2016
3. Draft guidance relating to “Ask and Act” and “Multi Agency Collaborative Working” consulted upon (September 2015 – January 2016) but not yet published.
4. 2 early adopter sites identified to pilot Ask and Act and an evaluation of these sites planned for Autumn / Winter 2016
5. Draft National Strategy consulted upon August – October 2016 to be published 4th November

3.3 My observations would be that awareness and understanding of the Act and its requirements remain inconsistent across the public service in Wales.

3.4 The timing of the introduction of the Act alongside the Social Services and Well-Being (Wales) Act and Well-Being of Future Generations (Wales) Act presented an opportunity to integrate many of the key messages, principles and requirements of the legislation. I feel, however that this opportunity was missed and that there is a resultant risk that the Act will be considered in isolation rather than as part of an integrated Welsh approach to improving social, economic and cultural wellbeing.

3.5 The specialist sector, organisations and individuals have been key in raising awareness of the Act and its requirements, however a lack of meaningful communication and clear direction from Welsh Government has meant that relevant authorities and partners have, in some instances, been unsure as to how to progress delivery of their own obligations and

there remains uncertainty in relation to timescales for obligations within the Act e.g. implementation of Ask and Act, publication of statutory guidance.

3.6 The publication of the statutory guidance on commissioning for specialist services is critical to the purpose of the Act and it is therefore concerning that there is no confirmed timeline for the publication of this guidance. Commissioning of specialist services is already happening in Wales, in particular those services funded by Welsh Government's Supporting People Programme Grant. In the absence of Welsh Government guidance and principles, commissioning processes are inconsistent, with different services being commissioned from different approaches.

Strategic, collaborative commissioning is vital for the sustainability of specialist services and delivery of the purpose of the Act.

3.7 I welcome the Lloyds Bank Foundation "Tackling Violence against Women, Domestic Abuse and Sexual Violence; A Collaborative Commissioning Toolkit for Services in Wales" and in the absence of Welsh Government guidance the principles within the toolkit need to be embedded within commissioning practices. This toolkit, developed in collaboration with survivors, commissioners and service providers outlines key principles that should underpin the Welsh Government guidance to ensure greater consistency of commissioning practice.

3.8 I have seen some progress in relation to governance arrangements for violence against women, domestic abuse and sexual violence in that local areas are considering how they can move to regional governance arrangements. Learning from the Gwent Pathfinder project has enabled other areas to consider regional arrangements and I am supporting a number of regions through this transition. The draft Multi Agency Collaborative Working document consulted upon in 2015 provided guidance for areas when considering governance and partnership arrangements however, no final document has been published. Guidance on effective governance arrangements is critical to delivering the obligations of the Act in terms of effective strategic leadership at a regional and local level.

3.9 In preparation for the population needs assessments required by the Social Services and Well-Being (Wales) Act areas have begun considering data relating to violence against women, domestic abuse and sexual violence which is included as a core theme for inclusion within the data catalogue. This assessment, alongside others as specified in the Act must be considered by Local Authorities and Health Boards when preparing their local strategies.

3.10 The publication of statutory guidance relating to the National Training Framework and the piloting of Ask and Act have raised important issues including;

- Alignment of the national training framework with other training requirements / frameworks e.g. Social Services and Well-Being to ensure key messages are integrated and consistent and maximise resources

- Assessment of the resources required to support effective and sustainable implementation of the national training framework
- Earlier identification of individuals experiencing violence against women, domestic abuse and sexual violence resulting in an increased demand for specialist services and resource implications to support this increased demand
- A mechanism for effective communication between Welsh Government and Relevant Authorities as it relates to the implementation of both the National Training Framework and Ask and Act

3.11 These key issues relating to resources to support effective implementation, capacity and demand upon the specialist sector and effective communication need to be carefully considered and addressed prior to national roll-out.

4. What are the most effective ways of capturing the views and experiences of survivors? Are the arrangements in place to capture these experiences and to what extent is this information being used to help inform the implementation of the Act's provisions?

