

Police, Crime, Sentencing and Courts Act 2022 Summary

This Act changes the time limits in cases of common assault or battery where the behaviour amounts to Domestic Abuse. Under this provision, such prosecutions must still begin within two years from the date of the offence and within six months from the first-time certain conditions are met: either when the complainant makes a witness statement or provides it to the police, or is interviewed with a video-recorded interview with a view to use as evidence.

The Act increases the maximum penalties for causing or allowing a vulnerable adult to die or suffer serious physical harm. For example, previously some of these offences had more limited sentencing options, whereas now there is the possibility in some cases of life imprisonment when a vulnerable adult dies as a result of neglect.

The Act establishes a “serious violence duty” on specified public authorities to work together to prevent and reduce serious violence, and this is defined to include domestic abuse and offence against vulnerable people.

How does this relate to Older Victim-Survivors?

Older victim-survivors may delay reporting abuse for many reasons such as, dependency to the perpetrator, fear, lack of access or awareness. The extended time limit in domestic abuse common assault cases gives more opportunity for older victim-survivors to bring cases forward.

Older age is classed as a form of vulnerability. This means that, under this Act, there are increased penalties for causing or allowing serious harm of older people. In caregiving contexts (by relatives or residential settings), the abuse of older people can carry more serious legal consequences.

The Serious Violence Duty (including domestic abuse as part of sexual violence) compels public bodies (health, social care, police, local authorities, etc.) to work together. For older victim-survivors, this can strengthen coordination between services that are often involved (care services, adult social care, health providers).