



CONSULTATION RESPONSE TO THE WELSH ASSEMBLY

Communities, Equality and Local Government Committee inquiry into the general principles of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill.

EXECUTIVE SUMMARY

The charity has reflected upon the Welsh Government's proposals in the light of the responses of other organisations as well as our own to the consultation undertaken in 2013. We have discussed the experience of male victims with our service users and have undertaken discussions with colleagues within the field of Tackling Violence against Women and Girls. We are aware that some feminist groups believe that our charity is at the centre of a campaign to undermine the protection of women and girls. We completely reject this claim, and we believe that we have demonstrated that in our response.

The charity's approach is based upon a number of key elements

- **That women ARE more likely to be victims of all forms of domestic abuse.**
- **That changing the title from 'Ending Violence against women...' to Gender based Violence is ill conceived and moves further away from the true purpose of the Bill – i.e to focus attention and resources on the VAW agenda.**
- **That male victims are NOT a statistically insignificant element**
- **That providers should NOT be coerced to provide gender-neutral services as these fail to support men AND detract from the core purpose of protecting women.**
- **That existing services that 'screen' male victims to determine whether they are in reality perpetrators are discriminatory and can only be justified if a parallel approach is taken by services that support women.**

The charity is therefore making the following recommendations to the Committee to inform scrutiny of the Bill.

1. **That the Welsh Government should be encouraged to support Welsh Women's Aid's call to change the title to the 'Ending Violence Against Women (Wales) Bill**
2. **That the Bill be entirely and exclusively about the protection of women and girls and that all services and initiatives be gender specific i.e. removing men and boys from all elements of THIS legislation.**
3. **In recognising that male victims of abuse exist and need specialist support, a separate strategy for male victims to tackle discrimination against men be initiated immediately by the Welsh Government with appropriate and proportional funding**
4. **That existing gender-neutral services be redefined to be gender specific with appropriate and proportional funding being made available for both female and male victims / issues eg the promotion of healthy relationships in schools that engage with girls to tackle stereotypical views of men etc.**

GENERAL PRINCIPLES

The Terms of the Committee's inquiry relate to the 'general principles' of the Gender based Violence, Domestic Abuse and Sexual Violence (Wales) Bill. The title of the Bill was changed at the point that it was introduced to the Assembly. The previous title had been criticised from a number of angles. Firstly, the majority of consultation responses – following the template devised by Welsh Women's Aid (WWA) - called upon the Welsh Government to avoid any dilution of the focus on protecting women and girls. On page 59 of their consultation response WWA stated:

...the provisional title ..Ending Violence against Women, Domestic Abuse and Sexual Violence (Wales) Bill is clumsy and WWA strongly recommends that the Welsh Government change it to 'Ending Violence Against Women (Wales) Bill. This would clearly state the intention behind the legislation.

Others criticised the title of the Bill because it appeared to ignore the position of men as victims of violence and abuse eg the Supporting People teams covering the 6 counties of North Wales (Consultation response no. 47).

It is fundamental therefore to understand precisely what the words 'Gender-based Violence' actually mean.

Welsh Women's Aid has helpfully provided some insight into the derivation and meaning of the term here: <http://www.16dayswales.org.uk/gender.html>

'Gender-based violence, or violence against women and girls, is defined by the United Nations as "violence that is directed against a woman because she is a woman, or that affects women disproportionately".

This includes "any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life" (UN Declaration on the Elimination of Violence against Women, 1993).

On page 72 of the Task & Finish Group report that informed the development of the Bill this theme is further repeated

"Gender-based violence refers to any harm that is perpetrated against a woman and that is both the cause and the result of unequal power..."

It is very difficult to see how changing the title of the Bill as it has achieves anything for the Welsh Government other than to further alienate the expert opinion of women's groups while failing to address the real concerns of those groups that draw attention to the apparent 'blind spot' around the recognition of male victims. We are persuaded by the

arguments from women's groups that the potential for obfuscation and a lack of clarity about the purpose of the Bill will undoubtedly lead to a failure to achieve the important goals it is seeking to target – i.e a culture change to educate men and boys to be more respectful and less abusive towards women and girls.

NATIONAL & LOCAL STRATEGIES

WWA drew attention to the problems created by separating domestic abuse and sexual violence from other forms of violence against women / gender based violence.

