

THE PUBLIC INQUIRY TO EXAMINE THE COVID-19 PANDEMIC IN THE UK

CLOSING SUBMISSIONS SOUTHALL BLACK SISTERS & SOLACE WOMEN'S AID

A Introduction

- 1) The purpose of social isolation and lockdown was to save lives, as the government's slogan *Stay at Home, Protect the NHS, Save Lives* encapsulated. But, for many women and girls, home was not a safe place. Government's failure to recognise the inevitable rise in incidents of domestic abuse, and in the severity of domestic abuse, meant that those women experienced a double pandemic. They were at risk both from Covid 19 and from their partners and family members¹. For migrant women, subject to No Recourse to Public Funds (NRPF), the risk was three-fold: Covid 19, abuse and the fear of destitution if they left².
- 2) Southall Black Sisters (SBS) and Solace Women's Aid (SWA) hope that recommendations from this Inquiry will mean that, in future pandemics, victims of domestic abuse will not be left without support, isolated, lonely, frightened and abused. Mitigating that abuse needs to be a government priority and not an afterthought.
- 3) The Inquiry has the written statements of Rebecca Goshawk from SWA³ and of Hannana Siddiqui from SBS⁴. It heard oral evidence from Goshawk⁵. Dr Claire Wenham's report *Structural Inequalities and Gender*⁶ and her oral evidence⁷ are also relevant. The Inquiry

¹ The World Health Organisation declared violence against women and girls a global health problem of epidemic proportions in 2013, see *Violence against Women: a global health problem of epidemic proportions*, WHO, 20 June 2013, RG/02 (INQ000280140). UN Women in 2020 launched its Shadow Pandemic Campaign highlighting the upsurge in domestic abuse during Covid 19.

² Domestic abuse is experienced predominantly by women rather than men, therefore we refer to "women and girls" throughout when we are referring to those experiencing domestic abuse. We also refer to "victims and survivors". "Violence against women and girls" (VAWG) refers to the broader violence committed by men or boys on women and girls, not just domestic abuse but also sexual violence and assaults, whether domestic or non-domestic. SBS and SWA seek to take an intersectional approach which recognises that women's experiences need to be understood as a whole, taking into account how their ethnicity, gender identity, disability, sexuality and age can impact on their experience of abuse, how they seek support and their experiences of being supported. They recognise that women's experience of abuse and misogyny can be exacerbated due to discrimination they face on the basis of protected characteristics in addition to that of sex.

³ INQ000280726

⁴ INQ000282336

⁵ T4/146/16 – 4/170/12

⁶ INQ000280066

⁷ T4/111/11 – 4/145/18

is also asked to read the *Summary of VAWG Sector Responses to Request for Evidence*⁸, which contains account from 12 different VAWG organisations of their experiences during the pandemic and the witness statement of Nicole Jacobs, Domestic Abuse Commissioner (“DAC”)⁹.

- 4) The Inquiry is familiar with the work of SBS and SWA. They each provide support for women and girls experiencing abuse or violence. SWA’s services include refuge provision and other accommodation, along with helplines and support¹⁰. SBS is a “*by and for*” specialist black and ethnic minority organisation, and provides a helpline, counselling and support groups, education classes, and undertakes policy work, campaigning and advocacy for individuals and on policy matters¹¹. Both organisations are leading participants in the VAWG sector.

B Summary

- 5) It is accepted that the rise in domestic abuse as a result of social isolation and lockdown was both foreseeable and foreseen. Despite that, there was no government awareness of an anticipated rise in domestic abuse until 16 March at the earliest¹². Government acted reactively, rather than pro-actively. Home Office did not start to plan until 26 March¹³ and did not propose an Action Plan until 6 April¹⁴. As a result, consultation with the VAWG sector, vital to inform government’s response, started late¹⁵. Desperately needed additional funding was late, not announced until 2 May, not delivered until after the first lockdown had ended, and was short-term¹⁶.
- 6) Throughout the three lockdowns, there was a lack of clarity about whether domestic abuse front-line workers were to be treated as key workers¹⁷. The Home Office’s messaging was late, starting after lockdown began, not ahead of lockdown, and was not replicated across government¹⁸. Cross-government response was inadequate, spread across different

⁸ HS/1 INQ000281059

⁹ INQ000281262

¹⁰ Goshawk INQ000280726_0002 – 0003

¹¹ Siddiqui INQ000282336_0002 – 0003

¹² In an email sent by the Cabinet Office to the Home Office, see para 27. For failure to anticipate the rise in domestic abuse, see also paras 19-26.

¹³ Submission to Home Secretary and Minister for Safeguarding, *Update on Violence against Women and Girls and Covid-19*, 26 March 2020 (INQ000052784), see paras 30-31.

¹⁴ INQ000052918, Annex A (INQ000231086), Annex B (INQ000231087), Annex C (INQ000231088), Annex E (INQ000231089), see paras 32-34. For failure to act, see also paras 27-37.

¹⁵ First consultation, through the DAC, on 23 March 2020 (INQ000119308), see para 35-37.

¹⁶ See paras 42 and 45. For failure to provide timely and adequate funding see paras 38-47.

¹⁷ For failure to provide clarity on key worker status see paras 48-49.

¹⁸ See paras 50 - 61.

departments¹⁹. There was no consideration of any exemption in the Regulations to allow victims to seek an informal safe haven²⁰. Government made a political decision not to suspend NPRF or take other steps to support migrant victims of domestic abuse²¹. Government failed to review its policies, and the effectiveness of those policies, from the first lockdown, despite its Hidden Harms summit, and so failed adequately to learn lessons for the second and third lockdown²². Government has not committed to providing long-term funding to put the VAWG sector on a sustainable footing, even though the sector continues to experience high demand from the long-term effects of domestic abuse during the pandemic.²³

- 7) SBS and SWA submit that these failures demonstrate an indifference to domestic abuse at all levels of government. Crucially, there was no adequate Ministerial leadership on domestic abuse²⁴. Nor was there leadership on domestic abuse coming from No 10²⁵. As a result, government did not anticipate the inevitable rise in domestic abuse, even though others did, and its response came too late, and was too limited. SBS and SWA make recommendations that they hope the Inquiry will adopt²⁶.

C The impact of the government's failure: rise in domestic abuse incidents and domestic abuse severity

Increase in calls to advice lines

- 8) Goshawk²⁷ and Siddiqui²⁸ describe a significant rise in demand for their services, both advice and refuge provision. Calls to SWA advice line increased by 117% in March 2020, mainly in anticipation of lockdown. During the first lockdown calls quietened down a little bit, which Goshawk described in her oral evidence as “*eerie*”, but were still higher than before lockdown²⁹. Calls tripled following the government’s announcement of the easing of lockdown on 10 May, the calls during summer were high, and September was the highest month³⁰. SBS saw a similar increase in calls, including a 62% rise in referrals from one borough in April 2020 and a 17% increase in new visitors to their website. Inquiries

¹⁹ See paras 62-68.

²⁰ For failure to consider exemptions for victims to seek an informal safe haven see paras 69-70.

²¹ See paras 71-77.

²² See paras 78-88.

²³ For failure to provide long-term funding see paras 90-92.

²⁴ See paras 93-97.

²⁵ See paras 63 – 65 and 98 -104.

²⁶ For recommendations see para 105.

²⁷ INQ000280726_0013 – 0019

²⁸ INQ000282336_0013 - _0027

²⁹ T4/150/11 – 4/152/9

³⁰ Probably because women had the opportunity to call on the school run or away from their children. T4/152/12 – 4/153/25

between April and June 2020 rose by 138%. In the second year of lockdown, April 2021 to March 2022, inquiries had tripled in comparison with 2019 - 2020³¹.

- 9) This pattern was replicated throughout the sector. *Summary of VAWG sector's responses to Request for Evidence*³² contains information from 12 different VAWG organisations. All reported increases in demand. Birmingham and Solihull Women's Aid said that their helpline was "*ringing constantly*", demand rose by 29% but some days up to 120%³³; the Women's Resource Centre surveyed 71 organisations who reported an increase in demand of between 10% - 100%, with the majority reported increases from 30% - 100%³⁴. The increase in number of calls to the National Domestic Abuse Helpline, run by Refuge, was reported to government in summer 2020 as being 49%³⁵; Refuge itself reported the increase as 65%³⁶. The increase in calls was reported to government in the briefings of weekly, subsequently fortnightly, calls between the VAWG sector, the DAC and government departments, sent to Victoria Atkins MP, Minister for Safeguarding³⁷.

Bed spaces

- 10) SWA saw four referrals for every refuge space (the normal ratio being two to one). At one point in April 2020 all 23 of their refuges were full. When the emergency 70-bed accommodation (funded by the Mayor of London³⁸) opened in May 2020 it was full within a month, by December they were turning away 40% of referrals³⁹.

³¹ Siddiqui INQ000282336_0017

³² HS/1 INQ000281059

³³ INQ000281059_0004

³⁴ INQ000281059_0005

³⁵ *Social Distancing Review*, Cabinet Office, 30 April 2020 (INQ000050235)

³⁶ *Summary of VAWG sector's responses to Request for Evidence*, HS/1 (INQ000281059_0004). The police recorded statistics were lower: ONS statistics between April 2020 and November 2020 show increases of 7% domestic abuse police recorded crimes, increasing each month between April and June, with the sharpest increase between April and May (ONS INQ000267960_0005). For the year April 2020 – March 2021, ONS recorded an increase of 6% of police recorded domestic abuse related crimes and calls to the National Domestic Abuse Helpline increased by 22% (ONS INQ000280192_0002). The sharp contrast between the figures from the VAWG sector and those from the police suggests that women found it easier to contact helplines than to contact the police in lockdown, a point acknowledged by the Home Office (*Briefing to Home Secretary*, 15 April 2020 (INQ000053101_0006)). Goshawk's evidence was that many women have experience of being let down by the police or disbelieved by the police, and that was particularly prevalent for black and ethnic minority women (T4/160/7-12).

³⁷ Jacobs INQ000281262_0005. Atkins occasionally attended the meetings. From 30 March 2020, representatives of the Home Office, MHCLG, Ministry of Justice, DHSC and DWP were generally present (INQ000119309). Increases in numbers of calls was reported from 8 June 2020 up to the meetings ceased on 27 April 2021 (INQ000119325_0001).

³⁸ Through the Mayor's Office for Policing and Crime "*MOPAC*".

³⁹ Goshawk T4/155/1-25

11) Imkaan⁴⁰ reported that 75% of black and ethnic minority women who fled domestic abuse could not find accommodation in refuges because refuges were full⁴¹. The Women's Resource Centre found that 45% of the 71 organisations it had surveyed had experienced a substantial or critical and urgent need for refuge beds⁴². *The Domestic Abuse Report 2022, the annual audit*⁴³ reported that, whilst bed spaces had increased between May 2020 – 2021⁴⁴, the numbers of vacancies available on any one day had decreased by 19.9% from 2019, reflecting both the increase in demand and the difficulty in finding accommodation to move on to, so as to free up bed spaces⁴⁵. The demand for bed spaces was reported to government at the DAC's regular meetings with the VAWG sector⁴⁶.

Severity of abuse and impact of isolation

12) The severity of abuse worsened. Goshawk describes survivors being in greater distress with more complex needs including increases in suicidal ideation⁴⁷. Birmingham & Solihull Women's Aid describe an increase in weapons used, especially knives⁴⁸. Lockdown and isolation provided the opportunity for a particular form of coercive control: control of a woman's movements, her use of home (women describe being isolated in their bedrooms) and her ability to communicate with the outside world by phone or computer⁴⁹. SWA noted that calls received after lockdown ended were from survivors who were in more extreme situations and closer to breaking point⁵⁰. Women were confined to the home, so they did not have the usual physical contact with friends, family, school, social services etc. And they could be coerced into isolation within their home, prevented from maintaining contact through technology with the outside world, particularly friends and family⁵¹. Personal accounts from survivors of domestic abuse are contained in Siddiqui (Rachel, Raina, N,

⁴⁰ An umbrella group dedicated to addressing violence against black and ethnic minority women, which does not provide services directly but supports frontline organisations.

⁴¹ *Summary of VAWG Responses to Request for Evidence*, HS/1 (INQ000281059_0002)

⁴² INQ000281059_0006

⁴³ Women's Aid, 2022, RG/51 (INQ000280181)

⁴⁴ INQ000280181_0033 - 0034

⁴⁵ Between April and September 2020, there were 26.6% fewer vacancies than during the same period in 2019. 66.7% of refuge providers cited a lack of bedspaces available as the biggest barrier to them accepting referrals during the period (INQ000280181_0054).

⁴⁶ See para 35 for the meetings. Reference was made to the pressure on bed spaces on 27 May 2020 (INQ000119316_0001), and 27 July (INQ000119312_0001).

⁴⁷ INQ000280726_0017 – 0019

⁴⁸ *Summary of VAWG Responses to Request for Evidence*, HS/1 (INQ000281059_0004)

⁴⁹ See the powerful accounts in *When I needed you to protect me, you gave him more power instead*, SWA & Justice Studio, March 2021, RG/03 (INQ000280149_0020-0022).

