



***Tackling hate crime, domestic and sexual abuse
against Deaf and Disabled people***

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Summary of proposed amendments to the Domestic Abuse Bill

Amendment 1: the carer's defence (*New Clause*)

Repeal of provisions relating to defence for controlling or coercive behaviour offence

In section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship), omit subsections (8) to (10) (which make provision for a defence in proceedings for an offence under that section)

This new clause seeks to repeal the 'carers' defence' for the offence of controlling or coercive behaviour in intimate or family relationships.

Amendment 2: Domestic abuse by people to whom the victim is personally connected but are not partners or family members

Additional sub-clauses to Part 1, Clause 1, sub-sections (a) to (g)

(h) Unpaid carers (neighbours, friends or other individuals) who perform caring duties for the disabled person and with whom the victim has a 'personal connection'

(i) Paid carers – Personal Assistants, paid care workers and other paid individuals in a position of trust who perform caring duties for the disabled person and with whom the victim has a 'personal connection'.

- *The relationship should be of significant duration*
- *The alleged abuser should have been providing emotionally or physically intimate support necessary to enabling the person to live e.g. by providing intimate personal care, communication or other support relating to the person's impairment or their being Deaf, or having access to the person's body, money, medication, food, equipment or other personal matters*

Amendment 3: Disabled survivors and Welfare Benefits

The Domestic Violence Easement available to survivors claiming Job Seekers' Allowance or Universal Credit should be extended to disabled survivors claiming Employment Support Allowance or in the support group for Universal Credit.

Amendment 4: Hate crime and domestic abuse (New clause)

Domestic abuse which involves hate crimes or incidents based on hostility from someone with a personal connection towards the victim because of the victim's personal characteristics (disability, sexuality, gender identity, ethnicity, faith, age) should be recognised in the Domestic Abuse Bill.

*Stay Safe East January 2021. For further details, please contact Miranda Weston or Ruth Bashall policy@staysafe-east.org.uk
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