

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

COMMITTEE *FOR* HOME AFFAIRS

JUSTICE FRAMEWORK
DOMESTIC ABUSE & SEXUAL VIOLENCE

The States are asked to decide:-

Whether, after consideration of the policy letter entitled 'Justice Framework - Domestic Abuse & Sexual Violence' dated 30th May 2022, they are of the opinion:-

1. To support broadening the scope of the Domestic Abuse Strategy to also include Sexual Violence.
2. To support expediting the delivery of pilot scheme for a Sexual Assault Referral Centre.

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The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port

30th May, 2022

Dear Sir

1. Executive Summary

- 1.1 In 2009¹, the States of Guernsey adopted a Domestic Abuse Strategy (“the Strategy”) for Guernsey and Alderney; a second iteration of the Strategy was endorsed for the period 2016-2020².
- 1.2 The Committee *for* Home Affairs (“the Committee”) identified a refreshed Strategy as one of its priorities for this political term. In March 2021, to support the development of the Government Work Plan (“GWP”), the Committee submitted its proposals to continue and enhance domestic abuse services. The Committee’s submission, reflected in the Funding & Investment Plan, identified additional forecast revenue spend for the Strategy, which included funding for a three-year pilot scheme for a Sexual Assault Referral Centre (“SARC”).
- 1.3 In July 2021, the GWP 2021-2025, the strategic plan for government was agreed. Through the GWP the States resolved to ‘enhance domestic abuse services in line with the updated domestic abuse strategy’ and focus on ‘effective delivery of services geared towards tackling domestic abuse’ and, in principle, committed to the additional funding required to deliver improved services.

¹ [Billet d’Etat XXI, 2009](#)

² [Billet d’Etat XXIII, 2015](#)

- 1.4 The Assembly's commitment to enhancing domestic abuse and sexual assault services is an acknowledgement that these are an essential element of our Island infrastructure.
- 1.5 This policy letter seeks the support of the Assembly to broaden the scope of the Strategy to encompass sexual violence. This is in response to discharging the 2015 Resolution³ to *'investigate the merits of establishing a Violence Against Women and Girls (VAWG) Strategy'*.
- 1.6 In reviewing the merits of establishing a VAWG Strategy, the Committee identified the need to establish a SARC, which formed a key element of its GWP submission. Through this policy letter the Committee seeks the support of the Assembly to expedite this work, which will require a cross-committee commitment and engagement with the third sector to successfully deliver.
- 1.7 The enhanced Domestic Abuse and Sexual Violence Strategy will link in with the Sexual Offences (Bailiwick of Guernsey) Law, 2020. The majority of this legislation will come into force on 1st March 2022 with two sections of the law being added at a later stage, following further consultation around specific definitions. The Committee decided to introduce it in two stages in order to avoid any further delay to the majority of the legislation. The areas of work that will return to the States for approval following this consultation are 'offences involving an abuse of a position of trust' and 'offences by caseworkers against persons with a mental disorder'.
- 1.8 Although the Law repeals the legislation setting out the previous sexual offences, section 18 of the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016 permits the investigation, prosecution and punishment of any offences committed prior to the commencement of the Law.
- 1.9 There are also plans to make significant improvements to legislation around domestic abuse within this States term, in order to bring it in line with the UK. The Committee is currently working on a policy letter asking the States to consider introducing the following:
- Domestic Abuse Protection Notices and Orders, covering non-violent aspects of domestic abuse as well as assault and threatening behaviour;
 - The introduction of Stalking Protection Orders;
 - The criminalisation of breaches of domestic violence injunctions;
 - Legislation to criminalise coercive control (including economic and emotional / psychological abuse) including the introduction of a statutory definition of domestic abuse which includes children as victims;

³ [Billet d'État XXIII of 2015, Article IX](#)

- A separate offence of stalking within the Protection from Harassment (Bailiwick of Guernsey) Law, 2005⁴;
 - A register of serial domestic violence perpetrators and stalkers linked to a domestic abuse disclosure scheme;
 - An offence of non-fatal strangulation or asphyxiation;
 - The introduction of statutory Domestic Homicide Reviews.
 - Removing consent as a legal defence where a person has suffered serious harm for the purpose of sexual gratification (this will restate in statute law the general proposition that a person may not consent to the infliction of serious harm and, by extension, is unable to consent to their own death)⁵.
- 1.10 Other legislative changes that have been introduced within the Domestic Abuse Act (2021)⁶ in the UK were raised during the consultation on the Strategy by the Committee *for* Health and Social Care (HSC) as measures they would like to see introduced locally. These were:
- Making threats to disclose private sexual photographs an offence⁷.
 - Making victims of domestic abuse automatically eligible for special measures in Court (e.g., giving evidence from behind a screen or via a live link, so that they do not have to face the accused)⁸.
- 1.11 The Committee agrees that these changes should be included in the legislation policy letter when it is taken to the States’.
- 1.12 HSC also asked the Committee to consider preventing domestic abuse victims from being charged for medical evidence in relation to domestic abuse court

⁴[Protection of Harassment \(Bailiwick of Guernsey\) Law, 2005](#)

⁵ This section of the Domestic Abuse Act has been introduced due to victims being killed or brought to court because the alleged offender has claimed that this was a result of rough sex going wrong. While this defence should not have been open to any defendant since 1993 when a test case, *R v Brown*, in the House of Lords resulted in the conviction of a group of men for assault and wounding even though their sadomasochistic victims willingly participated in the violence, nonetheless, nearly 70 victims in the ten years preceding the introduction of the Domestic Abuse Act were required to come to court to deny that they had consented to physical attacks.

⁶ [Domestic Abuse Act \(2021\)](#)

⁷ in the UK, this extended the offence of disclosing private sexual photographs and films with intent to cause distress (known as the “revenge porn” offence) to cover threats to disclose such material

⁸ Until the UK Domestic Abuse Act was introduced, for a witness in criminal proceedings to be eligible for “special measures” as an intimidated witness, the court had to be satisfied that the quality of the witness’s evidence would be likely to be diminished due to their fear or distress about testifying. However, complainants in respect of modern slavery offences and sexual offences were automatically eligible for special measures on these grounds, as were witnesses in proceedings relating to certain listed offences involving guns or knives. The Act provides consistency of treatment to domestic abuse victims who will also be automatically eligible for special measures on the grounds of fear or distress, whenever it is alleged the behaviour of the accused falls within that definition.

cases. In the UK, GPs are one of many professions that victims can ask to provide a letter in order to access legal aid in relation to domestic abuse cases. Although the British Medical Association had issued guidance recommending that a charge should not be levied for these letters, this was non-binding, and many victims were still being charged. The UK Domestic Abuse Act 2021 put this provision on a statutory footing. However, in Guernsey, the Legal Aid Service consider that the Advocate who is dealing with the case will have verified the individual's situation to confirm that they have experienced domestic abuse before making an application for legal aid in relation to family court proceedings, so no letter would be required from a GP to verify this.

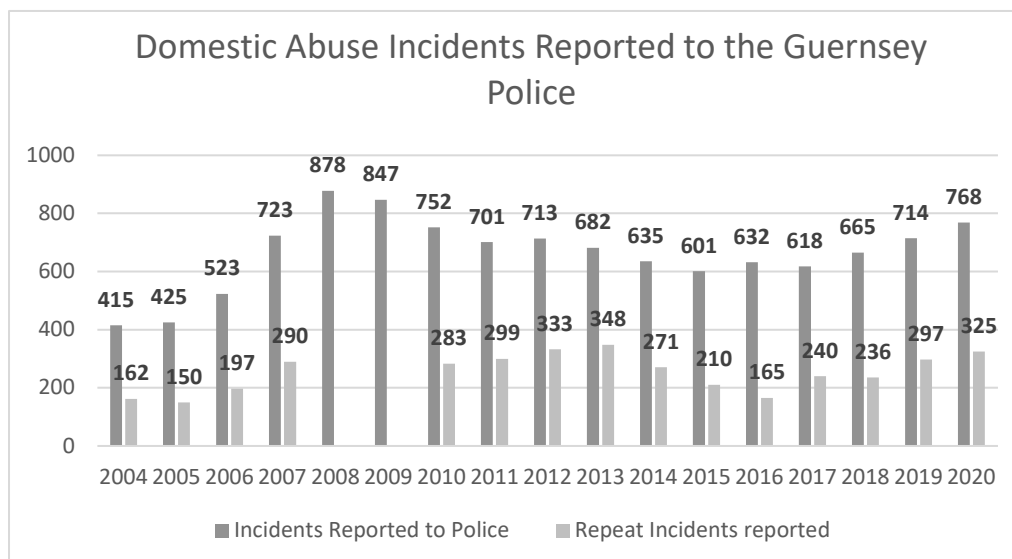
- 1.13 Another important area of work will be the improvement of data collection as this is vital in understanding the size and nature of these social issues. It has been difficult to gather local data in relation to some areas of the strategy, and this will be addressed through the overarching work of the Justice Framework in relation to data systems. Within areas of this policy letter where it was impossible to gather data, for instance the cost of domestic abuse to local services, figures have been extrapolated using UK data, or an assumption has been made that prevalence of these crimes locally is likely to be similar to the UK.