⁵⁰ INQ000280149_0026

⁵¹ See *Shadow Pandemic -Shining a Light on domestic abuse during Covid 19*, SafeLives & others, 2021, a literature review, which reported "Evidence also suggests that during lockdowns and especially for those shielding, survivors living with perpetrators are under constant surveillance. This made reaching out for support, being reached by support services, or accessing telephone and virtual support, such as counselling, particularly difficult" (INQ000181678_0029).

M, Joy and Natasha)⁵², Goshawk⁵³ and *When I needed you to protect me, you gave him more power instead*⁵⁴. The increase in complexity of calls was raised at the DAC meetings with the VAWG sector⁵⁵.

Context

The challenge faced by the VAWG sector

13) The VAWG sector had to cope with this rise in demand for their services in the context of having experienced severe cuts to their funding in the previous ten years, as a result of austerity. The effect of austerity on VAWG services is set out by Siddiqui⁵⁶, and Goshawk⁵⁷. Wenham said in evidence that the third sector “*had also been impacted by the cuts to public sector spending and we’d seen significant changes both at the local authority level and through grants available to independent and non-governmental actors in this space so there was less provision and less finance provision for support*”⁵⁸. The report *Life-Changing and Life Saving: funding for the women’s sector*⁵⁹ found that total spending on refugees in the UK had reduced by 24% between 2010 and 2016/17. *The Domestic Abuse Report 2019: the Annual Audit*⁶⁰ found that the number of bed spaces available in 2018 was 1,715 short of the number recommended by the Council of Europe. The effect of austerity cuts had been most severe in the black and ethnic minority “*by and for*” VAWG sector⁶¹. Imkaan found that one third of specialist refugees had been decommissioned, with an overall loss of 50% bed spaces and that less funds were received by specialist refugees than by generic refugees⁶².

14) Austerity also had an impact on statutory public services, affecting services for victims of domestic abuse such as housing services, social care and domestic abuse services

⁵² INQ000282336_0027 - _0034

⁵³ INQ000280726_0020 - _0021

⁵⁴ SWA & Justice Studio, March 2021, RG/03 (INQ000280149_0020-0025)

⁵⁵ See para 35 for the meetings. Increased complexity in the calls received was raised on 20 April 2020 (INQ000119304_0001), 27 April (INQ000119305_0001), 4 May (INQ000119317), 11 May (INQ000119313_0001), 18 May (INQ000119314_0001), 27 May (INQ000119316_0001), and 27 April 2021 (INQ000119325_0001).

⁵⁶ INQ000282336_0007 - _0008

⁵⁷ INQ000280726_0007- _0008

⁵⁸ T4/135/9 – 18

⁵⁹ Women’s Budget Group and Women’s Resource Group, December 2018, RG/4 (INQ000280150_0012 - _0013). It also found that 41% of VAWG organisations had seen their income cut in the previous year, and another 31.7% reported that their income had not changed

⁶⁰ Women’s Aid, 2019, RG/05 (INQ000280151_0018)

⁶¹ Siddiqui INQ000282336_0007

⁶² *The impact of the dual pandemics: violence against women and girls and Covid 19 on black and minoritized women and girls*, May 2020, RG/6 (INQ000280152_0005).

commissioned by local government⁶³. In short, services for victims of domestic abuse, either from the VAWG sector or from statutory public services, were chronically underfunded before Covid.

15) When lockdown was anticipated, the VAWG sector faced immense demands on its advice and support services, and on the number of bed spaces available in refuges⁶⁴. Frontline workers in refuges continued to provide services, but it was unclear whether they were designated as key workers, allowing them access to test and trace equipment, PPE and early vaccination⁶⁵. Staff had to adapt to cover sickness, and child-care responsibilities⁶⁶. Latin American Women's Rights Services (LAWRS) said *"It is important to speak about the human cost of working in the VAWG sector. Several women left the sector completely burnt out after Covid and lots of these women came from the by and for sector"*⁶⁷.

16) The impact of the escalation of abuse during the Covid pandemic remains for victims and survivors. Abuse, and the crisis caused by abuse, has long-term consequences. As a result, demand for domestic abuse services remains higher than before the pandemic⁶⁸. The emergency funding eventually provided by government during the pandemic⁶⁹ was welcome, but the insecurity of short-term funding and overall inadequate funding remain as major challenges for the VAWG sector⁷⁰.

The Domestic Abuse Act 2021 ("DAA")

17) Several witnesses referred to the DAA as an example of lessons learned from the first lockdown⁷¹. The DAA had a lengthy genesis, originating with a Home Office consultation in 2018, then a Bill introduced in Parliament in 2019 which fell when the general election was called in November 2019 and was reintroduced on 3 March 2020. It received Royal

⁶³ Goshawk INQ000280726_0008-0010

⁶⁴ See paras 8-11.

⁶⁵ Goshawk INQ000280726_0055, see also comments from Imkaan and Women's Aid Federation of England in *Summary of VAWG Responses to Request for Evidence* HS/1 (INQ000281059_0013 and _0022). See paras 48-49.

⁶⁶ See Refuge's telephone call with Patel, 9 April 2020 *"refuges are busy with children off school and staff self-isolating"* (INQ000231094_0004). Goshawk INQ000280726_0055-0057, Siddiqui INQ000282336_0051, _0057, and *Summary of VAWG Responses to Request for Evidence*, HS/1 (INQ000281059_0030-0035).

⁶⁷ See also Al-Hasaniya, both in *Summary of VAWG Responses to Request for Evidence*, HS/1 (INQ000281059_0034) and meeting between VAWG organisations and DAC 24 November 2020 (INQ000119321_0001).

⁶⁸ Siddiqui INQ000282336_0041 – 0042 and Goshawk INQ000280726_0039 – 0040

⁶⁹ See paras 42 - 43.

⁷⁰ *The Domestic Abuse Report 2022, the annual audit*, Women's Aid, 2022, RG/51 (INQ000280181_0074).

⁷¹ Patel, T21/122/21- 21/123/2; Johnson T32/189/14 – 32/190/22

Assent on 29 April 2021, and was brought into force in stages⁷². The DAA set up the office of the DAC⁷³. The current Commissioner, Nicole Jacobs, was appointed as Designate DAC in September 2019 and became DAC in November 2021⁷⁴.

- 18) The DAA is welcome, following years of campaigning by the VAWG sector, but its provisions are long-term. Despite it being prayed in aid by Boris Johnson in his oral evidence⁷⁵, there are no provisions concerning lockdown. The crucial Part 4, the new statutory duty on local authorities, came into force on 1 October 2021 after all lockdowns had ended. Although some funding has been made available through local authorities, the concerns about funding the VAWG sector so as to be on a sustainable level, not least to continue to deal with the ongoing effects of domestic abuse during lockdown, remain⁷⁶. Amendments to the DAA to extend support to migrant victims subject to NPRF were rejected by Parliament⁷⁷.

D Eight Government failures

First failure: Government acted too late and failed to anticipate the rise in domestic abuse before lockdown

Warnings to government and common sense

- 19) The rise in domestic abuse was both foreseeable and foreseen. By March 2020, it was a matter of record that China, Brazil, Italy, Spain, Cyprus, India had all experienced rises in domestic abuse as a result of lockdown⁷⁸. This is unsurprising, as there was existing evidence that “*domestic violence is also known to increase during lockdowns and school closures and natural disasters*”⁷⁹. It is also a matter of common sense that lockdown

⁷² Parts 5 and 6 (protection for victims and witnesses in legal proceedings and new criminal offences) came into effect on 29 April 2021; s.78 (providing for priority need for homeless people fleeing domestic abuse) on 5 July 2021; Part 4 (statutory duty on local authorities to provide support to victims of domestic violence) on 1 October 2021 and Part 2 (DAC) on 1 November 2021. Part 3 (domestic abuse protection notices and domestic abuse protection orders) are not yet in force.

⁷³ Part 2 DAA 2021

⁷⁴ Between September 2019 and November 2021, as “*Designate DAC*”, she was carrying out the functions of the role but without legal power (see Jacobs INQ000281262_0001). References during 2020 to her are to her capacity as Designate DAC.

⁷⁵ T/32/189/8-32/190/22, see para 81.

⁷⁶ Goshawk INQ000280726_0012 – 0013, *The Domestic Abuse Report 2022, the annual audit*, Women’s Aid, 2022, RG/51 (INQ000280180_0074)

⁷⁷ Siddiqui INQ000282336_0009 - _0011

⁷⁸ Bethany Allen-Ebrahimian, *China’s Domestic Violence Epidemic* (Axios, 7 March 2020, RG/30 (INQ000280160)); Melissa Godin, *As Cities Around the World go on Lockdown, Victims of Domestic Violence Look for a Way Out* (Time, 18 March 2020, RG/33 (INQ000280163)); Jhumka Gupta, *What does coronavirus mean for violence against women?* (Women’s Media Centre, 19 March 2020, RG/34 (INQ000280164)); Emma Graham-Harrison, Angela Giuffrida, Helena Smith and Liz Ford, *Lockdowns around the world bring rise in domestic violence* (Guardian, 28 March 2020, RG/36 (INQ000280166)).

⁷⁹ Wenham INQ000280066_0006 & see her oral evidence T4/118/6 – 20.

(confining abusers and victims in the same space, without the usual opportunities for relief), the health risks of the virus and the economic stresses of lockdown would result in a rise in both the frequency and severity of domestic abuse.

20) Martin Hewitt was aware of the reports of other countries' experience and that it was self-evident that lockdown would put vulnerable people at risk⁸⁰. This common sense was shared by others: Andy Burnham, Mayor of Greater Manchester⁸¹; the Welsh Government⁸²; Sadiq Khan, Mayor of London⁸³; and Beverley Hughes, Deputy Mayor of Greater Manchester⁸⁴. On 15 March, Dame Jenny Harries' emailed a long list of recipients including Ministry of Housing Communities and Local Government (MHCLG)⁸⁵ and Jonathan Van Tam: *"The ones that bother me most of all currently are those in relation to **safeguarding** (adult and children) and **domestic violence** more generally. For some, these risks will be considerably greater than a negative health impact from coronavirus"* [emphasis in original]⁸⁶.

21) There were three significant representations to government on 19 March 2020⁸⁷:

- a) Victims' Commissioner, Dame Vera Baird QC, wrote to the Prime Minister, *"Obviously the isolation of families is necessary to contain the spread of the virus, but we need to recognise and address the potential dangers of adult and child victims of abuse being locked in with their perpetrators for potentially a period of months"*⁸⁸.
- b) DAC, Nicole Jacobs, wrote to the Chancellor of the Exchequer *"I write to you to raise the particular issues associated with social distancing or self-isolation for the over two million current victims of domestic abuse and the impact that this will have on services"*⁸⁹.
- c) Chair of the Equalities and Human Rights Commission, David Isaac, wrote to the Prime Minister saying *"we know that during periods of confinement domestic abuse (a crime mostly impacting women and girls) tends to increase and that the healthcare and*

⁸⁰ INQ000216925_0026 and T21/93/23 – 21/94/1

⁸¹ INQ000216991_0014 and T26/105/13 – 26/106/2

⁸² Minutes of Welsh Government Cabinet 23 March (INQ000048923_0002).

⁸³ Briefing for meeting with Robert Jenrick MP, Communities Secretary, together with Ed Lister (No 10) & Helen Whately MP (Minister at DHSC) 25 March 2020 (INQ000118855_0013).

⁸⁴ Guardian, 26 March 2020 (INQ000280056_0001).

⁸⁵ Now the Department for Levelling Up, Housing and Communities (DLUHC).

⁸⁶ INQ000151605_0001. See also her oral evidence at T28/5/5 – 28/6/15.

⁸⁷ On the same day, the Women's Budget Group published *Covid-19: Gender and other Equality Issues*, RG/37 (INQ000280167) containing the same warning.

⁸⁸ INQ000108585

⁸⁹ INQ000108577, copied to Home Secretary, Lord Chancellor, Secretary of State for Housing, Communities and Local Government, and Chancellor of the Duchy of Lancaster.

*educational settings that offer a way of identifying this issue will be under increased pressure*⁹⁰.

- 22) The letters from the Victims' Commissioner and DAC each asked for increased funding to the domestic abuse sector, amongst other requests. The Home Office was asked to reply to both letters⁹¹.
- 23) SBS & SWA submit that it was receipt of the letters from the Victims' Commissioner and DAC which appears to have prompted the Home Office into belatedly writing a submission on domestic abuse⁹² and subsequently an Action Plan submitted to the Home Secretary on 6 April 2020⁹³. They submit that the Home Office was reactive, rather than pro-active, and late. Government, particularly the Home Office, failed to anticipate a rise in domestic abuse as a result of social isolation. It should have done so, and should have started planning in advance of lockdown, and on its own initiative.

When should government have started planning?

