

Refuge Evidence (DAA0117)

Submission to the Domestic Abuse Act 2021 Committee

1. Summary

Refuge welcomes the opportunity to contribute to the House of Lords Committee's review of the Domestic Abuse Act 2021. This submission draws on Refuge's role as the UK's largest provider of specialist domestic abuse services, alongside the lived experiences of members of Refuge's Survivor Panel and evidence from frontline practitioners.

The Act represented a landmark moment in recognising the complexity and harm of domestic abuse, particularly through the statutory definition of abuse and the recognition of children as victims in their own right. It also made significant progress in stabilising the provision of specialist accommodation-based services. However, five years on, implementation has been inconsistent and, in critical areas, insufficient. Survivors continue to struggle to access the support they need and frequently highlight a lack of understanding and effective responses from key statutory agencies including police, courts, social care and housing.

A recurring theme throughout this submission is the gap between legislative intent and lived reality. While there have been small but significant steps forward, progress has often been incremental and from a low base. Too often, survivors and their children are left to navigate and repair the harm caused by abuse themselves, while public systems fail to offer protection, accountability or timely support. Without stronger enforcement, sufficient and sustained funding, comprehensive training, cultural change and robust accountability mechanisms, the Act risks remaining an ambitious legislative framework that does not translate into significant meaningful change for survivors.

2. Children as Victims of Domestic Abuse

The Act's recognition of children as victims of domestic abuse in their own right was a significant and welcome step. However, evidence from survivors and Refuge's frontline services shows that this provision has not yet been fully realised in practice.

The amendment recognising children as victims was secured following sustained campaigning by children's and domestic abuse organisations. However, this legislative change was not accompanied by a comprehensive national strategy, workforce development programme or dedicated funding stream to embed the required shift in understanding and practice. As a result, progress has been uneven and slower than hoped.

Refuge has observed some positive change. There has been a modest increase in commissioning activity relating to children, including greater funding for child support workers within refuges and some standalone children's services, though these remain limited in number. Frontline teams report that the statutory recognition has strengthened advocacy with social care and housing, particularly in cases involving non-physical abuse such as coercive and controlling behaviour. This has been especially helpful where abuse has previously been dismissed as "relationship breakdown", including in cases where victims required support around safe child contact arrangements or housing due to coercive control.

However, survivor panel members continue to report a severe and systemic lack of mental health and therapeutic support for child survivors. In many cases, survivors are told that no statutory provision is available, leaving them with the only option of paying privately for counselling or therapy. This creates deep inequalities and leaves many children without support to recover and heal. There is an urgent need for a dedicated national strategy and long-term funding programme focused on children's safety, recovery and emotional wellbeing. Similar conclusions were reached in the Domestic Abuse Commissioner's report on babies, children and young people¹.

Survivors also highlighted that the impact of recognising children as victims has been minimal within the family courts. Children are still routinely ordered into contact with abusive parents, even where there is clear evidence of harm. Domestic abuse cases are frequently reframed as "high-conflict", which obscures patterns of coercion and control and minimises children's experiences. There remains a strongly entrenched

¹ Domestic Abuse Commissioner (2025) [Victims in their own right? Babies, children and young people's experiences of domestic abuse \(accessible\) - GOV.UK](#)

presumption that contact with fathers must be maintained at almost any cost, despite mounting evidence of harm. While it is noted the welcome recent announcement that the presumption of contact will be removed², there is concern that the culture within family courts could mean this change does not have the impact intended.

Police practice, meanwhile, shows less noticeable change. While notification to schools and social services under Operation Encompass is relatively well embedded, frontline teams report little wider shift in how policing responds to children as direct victims of domestic abuse beyond information-sharing.

Relocation disrupts education, yet children fleeing abuse are not consistently prioritised for school places, and support for children with EHCPs is particularly inadequate.

3. Statutory Definition of Domestic Abuse

The statutory definition of domestic abuse has brought some progress, particularly in increasing awareness of non-physical forms of abuse such as coercive and controlling behaviour (CCB), economic abuse and psychological abuse. Frontline practitioners report that awareness has improved since the Act, but caution that this represents a small increase from a low base.

Survivors and practitioners consistently report that the definition remains overly legalistic and inaccessible. Survivor panel members highlighted that many survivors struggle to identify their experiences as abuse, particularly where coercive control, economic abuse or psychological abuse are concerned. Terms such as “coercive and controlling behaviour” are not part of everyday language, and government communications have not made the definition meaningful or understandable to the general public. This can delay help-seeking and disclosure.