'Currently in Wales, there exists a lack of clarity amongst agencies and the general public regarding what is meant by the term 'Violence against women' as well as exactly what specific forms of violence / abuse entail....This lack of clarity has led to a conceptual confusion about what exactly it is that we are trying to tackle (and how)...'

WWA response to Consultation on legislation to End Violence Against Women, Domestic Abuse and Sexual Violence (Wales) 2013 para 288

This raises concerns about the development of local and national strategies – particularly in the light of the further confusion brought about by changing the title of the Bill to 'Gender based Violence'.

WWA highlights a fundamental problem which the Bill is likely to further exacerbate

'Across Wales funders and decision makers are pressuring specialist VAW organisations to deliver mixed sex services.'

WWA Consultation response - paragraph 266

The move towards generic gender neutral services has been rightly opposed by WWA for some time.

'We are also aware that several of our local Women's Aid groups have been coming under pressure from local commissioners and strategic partnerships to open their doors to men, or to provide mixed service services....as such gender-neutral approaches are not helpful (and indeed can sometimes be dangerous) for either male or female victims.'

WWA briefing – Male Victims of Domestic Abuse March 2010 – Background – p1

THE ROLE OF THE MINISTERIAL ADVISER

In the previous iteration of the draft Bill the title of the post was focussed on Ending Violence against Women. There was clarity (and indeed honesty) in this approach. It is hard to imagine that any individual working within the highly polarised field of domestic abuse is

likely to be credible in delivering the objectives around the protection of women and girls whilst still being credible in supporting & advocating for male victims.

BARRIERS – the Men vs Women paradigm

We believe that a significant barrier comes from the polarisation of the argument around the gendered perspective in the field of domestic abuse.

The feminist agenda acknowledges that men can be victims of abuse in various forms BUT denies the extent of that experience as well as its severity eg as WWA briefing on Male Victims -March 2010. Even the dedicated web page created by the 'gender-neutral' All Wales Domestic Abuse Helpline to provide support to male victims starts by reminding them that they're the exception

'While the majority of people who experience abuse are women, men also experience abuse and need support in the same way'

http://www.allwaleshelpline.org.uk/index.php?option=com_content&view=article&id=63&Itemid=55

It could be argued that this is a response to the financial agenda to ensure that existing domestic abuse services developed over the past 40 years to support female victims also ensure support for men within the existing budget. Others might argue that the feminist paradigm at the heart of the DV agenda sees men as perpetrators, aggressors and abusers and that this colours their ability to properly engage with male victims. Whatever the reason the strategic argument has been dominated by the view on one side that male victims are insignificant – while the other points to a lack of any genuine commitment, understanding or enthusiasm to address their concerns by the Welsh Government as well as the feminist lobby.

It is interesting to note that recent research presented in June of 2014 seems to indicate that women may be more likely to be aggressive to their partners than men, according to a study presented this week as part of a symposium on intimate partner violence (IPV) at the British Psychological Society's Division of Forensic Psychology annual conference in Glasgow.

Dr Elizabeth Bates from the University of Cumbria and colleagues from the University of Central Lancashire gave a total of 1104 students (706 women and 398 men; aged between 18 to 71 with an average age of 24) questionnaires about their physical aggression and controlling behaviour, to partners and to same-sex others (including friends).

The findings showed that women were more likely to be physically aggressive to their partners than men and that men were more likely to be physically aggressive to their same-sex others. Furthermore, women engaged in significantly higher levels of controlling behaviour than men, which significantly predicted physical aggression in both sexes.

Notwithstanding recent research the Welsh Government's Explanatory Memorandum makes it clear that their agenda is the protection of women and girls. Statistics are brought forward to justify the fact that the majority of victims are female – which is undoubtedly true.

The Welsh Government recognises the gendered nature of domestic abuse and sexual violence as mostly perpetrated against women and girls by men and this is both a cause and consequence of gender inequality. Whilst the Welsh Government recognises the disproportionate affect of such abuse and violence on women, it is committed to supporting all victims of gender-based violence, domestic abuse and sexual violence.

Source - Welsh Govt. Explanatory memorandum paragraph 38

In relation to the need for leadership and vision the Welsh Government again reiterates their perspectives / prejudices

To draw together these successful approaches requires leadership and strategic direction. Both the 10,000 Safer Lives project and the Robinson report recognised a leadership gap in relation to domestic abuse and wider issues of violence against women (which is the most prevalent form of gender based violence) and sexual violence in Wales.