- 24) SBS & SWA submit that plans to mitigate the inevitable increase in domestic abuse should have formed part of the government's planning as soon as there was a possibility of self-isolation and/or lockdown ie the point when people were required, either by legislation or by advice and guidance, to remain within their homes. For victims of domestic abuse, remaining within their homes is a dangerous situation. Exactly when that possibility emerged is a matter which the Inquiry will have to resolve.
- 25) An important discussion took place at SAGE on 25 February of modelling of four NPIs: university and school closures, home isolation, household quarantine and social distancing⁹⁴. Coronavirus Action Plan anticipated social isolation with its reference to "Delay" on 3 March, but domestic abuse was not mentioned⁹⁵. COBR discussed various NPIs including self isolation on 4 March, with no apparent discussion of the negative impacts of self isolation or mitigation⁹⁶. Senior advisers started to consider lockdown on

⁹⁰ INQ000185278_0002

⁹¹ INQ000052784_0001. The letters are noted in the Home Office's Situation Report (Sit Rep) 20 March (INQ000052667_0009). The Home Office was to reply directly to the Domestic Commissioner and to draft a response to the Victims' Commissioner.

⁹² INQ000052784, see para 30.

⁹³ INQ000052918, Annexes to the Action Plan at INQ000231086, INQ000231087, INQ000231088, INQ000231089, see paras 32-33.

⁹⁴ INQ000087503_0002. The Chief Scientific Adviser to the Home Office, John Aston, was present at the meeting, as was Ben Warner from No 10 (INQ000087503_0001).

⁹⁵ DHSC, 3 March 2020 (INQ000057508)

⁹⁶ INQ000056158

the evening of 13 March, communicating to the Prime Minister over the weekend of 14 – 15 March⁹⁷.

- 26) SBS & SWA submit that government, as a whole and in particular the Home Office, should have realised as soon as social isolation was contemplated that it would be necessary to mitigate the effects of a rise in domestic abuse. Government should have been proactive, aware of the possibility of an increase and the need to take steps to mitigate it, without having to be warned. As soon as planning for social isolation, and/or lockdown, commenced, that planning should have included plans to mitigate the effect of the rise in domestic abuse. If that had happened, then subsequent delays – in consulting the VAWG sector⁹⁸, in starting the communications campaign⁹⁹ and in identifying and allocating funding¹⁰⁰ – might not have occurred.

Home Office awareness

- 27) The first reference to domestic abuse in Home Office documents was in an email, dated 16 March 2020, sent by the Cabinet Office to various departments, including the Home Office, asking for policy descriptions as to how household isolation will be rolled out and asking the Home Office to report on domestic abuse refuges¹⁰¹. Home Office Situation Reports (Sit Reps)¹⁰² first referred to domestic abuse on 19 March, four days before lockdown was announced¹⁰³.

Home Office Ministers

- 28) On 17 March, the Briefing to the Home Secretary for CDL Cabinet Committee meeting on Public Resilience¹⁰⁴ read, under the heading “*domestic abuse refuges*”: “*the government has issued guidance in relation to those in supported living provision, which includes advice on safety, cleaning and isolation*”¹⁰⁵. Subsequently, her Briefings added reference to there continuing to be concern about those having to self isolate with family members

⁹⁷ Cummings INQ000273872_0044 – 0053, MacNamara INQ000273841_0032 – _0036, Johnson INQ000255836_0047 – 0049.

⁹⁸ See paras 38 -39.

⁹⁹ See paras 50- 52.

¹⁰⁰ See paras 38 - 47.

¹⁰¹ INQ000231055_0003. The Home Office’s reply did not deal with refuges, or anything relating to domestic abuse (INQ000231055_0001).

¹⁰² Daily briefings published in the evenings, see INQ000052646.

¹⁰³ INQ000052646_0008. See also Sit Reps on 20 March (INQ000052667_0009), 24 March (INQ000052746_0007), 25 March (INQ000052778_0010), 26 March (INQ000052790_0011) and 27 March (INQ000052841_0011).

¹⁰⁴ It is understood that the Cabinet Committee on Public Resilience is the official name for the Committee meeting taking place in the COBR Room, hence COBR.

¹⁰⁵ INQ000052595_0003. The guidance was issued by MHCLG (INQ000176557).

(first added to her Briefing on 23 March 2020¹⁰⁶) and to the government having provided £1.6 billion funding to local authorities (added to her Briefing 24 March¹⁰⁷). Patel raised the issue of frontline domestic abuse workers in refuges being treated as key workers at COBR on 18 March¹⁰⁸. COBR on 23 March, when it made the decision to impose lockdown, noted “*domestic abuse concerns*”¹⁰⁹.

- 29) A Home Office meeting on 24 March, on fraud/cyber/child sexual exploitation, chaired by James Brokenshire MP, Minister for Security, noted that China had seen an increase in violence in the home and the police reported an increase in domestic abuse. On 25 March, a memo sent to the Home Secretary, the Ministers for Safeguarding, Crime and Policy and Security, and the Permanent Secretary anticipated an increase in crimes that take place in the home, eg domestic abuse¹¹⁰.

The Home Office’s submission and Action Plan

- 30) On 26 March 2020, a submission “*Update against violence against women and girls and Covid 19*” was sent to the Home Secretary and the Minister for Safeguarding¹¹¹. It referred to the letters from the DAC and Victims’ Commissioner¹¹², and contained draft responses. It referred to increases in domestic abuse in China and Italy and reported concerns from stakeholders. It recommended immediate contingency funding to Home Office domestic abuse helplines (doubling from £1 million to £2 million), a ministerial roundtable with stakeholders and a communications plan. Patricia Hayes suggests that this was the first advice given to Ministers about an anticipated rise in domestic abuse¹¹³.

- 31) SBS & SWA submit that the recommendations in the memo were welcome, but late and limited. This planning should have commenced in early March, at the latest. The increase of £1 million for the helpline was welcome, but not sufficient to meet additional demand for advice and did not include funding for bedspaces. Higher amounts referred to were designated for local authorities and not allocated to the domestic abuse sector. Finally, the advice to Ministers appears to have been prompted by the publication and receipt of letters from the DAC and Victims’ Commissioner rather than on the Home Office’s own initiative.

¹⁰⁶ INQ000052743_0006

¹⁰⁷ INQ000052744_0006. The same three paragraphs appear in Briefings on 25 March 2020 (INQ000052777_0006), and 26 March 2020 (INQ000052789_0006).

¹⁰⁸ Patel INQ000279975_0019 and INQ000052628_0001

¹⁰⁹ INQ000216491_0002. It is not recorded what those concerns were, who raised them or who participated in any discussion.

¹¹⁰ *Crime demand impact Covid 19* (INQ000231062_0001 - _0002)

¹¹¹ INQ000052784

¹¹² See para 21.

¹¹³ Corporate witness statement for Home Office (INQ000215599_0030).

32) An Action Plan dated 3 April¹¹⁴ was sent to the Home Secretary on 6 April¹¹⁵. The covering email said money from the Treasury for domestic abuse might total £110 million¹¹⁶. The Action Plan reported that there was not yet evidence of a clear increase in domestic abuse, perhaps because victims are finding it harder to ask for help because they were trapped with their abusers¹¹⁷. A survey of 119 refuges and domestic abuse services by Safelives had indicated pressing needs, because staff were sick and they were struggling with funding (particularly the smaller organisations). The Plan suggested options for increased funding and the possibility of a safe codeword to be used in supermarkets, pharmacies. It was recommended that Atkins hold calls with some of the domestic abuse charities¹¹⁸.

33) SBS & SWA submit that this Plan was welcome, but again it was too late and insufficient. It reached the Home Secretary 14 days after lockdown was announced on 23 March, when it should have been drawn up prior to lockdown. By 6 April, domestic abuse organisations were already responding to the drastic increase in demand¹¹⁹. The communications plan was only for the Home Office and not replicated across government¹²⁰, the immediate funding provided was £2 million, the eventual announcement of larger sums was on 2 May and was £27 million (not £110 million) and it took time to allocate, so that the VAWG sector did not receive additional funding during the first lockdown¹²¹. The codeword scheme did not come into operation until January 2021¹²². No measures were suggested to support migrant victims of domestic abuse specifically during lockdown¹²³. The Plan appears to

¹¹⁴ INQ000052918 plus Annex A (INQ000231086), Annex B (INQ000231087), Annex C (INQ000231088), Annex D updated communications plan contained within the submission at INQ000052918_0009 - 0012, Annex E (INQ000231089).

¹¹⁵ INQ000231085

¹¹⁶ INQ000231085_0002. Broken down as £15 million to be allocated by the Ministry of Justice, around £80 million to be allocated by MHCLG for refuge accommodation and around £15 million to be allocated by Home Office for non-accommodation based services.

¹¹⁷ INQ000052918_0001. In contrast, the Home Office's Sit Rep on 26 March had referred to the NPoCC (National Police Co-ordination Centre or National Police Chiefs' Council) having received high volume of reporting relating to domestic and child abuse, assessed as driven by social distancing measures (INQ000052790_0007).

¹¹⁸ INQ000052918. Annex A set out gaps in the current approach, including the unknown impact on vulnerable victims including migrants, and mitigations including a pilot project to fund migrant women who are victims of domestic abuse (which eventually became Support for Migrant Victims, operated by SBS, see para 74) (INQ000231086); Annex B contained a table for implementation, together with a Ministerial Steering Group to facilitate joint working (INQ000231087); Annex C contained a timeline (INQ000231088); Annex D contained a communications plan, including an announcement by the Home Secretary (INQ000052918_0009 – 0012); Annex E was a chart showing the various responsibilities for domestic abuse across government: MHCLG, Home Office, Department for Education, Ministry of Justice, all feeding into the Cabinet Office (INQ000231089).

¹¹⁹ See paras 8-12.

¹²⁰ See paras 50-61.

¹²¹ See paras 38 - 47.

¹²² See para 88.

¹²³ See paras 71-77.

have been developed as a reaction to the letters from the Commissioners and increasing media attention on domestic abuse¹²⁴.

- 34) When Patel was asked whether the submission and the subsequent Plan were too late, she replied that she and Hewitt were having police operational calls before the lockdown, from early on in March, and there was a lot of work taking place in the Home Office throughout January, February and early March¹²⁵. She disputed the proposition that the Home Office did not start grappling with the issue of the rise of domestic abuse as a result of lockdown until 26 March¹²⁶. Whatever the content of the discussions with Hewitt, there are no documents dealing with the need for the Home Office to take practical steps to mitigate the rise in domestic abuse, and support domestic abuse organisations, until the submission on 26 March.

Consultation undertaken by the Home Office with the VAWG sector

- 35) The Home Office, once it had started to engage with the issue, did consult the VAWG sector¹²⁷. From 23 March, the DAC co-ordinated a weekly Monday meeting attended by 12 VAWG organisations¹²⁸. Briefings from those meetings were sent to Atkins and, from 30 March, representatives of government attended¹²⁹. Meetings on 23 March and 30 March raised the issues of urgent and longer-term funding, a more co-ordinated approach from government, including a Ministerial meeting, and support for migrant victims subject to NRPF¹³⁰. SafeLives surveyed frontline domestic abuse organisations between 24 and 27 March 2020¹³¹. It reported that organisations were concerned about increased risk, they were short staffed and some of them were unable to support victims, they were facing challenges in delivering services remotely and facing financial difficulties, and there was a lack of clarity about key worker status¹³².

¹²⁴ See reference in the Action Plan to “*increasing media interest in how domestic abuse victims have been impacted by Covid-19 restrictions*” (INQ000052918_0007).

¹²⁵ T21/176/1-12

¹²⁶ T21/172/18 – 21/177/17

¹²⁷ See Sit Reps 19 March 2020 (INQ000052646_0008), 25 March (INQ000052778_0010), submission 26 March 2020, (INQ000052784_0003), Sit Rep 26 March (INQ000052790_0011) Sit Rep 27 March (INQ000052841_0011).

¹²⁸ INQ000119308

¹²⁹ Jacobs (INQ000281262_0005); Home Office, MCHLG, Ministry of Justice, DHSC and DWP attended on 30 March 2020 (INQ000119309_0003). The meetings continued until 27 April 2021 (INQ000119325).

¹³⁰ 23 March (INQ000119308); 30 March (INQ000119309). The increase in calls and need for immediate, and longer-term, funding continued as themes throughout the year of meetings.

¹³¹ INQ000231082, sent to Home Office and seen by Private Secretary to the Home Secretary on 6 April (INQ000231081).

¹³² See paras 8 – 12 and 48 – 49.

- 36) Patel held telephone meetings with the DAC, Women's Aid, and Refuge on 9 April, discussing the importance of communication, an increase in calls, the need for more resources, and refuges stretched to capacity¹³³. She had a telephone call with the Chief Executive of Safelives on 10 April¹³⁴. She met the DAC and Victims' Commissioner on 24 April¹³⁵. The Home Office was also receiving updates from the police¹³⁶.
- 37) SBS & SWA submit that, as with all other aspects of the Home Office's response, the consultation with the sector was late and should have commenced prior to lockdown. The participants in the DAC's meetings do not seem to have felt that their important messages – struggling to meet demand, need for increased funding, clarity as to key worker status – were actioned, since participants in the meeting contributed to the VAWG sector's open letter to the Prime Minister on 3 April¹³⁷ and continued with other public campaigning¹³⁸. Requests in open letters from SBS, SWA and others were not responded to¹³⁹. There was no consultation concerning the particular needs of migrant victims.