2. Background

- 2.1 Tackling domestic violence and abuse is closely linked to the GWP theme of the Bailiwick being a safe and secure place to live.
- 2.2 Domestic abuse affects people of all socioeconomic backgrounds. According to the Crime Survey for England and Wales, around one in three women and one in seven men will be affected by domestic abuse in their lifetimes.
- 2.3 The consequences of domestic abuse include unemployment, homelessness, mental and physical ill health and poverty. It impacts on the local economy and productivity in the workplace and it often isolates victims who may face barriers in terms of their ability to participate in education or employment.
- 2.4 Domestic abuse represented around 17% of all reported local crime in 2020. According to local support services, referrals have generally been rising by around 5-10% annually as the services have become more established and well publicised. This was heightened during the Corona Virus lockdown where numbers of referrals increased dramatically, putting considerable pressure on domestic abuse services.
- 2.5 Repeat incidents have risen since 2016 from 26% of all incidents (194 of 618 incidents) to 42% in 2020 (324 of 780 incidents). In the short term, this is desirable as it shows that victims are engaging with services and feel confident

to report further incidents, but ideally, in the longer term, repeat incidents should decrease, indicating that early intervention provision is working.

Figure 1: Domestic Abuse Incidents reported to the Police



2.6 The refreshed Strategy sets out additional actions to strengthen our response to tackling domestic abuse and sexual violence through to 2025.

2.7 Domestic abuse is a complex crime, which often remains unreported. It is therefore essential that estimates of need are considered as an under-representation of the true scale and nature of domestic abuse. A co-ordinated multi agency approach to tackle the issue within the community is fundamental to working towards the States' vision of a safe and healthy Bailiwick.

Gender and Domestic Abuse

2.8 Annual 2020 police statistics show that in relation to domestic abuse incidents reported to the police, around 75-80% of victims are female with 20-25% being male. Last year there were 662 incidents involving female victims (77%) and 195 involving male victims (23%)⁹. Of the high-risk cases that were discussed at the local Multi Agency Risk Assessment Conference (MARAC), 95% were female and 5% were male. This mirrors the national data and the figures do not differ significantly from year to year, with between 5-10% of MARAC cases annually being male, locally and nationally.

2.9 National research within the Crime Survey for England and Wales indicates that one in four women and one in six men will be a victim of domestic abuse. This

⁹ The combined male and female numbers amount to more than the 768 incidents reported to the police as in some cases there was more than one victim, and in a few cases, it was unclear which party was the victim.

suggests a level of parity between the sexes; however, what these figures conceal is the fact that the 47% of males experienced a single incident, with an average of seven incidents per victim, compared with 28% of female victims experiencing a single incident, with an average of 20 incidents per victim¹⁰. Female victims of male perpetrators are more likely to be repeatedly abused, seriously harmed, or murdered.

- 2.10 Locally, annual Police data also shows that female victims are far more likely to be repeat victims. Of those victims who experienced three or more incidents of domestic abuse that were reported to the Police in 2019, less than 6% were male.
- 2.11 Large-scale survey research often reports gender symmetry in the initiation and participation of men and women in intimate partner violence (IPV). This violence is less severe, and mostly arises from situationally provoked conflicts and arguments between the partners rather than ongoing coercive control. These studies find much higher rates of violence by both men and women than show up in crime victimisation studies, but lower levels of severity or victim fear.
- 2.12 This comparably low-level abuse, often referred to as ‘situational couple violence’, usually does not escalate, causes few injuries, and is committed much more symmetrically by men and women. This research is often cited as evidence that men and women are equally likely to be domestic abusers.
- 2.13 While it may sometimes be useful to understand violence in the context of arguments, it is important not to conflate ‘situational’ arguments between couples where there is an equal distribution of power within the relationship, with domestic abuse, where there is a significant power imbalance. The fact that the same term – domestic abuse – is often used to cover both arguments and coercive and controlling abuse has led to enormous amounts of time and energy being spent in unproductive arguments over whether men and women are equally violent and abusive.
- 2.14 Men and women clearly do not abuse their partners at the same rate. Perpetrators who are arrested for domestic abuse crimes, the violation of protection orders and who are found guilty of domestic homicide are overwhelmingly male, and their victims overwhelmingly female. Women also experience higher rates of repeated victimisation and are far more likely to be seriously hurt or killed than men who experience domestic abuse.

¹⁰ [Home Office Research Study 276 Domestic violence, sexual assault and stalking: Findings from the British Crime Survey.](#)

3 Focus of the 2021-2025 Strategy

- 3.1 Despite the previous Strategy formally coming to an end at the end of 2020, there has been no interruption to the delivery of services. The increased demand on services was reflected in the Committee's request for additional funding for 2021 which was approved, in principle, through the Funding & Investment Plan.
- 3.2 The GWP has committed to a process of partnership working, co-designing of policy and operational solutions, and in particular the commissioning of services so that collectively the private, public and third sectors can work to secure the best outcomes for islanders.
- 3.3 The intention is to work with external bodies to appropriately allocate resources to address prioritised unmet needs in an efficient and effective way, building positive relationships and allowing the funds that would otherwise have been consumed in complex contractual arrangements or less efficient approaches to be repurposed for quality improvement.
- 3.4 The nature of the Strategy means that its operational elements have been tendered out to the third sector in previous years. This will continue, though the States commissioning processes will be changing. A draft action plan has been included in the Strategy Document which is attached as Appendix 1.

4 Violence Against Women and Girls Strategy

- 4.1 An amendment to the 2016 - 2020 Strategy which was considered by the States in January 2016 resolved: *"To note developments in respect of policies collectively known as Violence Against Women and Girls, as referred to in paragraphs 6.19 to 6.23 of that policy letter (see Appendix 2), and to agree that the Committee for Home Affairs shall investigate the merits of establishing a Violence Against Women and Girls (VAWG) Strategy and report its findings to the States by no later than the end of 2018."*
- 4.2 Mapping work on this took place between 2017-2019 to establish the work carried out nationally and internationally in this area by looking at existing strategies, statistics and action plans in order to identify the gaps in local provision. The United Kingdom's VAWG Action Plans¹¹ have been particularly useful in identifying initiatives which could be applied in the Bailiwick, where relevant and proportionate. Stakeholder meetings have further helped to inform the initial thinking behind any potential strategy.

