

## **Appendix 1**

### **Contract definitions**

**"Contact"**

means: established contact with an individual by phone, face-to-face, or email response

**"Contract"**

means: the Contract for the provision of the Services, Supplies or Works, which will be awarded to a successful Supplier;

**"Council"**

means: Cornwall Council, County Hall, Treyew Road, Truro, Cornwall TR1 3AY;

**"Planned exit"**

means: a scheduled departure from service with a completed exit interview

**"Referral"**

means: any request for service

**"Service User"**

means: an individual who accesses services as a result of being impacted by domestic abuse

**"Services"**

means: the provision of Domestic Abuse services as described in this Specification.

**"Supplier/Provider"**

means: any person or persons, firm or firms or company or companies applying to tender for the Services, Supplies or Works, or, where there is more than one organisation applying, the lead organisation;

**"engagement"**

means: advice, guidance and support given as a result of a completed assessment

**"The Council's lead"**

means: the representative of Cornwall Council responsible for arranging and leading service learning reviews

**"The Supplier's Contract Manager"**

means: the representative of the provider/supplier responsible for attending learning reviews and actioning any changes

**"High Risk"**

means: a person who has suffered – or potentially suffering – an event that is “life threatening and/or traumatic, and from which recovery whether physical or psychological can be expected to be difficult or impossible ... the potential event could happen at any time and the impact would be serious.

### “Medium risk”

means: there are identifiable indicators of risk of harm. The offender has the potential to cause harm but is unlikely to do so unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse.

### “Standard risk”

means: no significant current indicators of risk of harm.

## Domestic abuse

Domestic abuse

The Domestic Abuse Act 2020 confirms the revised cross-government statutory definition of domestic abuse as:

The behaviour of a person towards another person is domestic abuse if a) the two people are each aged 16 or over and are personally connected to each other, and b) the behaviour is abusive. This can include behaviour directed at the child of the person experiencing abuse.

The definition is in two parts. The first part deals with the relationship between the abuser and the abused. The second part defines what constitutes abusive behaviour.

The full definition can be found:

<https://www.gov.uk/government/publications/domestic-abuse-act-2021/domestic-abuse-statutory-guidance-accessible-version>

- Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by **isolating them from sources of support**, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- Coercive behaviour is an act or a pattern of acts of **assault, threats, humiliation and intimidation or other abuse** that is used to harm, punish, or frighten their victim.

For the purpose of this service specification domestic abuse includes:

- Domestic abuse,
- Forced Marriage (FM),
- Honour-Based Abuse (HBA),
- Rape and sexual assault in the context of domestic abuse,
- Harmful sexual behaviour in the context of domestic abuse,
- Female Genital Mutilation (FGM) in the context of domestic abuse,
- Stalking and harassment in the context of domestic abuse,
- Modern slavery in the context of domestic abuse,

- Human trafficking and sexual exploitation in the context of domestic abuse,
- Adverse Childhood Experiences (ACEs) in the context of domestic abuse.

## Stalking and harassment

**Stalking is the repeated (i.e. on at least two occasions) harassment causing fear**, alarm or distress. It can include threatening phone calls, texts, emails or letters, damaging property, spying on and following the victim.

**Harassment** is the act of systematic and/or continued unwanted and annoying actions of one party or a group, including threats and demands.

## Forced marriage and honour based abuse

A **forced marriage** is where one or both people do not (or, in cases where a person lacks mental capacity, cannot) consent to the marriage and pressure or abuse is used.

**'Honour' Based Abuse** (HBA) is a form of domestic abuse which is perpetrated in the name of so called 'honour'. Women, especially young women, are the most common targets, often when they have acted outside community boundaries of perceived acceptable feminine/sexual behaviour.

## Female Genital Mutilation (FGM)

Female genital mutilation (FGM) is any procedure that's designed to alter or injure a girl's (or woman's) genital organs for non-medical reasons.

## Sexual violence

In 2008 the World Health Organisation (WHO) defined its understanding of sexual violence as

*"any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic someone's sexuality, using coercion, threats of harm, or physical force, by any person regardless of relationship to the victim, in any setting, including but not limited to home and work".*

## Child Sexual Abuse (CSA)

HM Government<sup>1</sup> describes **child sexual abuse**:

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening.

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<sup>1</sup> HM Government (2015), Working together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children (2015)

The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

### **Child Sexual Exploitation (CSE)**

In February 2017, the Department for Education published a revised definition of Child Sexual Exploitation and updated the associated guidance.

*"Child sexual exploitation is a form of child sexual abuse.*

*It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator.*

*The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology."*

NB: The definition above also applies to those adults who may be more vulnerable to the risk of sexual exploitation due to their personal circumstances or additional needs, however, nationally the focus has been on widely reported cases of child sexual exploitation.

### **Modern slavery, human trafficking and sexual exploitation**

Sexual exploitation is one of the forms of slavery that is covered by the new Modern Slavery Act. It is linked to UK human trafficking offences, also covered by the Act, that involve arranging or facilitating the movement of victims (into, out of or around the UK) with a view to exploiting them. Human trafficking is not the same as people smuggling, as the aim is not solely to enter a country illegally but the ongoing exploitation and control of a person when they have arrived.

Charity Stop the Traffik describes human trafficking as being "**deceived or taken against your will, bought, sold and exploited.**" Types of exploitation can include sexual exploitation, forced labour, street crime, domestic servitude or even the sale of organs and human sacrifice. Sex trafficking refers to the trafficking of men, women and children **specifically for the purposes of sexual exploitation.**

### **Adverse Childhood Experiences (ACEs)**

ACEs are stressful or traumatic events that occur in childhood, including abuse and neglect. They may also include household dysfunction such as witnessing domestic violence or growing up with family members who have substance use

disorders. ACEs are strongly related to the development and prevalence of a wide range of health problems throughout a person's lifespan, including those associated with substance misuse.

ACEs include:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Physical neglect
- Emotional neglect
- Intimate partner violence
- Mother treated violently
- Substance misuse within household
- Household mental illness
- Parental separation or divorce
- Incarcerated household member