Funding provided too late

Summary of amounts provided

- 38) The increased funding to the domestic abuse sector consisted of £2 million announced by the Home Office on 11 April for technological support with helplines etc¹⁴⁰, and £27 million announced on 2 May¹⁴¹.
- 39) Government documents frequently refer to £1.6 billion allocated to local authorities at the start of lockdown, £750 million announced on 8 April for frontline charities¹⁴² and £76

¹³³ INQ000231094

¹³⁴ INQ000231109

¹³⁵ Briefing for Patel at INQ000231141.

¹³⁶ See email 15 April INQ000231112.

¹³⁷ Open letter to the Prime Minister (copied to other Ministers including the Home Secretary) on 3 April reiterating requests made in the meetings of 23 and 30 March and signed by nine of the 12 participants in the meeting (INQ000176541) and reply on 14 October 2020 (INQ000176442), see paras 35 and 40. It is noticeable that six different VAWG organisations surveyed in the *Summary of VAWG Sector Responses to Request for Evidence* felt that they had no contact with government and the two that did, Refuge and Women's Aid Federation for England, felt that there was no engagement with the sector to feed into policy development and/or a lack of engagement in advance HS/1 (INQ000281059_0013 - 0022).

¹³⁸ For example, Joint VAWG sector statement on *Easing of Coronavirus Restrictions*, 8 July 2020 (INQ000176542), see para 46.

¹³⁹ See para 40.

¹⁴⁰ Date of delivery is not known and it had not been delivered when Patel met the Domestic Abuse and Victims' Commissioners on 24 April (INQ000231141_0008).

¹⁴¹ Patel INQ000279975_0020, footnote 54. The funding was broken down as £15 million for the Ministry of Justice to allocate via Police and Crime Commissioners, £10 million for MHCLG to allocate for accommodation and £2 million for Home Office to allocate for non-accommodation domestic abuse services.

¹⁴² INQ000215567

million announced on 2 May for domestic abuse, sexual violence and modern slavery. The £76 million was part of the £750 million. The £27 million announced on 2 May was the domestic abuse sector's share of the £76 million¹⁴³.

Lobbying

- 40) Before lockdown was announced, government was lobbied to provide additional funding to the domestic abuse sector, in anticipation of the rise in demand, and the difficulties that the sector would face¹⁴⁴. Once lockdown had commenced, there was extensive lobbying from the VAWG sector¹⁴⁵, the Mayor and Deputy Mayor of London¹⁴⁶, Jess Phillips MP¹⁴⁷ and British Medical Association (BMA)¹⁴⁸. Atkins was pressed on funding when she appeared on Women's Hour on 16 April: "*money has not been going into the provision of refuges and there's a real need for them. You should surely know that?*"¹⁴⁹.
- 41) There were three significant points of pressure on government on 27 April 2020: the devastating report of the House of Commons Home Affairs Committee: *Home Office preparedness for Coronavirus: domestic abuse & the risks of harm within the home*¹⁵⁰; Public Interest Law Centre (PILC), acting on behalf of SBS & SWA, sent a pre-action protocol letter to MHCLG threatening judicial review for its failure to provide safe accommodation for victims of domestic abuse¹⁵¹; and over 750 people sent emails to Patel and Jenrick¹⁵².

¹⁴³ SBS & SWA do not suggest that the remainder of the £76 million was allocated inappropriately. They draw attention to the £76 million, and the share of it allocated to the domestic abuse sector, in order to prevent any misunderstandings that the domestic abuse sector might have received £750 million or £76 million since these figures (and not the £27 million) are those most frequently cited by government.

¹⁴⁴ See Women's Budget Group report (INQ000280167), and the letters from the DAC (INQ000108577) and the Victims' Commissioner (INQ000108585), all on 19 March (see para 21).

¹⁴⁵ Meeting with DAC 23 March 2020 (INQ000119308); meeting with DAC 30 March (INQ000119309); letter from SWA & PILC, signed by another 58 individuals & organisations, 31 March, (INQ000176493); joint letter from 23 VAWG organisations to Prime Minister, 3 April (INQ000176541); letter from Women's Aid to Communities Secretary 9 April (INQ000181672); press release by SBS 11 April (INQ000176495).

¹⁴⁶ Letters from Mayor of London to Chancellor, 2 April (INQ000104991); letter to Home Secretary, 3 April (INQ000104844); letter from Deputy Mayor of London and others to Home Secretary, Justice Secretary and Communities Secretary, 8 April (INQ000108588); letter Mayor of London to Thérèse Coffey MP, Secretary of State for Work and Pensions, 14 April (INQ000118892). See also representations made at the meetings of 12 VAWG organisations with the Domestic Abuse Commissioner on 23 March (INQ000119308_0001) and 30 March (INQ000119309_0001) and directly to Patel on the telephone on 9 April (INQ000231094), see paras 35-36.

¹⁴⁷ Email to Home Secretary 10 April (INQ000231107).

¹⁴⁸ *BMA Response to Calls for Evidence from Women and Equalities Select Committee and Joint Committee on Human Rights*, 1 May (INQ000117887).

¹⁴⁹ INQ000231114_0001

¹⁵⁰ INQ000075363. It said "*Support services for domestic abuse and vulnerable children need urgent and direct funding support: without it, victims will be put at much greater risk of harm*" (_0006).

¹⁵¹ INQ000280173.

¹⁵² Goshawk INQ000280726_0035. Notes of DAC's meeting with VAWG organisations on 27 April show organisations saying "*no further detail on the funding announcements or timelines has been released, and money is desperately needed now*" (INQ000119305_0001).

Allocation of £27 million

42) Eventually, and, SBS and SWA submit, as a result of the concerns raised by the Home Affairs Committee, the campaigning, the public criticism and the threat of judicial review, the £27 million was announced on 2 May 2020¹⁵³. Patel was asked during her evidence whether the money was allocated as a result of the threat of legal action and said that she could not give a categorical answer to that. She said that they needed to understand what the pressures were, where the money was needed, how the resources could be allocated in the best possible way¹⁵⁴.

43) £27 million was considerably less than the amounts earlier requested by government departments, when £80 million¹⁵⁵ and then £60 million¹⁵⁶ had been requested, and represents less than 4% of the £750 million package for charities. The DAC's evidence is that she had called for £65 million emergency funding¹⁵⁷. In addition, funding came from three different government departments (Ministry of Justice, MHCLG and the Home Office) plus Comic Relief, which resulted in complexity¹⁵⁸.

Delays in reaching frontline services

44) The majority of the funding did not reach the frontline for four months (July 2020)¹⁵⁹, meaning that many domestic abuse organisations only received it after the first lockdown had ended¹⁶⁰. When asked, Patel said that it took time to do the allocations, organisations

¹⁵³ INQ000176491

¹⁵⁴ T21/185/16- 21/186/9. It should be noted that a submission on funding from MHCLG, 5 May 2020, stated "*The prompt launch of this fund will help MHCLG's position in relation to the proposed claim for judicial review*" (INQ000104693_0002).

¹⁵⁵ INQ000231081_0002

¹⁵⁶ INQ000231124 and INQ000231125. The latter document, Home Office submission dated 16 April 2020, notes increasing calls in the media for more government support to domestic abuse charities, that there is some criticism that until funding starts reaching charities, the most vulnerable were still suffering and that there was a risk that critics will question whether £40 - £60 million, being less than 10% of the £750 million announced, is enough to support the sector (INQ000231125_0006).

¹⁵⁷ Jacobs INQ000281262_0006

¹⁵⁸ Goshawk INQ000280726_0050 and Jacobs INQ000281262_0006. The notes of meetings between VAWG organisations and the DAC (see para 35) show concern being raised at the complexity of the process and the lack of clarity over different funding streams on 4 May 2020 (INQ000119317_0001), 11 May (INQ000119313_0001), 18 May (INQ000119314_0001), and 27 May (INQ000119316_0001).

¹⁵⁹ Goshawk INQ000280726_0049 - _0050. By 12 May, just under £1.5 million of the Home Office's initial £2 million had been allocated (INQ000231185_0005). By 19 June, £780,521 of the Home Office's further £2 million had been allocated (along with a further £80,000 from the original £2 million) (INQ000231201). Eventually the Home Office allocated £1.7 million from its £2 million (INQ000054000_0014). By 14 July MHCLG had allocated £8,916,493.38 of its £10 million in four tranches (INQ000104729, INQ000104734, INQ000104735 and INQ000104736). There is no breakdown of allocation by the Ministry of Justice.

¹⁶⁰ In the *Summary of VAWG Sector Responses to Request for Evidence*, Birmingham & Solihull Women's Aid say they started to receive funds from late April 2020, HS/1 (INQ000281059_0027). The meeting between VAWG organisations and DAC also referred to some funding having been received by helplines by 4 May 2020 (INQ000119317_0001). The original £2 million from the Home Office appears to have been allocated in April and May.

could apply directly to the Home Office which might have taken time and the Home Office needed to understand how the money could be allocated to provide the direct and additional help that was really needed¹⁶¹. SBS and SWA note that the Mayor of London funded 70-bed emergency accommodation in London, which opened on 12 May and within a month was nearly full¹⁶². This stands in stark contrast to the government's slow processes. They submit that, had the government began planning before lockdown, funding would have reached frontline organisations quicker.

- 45) Once the money was allocated and received, it was short-term and had to be spent by the deadline or “cliff edge” of 31 October 2020, later extended to 31 January 2021¹⁶³. Further funding was announced in February 2021, for work from April 2021, which was welcome but information was not provided until very close to the funding window starting¹⁶⁴. The effect of short-term funding is that organisations cannot plan, or recruit staff.
- 46) The sector continued to experience real difficulties in its funding and meeting demand. A joint VAWG sector statement on *Easing of Coronavirus Restrictions*¹⁶⁵, 8 July 2020, drew attention to there being ongoing obligations to isolate, and that many critical services were still operating with depleted resources and might not be on hand to help women experiencing abuse and seeking help. It set out the toll that the increased demand during lockdown had had on the sector and asked that the deadline of 31 October be extended and that there be a funding solution to meet long-term demand and ensure the sustainability of the VAWG sector.
- 47) In short, the short-term funding, whilst welcome and necessary, was announced late, was less than had been requested, did not reach frontline organisations until after lockdown had ended, was subject to spending deadlines so organisations could not plan, and continued on that uncertain footing throughout the pandemic. Domestic abuse organisations, already chronically underfunded from ten years of austerity, spent the whole of the first lockdown struggling with unprecedented demand and insufficient resources.

¹⁶¹ T21/184/2 – 24

¹⁶² Goshawk INQ000280726_0014

¹⁶³ Goshawk INQ000280726_0050. The difficulties of complying with the 31 October 2020 “cliff edge” were repeatedly raised in the meetings between VAWG organisations and DAC, from 27 May 2020 (INQ000119316_0001), to 19 January 2021 (INQ000119319_0001) and were reported to government by the DAC in February 2021 (INQ000226531_0002). See paras 35 and 85.

¹⁶⁴ Goshawk INQ000280726_0050 - _0051

¹⁶⁵ 8 July 2020, INQ000176542

Second failure: Front line workers and the lack of clarity around key workers

- 48) Patel raised at COBR on 18 March the issue of frontline domestic abuse workers and volunteers being designated as key workers, to allow them access to childcare¹⁶⁶. It would also follow that they had access to testing. It is unclear how the decision about the designation of key workers was made¹⁶⁷. Representations were made to the Home Office by SafeLives about staff having difficulties in being recognised as key workers, including not being able to send their children to school¹⁶⁸.
- 49) The evidence is that on the ground, the picture was unclear. Goshawk describes a lack of clarity about whether refuge workers could gain access to test and trace equipment, PPE and early vaccination throughout the three lockdowns¹⁶⁹. Domestic abuse providers had to seek clarification from local authorities or health authorities. There was no clarity from national government¹⁷⁰. DAC recommended to government in February 2021 that domestic abuse frontline workers should be explicitly included in the priority 2 cohort for vaccination¹⁷¹.

Third failure: messaging was late and not replicated across government

Home Office messaging

- 50) Government guidance on domestic abuse¹⁷² was updated on the government website on 31 March¹⁷³. The Home Secretary wrote an op-ed piece for the Mail on Sunday on domestic abuse, published on Sunday 29 March headlined “*Priti Patel pledges to help vulnerable people stuck at home with domestic abusers during the lockdown*”¹⁷⁴, clarifying

¹⁶⁶ See para 28.

¹⁶⁷ Hancock’s evidence was that it was not the DHSC’s decision as to who was a key worker, so he took the list as read and it would have been for the Home Office to put categories forward: T30/101/21 – 30/102/10. Key worker status seems to have included local authority staff working with vulnerable children, adults and victims of domestic abuse, but this does not assist refuge staff working in the voluntary sector (INQ000308713).

¹⁶⁸ INQ000231082_0002 and INQ000231081. The issue was also raised with the Domestic Abuse Commissioner on 30 March (INQ000119309_0002). The Home Office noted “reported issues in some areas where schools are reportedly refusing to accept that those working in DA sector are classed as key workers” in Annex B of the Action Plan (INQ000231087_0004), see para 32.

¹⁶⁹ See requests for clarity raised in the meetings between VAWG and DAC, attended by government: 27 April 2020 testing (INQ000119305_0001), 19 January 2021 vaccines (INQ000119319_0001), 16 February priority for vaccines (INQ000119323_0001). For the meetings, see para 35.