¹¹ 2011 - [Call to End Violence Against Women and Girls: Action Plan](#) (UK Government)
2014 – [A Call to End Violence against Women and Girls: Action Plan 2014](#)
2016 - [Ending Violence Against Women and Girls Strategy 2016 – 2020](#)

- 4.3 It is acknowledged that the picture locally is not identical to the UK. We have a different demographic with a less ethnically diverse population and therefore crimes such as “honour”-based violence and female genital mutilation are rarely reported. This does not mean that such issues do not or cannot arise and measures should be in place to prevent incidences occurring and to deal with them effectively when they do happen, whilst acknowledging that our response should be proportionate.
- 4.4 Within the UK, strategic work in relation to domestic abuse now sits under the framework of the National Violence Against Women and Girls (VAWG) Strategy and the Crown Prosecution Service VAWG Strategy. The latter was set up to improve prosecutions against crimes such as domestic abuse, rape and sexual offences, stalking, child abuse, honour-based violence, trafficking and sexual exploitation. National VAWG Strategies also tackle broader cultural issues such as sexual inequality and sexual harassment in the workplace and public sphere.
- 4.5 This approach has been led by the United Nations, which since 1993 has made repeated calls for the UK and other States to take ‘integrated measures to prevent and eliminate violence against women’. It has arisen due to crimes such as domestic abuse, rape and child sexual exploitation being acknowledged as disproportionately gendered. Since 2009, UK governments have recommended that every region of the UK should develop a coordinated approach to responding to and preventing violence against women.
- 4.6 A number of International, UN and European agreements¹² recognise that violence against women and girls is linked to women’s and girls’ subordinate status in society, and to an abuse of male power and privilege; they also recognise that violence is a function of gender inequality connected to the broader social, economic and cultural discrimination experienced by women.
- 4.7 Whilst violence against women and girls occurs across all sectors of society, not all women and girls are equally at risk. Some factors can increase vulnerability to abuse and keep women and girls trapped. These include age, ‘looked after’ status (current and former), financial dependence, experience of child abuse and neglect, poverty, disability, homelessness and ethnicity.
- 4.8 The variety of issues covered by VAWG Strategies reflect a continuum of behaviours that range from annoying or distressing, to damaging, life

¹² UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW); the Council of Europe Convention on preventing and combating violence against women and domestic violence, better known as the Istanbul Convention; the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment; the Convention on the Rights of the Child; UN Security Council Resolution 1325; and Convention Against Trans-national Organised Crime, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; UN Security Council Resolutions 1820 and 1888.

threatening or fatal. Many women and girls learn to minimise forms of violence and abuse, both as a way of coping, but also because much of it is normalised in society. The most common form of abuse women and girls experience is sexual harassment which may begin at an early age. Many also experience multiple forms of violence and abuse ranging from child sexual abuse, rape and sexual exploitation to domestic abuse, from which two women a week still lose their lives in the UK each year.

4.9 Internationally, it is recognised that integrated, gender-informed strategy leads to better and appropriately targeted policy making. It has also led to better prosecution outcomes through improved links between offending behaviour; integrated expertise on violence against women and the transfer of good practice; targeted and improved responses to victims who benefit from support to address a range of issues; and more effective preventative work to develop longer term solutions. In addition, it ensures that statistics capture the split of male and female victims within each category of offence.

4.10 A gendered analysis recognises:

- that men are statistically and overwhelmingly the main perpetrators of violence (especially severe violence involving injuries) against other men and against women, but that by no means all men are violent;
- that the historical tolerance of gender-based violence (domestic and sexual, and in multiple arenas, including education and the workplace) is still prevalent in many contexts and media representations, despite significant social and legal changes;
- that some women also use violence and abuse;
- that the meaning, use and impact of violence by men and by women is rarely the same and cannot be understood in isolation, needing to be viewed in the context of broader social factors;
- that in understanding the differences between men's and women's violence, it is vital to explore the context within which violence is carried out;
- that policy makers and the public need to be able to identify and name the problem in order to affect change at all levels of social life, for the benefit of all.

4.11 The merits of establishing a VAWG strategy can be clearly seen in other jurisdictions which have taken this approach.

4.12 It should be noted that in recognising violence against women and girls, this does not mean that abuse directed towards men or perpetrated by women is ignored or neglected. Male victims receive the same access to protection and legal redress and the gender of the perpetrator does not make any difference to the criminal justice approach to bringing offenders to justice.

- 4.13 While the Islands of the Bailiwick may not have the breadth of social problems covered under VAWG strategies in larger jurisdictions, there are specific areas where there is definitely a need for services locally, particularly for victims of sexual assault. This gap in provision was also highlighted within the Justice Review report¹³:

“There is potential for the stigmatising effect of involvement in the justice system, including exposure to the media, to have a dampening effect on the reporting of domestic abuse and sexual violence. As we noted [earlier in the report], there is significant attrition once offences are reported which it is important to address. There is some evidence to suggest that these offences are more prevalent in the Bailiwick than shown by police-recorded crime figures. Prosecution does not provide a solution for everyone. In addition to implementing existing plans to broaden the definition of domestic abuse, strengthen legislation to protect victims of domestic abuse and sexual violence through a wider range of civil and criminal measures, and introduce a sexual abuse referral centre, there is the potential to broaden the range of informal avenues of support available to victims who have not reported offences against them, including counselling.”

- 4.14 As can be seen in Figure 2 below, sexual assault reported to the police has increased by 220% between 2011 and 2020. This is likely to indicate both that more assaults are taking place, and that increasing number of victims are reporting historic abuse. Some of the increases are also due to changes in recording methods by Bailiwick Law Enforcement, which took place in 2018. This mirrors the UK picture where the volume of sexual offences recorded by UK police has almost tripled in recent years due to more victims being willing to report but also due to improvements in police recording of crimes.

¹³ [Billet d’État XV of 2020, Article XVI](#)

Figure 2: Sexual Offences reported to the Police

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Indecent assault on a female	12	22	17	14	18	25	17	45	58	60	67
Rape on a female	7	8	3	10	9	10	18	40	51	32	33
Indecent exposure	1	1	1	3		1	4	2	3	2	1
Unlawful Intercourse girl under 16 yrs						3		6	5	3	4
Indecent assault on male						1	7	9	7	13	8
Gross indecency	14	5	4	2	6	1	3		2	1	
Buggery	1				1	2	5	4	5	1	6
Gross Indecency with child						1	3	4	3		2
Incite to commit a sexual act							2		3		1
Rape on a Male											4
Total	35	36	24	29	36	44	59	110	137	112	126

4.15 Over recent years, the profile of sexual offences has been raised enormously due to the Children’s Commissioner’s Inquiry into Child Sexual Exploitation in the family environment¹⁴, the Independent Inquiry into Child Sexual Abuse (“IICSA”)¹⁵, the independent inquiry into child sexual exploitation in Rotherham¹⁶, and the various cases involving well known individuals.

4.16 In the UK in 2011, each adult rape is estimated to cost over £96,000¹⁷ in its emotional and physical impact on the victim, lost economic output due to convalescence, early treatment costs to the health service and costs incurred in the criminal justice system. There is no reason that these figures would be any less in the Bailiwick.

¹⁴ Inquiry into Child Sexual Abuse in the Family Environment report – [Protecting Children from Harm: a critical assessment of child sexual abuse in the family network in England and priorities for action](#)

¹⁵ [Independent Inquiry into Child Sexual Abuse](#)

¹⁶ [Independent Inquiry into Child Sexual Exploitation in Rotherham](#)

¹⁷ Home Office (2005) *The economic and social costs of crime against individuals and households 2003/04*. Figures from this report were up-rated to 2009 prices in the government response to the Stern Review (2011) See: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/97907/government-stern-review.pdf

- 4.17 As in the UK, very few sexual offence incidents reported to the Guernsey Police result in successful prosecution. In 2021, of the 126 sexual offences reported to the Police, 17 were referred to the Law Officers of the Crown and 11 of these were taken forward for Prosecution (8.7%). Five of these cases were dismissed with no evidence offered; two were withdrawn, two resulted in imprisonment and two are ongoing. Of the 37 rape incidents reported in 2021, included in the 126 sexual offences, three were referred to the Prosecutors. None of the three cases were charged with rape, though one was charged and summonsed with a different offence.
- 4.18 There are a variety of reasons for investigative difficulties with sexual crimes: some of the incidents reported may be third party reports, some reports will be made with a victim stating that they do want an investigation to be commenced, and some may be historical – leading to increased difficulties in obtaining evidence. Of all sexual crimes, rape can be the most difficult to investigate due to a lack of corroborating evidence or, in cases concerning two adults, where there are complex decisions to be made around consent and one person’s word against another.
- 4.19 The Committee has recently studied the UK Government’s ‘End to End Rape Review Findings report¹⁸ which analyses how the criminal justice system handles rape cases. Some of the actions within the rape review report and action plan will be introduced locally in order to improve the way the criminal justice system responds to rape at every stage in the process, build confidence in the system and encourage more victims to come forward. The report aims to ensure that cases are better prepared from the start, the number of prosecutions of rapes is increased, and that trials are fair and timely.
- 4.20 Cases reported to the Police are likely to represent only a small percentage of the number of sexual assaults occurring locally, as worldwide, sexual assault is heavily under-reported. This is borne out locally by the high number of domestic abuse victims who disclose sexual assault to the specialist domestic abuse services but who, for a variety of reasons, do not report these incidents to the police.
- 4.21 The Guernsey Victim Support and Witness Service received 38 disclosures about sexual assault to their helpline in 2019 and 33 in 2020 with the majority of the referrals being through the Police. The Service has supported many of these individuals with counselling. Few of these incidents were in respect of domestic-related sexual abuse.