4.1 Survivors' experiences are key to understanding their needs, challenges and aspirations and should be integral to informing the development of the National Strategy, implementation of the Act and my work as Adviser.

4.2 Within the terms and conditions of my appointment, my role, on behalf of Welsh Ministers includes working with victims and survivors to gain an understanding of their experiences and views and consider how these could influence the development of policy and delivery of services.

4.3 There is currently no sustainable structure for engaging with survivors about what is important to them. Current survivor engagement is ad-hoc and tends to be responsive to an organisation or establishment's request for feedback or formal consultation.

4.4 Within my Annual Plan 2016-17 I commit to seeking survivors' views on the development of a sustainable national framework for survivor engagement, where survivors are supported to shape the agenda, voice issues that are important to them and influence and inform practice improvements. Survivors from marginalised and under-represented groups including male survivors, LGBT survivors, Black and Minority survivors, refugees, disabled individuals, women involved in the Criminal Justice System, adult survivors of child sexual abuse and survivors not engaged with services will be encouraged and supported to contribute their voices. I prioritise the following deliverables within my plan;

- To support a pilot project to inform the development of a sustainable survivor led engagement framework with a view to promote the adoption of the model across Wales

- To support and ensure representation of all communities and groups of people to have their voices heard specifically where violence or behaviours tend to be related to a specific identities e.g. FGM

4.5 Between January and March 2016 I supported an engagement and consultation project with survivors of violence of abuse, domestic abuse and sexual violence delivered by Welsh Women’s Aid and an independent facilitator. The consultation was requested by the then Minister for Public Services, Leighton Andrews AM to inform the National Advisory Group of survivor’s recommendations on;

- Priorities for the national strategy – prevention, protection and support
- Improving public service responses and priorities for the National Adviser
- Test out views on continued survivor engagement in Wales

4.6“Are you listening and am I being heard? Survivor Consultation: A report of the recommendations made by survivors or violence against women, domestic abuse and sexual violence to inform the National Strategy in Wales” contains a number of recommendations to inform the development of the national strategy, feedback on the priorities for the National Adviser and recommendations for improvements in specific agencies.

4.7 The report also contains recommendations that reflect survivors overwhelming support for a sustainable model of engagement and consultation. Survivors wanted to ensure that their voices and experiences remain central to policy and service improvements across Wales. **Survivors strongly recommended that that a national framework for ongoing survivor engagement and involvement be prioritised and resourced by Welsh Government.** I have attached a copy of the report to this response.

4.8 Survivors identified 10 key recommendations for priority inclusion in the National Strategy and I expect these recommendations to be integral to the Strategy, demonstrating how Welsh Government is placing survivors central to improvements in Wales.

4.9 I wish to highlight a number of examples of practice developments relating to survivor engagement;

1. The Lloyds Bank Foundation “Tackling Violence against Women, Domestic Abuse and Sexual Violence – A collaborative commissioning toolkit for services in Wales” published in 2016 was developed in collaboration with commissioners, survivors, providers and second tier organisations and highlights how understanding survivors experiences of public services is key to improving the effectiveness of prevention, protection and support services and systems. The toolkit provides guidance when considering engagement with survivors including good practice principles relating to

childcare, accessible and safe locations, resources for interpreters, running dedicated sessions for different groups and thinking about different methods of participation. The toolkit has been widely distributed in Wales to inform strategic commissioning of violence against women, domestic abuse and sexual violence services.

2. Survivor engagement has been central to needs assessment and strategy development in two local authority areas that have undertaken these activities in 2016 and has been identified as integral in other areas that are planning how they will meet the requirements of the Act.
3. Llamau's The Llwybrau Project – Service User Consultation Toolkit which aims to share tools and ideas that can enhance service user engagement.
4. Welsh Women's Aid are currently developing a national survivor participation framework using Survivors Empowering and Educating Domestic Abuse Services (SEEDS) model. This framework, which will be developed over the next two years enables survivors to engage in local and national decision making and can provide a mechanism for agencies to better understand survivor's experiences and perspectives. This model is being piloted in the South East Wales region to inform national roll out.