¹⁷⁰ INQ000280726_0055. See also Refuge, Women’s Aid Federation of England and Anah Project, who all referred to a lack of clarity: *Summary of VAWG Sector Responses to Request for Evidence*, HS/1 (INQ000281059_0021-_0024).

¹⁷¹ INQ000226531_0001

¹⁷² INQ000231063

¹⁷³ Hayes INQ000215599_0030

¹⁷⁴ INQ000280055_0005. The extract starts with an article quoting from the op ed. Patel’s op ed starts at _0005.

that people could leave home if they were at risk of, or experiencing, domestic abuse. Despite this piece, on 31 March the DAC said on the Today programme that more clarification was needed that people could leave home and seek support¹⁷⁵. SBS and SWA note that the message was contained in only one paper¹⁷⁶, and there was no attempt to disseminate it throughout multiple media sources.

51) The Home Office's communications strategy was launched on 11 April (Easter Saturday). Patel did the daily Downing Street briefing, with Hewitt, and said "*we have created a new campaign and we have created symbol of hope – a handprint with a heart on – so that people can easily show that we will not tolerate abuse as a society and that we stand in solidarity victims of domestic abuse*"¹⁷⁷. She announced funding of £2 million to enhance online support services and helplines. The campaign and speech were posted on the government's website¹⁷⁸. The image and message that you are not alone were posted on Twitter. A copy was sent to all MPs on 15 April asking them to post and share, together with a list of support services¹⁷⁹. Patel delivered the daily briefing again on 25 April 2020 and referred to the #youarenotalone campaign.

52) SBS and SWA submit that the communications campaign began far too late, three weeks into lockdown. It should have commenced before lockdown, not least because women victims, and potential victims, of domestic abuse had themselves anticipated before lockdown that they might be in danger¹⁸⁰. They also submit that the communications plan was not sufficiently repeated throughout the pandemic, as it had to be re-launched in November 2020 and January 2021¹⁸¹.

Prime Minister's statements

53) Crucially, the same message was not delivered by the Prime Minister or the First Secretary of State/Foreign Secretary, Dominic Raab MP, in their statements to the nation, which were surely the most significant of all government communications during the pandemic. Johnson said in evidence "*messaging was the most important tool we had to deal with the virus*"¹⁸².

¹⁷⁵ Home Office Sit Rep (INQ000052889_0011)

¹⁷⁶ Although its content was subsequently reported by the BBC.

¹⁷⁷ INQ000086591_0005

¹⁷⁸ INQ000053039

¹⁷⁹ INQ000231132

¹⁸⁰ As demonstrated by calls to SWA's advice line rising by 117% in March 2020, as lockdown was expected: Goshawk INQ000280726_0013, see paras 8-9.

¹⁸¹ See para 86.

¹⁸² T31/75/7 – 8

54) Johnson, announcing lockdown on 23 March, said: *“That is why people will only be allowed to leave their home for the following very limited purposes:*

- *Shopping for basic necessities, as infrequently as possible*
- *One form of exercise a day – for example a run, walk or cycle – alone or with members of your household;*
- *Any medical need, to provide care or to help a vulnerable person; and*
- *Travelling to and from work, but only where this is absolutely necessary and cannot be done from home. That’s all – these are the only reasons you should leave your home [emphasis added]”¹⁸³.*

55) Not only does this list fail to mention escaping injury or harm (the wording in the Regulations), let alone leaving to escape domestic abuse, but the omission is compounded by *“that’s all – these are the only reasons”*.

56) Despite the Home Office’s #youarenotalone campaign¹⁸⁴, No 10 continued to omit domestic abuse as a permitted reason to leave home:

- a) Raab on 16 April 2020, announcing the extension of the first lockdown did not refer to domestic abuse or to any permitted reason to leave home¹⁸⁵;
- b) Johnson on 31 October 2020 announcing the second lockdown *“you can only leave for specific reasons, including for education; for work, say if you cannot work from home; for exercise and recreation outdoors, with your household or on your own with one person from another household; for medical reasons, appointments and to escape injury or harm; to shop for food and essentials; and to provide care for vulnerable people, or as a volunteer”¹⁸⁶;*
- c) Johnson on 5 November 2020 *“you can only leave home for specific reasons: for work if you can’t work from home, for education, and for essential activities and emergencies”¹⁸⁷;*
- d) Johnson on 19 December announcing Tier 4 *“residents in those areas must stay at home, apart from limited exemptions set out in law. ...People must work from home if they can, but may travel to work if this is not possible, for example in the construction and manufacturing sectors. People should not enter or leave tier 4 areas and tier 4*

¹⁸³ INQ000086759_0003

¹⁸⁴ And the criticism from the DAC on the Today programme on 31 March, INQ000052889, see para 50.

¹⁸⁵ INQ000086576

¹⁸⁶ INQ000086830_0004

¹⁸⁷ INQ000075751_0002

*residents must not stay overnight away from home. Individuals can only meet one person from another household in an outdoor public space*¹⁸⁸.

57) In the 2020 speeches, domestic abuse was not mentioned at all, and the permitted reason to leave “*to escape injury or harm*” was only mentioned once, on 31 October¹⁸⁹. It was not until the announcement of the third lockdown, on 4 January 2021, that Johnson said “*you may only leave home for limited reasons permitted in law, such as ...to escape domestic abuse*”¹⁹⁰, and even then after an adviser had noted adverse reaction to the previous omissions saying “*We get kicked every time for not saying it*”¹⁹¹.

58) When asked, Raab was dismissive: “*we couldn’t contain every caveat to the headline advice; it just wasn’t manageable. I thought the Home Secretary had really spelt it out very clearly, we felt we’d landed that message*”¹⁹². There is no evidence of any discussion of additional points, or of evaluating the effectiveness of the Home Office messaging. He did not seem to understand that it might be particularly important to mention domestic abuse as a reason to leave when announcing the continuation of lockdown¹⁹³. In the absence of evidence that domestic abuse was considered (and then rejected), it is submitted that domestic abuse was overlooked as unimportant. In contrast, Johnson said “*in retrospect, we should have given consideration to mentioning that issue explicitly earlier*”¹⁹⁴. Asked about Patel’s evidence that she and her department had raised with Downing Street the need to refer to domestic abuse, he replied “*I don’t remember her raising that with me*”¹⁹⁵.

59) SBS & SWA submit that it should have been obvious, when including the list of exemptions in the speeches, to include all of them, and refer specifically to domestic abuse.

¹⁸⁸ INQ000086623_0003

¹⁸⁹The quote is from the statement of 31 October (INQ000086830_0004). The wording of the Regulations is “*to avoid injury or illness or to escape a risk of harm*” (Reg 6(2)(m) Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, SI 2020/350).

¹⁹⁰ INQ000086664_0003

¹⁹¹ Nikki Da Costa had earlier that afternoon said on WhatsApp “*Can we make sure somewhere in our comms that we are clear the restrictions do not apply to someone fleeing domestic abuse? We get kicked every time for not saying it.. Particularly as we have 2R of domestic abuse Bill tomorrow in lords*” (INQ000226268_0071).

¹⁹² T28/252/13 – 28/253/9

¹⁹³A time when a victim experiencing domestic abuse might have been hoping for relief and find her hopes dashed.

¹⁹⁴ T32/187/9 – 10

¹⁹⁵ T32/188/12

Guidance

- 60) The exemptions in the Regulation were for leaving home to access critical public services, including services provided to victims (such as victims of crime)¹⁹⁶, or to avoid injury or illness or to escape a risk of harm¹⁹⁷. Hancock's said he had domestic abuse in mind when he approved the exemptions¹⁹⁸.
- 61) The published guidance did not refer to domestic abuse. Instead it used the phrase "*avoid injury or illness, escape risk of harm*"¹⁹⁹. SBS & SWA submit that this was a grave error. Victims searching to understand the legal position were most likely to find the guidance on the internet. Domestic abuse should have been specifically mentioned.

Fourth failure: cross government planning and response was inadequate

MHCLG

- 62) MHCLG published guidance for domestic safe-accommodation settings on 23 March 2020²⁰⁰. MHCLG's "*Everyone In*" guidance to local authorities on 26 March, requiring them to accommodate all rough sleepers (including those whose immigration status would normally render them ineligible) was a positive public health measure²⁰¹. It did not, however, directly assist victims of domestic abuse as the majority of victims would not be sleeping rough²⁰².

Cabinet Office

- 63) The priorities drawn up for the General Public Services MIG (GPSMIG) included "*support for the homeless and most vulnerable in society*" including "*those identified as vulnerable at home (eg to domestic abuse...)*"²⁰³. On 27 March, the Cabinet Office commissioned a

¹⁹⁶ Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, SI 2020/350, Reg 6(2)(i)(iv)

¹⁹⁷ Reg 6(2)(m)

¹⁹⁸ T30/100/3

¹⁹⁹ Note that Harries said in evidence "*I'm not sure that if I was somebody frightened, you know, in a domestic abuse situation and about to go into lockdown, that I would perhaps have clocked that the message that says "for an emergency" actually applied to me*" T28/64/6-14. SBS and SWA note that her mis-quoting the test ("*in an emergency*" rather than "*victim of crime*" or "*escape risk of harm*") emphasises the confusion at the heart of government and therefore inevitably among the public.

²⁰⁰ INQ000176557. There is reference on 25 March to it providing £5 million emergency support to refuges (INQ000104622), but this seems to have become subsumed into the eventual allocation of funding on 2 May, see para 42.

²⁰¹ Letter Luke Hall MP, Minister for Rough Sleeping, to local authorities, 26 March 2020 (INQ000090750).

²⁰² There was confusion over the extent it applied to those with NRPF conditions, which was eventually resolved by the Administrative Court's decision in *R (Ncube) v Brighton & Hove Council*, [2021] EWHC 578 (Admin), [2021] 1 WLR 4762, Admin Ct. See Mark Lloyd, Chief Executive Local Government Association (INQ000215538_0074 - _0081).

²⁰³ 20 March 2020, INQ000217030_0010

Framework for Social Distancing to develop metrics to understand the effect of current, and future, social distancing measures²⁰⁴. Subsequently *Social Distancing Review summary data deck* for 14 April 2020 which noted an increase in calls to domestic abuse helplines as 120%²⁰⁵, accompanied by *Equality Analysis of social distancing measures*, dated 15 April 2020, noting “restrictions on movement and business closures present significant physical and mental risk to victims of domestic abuse, who are more likely to be women. A package of mitigations has been put in place, including government funding to domestic abuse charities”²⁰⁶. SBS and SWA note that, at that date, the only funding announced had been the £2 million for technological support to helplines from the Home Office²⁰⁷. GPSMIG on 14 April discussed Hidden Crimes, with a slideshow presented by the Home Secretary, and the DAC in attendance²⁰⁸. Cabinet on 16 April, which decided to continue lockdown, noted that across the world instances of gender-based violence had increased and this was likely to be the case in the UK too²⁰⁹.

- 64) The Cabinet Secretariat was also working on mapping non-shielded vulnerable people²¹⁰. Simon Case took this work on when he rejoined government. He was concerned that there was not sufficient joined up thinking and departments were working in silos²¹¹. A discussion at a GPSMIG session on non-shielded vulnerable people on 22 April included the Home Secretary outlining the work to identify and support victims of hidden crimes, domestic abuse and child sexual exploitation and abuse, including financial support for charities²¹². There was a “deep dive” into non-shielded vulnerable groups, including those at risk of

²⁰⁴ Cabinet Office (INQ000109238_0006). The Home Office replied that there was not yet data showing significant increases in calls to police or helplines, but there was general agreement that social isolation made it more dangerous for victims of domestic abuse, undated (INQ000231077_0002).

²⁰⁵ INQ000232115_007

²⁰⁶ INQ000236031_0004

²⁰⁷ See paras 30 and 38.

²⁰⁸ INQ000231097

²⁰⁹ INQ000089020_0007

²¹⁰ Paper 3 April commissioned by GPS MIG on 25 March, *Mapping of non-shielded vulnerable groups* which identified as people for whom there were specific concerns individuals with no access to public funds and those experiencing domestic abuse. The needs of individuals with no recourse to public funds were to be assessed, to establish whether support currently available is sufficient. There were no recommendations regarding domestic abuse (INQ000083379).

²¹¹ Emails between Case and Michael Gove MP 7 April (INQ000137204). On the same day Gove’s private office sent him a WhatsApp saying that Case had suggested that he (Gove) should talk to Patel to ask her for a plan on domestic abuse, noting that Patel was obviously on it already and the answer probably lay in Home Office providing extra funding to existing charities and support groups. Gove responded with a thumbs up (INQ000275430_0008).

²¹² Home Office update note for Cabinet Secretary meeting (INQ000053162_0005). Reference is made to the £2 million announced by Patel on 11 April, £3.2 billion Covid 19 fund for local authorities, the £750 million package announced to bolster charities and the £1.6 billion Covid 19 fund to local authorities. These are large figures. It should be noted that eventual allocation of money for domestic abuse was £29 million (£2 million announced by Home Secretary on 11 April and £27 million announced on 2 May), see paras 38-39.

domestic abuse on 24 April²¹³. Case said that domestic abuse (and two other areas) was an area where there was a highest risk of government failing to meet needs²¹⁴. He proposed one “gold” Senior Responsible Officer (SRO) to co-ordinate the existing ten SROs on 26 April. Despite Case’s concern, domestic abuse does not feature in the list of areas of responsibilities of the ten SROs²¹⁵. It is not clear what happened overall to the programme for the non-shielded vulnerable groups²¹⁶.