¹⁸ [The end-to-end rape review report on findings and actions \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/944444/end-to-end-rape-review-report-on-findings-and-actions.pdf)

- 4.22 At present, there is very little knowledge around the prevalence¹⁹ of sexual assault in the Bailiwick or the demographic breakdown of those experiencing it. This information is gathered through the Crime Survey for England and Wales within the UK, of which we have no equivalent. It is unlikely that percentages locally will be vastly dissimilar to those in the UK where 20% of women and 4% of men have experienced some sort of sexual assault since the age of 16.²⁰ and only around 15% of individuals who experience sexual violence report it to the police.²¹

Gaps in relation to Sexual Assault Services

- 4.23 A recommendation within the Justice Review Report is that:

“action on domestic abuse and sexual violence must be given more prominence as an integral part of the future justice framework, within justice agencies and across government. The CfHA should consider broadening the scope of its proposed violence against women strategy to include all domestic abuse and sexual violence, rather than solely focusing on women and girls. In line with the direction of travel of broader justice policy, the emphasis should be on prevention and evaluating the impact of existing initiatives. This should incorporate a review of the funding, functioning and impact of the existing domestic abuse strategy.”²²

- 4.24 The value and importance of creating a Violence Against Women and Girls Strategy as well as a Domestic Abuse Strategy is acknowledged, however, it is suggested that it may not be proportionate to the needs of our jurisdiction.
- 4.25 In refreshing the Strategy, the Committee concluded that it should be broadened out to a Domestic Abuse and Sexual Violence Strategy to cover all forms of sexual violence and abuse.
- 4.26 The Committee identified that in broadening the scope of the Strategy, priority should be given to addressing the need for sexual violence services and care pathways which would be delivered through the auspices of a SARC. As a consequence, the Committee included a request for additional funding for a three-year pilot scheme for a SARC in its GWP submission, originally proposing the

¹⁹ **Prevalence** of sexual assault refers to the total number of cases or incidents within a population and is captured through crime surveys. **Incidence** of sexual assault is defined as the number of reported incidents in a population during a specified time period. This is usually captured through police data which includes third-party reporting.

²⁰ Crime Survey for England and Wales, on Rape crisis website

²¹ Rape Crisis

²² [Billet d'État XV of 2020, Article XVI](#)

scheme commence in 2023, through this policy letter the Committee will be seeking the Assembly's support to expedite this work.

5. Sexual Violence

- 5.1 There is no formally adopted definition of sexual abuse in place within the UK however, the World Health Organisation (WHO) use the following to define sexual violence:

“Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting including but not limited to home and work.”

- 5.2 More broadly, sexual violence’ is a term that can be used to describe any sexual activity or act that happened without consent.
- 5.3 Sitting within the context of violent crimes, there are many commonalities between the crimes of domestic abuse and sexual abuse in terms of the nature of the extent to which it goes under reported; the trauma caused to its victims and survivors and their wider families and some of the motivations of the perpetrators. Many survivors are victims of both domestic abuse and sexual abuse.
- 5.4 This supports the need for an integrated strategy which tackles both domestic abuse and sexual abuse. It is important that the Strategy also reflects on the differences between the crimes and tailoring its priorities and supporting interventions to address these.
- 5.5 Any services that are set up to tackle sexual assault in the Bailiwick will of course support all victims – male and female - to ensure that timely and high-quality support is available to help victims cope with, and as far as possible, recover from the devastating impact of these crimes.

6 Developing Sexual Assault Services in the Bailiwick

- 6.1 While investigating the need for a Violence Against Women and Girls Strategy, the lack of support services for people experiencing sexual violence was identified as the primary gap in services within the Islands.
- 6.2 There are services that a victim of sexual assault may need to support recovery and facilitate a criminal justice outcome such as a SARC, Sexual Assault Crisis Line, Independent Sexual Violence Advisors (ISVAs) and Crisis Workers who staff SARCs. It is vital that the running of these services is independent from the police or statutory health and social care services in order to encourage more victims to come forward and seek help. There also need to be strong care pathways into

public services such as Adult Mental Health, Child and Adolescent Mental Health Services and the Community Drug and Alcohol Team to ensure that there is good ongoing aftercare for service users where needed.

6.3 As noted in the Justice Review Report:

“The absence of a sexual abuse referral centre (SARC) and crisis helpline for victims of sexual violence was identified as a critical gap by several different stakeholders. Preliminary discussions have taken place between the Offices of the CfHA and CfHSC in respect of the merits of creating a SARC.

More broadly, the approach towards examining child victims of sexual abuse was seen as particularly problematic, as the small number of cases results in a challenge in maintaining the necessary expertise on the Island.”²³

- 6.4 Locally, although there is a sexual assault suite that has recently been developed, this is a Police-led facility. Although there is a formal pathway for the referral of children and young people (CYP) to receive forensic medical service in conjunction with the Police and Social Care, this is reliant on local pre-pubertal children travelling to Jersey for the forensic and medical examinations while being interviewed in the current sexual abuse suite at Le Marais Centre. Currently Guernsey paediatricians are unable to provide sexual assault examinations to children as there are an insufficient number of cases locally to allow them to maintain their professional standards in this area.
- 6.5 A SARC can provide both the service user and the police with the best possible opportunity to recover evidence for use within an investigation. The presence of a SARC can also raise public awareness of sexual violence and abuse and how such abuse can be dealt with, which in turn helps boost public confidence in both the health and criminal justice systems.
- 6.6 It is vital that a SARC developed in Guernsey has a partnership approach to ensure the successful delivery of safe, effective and clear pathways of care, whether or not clients choose to go through the criminal justice process.
- 6.7 Third Sector organisations are pivotal to supporting client well-being, recovery and independence. It is recommended that a SARC forms part of the commissioned services delivered through the Strategy.
- 6.8 A SARC can provide access to a number of services which a survivor may wish to access across a wide choice of environments from one-to-one work groups. Clients can be supported with advocacy for agencies such as housing, physical and mental health and the criminal justice system.

²³ [Billet d’État XV of 2020, Article XVI](#)

- 6.9 The SARC would also provide facilities to store samples whether or not a victim wishes to pursue police intervention at the time of initial medical examination, allowing the victim as much time as they need to decide whether they wish to pursue a criminal justice outcome.
- 6.10 Finally, SARC services can help the police and safeguarding partnerships to build a picture of sexual offences at a local level allowing forensic samples collected from victims to be stored enabling links to be identified. This is particularly helpful when a perpetrator has assaulted more than one victim as evidence can be collected and cross referenced, providing a stronger evidence base for prosecution.
- 6.11 Both domestic abuse and sexual violence can have a devastating effect on the lives of those affected, therefore a co-ordinated multi-agency approach to tackle the issue within the community is vital in working towards the States' vision of a safe and healthy Bailiwick.
- 6.12 The Committee will need to decide in conjunction with the Islands Safeguarding Partnership and HSC whether the Strategy is to cover Child Sexual Abuse or just Adult Sexual Abuse. This will involve a scoping exercise to identify additional services and support needed for children and young people and the related costs.

7 Responsibilities of States Committees within the Strategy

- 7.1 As the Strategy crosses all the social policy Committees within the States, they all have a key part to play in its success. An outline of the higher level overarching departmental responsibilities linked to the Domestic Abuse Strategy are set out below:

Responsible Committee	Actions
Committee <i>for</i> Education, Sport & Culture	<ul style="list-style-type: none"> • Tackle bullying, including sexual bullying. • Ensure that Domestic Abuse Education Workstreams are provided in all educational establishments in the Islands to promote healthy relationships and challenge attitudes that tolerate domestic abuse and gender inequality. • Ensure key staff within schools and education establishments attend relevant targeted or multiagency training to help identify and support families and children living with domestic abuse and /or sexual violence. • Display information relating to Domestic Abuse in schools and educational establishments.

