

## **SOCIAL JUSTICE AND REGENERATION COMMITTEE**

**11 February**

**9.30- 12.30**

**National Assembly for Wales**

### **DOMESTIC VIOLENCE, CRIME AND VICTIMS BILL – MINISTER'S PAPER**

#### Purpose

To provide information about the provisions contained within the Domestic Violence, Crime and Victims Bill, which has recently been introduced in the House of Lords.

#### Summary/Recommendations

The Domestic Violence, Crime and Victims Bill represents the biggest overhaul of domestic violence law in 30 years, heralding tough powers for the police and the courts to protect victims and prosecute abusers. There are also provisions in the Bill, which will strengthen the rights of victims, and witnesses, ensuring they receive the help, support and protection they need. The various measures contained in the Bill are outlined below. The Committee will wish to note and consider the content of the Bill. Annex A provides more detailed information about the Bill content.

#### Background

In June 2003 and January 2004, I wrote to Committee Members about domestic violence initiatives. In my paper entitled "Update on Domestic Violence Initiatives in Wales", I provided information about the Domestic Violence, Victims and Crime Bill.

This Bill was introduced into the House of Lords on 1 December 2003.

The main elements to the Bill:

- Making breach of a non-molestation order a criminal offence;
- giving cohabiting same-sex couples the same access to non-molestation and occupation orders as heterosexual couples;
- Causing or allowing the death of a child or vulnerable adult
- making couples who have never cohabited or been married eligible for non-molestation and occupation orders;
- domestic violence homicide reviews;
- making common assault an arrestable offence;
- enabling courts to impose restraining orders when sentencing for any offence;
- enabling courts to impose restraining orders on acquittal for any offence (or if a conviction has been overturned on appeal) if they consider it necessary to protect the victim;
- giving any person mentioned in a restraining order a right to make representations in court if an application is made to vary or terminate the order;
- Code of Practice for Victims
- Commissioner for Victims and Witnesses;
- Disclosure of Information;
- Victims' Advisory Panel;
- Grants for assisting victims, witnesses etc.

## Timing

Second reading of the Bill took place on 15 December 2003. The House of Lords Committee started on 19 January 2004. At this stage it is difficult to predict when The Bill will receive Royal Assent. It could be anytime between July and November 2004.

Mrs Edwina Hart

Minister for Social Justice and Regeneration