These issues are compounded in criminal justice practice. Refuge continues to see coercive and controlling behaviour cases being disproportionately discontinued, with cases frequently resulting in no further action. While the precise reasons are unclear, frontline colleagues report several recurring issues:

² Ministry of Justice (2025) [Government action to protect children from abusive parents](https://www.gov.uk/government/news/government-action-to-protect-children-from-abusive-parents) - GOV.UK

- CPS decision-making can lack full understanding of the wider context and cumulative harm, particularly where there has been no physical violence.
- There is often an unreasonable expectation placed on survivors to provide highly detailed, chronological statements articulating the full pattern of abuse and its impact.
- Police officers may default to expecting survivors to narrate the entire pattern themselves, rather than undertaking proactive investigations using non-leading questions and evidential triangulation to identify criminal behaviour and establish context.

Practitioners have also identified a pattern whereby CCB charges are most likely to proceed when attached to other, more straightforward offences that are perceived as easier to investigate or prosecute. Standalone CCB charges tend to progress only in the most extreme cases, such as those involving overt surveillance, monitoring or explicit threats.

The definition also does not adequately reflect how children experience coercive control—for example, being restricted from seeing friends, accessing education or participating in community life. Survivor panel members also highlight the increasing recognition of suicide as a result of domestic abuse, and the need for this to be more clearly reflected in the definition.

In Refuge's view, the definition does not adequately account for technology-facilitated abuse, which is now prevalent in the vast majority of cases the charity supports with.

Teenage relationship abuse, particularly affecting under-16s, remains poorly addressed, with young survivors continuing to face barriers to recognition and access to specialist support. Refuge welcomes the announcement in the Government's VAWG strategy that the Home Office will review the age at which the statutory definition applies and is supportive of reducing the age limit to 13.

4. Domestic Abuse Safe Accommodation

Part 4 of the Act introduced a statutory duty on local authorities to provide support to victims and survivors in safe accommodation. This has

been a significant step forward and has improved the overall sustainability of refuge provision, channelling increased funding into vital services.

However, the duty was not fully funded. Refuge estimates a £55.5 million annual shortfall for safe accommodation services alone, with £222 million required each year and only £166.5 million provided through Domestic Abuse Safe Accommodation (DASA) funding. This funding gap continues to limit the effectiveness of Part 4 and the ability of survivors to access the support they need.

Implementation has also been highly variable. In areas where the duty sits with Tier 1 authorities, but refuge services have traditionally been commissioned by Tier 2 authorities (such as London), Refuge has seen Tier 2 authorities withdraw existing funding and rely solely on DASA funding. Given the severe financial pressures facing local authorities, this has placed some services at risk and undermined the intention that DASA funding be additional rather than substitutive.

There is also insufficient accountability over how DASA funding is used. Refuge frequently hears from commissioners that overall domestic abuse accommodation budgets are smaller than the grants received from central government, with funding diverted to other priorities. This risks undermining the potential of Part 4 to create a sustainable, national network of specialist refuges. In an environment of tight local authority budgets, there is increasing reluctance to fund services perceived as supporting “non-local” survivors, despite the national nature of domestic abuse.

Commissioning data demonstrates that the Act has influenced practice: 19.9% of commissioning opportunities in FY 2024/25 represented new or additional provision attributable in some way to the Act, including refuge accommodation, housing-related support, therapeutic services, children’s support, specialist provision and embedding survivor voice. However, some of these may reflect re-commissioning rather than genuinely new services.

Particular concern remains around children’s provision. While 54 commissioning opportunities referenced support for children in FY 2024/25, only 18 (33.3%) included therapeutic services, unchanged from the previous year but representing a decline in absolute numbers. This is

alarming given the Act's emphasis on children as victims and the long-term impact of domestic abuse.

5. The Office of the Domestic Abuse Commissioner

The Domestic Abuse Commissioner (DAC) has played a vital role in amplifying survivor voices, challenging poor practice and producing rigorous, evidence based reports. Survivor panel members welcomed the Commissioner's Survivor Summit and the willingness to use strong, clear language in her public reports.

However, survivors highlighted the lack of government action in response to the Commissioners reports and recommendations. There is concern that the role lacks the powers, levers and enforcement mechanisms needed to ensure that recommendations translate into improvements on the ground.

6. Policing and Courts

Survivor and frontline teams' insight demonstrates that the Act has not delivered consistent improvement in police and court responses.

Policing

While frontline colleagues report some increase in awareness of non-physical abuse, many survivors continue to encounter police officers who have little or only a basic understanding of coercive and controlling behaviour and dynamics of domestic abuse. Comprehensive, repeated and mandatory training on domestic abuse and coercive control across the criminal justice system is still severely lacking.