	<ul style="list-style-type: none"> • Joint Oversight of Operation Encompass with Police • MARAC (Multi-Agency Risk Assessment Conferences) partner agency
Committee <i>for</i> Employment & Social Security	<ul style="list-style-type: none"> • Ensure that domestic abuse victims can access all benefits that they are entitled to. • Provide a rent deposit scheme that is accessible to all victims of abuse who meet the threshold for supplementary benefit payments and the criteria of the scheme. • Ensure relevant staff attend relevant targeted or multi-agency training order to help identify and support families and children living with abuse. • Display information relating to domestic abuse within the Department, e.g., posters, leaflets about domestic abuse services etc. • MARAC partner agency
Committee <i>for</i> Home Affairs	<ul style="list-style-type: none"> • Ensuring that the Criminal Justice Response to domestic abuse is effective. • Display information relating to domestic abuse within the various services of the Department, e.g., posters, leaflets about domestic abuse services etc. • Ensure key staff within the Department attend relevant targeted or multi agency training to help identify and support families and children living with domestic abuse and /or sexual violence. • Political oversight of the DA & SV Strategy • Monitoring and evaluation of outsourced services • Review of Criminal Justice Data Collection Processes • Involvement in the Domestic Abuse Law Review Group • MARAC and Multi-Agency Public Protection Arrangements (MAPPA)
Committee <i>for</i> Health & Social Care	<ul style="list-style-type: none"> • Recognise domestic abuse and violence against women as a cultural determinant of health. • Ensure health and social care professionals are adequately trained regarding all forms of domestic abuse and sexual violence, provide

	<p>guidance and ensure delivery against guidance.</p> <ul style="list-style-type: none"> • Provide an effective immediate and long-term health and welfare service for victims of abuse, including mental health care. • Display information relating to domestic abuse within the Department, e.g., posters, leaflets about domestic abuse services etc. • Ensure health and social care staff attend relevant targeted or multi-agency training to help identify and support families and children living with domestic abuse and /or sexual violence • Health Visitors part of Operation Encompass • Children's Services Core MARAC partner • Mental Health Services Core MARAC partner • School Nurses / Health Visitors, MARAC Partners • Involvement in the Domestic Abuse Law Review Group
Courts	<ul style="list-style-type: none"> • The effective and timely prosecution of domestic abuse and sexual violence • Participating in targeted or multi-agency training for staff • Involvement in the Domestic Abuse Law Review Group • Data collection in relation to prosecution of domestic abuse and sexual violence
Policy & Resources Committee	<ul style="list-style-type: none"> • Ensure that other cross-departmental Strategies link in with the Domestic Abuse Strategy • Ensure that there is adequate access to legal services including legal aid for victims of domestic abuse. • Ensure appropriate funding is in place in order to deliver the Domestic Abuse and Sexual Violence Strategy.

8. Compliance with Rule 4

8.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.

8.2 In accordance with Rule 4(1):

- a) The propositions contribute to the States' objectives and policy plans contained within Priority 3 of the Government Work Plan 'Keep the Island safe and secure'.
- b) In preparing the propositions, consultation has been undertaken on the Strategy with the Committee *for* Education, Sport and Culture, the Committee *for* Employment & Social Security, the Committee *for* Health & Social Care, Safer LBG, Citizen Advice Bureau, Youth Commission, Action for Children, Health Improvement Commission, Island Safeguarding Partnership and the Victim Support and Witness Service LBG.
- c) The propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications.
- d) The financial implications to the States of carrying the proposal into effect will be included into the Government Work Plan.

8.3 In accordance with Rule 4(2):

- a) The propositions relate to the Committee's purpose and policy responsibilities to advise the States and to develop and implement policies on matters relating to its purpose including the association between justice and social policy, for example domestic abuse.
- b) The propositions have the unanimous support of the Committee.

Yours faithfully

R G Prow
President

S P J Vermeulen
Vice-President

S E Aldwell
L McKenna
A W Taylor

P A Harwood OBE
Non-States Member

Domestic Abuse and Sexual Violence Strategy

For Guernsey and Alderney 2022-2025



Committee for
Home Affairs

Foreword by the Committee *for* Home Affairs

This latest edition of the Domestic Abuse Strategy for Guernsey and Alderney has been expanded to include sexual violence. For the first time both agendas have been brought together in order to ensure the active contribution of partner agencies and provide a framework that will strengthen the development of new and existing services.

Our vision for domestic abuse is that all agencies work together to seek to reduce the prevalence of this social problem by providing a “coordinated community response” in Guernsey and Alderney. This concept is based on the principle that no single agency or professional has a complete picture of the life of a domestic abuse victim, but many will have insights that are crucial to their safety.

Our vision for sexual violence is that it will not be tolerated and that perpetrators will be brought to justice for their actions. Victims and survivors of sexual violence will be supported and treated with dignity and respect.

The work of this Strategy has been prioritised through the Government Work Plan. As an action prioritised in the Bailiwick’s recovery from the COVID-19 pandemic, the States’ Assembly has endorsed the enhancement of domestic abuse and sexual violence services (including a three-year pilot for a Sexual Assault Referral Centre).

This document sets out the priority areas for focus with the intention that the Strategy’s implementation will be commissioned through external providers.

Domestic abuse is costly, in both financial and human terms. The number of domestic abuse incidents recorded by the police in Guernsey in 2020 was 768, an increase of 8% on the previous year. The costs of domestic abuse to the public purse are high, principally because opportunities for early intervention and prevention are missed routinely, leading to more expensive interventions later.

In addition to the significant monetary impact of dealing with domestic abuse and sexual violence, there are distressing human and social costs. The negative impacts rippling outwards are long-term and far-reaching; not just for the individuals and their children, but for the wider community. Domestic Abuse comprises one quarter of all violent crime reported in the Bailiwick and features in a substantial number of disputed child contact cases which tie up family courts.

It is paramount that agencies and the public work together effectively and systematically to increase safety and hold perpetrators to account.

Defining Domestic Abuse and its Impact

What is Domestic Abuse

Domestic abuse is defined as “any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those who are or have been intimate partners or family members regardless of sex, gender orientation or sexuality.”

This can encompass, but is not limited to, the following types of abuse:

- psychological
- physical
- sexual
- financial / economic
- emotional

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and

capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

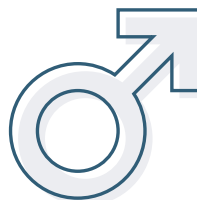
Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

The definition of domestic abuse may be changed as part of an update of the law around domestic abuse during this States’ term to reflect changes to the UK government’s definition in the new Domestic Abuse Act where domestic abuse will for the first time be defined in law within the UK. This will mean that there are statutory requirements to support victims and that children living in households where abuse is taking place will be defined as victims in their own right, recognising the harm caused.



7.9%

of women in England & Wales experienced some form of domestic abuse in the previous year



4.2%

of men experienced some form of domestic abuse in the previous year.