65) SBS and SWA submit that an SRO should have been designated for domestic abuse, not least once Case had identified the concern that government might be failing to meet those needs. They also question what happened to the programme for the non-shielded vulnerable groups. Overall, they echo Case’s concern that there was a “*silo*” approach and submit that this “*silo*” approach, which includes departments not effectively communicating with each other, was replicated across government in the area of domestic abuse²¹⁷. They submit that the move from MIGs to Covid S and Covid O would have been the opportunity to ensure effective cross-government working on domestic abuse, but it does not appear that this opportunity was taken²¹⁸.

Equality Impact Assessments

66) Section 149 Equality Act 2010 requires public sector decision-makers to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, advance quality of opportunity and foster good relations between people who share a relevant protected character and those who do not²¹⁹. Equality Impact Assessments (EIAs) or Equality Analyses are designed to give the decision-maker sufficient information for him or her to comply with the duty.

67) There was no EIA undertaken and no evidence of any due regard when Hancock signed the first lockdown Regulations²²⁰. An Equality Analysis was undertaken on 15 April for the decision to extend the first lockdown which referred to a package of funding which had not

²¹³ INQ000137206

²¹⁴ INQ000088638_0004

²¹⁵ INQ000137209. There is reference to other programmes being added, including for victims of domestic abuse.

²¹⁶ Non-shielded vulnerable groups does not appear on any agenda for Covid O or Covid S and so it is possible that, when those Committees replaced MIGs, the programme for non-shielded vulnerable groups appears to have been forgotten.

²¹⁷ See para 64.

²¹⁸ DAC, making recommendations to government in February 2021, recommended greater co-ordination across government on domestic abuse (INQ000226531_0002).

²¹⁹ Detailed submissions on the legal framework are in SBS & SWA’s Opening Written Submissions, pp6 – 8.

²²⁰ Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, SI 2020/350, Explanatory Note.

yet been agreed, announced or allocated by government on that date²²¹. Subsequently, an Equality Analysis on 6 May 2020 acknowledged that calls to the National Domestic Abuse Helpline had spiked significantly and that mitigating steps had been the Home Office's public awareness campaign, £750 million funding for the voluntary sector, additional £2 million from the Home Office, the exemption in the Regulations permitting victims to leave and guidance to the police²²². The actual funding to the domestic abuse was £27 million, not £750 million²²³. Equality Analysis dated 12 May 2020, considering household bubbles, noted "*domestic abuse victims may be better able to seek help (though there is a risk that their abuser takes control of the bubbling privilege in a way that further disadvantages the victim)*"²²⁴. Subsequent Equality Analysis contain a formulaic "*mitigations have been in place including government funding to domestic abuse charities*", reliance on the exemption in the Regulations permitting victims to leave and a list of the Home Office's activity (including references to £750 million announced for charities, and not the actual £27 million allocated to domestic abuse organisations)²²⁵. There was no analysis of the effectiveness of those steps and no analysis of what further measures might be needed.

68) Raab's evidence was that he thought EIAs were "*a fairly blunt tool*"²²⁶. SBS and SWA submit that Raab's dismissive approach to the assessment is representative of government as a whole. The EIAs are inaccurate (in their references to £750 million), formulaic and do not grapple with the difficult issue of mitigating the rise in domestic abuse. In this respect, they are typical of the failure across government. There was too much "*silo*" thinking, as Case put it. Domestic abuse, as an issue which crosses government departments, too often fell between the cracks.

Fifth failure: Government failed to consider, let alone implement, exemptions to the Regulations that would have permitted victims to seek an informal, safe haven from friends or relatives

69) It is common for women subject to domestic abuse to seek refuge with friends or relatives, either as prelude to leaving and finding a permanent alternative, or for short-term respite.

²²¹ INQ000236031, see paras 38 and 42.

²²² INQ000050379_0032

²²³ See paras 38 and 39.

²²⁴ INQ000236211_0061

²²⁵ See Equality Analysis, 27 May 2020 (INQ000183938_0026 and _0048), 30 May 2020 (INQ000236212_0027 and _0046), 22 June 2020 (INQ000236214_007) and 10 July 2020 (INQ000152475_0016) discussing the Leicester restrictions, 10 July 2020. See also *Summary of Impacts of The Health Protection (Coronavirus) (Restrictions) (England) (No. 4) Regulations 2020*, October 2020 (INQ000110010_0020).

²²⁶ INQ000268041_0062 and see T28/247/3-18.

Whilst victims were permitted to leave under the Regulations²²⁷, the parallel provision, of family or friends offering a place to stay, was not permitted. So victims were reliant on finding accommodation either in refuges (which were often full)²²⁸ or through local authority homelessness services²²⁹. It follows that the need for an informal safe haven was even more pressing during lockdown. Hancock said in evidence that such a proposal was never put to him. Had it been, he thought that he would have said that the provision should have been included²³⁰.

70) SBS & SWA acknowledge that scientific advice is needed before such an exemption was included. They submit that for future pandemics involving social isolation and lockdown, consideration, including obtaining scientific advice, should be given to including this additional exemption.

Sixth Failure: Government failed to ensure that all victims of domestic abuse had access to support when it refused to suspend No Recourse to Public Funds conditions

71) The NRPF condition can trap victims of domestic abuse into abusive relationships. Without access to public funds, they risk destitution if they leave. In addition, their insecure immigration status can be used as a means of control since the abuser can threaten to report them to immigration control and/or to withdraw sponsorship²³¹. There is a limited provision – the Destitution Domestic Violence Concession (DDVC) – which permits victims to have access to public funds for three months, while they apply for leave to remain under the Domestic Violence Indefinite Leave to remain (DVILR)²³². The DVILR and therefore the DDVC is only available to people whose leave is based on spousal or partner visas²³³. So victims who have student visas, employment visas, visas as dependents on other family members etc are not eligible for DDVC and DVILR, meaning that any NRPF condition on their leave continues. Migrants who have not yet been granted leave (such as asylum seekers, or others waiting for leave to be granted) are also not eligible for DDVC and DVILR. The DAC has recommended that the DVILR should be available to all migrant

²²⁷ See para 60.

²²⁸ See paras 10-11.

²²⁹ See the difficulties in accessing statutory services at Siddiqui INQ000282336_0025 - _0026 and Goshawk INQ000280726_0022 - _0025. At the relevant time, domestic abuse victims would not automatically have had a priority need for homelessness assistance, as Domestic Abuse Act 2021, s 78, which amended s.189 Housing Act 1996 to insert “a *person who is homeless as a result of that person being a victim of domestic abuse*” into the categories of priority need for homelessness assistance, did not come into force until 5 July 2021, see para 17.

²³⁰ T30/100/24 – 30/101/5

²³¹ See *Safety before Status, improving pathways for support for migrant victims of domestic abuse*, Domestic Abuse Commissioner, 2021, HS/4 (INQ000281093).

²³² Once granted leave under DVILR, they would be eligible for public funds.

²³³ The spouse or partner must be a British citizen, a settled person or a serving or former member of HM Forces.

victims of domestic abuse and that the DDVC, allowing them to claim public funds pending the decision on DVILR, should be extended to six months²³⁴.

72) In the absence of reform to the DDVC and DVILR, during a pandemic, any victim of domestic abuse subject to NRPF and ineligible for the DDVC/DVILR route has no immediate means of lifting the condition and could fear destitution if they were financially dependent on their abuser. In addition, during the pandemic, statutory public services were slow, so potentially the three month DDVC period was insufficient. The NRPF condition is part of the hostile environment, along with NHS Charging Regulations, the right to rent policy etc²³⁵.

73) No recourse to public funds deems victims ineligible for welfare benefits, housing or homelessness help from local authorities. They may be eligible for social services support if they have children or care needs²³⁶. They also face difficulties in finding refuge spaces, since refuges would normally expect housing benefit/universal credit to cover the cost of the bed space²³⁷.

74) In normal times, a fear of destitution and/or of being reported to the Home Office can prevent victims of domestic abuse from seeking help²³⁸. During the pandemic, it meant that victims were trapped as a result of domestic abuse, lockdown and the risk of destitution. Some support during lockdown was not classed as public funds, so available to victims who were employed or self-employed²³⁹. Covid 19 was added to the list of conditions exempt from NHS charging migrant patients²⁴⁰. During the passage of the

²³⁴ *Safety before status: the solutions*, Domestic Abuse Commissioner, 2022, HS/5 (INQ000281104)

²³⁵ Siddiqui INQ000282336_0008 - _0009, _0011 - _0013. See *Coronavirus Bill Second Reading: Universal Access to Healthcare*, joint briefing by JCWI and Liberty, March 2020 (INQ000130690) on NHS charging and data sharing with the Home Office. Right to rent is at Immigration Act 2016, Part 3, Chapter 1, inserted by Immigration Act 2016.

²³⁶ Children Act 1989; Care Act 2014.

²³⁷ See Siddiqui only 5.8% of refuge vacancies in 2017 – 18 would consider a woman subject to NRPF (INQ000282336_0012). *The Domestic Abuse Report 2022: the annual audit*, Women's Aid, 2022, found that only 6.3% of refuge vacancies available could accommodate women subject to NRPF: (INQ000280181_0036). This was raised in the VAWG organisations' meetings with government and DAC on 27 May 2020 (INQ000119316_0002).

²³⁸ See *Safety before Status, improving pathways for support for migrant victims of domestic abuse*, Domestic Abuse Commissioner, 2021, HS/4 (INQ000281093) and *Safety before status: the solutions*, Domestic Abuse Commissioner, 2022, HS/5 (INQ000281104).

²³⁹ Coronavirus Job Retention Scheme (furlough), Self-Employed Support Scheme, Statutory Sick Pay, see Secretary of State for Work and Pensions, Thérèse Coffey MP's, reply to the Mayor of London letters, dated 25 June 2020 (INQ000114133).

²⁴⁰ National Health Service (Charges to Overseas Visitors) (Amendment) Regulations 2020/59, inserting "Wuhan novel coronavirus (2019-nCoV)" into Schedule 1 National Health Service (Charges to Overseas Visitors) Regulations 2015, SI 2015/238. Charging for non-Covid conditions remained: *Coronavirus Bill Second Reading: Universal Access to Healthcare*, joint briefing by JCWI and Liberty, March 2020 (INQ000130690).

Domestic Abuse Bill through Parliament, the government agreed to fund a pilot project, run by SBS, Support for Migrant Victims²⁴¹.

75) From early on, government was lobbied to suspend the NRPF condition during lockdown. Sadiq Khan, the Mayor of London, raised it in a letter to the Communities Secretary on 25 March 2020²⁴² and put it strongly in his letter to the Prime Minister, on 30 March 2020 *“Londoners with NRPF are at real risk of homelessness, have no way to access Universal Credit support when they lose their income, and their children are not eligible for support through free school meals. I am also particularly concerned about survivors of domestic violence with NRPF who will face additional challenges to fleeing abuse and seeking out support during this time. They are unable to access the welfare safety net they need, despite paying into the system through taxes”*²⁴³. The Mayor continued to make that request on 3 April²⁴⁴, 13 April²⁴⁵, 14 April²⁴⁶, 28 April²⁴⁷ and 29 May²⁴⁸. Similar representations were made by the Women’s Budget Group²⁴⁹; Women’s Aid²⁵⁰; Children’s Society²⁵¹; Opposition MPs²⁵²; the DAC and Victims’ Commissioner²⁵³; Liberty²⁵⁴; VAWG sector including SBS and SWA²⁵⁵; and Refuge²⁵⁶. The Local Government Association wrote to the Home Secretary on 8 April to ask that NRPF condition should be *“universally*

²⁴¹ Siddiqui INQ000282336_0003. The pilot was announced in July 2020 and began in June 2021.

²⁴² INQ000118889

²⁴³ INQ000118890_0001

²⁴⁴ INQ000104844

²⁴⁵ INQ000118891

²⁴⁶ INQ000118892

²⁴⁷ INQ000118893

²⁴⁸ INQ000104934

²⁴⁹ *Covid 19: Gender and other Equality Issues* 19 March 2020, RG/37 (INQ000280167).

²⁵⁰ May 2020, INQ000231100_0002

²⁵¹ *“A lifeline for all”*, 6 May 2020 (INQ000231160).

²⁵² See reference to letter from Diane Abbott MP to Home Secretary, in Home Office Sit Rep 27 March 2020 (INQ000052841_0016).

²⁵³ It was anticipated that they would raise it in their meeting with the Home Secretary on 24 April: (INQ000231141_0003). VAWG organisations raised it in their meeting with Domestic Abuse Commissioner on 23 March (INQ000119308_0002).

²⁵⁴ *Written Evidence to the Women’s and Equality Committee*, May 2020 (INQ000130706_0015), *Submission to the Joint Committee on Human Rights Inquiry*, June 2020 (INQ000130709_0010_0012), *Briefing on the review of the Coronavirus Act 2020*, September 2020 (INQ000130681_0008 - _0009), letter to Prime Minister, 2 November 2020 (INQ000130684_0002 - _0003).