4.10 Meaningful and effective survivor engagement requires resource to ensure that good practice principles are demonstrated and that survivors are appropriately supported.

4.11 Survivors have lived through violence and abuse. They know first-hand what it is like and what may help others in similar situations. It is vital therefore that Welsh Government and Public Services are prepared and willing to listen as this can really have an impact on future services and resources for individuals and families impacted by violence against women, domestic abuse and sexual violence.

4.12 To ensure that survivor views and experiences are listened to effectively and inform policy and practice improvements in a meaningful way I believe that Wales should develop a national survivor engagement framework, centrally resourced by Welsh Government and independently delivered to ensure consistency and adherence to principles of good practice. A national framework could support engagement regionally to inform and shape improvements at this level whilst simultaneously contributing nationally through the National Advisory Group and National Adviser.

5. Whether survivors of abuse are beginning to experience better responses from public authorities as a result of the Act, particularly those needing specialist services?

5.1 The Act contains obligations that provide an overarching framework for improved responses e.g. the preparation and publication of a National and local strategies and the power to issue statutory guidance.

5.2 The only guidance published to date is that relating to the National Training Framework which aims to ensure that high quality and consistent training is available to those across the public and specialist sector.

5.3 Welsh Government consulted on the policy of “Ask and Act” between November 2015 and January 2016 but has not yet published final guidance. A principles-based approach to targeted enquiry, “Ask and Act” aims to create a more consistent approach to the identification and support for those who experience violence against women, domestic abuse and sexual violence.

5.4 When considered together, the aims of both policy developments are to increase awareness and understanding of violence against women, domestic abuse and sexual violence across public authorities, to identify individuals experiencing these matters at the earliest opportunity and provide an appropriate response which may include referral to a specialist service. Increased identification will undoubtedly lead to increased referrals to specialist services; this at a time when services are facing year on year cuts to funding.

5.5 The impact of the National Training Framework is, at this time, minimal and Ask and Act is limited to being piloted in two early adopter sites with an evaluation planned for Autumn 2016. It is therefore unlikely that survivors of abuse have seen any improvements in responses as a result of these policy developments.

5.6 The Act requires Local Authorities and Local Health Boards to develop a joint strategy by May 2018. The Strategy must pay regard to existing needs assessments including the population needs assessment required by the Social Services and Well-Being (Wales) Act 2014 and others listed in the Act. The process of needs assessment should identify priority areas and gaps in existing provision and identify resources for investment from across stakeholders. Although areas have started to consider needs assessment information, only two local authority areas have, to my knowledge, begun developing their strategy and neither of these areas have articulated as yet the impact of strategic priorities on service delivery models. It is too early therefore to consider whether the requirement to develop joint strategies has or will result in improved responses for survivors.

5.7 The role of the specialist violence against women, domestic abuse and sexual violence sector is critical to achieving better responses for individuals. In the recent report survivors identify the need for improved links between public authorities and the specialist sector and survivors wanting to know about specialist services in their areas and how they can access for information and support.

5.8 When considering the potential for increased referrals to specialist services as a result of increased awareness and requirements to “Ask and Act” there must be progress towards agreeing sustainable funding for services to ensure that high quality, specialist provision is accessible across Wales to provide a needs-led, strengths based response to individuals and families at the earliest opportunity. These principles should underpin commissioning of all violence against women, domestic abuse and sexual violence services however, in the absence of Welsh Government’s Commissioning Guidance processes different approaches are being taken to commission different services.