(Crime Survey for England and Wales)

Types of domestic abuse include:

Emotional / Psychological abuse

- Blaming the victim for all problems in the relationship
- Constantly comparing the victim with others to undermine their self-esteem and self-worth
- Sporadic sulking
- Withdrawing all interest and engagement (for example, weeks of silent treatment)
- Emotional blackmail and suicidal threats
- Isolation from family and friends such as ongoing rudeness to family and friends to alienate them, or limiting contact with family and friends
- Restricting use of the car or telephone
- Swearing and continual humiliation, in private or in public
- Attacks on intelligence, sexuality, body image and capacity as a parent and spouse
- Screaming, shouting, name-calling, put-downs
- Abusing pets or threatening to harm them

Financial / Economic abuse

- Forbidding access to bank accounts
- Only provide a small allowance
- Not allowing the victim to work or have a job or sabotaging their work
- Forcing the victim to make false declarations or take out loans on their behalf
- Using all the wages earned by the victim
- Controlling the victim's pension
- Denying that the victim is entitled to joint property

Physical abuse

- Direct assault on the body (choking, strangulation, shaking, eye injuries, biting, slapping, pushing, spitting, burning, punching, kicking, pulling hair)
- Use of weapons including objects
- Hurting the children
- Locking the victim in or out of the house or rooms
- Forcing the victim to take drugs
- Not allowing medication, food or medical care
- Not allowing sleep

Sexual abuse

- Any form of pressured or unwanted sex or sexual degradation.
- Forced sex without protection against pregnancy or sexually transmitted disease
- Making the victim perform sexual acts unwillingly (including taking or distributing explicit photos without their consent)
- Criticising or using sexually degrading insults
- Doing things to stop birth control, such as throwing them away, hiding them, prevention from buying them

Stalking / Harassment

- Following and watching, or getting other people to follow and watch
- Telephone and online harassment
- Tracking with Global Positioning Systems (GPS)
- Being intimidating
- Entering person's home without permission
- Sharing or threatening to share intimate, nude or sexual photos or videos to friends, family, strangers in person, on the internet, on social media sites, or through a text message or app



What is Sexual Violence?

There is no one set definition of sexual violence; however, it is widely accepted as being any unwanted sexual act or activity. Sexual violence can be perpetrated by a stranger or by someone known. The World Health Organisation's Definition of sexual violence is as follows:

"Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting including but not limited to home and work".

Coercion can encompass:

- varying degrees of force;
- psychological intimidation;
- blackmail; or
- threats (of physical harm or use of other threats, e.g. not obtaining a job, threats to harm others etc.).

In addition, sexual violence may also take place when someone is not able to give consent – for instance, while intoxicated, drugged, asleep or mentally incapacitated.

What is Child Sexual Abuse?

Child Sexual Abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

**UK Department for Education 2018
(Working Together to Safeguard Children:
A guide to inter-agency working to
safeguard and promote the welfare of
children)**





What is Child Sexual Exploitation

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

**UK Department for Education 2018
(Working Together to Safeguard Children:
A guide to inter-agency working to
safeguard and promote the welfare of
children)**

Types of Sexual Violence

There are many different kinds of sexual violence and abuse, including but not restricted to: rape, sexual assault, child sexual abuse, sexual harassment, forced marriage, so-called honour based violence, female genital mutilation (FGM), trafficking, sexual exploitation, upskirting and revenge porn. Sexual violence can be perpetrated by a stranger or by someone known.

What do we know about domestic abuse and sexual violence in Guernsey and Alderney?

Official statistics show the number of incidents of domestic abuse recorded by the authorities every year. But the problem is much bigger than shown in official statistics, as many victims and children do not tell anyone about the abuse, and they are not recorded as crimes.



768

domestic abuse incidents were reported to police in the Bailiwick in 2020.

77% ▲

The Covid 19 pandemic meant that domestic abuse reports rose by 77% during lockdown in 2020.



The Guernsey Police annual report states that there were 62 and 61 calls respectively in April and May 2020, compared to 35 in April 2019 and 25 in May 2019.

April 2019     35

May 2019    25

April 2020       62

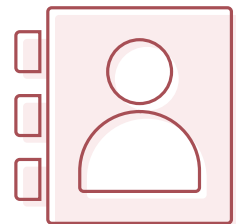
May 2020       61



105

Children were supported by The Children and Young People's Independent Domestic Violence Advisory (KIDVA) Service in 2020

In recent years, domestic abuse has been one of the **two top reasons** for children being put on the child protection register.



93

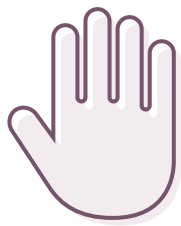
Stays in refuge accommodation happened in 2020, an increase of **111%** on the previous year.

44
2019

93
2020

183

Individuals were supported by the refuge outreach service in 2020, an increase of **15%** on the previous year.



112

Sexual offences were reported to the Police in 2020.

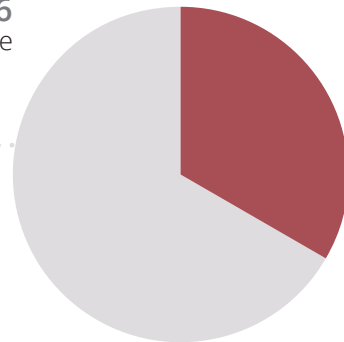
According to the Crime Survey for England and Wales, only around **15%** of individuals who experience sexual violence report it to the police. This indicates that locally, there are likely to be around **750 people** annually experiencing sexual assault.



£5.78M

Locally, the cost of domestic abuse was estimated in 2019 to be to be in the region of £5.78 million per annum

£3.86
Service
Costs



£1.92

Lost
economic
output



57

Domestic abuse cases reached court in 2020 with **30** of these being found guilty, and as at December 2021, two cases were still ongoing.



Strategy purpose and scope

Purpose

The purpose of the Strategy is to focus government, public services and voluntary agencies on the coordinated and effective delivery of services geared towards tackling and reducing domestic abuse and sexual violence.

Vision

A safe and healthier Guernsey and Alderney where domestic abuse and sexual violence is not tolerated. Victims and survivors will be treated with dignity and respect and supported to feel safe within their community while offenders are brought to justice.

Supporting Legislation



Children (Guernsey and Alderney) Law, 2008



The Protection from Harassment (Bailiwick of Guernsey) Law, 2005

Scope

This Strategy responds to:

- ✗ Adults, children and young people who are experiencing domestic abuse and sexual violence,
- ✗ Children who are exposed to or witness domestic abuse or sexual violence at home,
- ✗ Perpetrators of domestic abuse or sexual violence.

In the context of:

- ✗ Domestic abuse within intimate or family relationships, from the age of 16
- ✗ Abuse which continues after a relationship has ended
- ✗ So called 'honour' based violence and forced marriage
- ✗ Sexual abuse either within relationships or by acquaintances or strangers.

Feedback from Service Users



'From the position of the victim, it can be a confusing journey for them. Cases in tribunal, in court, can have a Social Worker and an IDVA, KIDVA, Family Proceedings Adviser, all have different roles. It's overwhelming and confusing for the victim, they say "that's not what so and so told me".'

Domestic abuse survivor

'The current children's social worker is excellent, so it seems dependent on who you get. Constant rotation of social workers...it's really hard to trust after domestic abuse but that makes you even more unlikely to share information. Perpetrators can exploit that lack of consistency with no one person overseeing your life.'

Domestic abuse survivor



'The KIDVAs are flexible, offer support, communicate with the school where they can. Very grateful that the service is there.'

Domestic abuse survivor

'My outreach worker was absolutely amazing. She understood and also helped me realise how bad the behaviour was and the severity – helped to put it into perspective. I felt incredibly supported, I genuinely think she was partly the reason why I was able to get a restraining order and have the confidence to go to the police and push forward with a conviction for his crimes. She was really amazing. She is so passionate about her work'.

Domestic abuse survivor



Feedback from Professionals

'I think also in Guernsey people can perhaps feel defensive if they consider their service or approach to be being 'under threat' by there being perhaps perceived competition or someone suggesting they 'do it better'. Ultimately, we hopefully all want the same end goal for the families we work with, and I would hope that we can work together to make that happen, like pieces of a puzzle.'

Professional Working with Families



'it does appear that the links and pathways between services are not always effective. Discussions with staff and external partners highlights a lack of understanding on each side regarding the role and remit of each agency. To build relationships and knowledge a co-location model may be an effective method to ensure victims get the best possible outcomes'.

SafeLives Review



'Safer work so hard, help out in any way. We phone for someone to attend a high-risk victim and they will bend over in any way to do that. Such a good relationship with them. They are a mainstay at Multi-Agency Risk Assessment Conferences (MARAC), their contribution is second to none'.

Guernsey Police



Yes, the clients that have completed their relevant sections of the Sarnia Programme can reflect more on their behaviour and changes that they have made /need to make to avoid repeating the behaviour'

Agency referring client into the Sarnia Programme



The client's presentation has become much different and they have become less aggressive and confrontational. They have also become more respectful and have thought more about their partners / ex partner's feelings'

Agency referring client into the Sarnia Programme



Willingness to work together is there but because of boundaries, we work in silos. The only person involved with all of it is the victim.