²⁵⁵ Letter from PILC & SWA to Secretary of State for Housing, Communities and Local Government, 31 March 2020, RG/40 (INQ000280170_0005); Open letter to Prime Minister from VAWG organisations, 3 April 2020, RG/41 (INQ000280171_0007 and _0009); letter from PILC to Secretary of State for Housing, Communities and Local Government on behalf of SBS, 27 April 2020, RG/43 (INQ000280173); *Easing of Coronavirus Restrictions* statement 8 July 2020 (INQ000176542_0005), see also paras 40-41.

²⁵⁶ Letter 3 April 2020 to Prime Minister referred to in Atkins’ reply to Refuge of 14 October 2020 (INQ000181671_0001).

*lifted during the pandemic to facilitate compliance with government public health guidance*²⁵⁷.

76) Government took a rapid and very clear decision not to suspend the condition as early as 31 March 2020²⁵⁸. That position remained constant throughout the pandemic, despite the representations made to it. It argued that the measures available were sufficient to support those in financial difficulties²⁵⁹. Patel said in evidence *“If you suspend a condition for a period of time, if you then reinstate those conditions, it then takes – and I do recall reading advice at the time, some of the legal challenges just around suspending – it may seem straightforward to organisations lobbying for that change, but I do specifically recall receiving advice at that time saying that it would be legally challenging to then go back and restate*²⁶⁰.

77) SBS & SWA submit that the measures available were clearly not sufficient or the government would not have been subject to such a consistent, lengthy and widespread lobby to suspend the condition. They further submit that the government’s rapid decision shows that this was a political decision, reflecting the government’s commitment to maintaining a hostile environment for migrants. Government was not willing to compromise even in the circumstances of a public health emergency. SBS & SWA submit that it would have been both the humanitarian option and a necessary public health measure to suspend NRPF and consider what other measures might be necessary to support migrant victims of domestic abuse during lockdown.

Seventh failure: Government failed to learn lessons from the first lockdown for the second and third lockdowns

78) It was Johnson’s evidence that lessons were learnt from the first lockdown for the second and third lockdowns²⁶¹. SBS and SWA submit that there does not appear to have been any review of government’s actions on domestic abuse during the first lockdown, which might have learned lessons for subsequent lockdowns. The Hidden Harms summit was welcome

²⁵⁷ *Written Evidence submitted by the LGA to the Levelling Up, Housing and Communities Committee Impact of Coronavirus on the Private Rented Sector*, May 2020 (INQ000115254_0005 - _0006).

²⁵⁸ BICSPI Covid-19 Hub Dashboard, Home Office, 31 March 2020 notes *“Covid-19 support for migrants with no recourse to public funds”* and *“noting that we won the legal challenge this week. Ministers support the position recommended in the submission that the Department continues to defend the policy. In doing so they point to the wide range of Covid-19 measures outlined in the advice which will apply to the NRPF cohort of migrants”* (INQ000052899_0006 - _0007). See also FCO Options Paper for International MIG, 23 April 2020 (INQ000083764_002).

²⁵⁹ See Thérèse Coffey MP’s reply to the Mayor of London letters, dated 25 June 2020 (INQ000114133), see para 74.

²⁶⁰ T21/181/12 – 20

²⁶¹ INQ000255836_0153 - _0154

but concerned with long-term measures, not mitigation during lockdown²⁶². There was no material change in the government's response to the high and predictable levels of domestic abuse in any of the lockdowns.

The end of first lockdown: spring and summer 2020

79) The Roadmap was published on 11 May²⁶³. It contained two references to domestic abuse, but no plans to combat the expected increase in demand for domestic abuse services.²⁶⁴

Hidden Harms summit 21 May 2020

80) The Hidden Harms summit was hosted by the Prime Minister and attended, amongst others, by Ministers Patel, Atkins and Robert Buckland MP (Secretary of State for Justice), by the Victims' and DACs and by various VAWG organisations²⁶⁵. Natasha, a survivor of domestic abuse, spoke. Recommendations included a codeword scheme for supermarkets and pharmacies²⁶⁶, addressing bureaucratic, often inflexible, funding programmes, co-ordinating work across departments on domestic abuse and overcome entrenched silo working, and accelerating criminal procedures. The only concrete funding proposal was £1.5 million for a pilot fund to provide safe accommodation to migrant victims of domestic abuse²⁶⁷.

81) When Johnson was asked in his oral evidence what lessons had been learned, he replied the Ask for Ani scheme (codeword) and the Domestic Abuse Bill. When challenged that the Bill had nothing to do with lockdown, he answered that money was put into helplines almost immediately into lockdown and government did its best to encourage people to come forward²⁶⁸.

82) SBS & SWA submit that the Hidden Harms summit did not even purport to learn lessons from the first lockdown and apply them subsequently. Its conclusions were all long-term measures with most of the proposals not implemented until 2021. There were no proposals

²⁶² See paras 80 and 82.

²⁶³ *Our Plan to Rebuild: the UK Government's Covid-19 recovery strategy* (INQ000198892).

²⁶⁴ The Home Office had noted in its response to the Cabinet Office's request for metrics, around 2 April 2020, *Framework for Social Distancing*: "we may expect a rise in calls as lockdown continues and when restrictions lifted...over the longer term, there may be increased burdens on health and social services from increased/more severe DA cases" (INQ000231077_0002).

²⁶⁵ *Prime Minister's Virtual Summit on Hidden Harms*, 26 June 2020 (INQ000181673).

²⁶⁶ The codeword was eventually launched on 14 January 2021 (INQ000231240_0006), see para 88.

²⁶⁷ This became Support for Migrant Victims, see Siddiqui INQ000282336_0003, launched in June 2021.

²⁶⁸ T/32/189/8 – 32/190/22

to help migrant victims trapped in future lockdowns²⁶⁹. Although the Prime Minister had hosted the summit, he did not include references to domestic abuse in his subsequent public statements until 4 January 2021²⁷⁰. It is deeply disappointing that no firm recommendations were made on increasing the funding of the sector to put it on a sustainable footing.

Summer 2020

83) The government was aware over summer 2020 that, as predicted²⁷¹, the need for domestic abuse support had not dissipated as lockdown eased, but was increasing²⁷². Covid S discussed winter contingency planning on 2 July 2020²⁷³, focussing on rates of infection rising and smarter NPIs but did not discuss any rise in domestic abuse or steps to mitigate its effect²⁷⁴. *The next chapter in our plan to rebuild: the UK Government's Covid 19 recovery strategy*, July 2020, recognised victims of domestic abuse had been disproportionately impacted and referred to tailoring communications and funding charities working with vulnerable people such as victims of domestic abuse²⁷⁵. Again, there were no concrete proposals.

84) No steps were taken to meet the VAWG sector's request on 8 July for support to allow it to restore services to be delivered face to face as well as virtually. Nor did government respond to its statement that it did not anticipate a drop in demand and return to normal provision, and that a long-term sustainability plan for the sector, starting with a funding

²⁶⁹ The pilot, Support for Migrant Victims, was announced in July 2020 but not in operation until June 2021, see para 74.

²⁷⁰ See paras 54-57.

²⁷¹ The Home Office had noted in its response to the Cabinet Office's request for metrics, around 2 April 2020, *Framework for Social Distancing*: "we may expect a rise in calls as lockdown continues and when restrictions lifted...over the longer term, there may be increased burdens on health and social services from increased/more severe DA cases" (INQ000231077_0002).

²⁷² See Home Office Sit Reps: 28 May 2020 (INQ000053392_0008), 29 May 2020 (INQ000053409_0008) "the last four weeks have seen consistently higher reported incidents volumes than were recorded in 2019", 12 June 2020 (INQ000053474_0008), 17 June 2020 (INQ000053496_0008), 19 June 2020 (INQ000053513_0008) and Cabinet Office *Social Distancing Review* 28 July (INQ000051376_0003 and _0011). See also the meetings between VAWG organisations, DAC and government: 27 July calls exceeding pre-covid levels, 77% increase in June (INQ000119312_0001), 10 August 2020 70% increase in calls (INQ000119306_0001), 24 August calls continue to exceed pre-covid levels by 70% (INQ000119307_0001), 7 September 2020 calls exceeding 28% (INQ000119318_0001).

²⁷³ INQ000088245

²⁷⁴ An Annex to a Mental Health Action Plan drawn up by DHSC on 21 July 2020 noted that domestic abuse victims were a priority cohort ((INQ000051309) and Annex (INQ000051161_0002, 0010, _0014 - _0015 and _0021)). MHCLG was asked to work on support for troubled families and the Home Office to tackle action to tackle domestic abuse. Notably, however, the Treasury was not asked to provide any further funding.

²⁷⁵ INQ000137239_0010

settlement for the next three – five years, was needed²⁷⁶. There is nothing that indicates any evaluation of policies intended to mitigate the rise in domestic abuse during the first lockdown or any lessons learned.

Second lockdown

85) As the government started to make decisions to enter the second lockdown, on 31 October 2020, the Home Office had understood the problems with the deadline for spending the emergency funding and extended it in some cases from 31 October to 31 January 2021²⁷⁷. It also seems that Patel had asked for additional funding which had been refused²⁷⁸. On 3 November 2020, the DAC wrote to the Chancellor asking for further funding from the Ministry of Justice and a guarantee of longer-term funding to March 2022²⁷⁹.

86) The Impact Assessment for the second lockdown noted that lockdown could increase domestic abuse and sexual violence cases. The mitigation was that the Regulations permitted leaving home to avoid or escape risk of injury or harm²⁸⁰. The issue arises why the Treasury did not authorise extra funding as a result of this analysis or following the DAC's letter. The Home Office re-launched its #youarenotalone communications strategy²⁸¹. The question arises why this was not considered earlier than 5 November²⁸². Launch plans for the codeword scheme were being finalised (although not launched until January 2021). By 28 November, the Home Office's Sit Rep was noting heightened levels of domestic and child abuse reporting²⁸³. There was a further comms plan for #youarenotalone communications over the Christmas period and to February 2021²⁸⁴.

²⁷⁶ Joint VAWG sector statement on *Easing of Coronavirus Restrictions*, 8 July 2020 (INQ000176542), see para 46. See also the 27 July 2020 meeting between VAWG organisations, DAC and government where the organisations ask for longer-term funding (INQ000119312_0001).

²⁷⁷ INQ000054000_0015, Subsequently extended to 31 March 2021, Goshawk (INQ000280726_0050). VAWG organisations were expressing concern from November that their funding was approaching a further "cliff edge" of 31 March 2021, see meetings between VAWG organisations and DAC 10 November 2020 (INQ000119320_0001), and 24 November (INQ000119321_0001).

²⁷⁸ Briefing to Home Secretary for Covid O, 28 October, advised her that it was disappointing that the necessary funding had not been allocated (INQ000054000_0005).

²⁷⁹ INQ000108578.

²⁸⁰ *Summary of Impacts of The Health Protection (Coronavirus) (Restrictions) (England) (No. 4) Regulations 2020*, (INQ000110010_0020).

²⁸¹ Memo to Home Secretary and Minister for Safeguarding, 5 November 2020 (INQ000231226).

²⁸² Given that the issue of a second lockdown had been extensively debated from September 2020 onwards.

²⁸³ INQ000055866.

²⁸⁴ Email 7 December 2020 to Home Secretary and Minister for Safeguarding (INQ000231236); submission (INQ000231237).

87) SBS & SWA submit that this was insufficient. Funding remained tight, the Home Office's comms plan was late and was not replicated throughout government and no planning had been done for a second lockdown and the inevitable further rise in domestic abuse.

Third lockdown

88) On 4 January 2021, in anticipation of the third lockdown, the Home Secretary was asked to approve campaigning messaging, reinforcing that victims do not need to adhere to lockdown restrictions if they are in danger, and the Ask for Ani codeword scheme was to be launched²⁸⁵. Reporting to police was at the same level as March 2020, when restrictions were first introduced. Calls to the National Domestic Abuse Helpline were still 54% higher than the week before the first lockdown. Ask for Ani was launched on 14 January 2021²⁸⁶. During the third lockdown, VAWG organisations were expressing concern that their funding was approaching a further "cliff edge" of 31 March 2021²⁸⁷.

89) Some lessons had been learnt by the time of the third lockdown²⁸⁸ but, as with the first and second lockdown, no planning to mitigate the rise in domestic abuse as a result of lockdown had been undertaken in advance, the resources remained insufficient to meet the increase in demand, communications were still unclear and migrant victims subject to NRPF or other barriers to seeking help were still not supported.

Eighth failure: Government failed to provide long-term funding to put the VAWG sector on a sustainable footing to deal with the long-term effects of the increase in domestic abuse as a result of lockdown

90) As the end of lockdown became imminent, there were increasing calls for more funding to the VAWG sector to put it on a sustainable footing, not least because the impact of domestic abuse experienced during the three lockdowns was long-term, victims required ongoing support, and cases had become more complex due to the severity of the abuse. Lockdown had shone a light on the impact of austerity cuts on the sector, as it struggled to cope particularly during the first lockdown. By November 2020, Sadiq Khan was making representations to the Chancellor that there should be funding for victims' services²⁸⁹.

