



Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

2015 anaw 3

An Act of the National Assembly for Wales to improve arrangements for the prevention of gender-based violence, domestic abuse and sexual violence; to improve arrangements for the protection of victims of such abuse and violence; to improve support for people affected by such abuse and violence; and to require the appointment of a National Adviser on gender-based violence, domestic abuse and sexual violence. [29 April 2015]

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

Introduction

1 The purpose of this Act

- (1) The purpose of this Act is to improve—
 - (a) arrangements for the prevention of gender-based violence, domestic abuse and sexual violence;
 - (b) arrangements for the protection of victims of gender-based violence, domestic abuse and sexual violence;
 - (c) support for people affected by gender-based violence, domestic abuse and sexual violence.
- (2) See section 24 for the definitions of “gender-based violence”, “domestic abuse” and “sexual violence”.

2 Violence against women and girls

- (1) A person exercising relevant functions must have regard (along with all other relevant matters) to the need to remove or minimise any factors which—
 - (a) increase the risk of violence against women and girls, or

Changes to legislation: There are currently no known outstanding effects for the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. (See end of Document for details)

(b) exacerbate the impact of such violence on victims.

(2) In this section—

“relevant functions” (“*swyddogaethau perthnasol*”) means the functions under sections 3, 4, 5, 6, 7(2), 8, 10, 11, 15, 16(1), 17, 19, 20, 21, 22(1) and (4), but it does not include any functions exercisable under section 5 by a person who is neither a local authority nor a Local Health Board;

“violence against women and girls” (“*trais yn erbyn menywod a merched*”) means gender-based violence, domestic abuse and sexual violence where the victim is female.

Commencement Information

II S. 2 in force at 5.10.2015 by S.I. 2015/1680, art. 2(a)

National strategy

3 Duty to prepare, publish and review a national strategy

- (1) The Welsh Ministers must prepare and publish a strategy (a “national strategy”) which—
 - (a) specifies objectives that the Welsh Ministers consider will, if achieved, contribute to the pursuit of the purpose of this Act;
 - (b) specifies the periods of time within which the Welsh Ministers expect to achieve the specified objectives;
 - (c) identifies the actions the Welsh Ministers propose to take to achieve the specified objectives.
- (2) The Welsh Ministers may specify objectives relating to Wales or any part of Wales.
- (3) The first national strategy must be published no later than 6 months after the date on which the first general election is held following the commencement of this section.
- (4) No later than 6 months after the date of each subsequent general election, the Welsh Ministers must review the national strategy.
- (5) The Welsh Ministers may review the national strategy at any other time.
- (6) If the Welsh Ministers decide to revise the national strategy following a review, they must publish the revised strategy as soon as is reasonably practicable.
- (7) The Welsh Ministers must consult such persons as they consider appropriate before—
 - (a) publishing the first national strategy under this section;
 - (b) revising the national strategy.
- (8) In this section, “general election” means—
 - (a) the poll held at an ordinary general election under section 3 of the Government of Wales Act 2006 (c.32), or
 - (b) the poll held at an extraordinary general election under section 5 of that Act.

Changes to legislation: There are currently no known outstanding effects for the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. (See end of Document for details)

Commencement Information

I2 S. 3 in force at 5.10.2015 by S.I. 2015/1680, art. 2(b)

4 Duty to implement the national strategy

The Welsh Ministers must, in exercising their functions, take all reasonable steps to achieve the objectives specified in the most recently published national strategy.

Commencement Information

I3 S. 4 in force at 5.10.2015 by S.I. 2015/1680, art. 2(c)

Local strategies

5 Duty to prepare local strategies

- (1) A local authority and a Local Health Board any part of whose area lies within the area of the local authority must jointly prepare a strategy (“a local strategy”) for the local authority's area.
- (2) A local strategy must—
 - (a) specify objectives which the local authority and the Local Health Board consider will, if achieved, contribute to the pursuit of the purpose of this Act;
 - (b) specify the periods of time within which the local authority and the Local Health Board propose to achieve the specified objectives;
 - (c) identify the actions the local authority and the Local Health Board propose to take to achieve the specified objectives.
- (3) A local authority and a Local Health Board may specify objectives relating to the whole of the authority's area or any part of it.
- (4) A local strategy may also include provision relating to specific action which the local authority and the Local Health Board expect to be taken in relation to the local authority's area by—
 - (a) any public authority with functions which are capable of contributing to the pursuit of the purpose of this Act, or
 - (b) any voluntary organisation or other person whose activities are capable of contributing to the pursuit of that purpose.
- (5) But the inclusion in a local strategy of any provision relating to action mentioned in subsection (4) requires the approval of the body or person concerned.