How we will achieve our vision

Accountability and governance

The Committee for Home Affairs is responsible and accountable for the delivery of the Strategy.

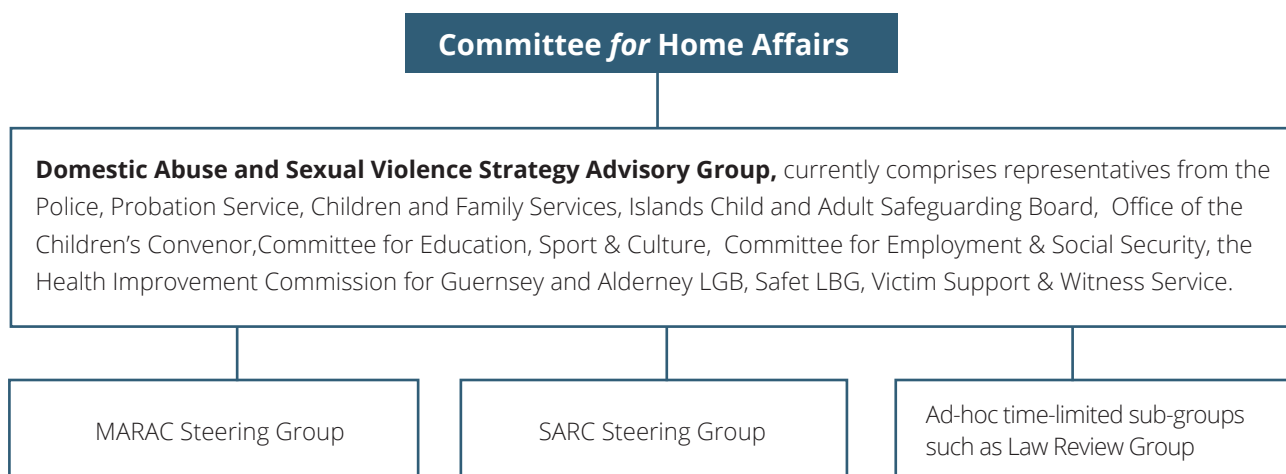
Working with the Domestic Abuse and Sexual Violence Strategy Advisory Group the Committee will oversee the development of the Action Plan that will pull together all the key priorities.

The Advisory Group will review the Strategy on an annual basis and will report to the Committee, considering the following:

- Progress made against the Strategy's objectives.
- The overall impact and effectiveness of the Strategy.
- New legislation
- If policy and procedures need reviewing
- Local need and any other emerging priorities.
- Whether actions and activities are achieving the required outcomes.

The Advisory Group is well-placed to:

- Work collaboratively with overarching boards such as the Islands Safeguarding Children and Adults Partnership.
- Identify cross-cutting elements within community safety themed partnerships, such as the Combined Substance Use Strategy and the Children & Young People's Plan;
- Develop aspects of the Strategy relating to children as a core element of the Island's safeguarding responsibilities and ensure it is aligned with other work to promote the safety and wellbeing of children and young people in the Bailiwick;
- Work closely with the Adult Multi-Agency Support Hub (MASH) to protect vulnerable adults affected by domestic abuse;
- Inform and support the priorities of the Guernsey & Alderney Health Improvement Commission.



What we have done so far

The Strategy was established in 2009, following an in-depth consultation process with professionals and agencies from the voluntary and statutory sectors, as well as speaking to people who have experienced different forms of domestic abuse.

New services such as an Independent Domestic Violence Advisory (IDVA) service and the Sarnia Programme - a behaviour change programme for perpetrators of domestic abuse - were created. Existing services were reviewed and additional funding was provided to extend and improve them.

Service mapping was carried out in 2018/19 when the Strategy was asked to consider the need for a Violence Against Women and Girls Strategy in order to understand what was in place in the Bailiwick compared to other jurisdictions and to undertake a gap analysis to help identify what more needed to be done.

What we are going to do

What we set out to do to achieve our vision is outlined in the following action plan which has received multi-agency input and will guide the development of future work.

The Strategy will become a Domestic Abuse and Sexual Violence Strategy from 2022. This is in acknowledgment of the lack of sexual assault provisions in the Bailiwick. A Sexual Assault Referral Centre (SARC) will be piloted from 2023, with work starting immediately to progress this.

A needs assessment will also be carried out to ensure that any other gaps relating to sexual abuse and violence are captured.

The Strategy is set out over four key areas that have outcome measurements attached. These are **Prepare, Prevent, Protect and Pursue.**

"A SARC is absolutely needed. Sexual abuse is drastically under-reported. Still stigmatised, skirt too short, she was drunk. You read that in local papers, insinuating they kind of deserved it. Media view affects reports. Victims say what is the point of reporting to police?"

Professional Working with Families



'Having a local SARC will mean that victims of any type of sexual crime have a place to go where they will receive all of the support they need, without feeling under pressure to report their experience to law enforcement if they have chosen not to do so. At present, whilst support services are available within the Bailiwick, there is no comfortable and multi-functional facility through which the full range of resources can be offered to a victim of sexual crime'.

Victim Support



Prepare



- 1 Professionals in the Bailiwick fully understand what domestic abuse and sexual violence is and know how to respond.
 - 2 Data collection and performance monitoring and evaluation is improved.
 - 3 Expertise and understanding is shared across agencies.
-

Prevent



- 4 Prevent domestic abuse and sexual violence by challenging the attitudes & behaviours that foster it.
 - 5 Victims are identified early and provided with the appropriate support.
 - 6 Early identification of children and young people at risk of harm and provision of appropriate support.
-

Protect



- 7 Children at risk and who have been exposed to domestic abuse and sexual violence are effectively supported.
 - 8 Ensure that there is timely and effective processing of offenders through the criminal justice system.
 - 9 Ensure that there are support services in place for victims of domestic abuse and sexual violence.
-

Pursue



- 10 Perpetrators are dealt with efficiently and effectively
- 11 Known perpetrators are less likely to re-offend

Outcomes Framework and Key Performance Indicators

Measuring outcomes is the only way we can be sure that changes are taking place for those experiencing abuse.

Many of the outcomes set in the last iteration of the Strategy (2016-2020) have proved difficult to capture due to data collection issues. This will be remedied by threading data collection processes through an action plan included in this Strategy with lead agencies responsible for each area embedding data collection processes within agencies' everyday practice.

The Justice Framework will also be working to ensure better and more joined up data collection processes are in place across the criminal justice agencies.

The outcomes set out overleaf in the Action Plan should inform future work and help to identify what improvements are required in the response to domestic abuse and sexual violence by local services. Incorporating the desired outcomes into a multi-agency Action Plan will ensure accountability and encourage improved performance.

It is important that we monitor the Strategy on an ongoing basis in order to assess how we are performing against our outcomes. We will therefore be working with the agencies who deliver our services to put in place some Key Performance Indicators (KPIs). We will monitor the results on a 6 monthly basis and review and publish results on an annual basis.

Some of the KPIs will be linked to those in the UK, in order, where possible, to draw comparisons. However, in such a small jurisdiction, in this complex area of social policy we have to acknowledge that there is no single KPI that is definitive in tackling domestic abuse and there is no perfect formula for calculating the information we need.

For this reason, the figures produced against our KPIs should never be read or interpreted in isolation from the essential commentary that will always accompany our annual update report.

The data gathered can give us a broad indication of how successful our efforts are and help us to make evidence-based decisions on what to do in order to achieve our outcomes and, ultimately, our vision.