²⁸⁵ INQ000231240_0006

²⁸⁶ Hayes INQ000215599_0051

²⁸⁷ See VAWG organisations' meetings with DAC and government 19 January 2021 (INQ000119319_0001), 16 February 2021 (INQ000119323_0001) and DAC's recommendations to government February 2021 (INQ000226531_0002).

²⁸⁸ See Jacobs "*over time, government became increasingly aware of the impact of NPIs on victims and survivors of domestic abuse*" (INQ000281262_0007).

²⁸⁹ Sadiq Khan, representations on the Comprehensive Spending Review, 20 November 2020 (INQ000104992_0002).

91) DAC recommended to government in February 2021 that there needed to be longer-term sustainable funding²⁹⁰. In March 2021, there were various representations from VAWG sector. *Shadow Pandemic – Shining a light on domestic abuse during Covid*²⁹¹ found that demand was likely to remain high in the future, especially for specialist services, many organisations expressed concern about their financial sustainability and funding needed to be increased, to make up for years of underfunding and defunding. *When I needed you to protect me, you gave him more power instead*²⁹² recommended that the government provided long-term sustainable funding to prevent violence against women and girls, and to provide adequate support services.

92) Siddiqui's evidence is that, as at September 2023, the impact of escalation of abuse remains for victims-survivors and for caseworkers who have suffered burnout, and for organisations who had struggled to survive²⁹³. Demand remains high with greater financial pressure. Goshawk notes that before the pandemic calls to SWA's advice line from people who were on the brink of homelessness were approximately twice a month, now they happen several times a week, and women are approaching with significant mental health needs, self-harming and suicidal ideation in greater numbers than before the pandemic²⁹⁴.

E. Reasons for the government's inadequate response and failures

Institutional and structural failure throughout government

93) The failure to plan for the rise in domestic abuse, which led to government actions delivered late, lies across the government, predominantly in the Home Office. Significantly, there was no ministerial leadership on domestic abuse, Ministers were reactive rather than setting the agenda. This was mirrored by a lack of leadership on domestic abuse at No 10²⁹⁵. For some reason civil servants responsible for domestic abuse were not involved in pandemic planning. That is a structural failure, for which Ministers are ultimately responsible.

94) That structural failure is partly explained by the divisions of responsibility for domestic abuse across government²⁹⁶. Four different departments report to the Cabinet Office, they are assisted by the DAC, the police, NPCC and College of Policing.

²⁹⁰ INQ000226531_0001

²⁹¹ SafeLives & others, March 2021, HS/8 (INQ000281109).

²⁹² SWA and Justice Studio, 25 March 2021, RG/03 (INQ000280149).

²⁹³ INQ000282336_0041

²⁹⁴ INQ000280726_0057

²⁹⁵ See paras 64-65 and 98 - 104.

²⁹⁶ Illustrated in Annex E to the Action Plan, 3 April 2020 (INQ000231089).

- 95) The failure to appoint a SRO for domestic abuse highlights the lack of attention paid to the issue. A SRO for domestic abuse would have been the ideal person to overcome the “silo” approach criticised by Simon Case²⁹⁷, not least given his concern that domestic abuse was an area where there was a highest risk of government failing to meet needs²⁹⁸. Working in tandem with other SROs, and overseen by a gold SRO, a designated SRO might have improved cross government working and joined up thinking.
- 96) Ministerial responsibility is further confused by the role of the Women and Equalities Minister, at that time Liz Truss MP²⁹⁹. SBS and SWA suggest that government should review its structure of Ministerial responsibility for equalities, with a view to there being an overall Secretary of State for Equalities, at Cabinet level, with Ministers for the different areas of women, race, disabilities etc. Separately, there should be a dedicated Minister for domestic abuse, with a roving brief across departments, responsible for a cross department group overseeing policy and operation on violence against women and girls.
- 97) The Inquiry has heard evidence about the utility of a SAGE dealing with non-scientific advice, such as economic or social impact. SBS and SWA submit that such a body would be useful in future pandemics, not least to advise on the social impacts of NPIs, including but not limited to, the impact of isolation on domestic abuse.

The culture at the heart of government

- 98) Whilst not the principal cause of the government’s failures regarding domestic abuse, SBS & SWA consider that they must make representations about the evidence exposing a toxic, bullying and misogynistic culture at the heart of government.
- 99) There was a lack of diversity in backgrounds and characteristics amongst the senior decision-makers: overwhelmingly male, white and privileged. Lee Cain’s evidence was compelling *“I remember asking in the Cabinet Room of 20 people, how many people had received free school meals. Nobody had - resulting in a policy and political blind spot”*³⁰⁰. As Cain made clear, a lack of diversity can lead to a narrow outlook. That particular narrow background also led to the early over-confidence, based on an idea that Britain was world-beating, and to underestimating the seriousness of the pandemic and failing to prepare³⁰¹.

²⁹⁷ Emails between Case and Michael Gove MP 7 April (INQ000137204), see para 64.

²⁹⁸ INQ000088638_0004

²⁹⁹ Whose witness statement only minimally refers to domestic abuse (INQ000218370_0018).

³⁰⁰ INQ000252711_0027 and see his oral evidence T15/57/20 – 25.

³⁰¹ MacNamara T16/15/17 – 16/17/21 particularly *“there was a sort of de facto assumption that we were going to be great whether any of the hesitancy or questioning or that sort of behind closed doors bit of government”* (T16/16/24 – 16/17/1).

100) When it came to women, this narrow viewpoint prevailed. MacNamara, a very senior civil servant, describes how she felt patronised when she raised questions *“I left that room even more concerned that we were in the wrong place tonally, feeling I had been patronised for raising the point and I was particularly bothered by the supreme confidence I had heard”*³⁰². Women were finding No 10 a difficult place to work during the pandemic. She was welcomed by other women when she returned from illness and found herself buying multiple copies of Caroline Criado Perez’s book *“Invisible Women”*³⁰³. She emailed women members of staff on 13 April, saying *“I think that the lack of women’s voices in decision making is causing a substantive problem - both because of the specific perspective and issues for women that are not being given enough attention (domestic abuse and abortion were good – bad – examples in the early weeks) and because there is insufficient humanity in decision making”* and that it was really striking how little women are speaking in any of the big meetings³⁰⁴. The first draft of the report by MacNamara and Reynolds said *“lots of people mentioned junior women being talked over or ignored. We need a modern culture of organised collaboration not superhero bunfight”* and suggested some new cultural norms *“More listening – and creating space for people to speak....calling out bad behaviour”*³⁰⁵.

101) Lister described the culture as *“quite difficult to deal with, there was a problem...there was a tension that was in the room”*³⁰⁶. He attributed it to the tensions and pressures of the place and people being very tired, but also said that it improved after Cummings had left. The environment was not just that of a narrow viewpoint, because of homogenous backgrounds, but included offensive language, contempt for colleagues and misogynist attitudes³⁰⁷.

102) Johnson’s defence was that he was encouraging challenging and competing characters, highly talented and highly motivated people who were stricken with anxiety and under great stress³⁰⁸. SBS & SWA submit that an appropriate challenging and competing environment is not one where junior women feel unable to raise issues, are

³⁰² INQ000273841_0016

³⁰³ INQ000273841_0053

³⁰⁴ INQ000286042_0001. Her email was responded to in warm terms by Alexandra Burns in No 10 who added the telling detail of men getting women’s names wrong (she had been called *“Katie”* and *“Rosie”*) and by Katharine Hammond in Civil Contingencies Secretariat.

³⁰⁵ INQ000136755. The final version, *C19 Response End of Phase 1 review*, omitted the *“superhero bunfight”* phrase but the speaking over junior women and the new norms remained, 1 May 2020 (INQ000136763).

³⁰⁶ T19/177/15-16

³⁰⁷ One of the worst examples is the WhatsApp message sent by Cummings to WhatsApp recipients, including the Prime Minister, about MacNamara (INQ000283369_0038).

³⁰⁸ T31/32/5 – 6

talked over, or made to feel invisible. The definition of “*talented*” or “*highly motivated*” does not include offensive, even misogynistic, behaviour.

Dismissal of domestic abuse

103) MacNamara raised “*incidents of domestic abuse*” on 3 April in an email to Mark Sweeney³⁰⁹, and again on 24 April in an email to Kate Escott where she said “*not making provision for victims of domestic abuse or to consider the impact that lockdown might have on DA. It is very difficult to draw any conclusion other than women have died as a result of this*”³¹⁰. MacNamara regarded the toxic culture as potentially causative of a failure to deal with various issues, including domestic abuse, saying in evidence that her 13 April email to women officials³¹¹ was because “*the thing I cared the very most about was whether we were putting our best effort into trying to tackle what the country was faced with, and I felt that this particular set of attitudes and behaviours was getting in the way of that, as well as finding it personally not right*”³¹². In contrast, Lister’s list of lessons learned did not include domestic abuse as an omission³¹³. Asked about that, he replied “*I don’t think that was one that was particularly high on the list. I don’t think people had thought about it as being a likely outcome from it...in hindsight it should have been and it became an obvious discussion point later on, but then we were in lockdown. And I’m still not sure what we could have done differently. If you’re locking down, you’re locking down. That’s one of the prices*”³¹⁴. Similarly, Raab was dismissive, SBS & SWA submit, when asked about the omission of domestic abuse from his address to the nation³¹⁵.

104) SBS & SWA submit that the bullying, toxic and misogynist culture at the heart of Downing Street contributed to government’s failure, to foresee the rise in domestic abuse and plan in order to mitigate it. They note that it appears to be women, rather than men, who raised the issue. The misogynistic culture led to a lack of leadership at the highest level in government to respond to the domestic abuse crisis.

³⁰⁹ INQ000286019. Note that the other instance of domestic abuse being raised outside the Home Office was by Jenny Harries in her email of 15 March (INQ000151605_0001), see para 20.

³¹⁰ INQ000308302.

³¹¹ INQ000286044, see para 100.

³¹² T16/74/1-6

³¹³ INQ000237819_0021 - _0022

³¹⁴ T19/164/21 – 19/165/4

³¹⁵ See para 58. SBS and SWA do not suggest that all men were dismissive (see Gove’s WhatsApp messages where he was told Simon Case suggested that Gove talk to the Home Office about domestic abuse, 7 April, (INQ000275430_0008)).

F. Recommendations

105) SBS & SWA make the following recommendations, for inclusion in the Inquiry's report:

- a) for future pandemics, potentially involving social isolation or lockdown:
 - i) government should immediately identify that domestic abuse is likely to increase and plan accordingly; government should not wait until lockdown begins;
 - ii) government's crisis planning structures must include domestic abuse as part of its agenda for managing a crisis;
 - iii) plans should include early consultation with the domestic abuse sector, so as to respond to their view of the needs of the people they support;
 - iv) those plans should include the possibility of additional funding where requested by domestic abuse sector, made available quickly to resource services to respond to extra demand in anticipation of lockdown and during lockdown, and to increase emergency refuge spaces significantly;
 - v) frontline domestic abuse workers should be clearly designated as key workers from the start;
 - vi) consideration should be given to what exemptions should apply to regulations to assist those fleeing domestic abuse, not just a lawful reason to leave but the opportunity to offer informal safe havens;
 - vii) all government messages should take account of domestic abuse, be clear and consistent throughout;
 - viii) the success of the early Everyone In initiative should be a template of a public health measure providing emergency accommodation to those experiencing domestic abuse, with clarity that the measure applies to everyone, regardless of immigration status, throughout;
 - ix) No Recourse to Public Funds conditions should be suspended in circumstances of lockdown;
 - x) Other measures, such as extending the DDVC and DVILR, and any other mitigations that would prevent migrant victims of domestic abuse from being trapped during lockdown, should be urgently considered when lockdown is anticipated;
 - xi) government would be assisted by an external advisory body, similar to SAGE, to advise on social implications of public health body;
- b) Immediately:
 - i) there should be a government review of funding currently available to the domestic abuse sector, to ensure that it is sustainable and resourced to provide services, which includes responding to the increased demand and complexity of cases as a

result of lockdown, and to allow it to plan for increased demands in future emergencies;

- ii) government should undertake a review, with advice from external stakeholders including the VAWG sector, into the effectiveness of the division of responsibility for domestic abuse between government departments, with a view to creating specific Ministerial responsibility and a cross departmental group to co-ordinate government policy and operations on violence against women and girls;
- iii) government should review, with advice from external stakeholders, the distribution of Ministerial responsibility for equalities and should consider an Equalities Secretary of State, at Cabinet level, with Ministers responsible for different equalities area.

G. Conclusion

106) Government was slow to foresee the inevitable rise in domestic abuse and, as a consequence, acted late to mitigate its effect. As a result, consultation, messaging and funding were all late. It was unclear whether frontline domestic abuse workers were key workers. Home Office messaging was not replicated across government. As the first lockdown eased, government failed to plan for another rise in domestic abuse in subsequent lockdowns. Government took a political decision not to suspend No Recourse to Public Funds conditions, despite extensive lobbying. This led to migrant victims of domestic abuse being triply trapped: due to abuse, the virus and fear of destitution. In future pandemics, planning to mitigate the rise in domestic abuse should not be an after-thought, but part of the process.

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Public Interest Law Centre

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