

Domestic Abuse Statutory Guidance: Key Messages

The [Domestic Abuse Statutory Guidance](#) was published on the 8th July 2022 and is issued under the [Domestic Abuse Act 2021](#) (the DA Act). The guidance is aimed at statutory and non statutory bodies working with victims, including children or perpetrators of domestic abuse. It is designed to support organisations, such as the NHS, to identify and respond to domestic abuse, as well as promote best practice.

The DA Act created the first ever cross government statutory definition of Domestic Abuse: **“Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality”**. This definition includes forced marriage, honour based abuse and importantly acknowledges that children will no longer be viewed as bystanders of domestic abuse, but victims in their own right.

The DA Act implemented the statutory office of the [Domestic Abuse Commissioner](#) who plays a pivotal role in overseeing and monitoring provision of domestic abuse services across England and Wales. This work will include the NHS.

The DA Act also amended a number of offences; threats to share intimate images, also known as revenge porn and in the case of coercive control, the definition now includes former partners and family members under the term ‘personally connected’. The creation of the [new offence for non fatal strangulation](#) in an attempt to control or induce fear came into force in June 2022. Work is already underway with NHS England Health and Justice colleagues to explore guidance and processes for this new offence.



In response to the DA Act and the publication of the statutory guidance, NHS England are developing a national programme of work exploring how the NHS implements both the Act and the statutory guidance (including the anticipated [Serious Violence Duty](#)) to better support victims and survivors. This work will be led by the soon to be appointed Clinical Director for Domestic Abuse and will seek to build upon existing areas of best practice, explore areas of growth in NHS provision for supporting victims and survivors but also shining a light on the key role the NHS can play in early intervention and prevention for domestic abuse.

The statutory guidance is clear that health professionals have a crucial role in identifying, responding to and supporting victims or perpetrators of domestic abuse. The those working within the NHS are viewed as trusted professionals who often have access to patients on their own, sometimes even in their own home, during times of increased vulnerability.

The guidance places a huge emphasis on multiagency working, particularly in regard to information sharing. **Agencies must work together and share information to ensure they are able to draw on all the available information held within each agency to build a full picture of the victims, including children, and perpetrators.** This is particularly crucial for the newly formed Integrated Care Boards to consider how agencies will work together at place and space to fulfil their statutory duty to share information pertaining to domestic abuse.