Action plan



Prepare

Outcome	Action or Intervention	Who
Professionals in the Bailiwick fully understand domestic abuse and sexual violence and know how to respond.	To support professionals by providing targeted training through the most appropriate provider based on an understanding of current training needs and best practice	Led by the States of Guernsey with the delivery of training commissioned to external expertise
	To support businesses develop and implement domestic abuse and sexual harassment policies and procedures.	
Expertise and understanding is shared across agencies	<p>To foster multidisciplinary work through a common multi-agency approach on how to:</p> <ul style="list-style-type: none"> • Respond to domestic abuse and sexual violence • Collect, and where appropriate, share data <p>Supported by the operation and evaluation of the Multi-Agency Risk Assessment Conference (MARAC) process.</p>	Using the collective expertise of public and third sector partners
	To improve data collection around the characteristics of offences, suspects and victims and victims' experiences of the criminal justice system.	
	To understand who sexual assault victims are and the support they require by carrying out a sexual violence needs assessment	



Prevent

Outcome	Action or Intervention	Who
Domestic abuse and sexual violence are prevented by challenging the attitudes and behaviours that foster them.	To provide education to young people and children to raise their expectations for relationships and reject unhealthy relationships	Commissioned through the third sector
	To develop and implement public awareness campaigns and other methods to effectively challenge domestic abuse and attitudes that foster sexual and domestic abuse and violence and engage with groups not accessing services	
Victims have increased access to the criminal justice system	To address barriers to earlier intervention through training and clear pathways, ensuring every victim of domestic abuse or sexual violence is offered support, regardless of their risk level (standard, medium or high).	Using the collective expertise of public and third sector partners
	To develop and embed a service user led quality assurance approach to measuring satisfaction with the support they receive	
Children and young people at risk of harm are identified as early as possible and provided appropriate support	To develop cross-agency processes to ensure that children and young people perceived to be 'at risk' or 'in need' are identified, supported and protected, incorporating best practice and operational learning.	



Protect

Outcome	Action or Intervention	Who
Domestic abuse and sexual violence is prevented by challenging the attitudes and behaviours that foster it.	To investigate and implement steps which create the legal framework necessary to support a robust approach to domestic abuse, ensure that individuals are supported through the criminal justice process and that perpetrators are effectively managed through the criminal justice system resulting in an increase in prosecutions	Led by the States of Guernsey with the collective expertise of public and third sector partners

There is timely processing of offenders through the criminal justice system	To track and review criminal domestic abuse cases through the court system, taking steps to reduce the length of time the process takes	Led by the States of Guernsey
Victims of domestic abuse and sexual violence have access to effective support services	<p>To deliver and monitor appropriate – that is evidence- based, proportionate and safe – services which protect individuals from harm, support recovery and assist individuals to move forward with their lives including:</p> <ul style="list-style-type: none"> • trauma-based interventions for the survivors of domestic abuse and sexual violence (including those who see, hear and experience domestic abuse in their household) • practical advice and assistance including refuge services • treating the safety of individuals as the first and over-riding priority. 	Commissioned through the third sector



Pursue

Outcome	Action or Intervention	Who
Perpetrators are dealt with efficiently and effectively	To deliver behaviour-change interventions to perpetrators of domestic abuse. Interventions will acknowledge different levels of risk and will address the wider determinants of offending.	Run by the States with victim support services commissioned through the third sector
	To investigate and implement steps which create the legal framework necessary to ensure perpetrators are dealt with robustly, that victims and witnesses are treated fairly and that agencies have in place the appropriate procedures to effectively identify and manage perpetrators.	Led by the States of Guernsey with the collective expertise of public and third sector partners
Known perpetrators are less likely to re-offend	To investigate and implement arrangements which can identify, monitor and effectively coordinate information in respect of perpetrators based on risk	Using the collective expertise of public and third sector partners

Domestic Abuse Strategy

Matrix of Resources

	Victim/Survivor	Child	Perpetrator / Offender
High Risk Management and Enforcement	<ul style="list-style-type: none"> • Multi-Agency Risk Assessment Service (MARAC) • Independent Domestic Violence Advisory Service (IDVA) • Specialist Domestic Violence Courts (SDVC) • Refuge provision 	<ul style="list-style-type: none"> • Child Protection processes aligned with MARAC • Children & Young People's Independent Domestic Violence Advisory Service (KIDVA) • Independent Domestic Violence Advisory Service (IDVA) • The Office of the Children's Convenor and the Child, Youth and Community Tribunal 	<ul style="list-style-type: none"> • Criminal justice processes • Multi-agency Public Protection Arrangements (MAPPA) / work with prolific or very high risk offenders



Effective Support	<ul style="list-style-type: none"> • Outreach support • Civil Law remedies • Victim Support • Counselling – Safer Services, • The development of a Sexual Assault Referral Centre pilot 	<ul style="list-style-type: none"> • Age appropriate support: • Child & Adolescent Mental Health Service (CAMHS) • Support for parents to support children (AVA Project) • Resources for children with complex needs • Family Proceedings Advisory Service (FPAS) • Operation Encompass - an information sharing initiative between the Police and Education to ensure immediate support for children living with domestic abuse. • Child Sexual Assault Therapy, Reparative Care Team 	<ul style="list-style-type: none"> • Probation Service • Sarnia Perpetrator Programme programmes • Skill acquisition • Individual therapies (e.g. drug & alcohol services, mental health)
Early Intervention	<ul style="list-style-type: none"> • Staff training • Champions • Awareness raising • Helpline • Website • Materials 	<ul style="list-style-type: none"> • Staff training • Champions • Locality-based work • Child's Plan and Team Around the Family • Youth Offending Service 	<ul style="list-style-type: none"> • Staff training • Champions • Criminal Justice processes • Caring Dads
Prevention	<ul style="list-style-type: none"> • Early years family support services • Parenting/family relationship programmes and services • Domestic Abuse and Relationships Education in Schools and Colleges • Community awareness • Campaigns 	<ul style="list-style-type: none"> • Early years family support services • Parenting/family relationship programmes and services • Domestic Abuse and Relationships Education in Schools and Colleges • Community awareness • Campaigns • Online Safety Group 	<ul style="list-style-type: none"> • Early years family support services • Parenting/family relationship programmes and services • Healthy relationships PHSE • Community awareness • Campaigns

**Paragraphs 6.19 to 6.23 of the Domestic Abuse Strategy States Report¹, January 2016
referring to Violence Against Women and Girls Strategies**

Since 2010, there has been a policy shift in relation to domestic abuse in the UK with a move to a more gendered analysis of domestic abuse. This has been driven by respected international bodies such as the UN General Assembly, the World Health Organisation and UNICEF. Within this policy shift, domestic abuse is viewed as part of a continuum of gender based violence, which is collectively referred to as ‘Violence against Women and Girls’ (sometimes abbreviated to ‘VAWG’). It covers a range of crimes including rape and sexual violence; stalking and harassment; commercial sexual exploitation including prostitution, pornography and trafficking; harmful practices such as Female Genital Mutilation, Forced Marriage and Crimes committed in the name of ‘honour²’ (HBV); and sexual harassment in the workplace and public domain.

As a result a Violence Against Women and Girls Strategy and Action Plan³ has replaced national domestic abuse strategies in England, Wales and Northern Ireland, with the Home Secretary and Crown Prosecution Service⁴ recognising that the gendered patterns and dynamics involved in domestic abuse need to be acknowledged and understood in order to provide an appropriate and effective service to victims and perpetrators of domestic abuse. The 187 out of 194 countries worldwide that are signed up to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) are obligated to put in place a human rights based approach to address violence against women. Further information in relation to the national shift to a VAWG Strategy is attached as Appendix Four.

As with the Strategies for England, Wales and Northern Ireland, in 2008, the initial Domestic Abuse Strategy for Guernsey and Alderney was created as a gender neutral document. The Home Department is of the view that for the next five years at least, the Strategy should remain as a Domestic Abuse Strategy rather than becoming a VAWG Strategy, while at the same time, recognising that women and men’s experience of violence is intrinsically different and, as such, responses may need to be different.

¹ [Billet d’Etat XXIII, 2015](#)

² “Honour based violence” or “violence committed in the name of ‘honour’ (HBV) are umbrella terms to encompass various offences covered by existing legislation. Honour based violence (HBV) can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. HBV is a violation of human rights and may be a form of domestic and/or sexual violence. There is no honour or justification for abusing the human rights of others.

³ Home Office (2010) *Call to End Violence to Women and Girls*. London: Home Office.

⁴ Equality and Diversity Impact Assessment on the CPS Violence Against Women Strategy and Action Plan http://www.cps.gov.uk/publications/equality/vaw/vaw_eia.html