Refuge does not provide services in the DAPN/DAPO pilot areas and therefore is unable to comment on their impact. However, survivors report low confidence in Domestic Violence Prevention Notices and Orders (DVPNs/DVPOs), particularly where breaches—especially non-physical breaches—are not taken seriously. Survivors frequently describe these measures as “not worth the paper they're written on”, which significantly undermines trust in the system. Frontline colleagues also report that officers sometimes see these orders as overly bureaucratic or base decisions on subjective assessments of whether survivors are likely to engage with support services. Refuge would have welcomed evidence

from the DAPO pilots that the key flaws in the current system of orders are improved through DAPOs prior to the announcement that DAPOs will be rolled out across the country.

Courts

In the courts, special measures remain inconsistently applied. Survivors are not always informed of their rights, and there are cases where perpetrators have been granted special measures instead of victims. In family courts, fear of parental alienation allegations continues to silence survivors and undermine protections.

7. Community Service Providers

The Act has increased recognition of the role of specialist domestic abuse services. However, chronic underfunding, short-term commissioning cycles and complex procurement processes continue to limit their effectiveness. See, for example, Refuge's Commissioning Report 2023/24³. There remains a significant shortage of funding for community-based domestic abuse services, with an estimated £91.5 million gap between the funding needed and funding available.

Information-sharing between statutory agencies and specialist providers remains inconsistent and often dependent on personal relationships rather than systematic processes. Specialist "by-and-for" services supporting marginalised communities remain poorly funded despite their critical role, exacerbating inequalities in access and outcomes.

8. Prevention

Public awareness and prevention activity remain insufficient and largely reliant on the voluntary sector without adequate coordination or funding.

Survivors expressed deep scepticism about perpetrator programmes, citing limited accountability, poor monitoring and minimal consequences for non-completion or reoffending. There is insufficient recognition that many perpetrators make deliberate and repeated choices to cause harm.

Education on healthy relationships remains inconsistent. Survivor panel members highlighted that schools often lack the resources and confidence

³ Refuge (2025) [Our Annual Commissioning Report](#)

to deliver effective programmes. Evidence-based, whole-school approaches are not being systematically implemented.

Survivors argue that addressing harmful online ideologies, including the “manosphere”, requires a coordinated cross-government strategy rather than fragmented departmental responses.

9. Inclusion

Survivors from marginalised groups report that the Act has not meaningfully improved their experiences.

Black, Asian and minoritised survivors remain among the most disadvantaged, with specialist services poorly funded. Trust in the police and CPS remains low. Migrant survivors with no recourse to public funds face extreme danger and disadvantage; the single most impactful reform would be removal of NRPF conditions.

The absence of a statutory firewall between the police and immigration enforcement remains a major barrier to reporting. While the Government’s commitment to introducing a firewall is welcome, the proposed consent-based model risks undermining its effectiveness, particularly where survivors feel unable to refuse providing consent, are not clear about the implications of consenting to information sharing or face language barriers.

Disabled survivors report being disbelieved or dismissed, while LGBT+ survivors, particularly trans survivors, report increasing hostility. These systemic barriers persist despite individual examples of good practice.

10. Gap and recommendations

- **Close the funding gap for specialist domestic abuse services**
Commit to sustainable, long-term funding to address the estimated £147 million shortfall across specialist accommodation-based and community-based services, ensuring funding is additional, not substitutive, and reaches frontline provision, including by-and-for services.
- **Embed children as victims in their own right across all systems**
Introduce a national strategy and dedicated funding programme to

operationalise children's status as victims, including guaranteed access to trauma-informed therapeutic support, clear NHS and education system responsibilities, and mandatory training and culture change across policing, courts and social care.

- **Strengthen accountability and enforcement of the Domestic Abuse Act**

Establish clear accountability mechanisms for police, courts, CPS and local authorities, including monitoring, inspection and consequences for poor practice or non-compliance.

- **Reform family courts to prioritise survivor and child safety**

Carefully implement and evaluate the Pathfinder courts model and the removal of the presumption of parental contact, alongside increased specialist domestic abuse training for judges and CAFCASS, safeguards against misuse of parental alienation claims, and further reform if these measures do not result in safer outcomes.

- **Improve criminal justice responses to coercive and controlling behaviour**

Introduce mandatory, specialist training for police, prosecutors and the judiciary on coercive and controlling behaviour, supported by improved guidance, to reduce attrition and improve survivor trust.

- **Strengthen the powers and resourcing of the Domestic Abuse Commissioner**

Consider whether the Domestic Abuse Commissioner's powers ought to be strengthened to enhance the response and engagement to her recommendations from government, supported by adequate funding to monitor implementation and drive systemic change.

- **Remove barriers for migrant and marginalised survivors**

Remove No Recourse to Public Funds conditions for survivors of domestic abuse and introduce a full statutory firewall between the police and immigration enforcement. Increase sustained funding for specialist services supporting marginalised communities.

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