5.9 There are examples of initiatives across Wales demonstrating how Public Authorities are seeking to improve their responses to survivors;

- IRIS – general practice based project with health and the specialist sector working in partnership to improve the health care response to violence against women, domestic abuse and sexual violence. Funded by the South Wales Police and Crime Commissioner IRIS is currently being piloted in Cwm Taf and Cardiff and Vale Health Board areas.
- TALK – an early identification and intervention model for key personnel and students who are undertaking further or higher education and are or have experienced domestic abuse or sexual assault. Funded by the South Wales Police and Crime Commissioner
- Free from Fear – Gwent Social Housing Domestic Abuse Partnership – researching and developing a toolkit for improving responses of social landlords and preventing domestic abuse
- “Ask me scheme” – Welsh Women’s Aid and Powys Local Authority piloting the scheme which aims to create safe spaces in local communities where it is safe for survivors to disclose and get signposted appropriately to access to support they need. This pilot goes beyond the responses of public authorities and the specialist sector building a community response to violence against women, domestic abuse and sexual violence.

5.10 These initiatives have an opportunity to contribute to policy development and it is important that Welsh Government is willing to listen to ensure that learning from these initiatives is embedded within national guidance and are translated into practical application to improve responses to individuals experiencing violence against women, domestic abuse and sexual violence.

5.11 Survivors recommend that Welsh Government place a “greater focus on stopping perpetrators behaviours and, where coercive control is a feature, on getting perpetrators to leave and end abusive relationships”.¹

5.12 It is therefore also important to consider how public authorities respond to perpetrators of violence and abuse. Statutory guidance is expected from Welsh Government in relation to working with perpetrators and this guidance needs to provide overarching principles and clear direction from Welsh Government as to the role of public authorities in challenging and holding perpetrators to account for their behaviours. Evidenced and accredited programmes are an important element of our responses to perpetrators and I expect the guidance to include minimum expectations for the commissioning of perpetrator interventions to ensure the safety of individuals and families are priority and the management of risk and support to partners / ex partners are integral to any programme being commissioned and delivered in Wales.

¹ “Are you listening and am I being heard? Survivor Consultation: A report of the recommendations made by survivors or violence against women, domestic abuse and sexual violence to inform the National Strategy in Wales”

5.13 The purpose of the Act is clear in its aim to improve responses of public authorities and improve the arrangements for the prevention of and protection and support for those experiencing violence against women, domestic abuse and sexual violence. The policy developments to date are the first provisions intended to deliver on this purpose. Although too early to assess their contribution to improved responses I would also wish to see Welsh Government and Public Authorities committing to continuous, ongoing improvement in response both to changing individual and societal needs and learning from within Wales and beyond as it relates to the prevention, protection and support of individuals experiencing violence against women, domestic abuse and sexual violence.

6. Whether the National Adviser has sufficient power and independence from the Welsh Government to ensure implementation of the Act?

6.1 The functions of the National Adviser are detailed in Section 21 of the Act;

1) The National Adviser is to exercise the following functions, subject to the direction of the Welsh Ministers

- f) To advise the Welsh Ministers about pursuing the purpose of this Act or tackling related matters*
- g) To give other assistance to the Welsh Ministers in their pursuit of the purpose of this Act or tackling related matters*
- h) To undertake research relating to the purpose of this Act*
- i) To advise and give other assistance, with the agreement of the Ministers, to any persons on matters relating to pursuing the purpose of this Act or tackling related matters*
- j) Produce reports on any matter relating to the purpose of this Act or tackling related matters*

3) If the National Adviser requests that a relevant authority provides information for the purpose of the exercise of any of the Adviser's functions, the authority must comply with the request unless the authority considers that doing so would –

- a) be incompatible with the authority's own duties*
- b) otherwise have an adverse effect on the exercise of the authority's functions*

4) A relevant authority which decides not to comply with a request under subsection (3) must notify the National Adviser in writing of the reasons for the decision.

6.2 The powers of the National Adviser, as the title of the role suggests only extends to advisory functions; providing advice and assistance to Ministers and any other persons;

undertaking research, producing reports and requesting information from relevant authorities.

6.3 Within this advisory capacity the role has no powers to hold Ministers, Welsh Government or public services to account in relation to the implementation of the Act and as such, there is “no teeth” to the role. This raises further questions in relation to what sanctions can be imposed if the legal obligations mandated by the Act are not implemented. There is currently a lack of detail as to any sanction options relating to the requirements of the Act or any statutory guidance. If it is not the National Adviser who holds public authorities to account in relation to the Act where does the accountability sit?