[^{F1}(5A) A local strategy or revised strategy may be published by including it within a local well-being plan published under section 39 [^{F2}, 44(5) or 47(6) or (11)] of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which both the local authority and the Local Health Board is a member.]

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Textual Amendments

- F1** S. 5(5A) inserted (1.4.2016) by [Well-being of Future Generations \(Wales\) Act 2015 \(anaw 2\)](#), s. 56(2), [Sch. 4 para. 35](#); [S.I. 2016/86](#), art. 3
- F2** Words in s. 5(5A) substituted (20.3.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(3)(q), [Sch. 14 para. 9](#)

Commencement Information

- I4** S. 5 in force at 4.1.2016 by [S.I. 2015/2019](#), art. 2(a)

6 Publication and review of local strategies

- (1) A local authority and a Local Health Board's first local strategy must be published no later than one year after the date on which the first ordinary election is held following the date on which section 5(1) is commenced.
- (2) No later than one year after the date of each subsequent ordinary election, a local authority and Local Health Board must review their local strategy.
- (3) A local authority and a Local Health Board—
 - (a) may review their local strategy at any other time, and
 - (b) must review their local strategy if directed to do so in writing by the Welsh Ministers.
- (4) A direction under subsection (3)(b) must state the reasons for giving the direction.
- (5) If a local authority and a Local Health Board decide to revise their local strategy following a review, they must publish the revised strategy as soon as is reasonably practicable.
- (6) A local authority and Local Health Board must consult such persons as they consider appropriate before—
 - (a) publishing their first local strategy;
 - (b) revising their local strategy.
- (7) In this section, “ordinary election” means an election held under section 26 of the Local Government Act 1972 (c.70) (elections of councillors to local authorities).

Commencement Information

- I5** S. 6 in force at 4.1.2016 by [S.I. 2015/2019](#), art. 2(b)

7 Matters to which regard must be had in preparing or reviewing a local strategy

- (1) In preparing and reviewing a local strategy, a local authority and Local Health Board must have regard to—
 - (a) the most recently published national strategy;
 - (b) the most recent assessment for the local authority's area under section 14 of the Social Services and Well-being (Wales) Act 2014 (anaw 4) (assessment of needs for care and support, support for carers and preventative services);

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- (c) the most recent strategic assessment prepared in accordance with regulations under section 6 of the Crime and Disorder Act 1998 (c.37) relating to reducing crime and disorder in the local authority area;
 - (d) the most recent strategic assessment prepared in accordance with regulations under that section relating to combating substance misuse in the local authority area;
 - (e) the most recent strategic assessment prepared in accordance with regulations under that section relating to the reduction of re-offending in the local authority area.
- (2) The Welsh Ministers may by regulations make provision for and in connection with requiring—
- (a) a local authority and Local Health Board to have regard to anything specified in the regulations when preparing or reviewing a local strategy;
 - (b) a local authority or a Local Health Board to conduct further assessments for the purpose of this Act in relation to any matter specified in the regulations.
- (3) The power to make regulations in subsection (2) is to be exercised by statutory instrument.
- (4) A statutory instrument containing regulations made under subsection (2) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

Commencement Information

I6 S. 7 in force at 4.1.2016 by S.I. 2015/2019, art. 2(c)

8 Duty to implement local strategies

- (1) A local authority must, in exercising its functions, take all reasonable steps to achieve the objectives specified in the most recently published local strategy for its area.
- (2) The Local Health Board with which the authority prepared that strategy must, in exercising its functions, take all reasonable steps to achieve the objectives specified in the strategy.

Commencement Information

I7 S. 8 in force at 4.1.2016 by S.I. 2015/2019, art. 2(d)

Education

9 Information about educational provision to promote the purpose of this Act

- (1) The Education Act 1996 (c.56) is amended as follows.
- (2) In section 29, after subsection (5) insert—
 - “(6A) The Welsh Ministers may, by regulations, require local authorities in Wales to publish prescribed information, at such times and in such manner as may be prescribed, for the purpose of providing information to the public about