6.4 Throughout the appointment process to the role it was emphasised that this role was a public appointment and that nothing within the terms and conditions should be construed as, or be taken to create a contract of employment between myself and the Welsh Government i.e. I was not an employee. However there are elements of the post that from a public perspective could be unclear and raise questions relating to the independence of the role i.e. the role has a Welsh Government email address and is effectively based within the Welsh Government’s Community Safety Division in Merthyr.

6.5 I am absolutely clear about the need for the role of the National Adviser to be independent and I advocate this at every available opportunity and seek to demonstrate this in all that I do. I feel however that the current infrastructure in which the role operates and the lack of resources available to the Adviser limit not only the effectiveness and potential of the role but could also undermine the independence that is integral to the role.

6.6. My annual plan outlines the principles and priorities that I have set myself and sets out my statement of intent for the role of National Adviser. The breadth and scale of my annual plan also raises questions about resources and the capacity of the National Adviser.

6.7 The role was appointed on a part time basis– 3 days a week and there is no budget allocated to the National Adviser over and above salary and on costs. Any request for financial resources to carry out the functions of the role has to be made to Welsh Government or Ministers.

6.8 In response to a request for additional resources to support the National Adviser an allocation of part time hours within the Violence against Women and Domestic Abuse team were identified to support the role. Although grateful for the administrative support this role can offer I am acutely mindful of the nature of support I request both in terms of not compromising the independence of my role nor the role of the civil servant.

6.9 Additional resources are required to support, build capacity and consolidate the effectiveness of the role if its potential is to be realised and a balance is required between the resources provided by Welsh Government and the fundamental need to maintain the independence of the role.

6.10 The independence of the National Adviser should not rely wholly on the individual undertaking the role; rather it should also be supported by appropriate allocation of resources to the National Adviser and an infrastructure to enable the individual to perform the functions of the role.

7. To what extent the good practice guide to healthy relationships is successfully influencing the development of a whole school approach to challenging violence against women, domestic abuse and sexual violence?

7.1 The provisions within the Act as they relate to Education are included within;

Section 9 - Requiring local authorities, by regulations, to publish information about whether and how local education functions are being exercised to promote the purpose of the Act

Section 10 – Issuing of guidance to the governing bodies of further education institutions on how the bodies may contribute to the purpose of the Act.

7.2 I am unaware of the proposed content or timescale for publishing either the regulations or guidance.

7.3 It is interesting to note that the Auditor General has published intention to carry out a study of how councils and their partners are tackling the issues of violence against women, domestic abuse and sexual violence in Wales. A call for evidence has recently been made to shape the aims of the full study and as part of the evidence Local Authorities are asked whether they have considered how they will provide information to the public about whether, and if so how, local authority education functions are being exercised to promote the purpose of the Violence against Women, Domestic Violence and Sexual Violence (Wales) Act 2015.

7.4 On the 26th February 2015 whilst the Bill was progressing through the National Assembly a written statement was made by the then Minister for Public Services, Leighton Andrews outlining the education policies that would be introduced to complement the provisions of the Act. These provisions included;

- The need to consider healthy and respectful relationships within the Curriculum Reform work
- The publication of a good practice guide to healthy relationships education
- Safeguarding provisions within the revised “Keeping Learners Safe” guidance and all Wales protocol
- Inclusion of education based staff within the National Training Framework
- Estyn led thematic review to approaches across Wales
- Guidance to school governors
- Funding of the Spectrum project and All Wales Core Liaison Programme

7.5 “A Whole Education Approach to Violence against Women, Domestic Abuse and Sexual Violence – A Good Practice Guide” was published in October 2015 and its intent is described on Welsh Government’s website as;

“to be used as a handy tool to help integrate these issues and approaches into existing teaching and management practices”

7.6 The guide has been published on the Welsh Government website but further than this I do not know how the guide has been distributed to the Education sector and what expectations have been attached to the guide by Welsh Government. I am not aware of any monitoring mechanism that enables Welsh Government to assess how many schools are aware of the guide, how many schools have or intend to implement the guide or what mechanisms are in place to assess the difference being made by adopting a whole education approach to violence against women, domestic abuse and sexual violence.

7.7 For schools that would like to adopt the principles of a whole education approach I am unsure what resources have been considered locally, regionally or nationally to support and enable the schools to drive forward this cultural change. Local and national specialist services would undoubtedly support schools and other education settings to implement the approach however consideration of a long term solution is required for appropriate resources to facilitate effective, sustainable implementation.

7.8 A toolkit of resources and materials for use within primary, secondary and further education settings to complement the good practice guide has also been researched and compiled by Welsh Women’s Aid and AVA (Against Violence and Abuse). We await publication of the resource however, I fear that without clear direction from Welsh Government as to the expectation for implementation and mechanisms for data collection and monitoring there is a real risk that the commitments made by the former Minister will fail to deliver change within our education settings.

7.9 A key principle within the Whole Education Approach good practice guide is staff learning about violence against women, domestic abuse and sexual violence. This applies to all teaching staff, lecturers, tutors, youth workers, non-learning and support staff. Training

should be provided in line with the National Training Framework which will apply to all staff within local authority education functions. Within the “New Deal” element of the curriculum reform there is an opportunity to align continuous professional development with the requirements of the national training framework to ensure that all staff receive appropriate training relating to violence against women, domestic abuse and sexual violence. At this time I am unclear as to what extent education professionals recognise the relevance of the requirements of the Act to their roles and functions.

7.10 A thematic review is expected to be carried out by Estyn during 2016/17 which should provide a baseline of information as to current practice across Wales. Taking consideration of the scope of work relevant to education (National Training Framework, Whole Education Approach, reporting requirements of the Act, areas of learning within the curriculum reform) I expect the review to make recommendations for practice improvement and outline how monitoring responses and approaches to violence against women, domestic abuse and sexual violence should be embedded within the inspection framework.

7.11 Education plays a key role in the primary prevention of violence against women, domestic abuse and sexual violence and survivors in Wales identify compulsory prevention education in all schools and colleges as a key priority for inclusion within the National Strategy². Survivors said;

“Children need to know what’s wrong and right in relationships, what’s acceptable and what help is available – what services there are. It needs to be age appropriate, in primary school – it should be compulsory and not out of choice as parents and some children may not get it. As they get older, in secondary schools, boys already hit girls for the sake of it and no-one challenges it”

“I want my daughter and her friends to know. I wish I’d had more knowledge, I never saw it coming and I’m not stupid but we just didn’t have any education, any awareness. I didn’t know there were services here to help me. This should be taught in all schools”

7.12 The development of a new curriculum following Professor Donaldson’s “Successful Futures” Report and Welsh Government’s “Qualified for Life – A curriculum for Wales – A Curriculum for Life” provides an opportunity to align the Act with the four purposes of the curriculum. In particular how the Act relates to the purposes that all children and young people will be healthy, confident individuals who know how to find information to keep safe and well and form positive relationships based upon trust and respect.

7.13 It is imperative that the curriculum includes **compulsory** age appropriate, preventative programmes regarding all forms of violence against women, domestic abuse and sexual violence grounded in a gender equality and human rights framework.

² “Are you listening and am I being heard? Survivor Consultation: A report of the recommendations made by survivors or violence against women, domestic abuse and sexual violence to inform the National Strategy in Wales”

7.14 The role of Education is crucial if Wales is to successfully implement and realise the potential of the Act. This highlights, once again the necessity for a truly integrated national strategy requiring leadership, commitment and resources from across Government to deliver lasting change.

I submit this written response for consideration of the Equality, Local Government and Communities Committee and look forward to contributing further to the post legislative inquiry when I provide evidence on the 19th October 2016.