Source – Welsh Govt. Explanatory Memorandum para 16

The grudging acceptance of the reality of male victims is a major factor informing the charity's decision to recommend exclusion of men from the legislation. The single greatest message being sent to male victims currently is that they are an insignificant minority and an exception to the rule. Any research from academic sources is likely to be dismissed as being inaccurate or unrepresentative. It is hard to see how this attitude represents a citizen centred approach which supposedly informs Welsh Government policies. Would it for example be appropriate for Welsh Government to inform individuals of, for example, Somali heritage living in Cardiff who were unfortunate enough to be a victim of violent assault that the majority of victims were white Welsh?

Much heat has been generated by the swapping of statistics about prevalence and severity of experience of the sexes, but little light. We believe that a much greater recognition of the strengths of both arguments needs to be cultivated; that support for women does not mean that men are denied or vice versa. We must move away from the Zero – sum game.

The Guardian article with Polly Neate of Women's Aid and Glen Poole captures the 'green shoots' of a new approach which may help to inform Welsh Government policy. Glen Poole's contribution sums up the issues

For many years, a key solution was (and still is) to approach domestic violence as a gendered problem that should be addressed as part of a wider global campaign to end violence against women and girls. The problem this particular approach creates is that it clearly excludes male victims.

For many men's rights advocates, the answer to the problems caused by the gendered approach is to create an idealistic "gender-neutral" one, where all victims are helped equally, irrespective of their gender. In my experience, service providers born out of the women's movement are not generally well placed to help men. One of the important roles that the women's movement has played in helping female victims is that they have been loud and unapologetic advocates for women. With the best will in the world, it is unrealistic to expect the self-same campaigners to be strident advocates for men. They may also be prone to underplay the significance of female violence against men.

THE EXTENT OF THE PROBLEM FOR MALE VICTIMS

Prevalence and Under-reporting

Many of our male service users tell us through our Helpline and local support meetings that they face discrimination the Police, Local Authorities and the specialist domestic abuse services – primarily focussed on support for female victims of abuse. It is little wonder that men fail to report that they are victims of abuse.

- **Male victims (29%) are nearly twice as likely than women (17%) to not tell anyone about the partner abuse. Only 10% of male victims will tell the police**

Source ONS BCS Focus on Violent Crime and Sexual Offences 2012/13 <http://tinyurl.com/nb4xga>; Table 4.22 on Appendix Table: <http://tinyurl.com/qgxb7xg>

Home Office statistics show that :

- **Police – Only 10% of male victims have told the police (29% of female victims)**
- **Health professionals – Only 4% of male victims have told a health professional (19% of female victims)**
- **Person in authority - Only 19% of male victims have told someone in authority (44%of women)**
- **Not told anyone – 28% of male victims and 13% of female victims have not told anyone they are a victim**

Source : Home Office Statistical Bulletin Homicides, Firearm Offences and Intimate Violence 2010/11: Supplementary Volume 2 to Crime in England and Wales 2010/11 - Table 3.16

Statistics obtained by the Mankind Initiative in February 2013 from 3 Welsh Police services relating to the gender of victims in reported instances of domestic abuse

Police Force	Female	Male
Gwent Police	2299	390
North Wales	3108	831
South Wales	4535	1017
	9942 (81.6%)	2238 (18.4%)

Source – Mankind Initiative – FOI requests Feb 2013

There are of course some abuse deniers who would use these Police recorded incident statistics to demonstrate that domestic abuse hardly impacts on men as victims. We would suggest that the discrepancy between the Crime Survey and Reported Incidents to the Police highlight the barriers faced by men when reporting.

It is also unfortunate that the prevalence and extent of abuse suffered by male victims is downplayed by feminist organisations who call into questions statistics produced by the Office for National Statistics eg

- **38% of domestic abuse victims are male: for every five victims, three will be female, two will be male.**
- **7.1% of women and 4.4% of men were estimated to have experienced domestic abuse in the last year, equivalent to an estimated 1.15 million female and 720,000 male victims.**

Source ONS BCS Focus on Violent Crime and Sexual Offences 2012/13 Table 4.01 / 4.02 & 4.03

Considering the importance in the Bill for plans to target resources at education around healthy relationships

- **In 2012/13, 5.2% of women (845,000) and 3.1% of men (517,000) experienced partner abuse: for every three victims of partner abuse, two will be female and one will be male.**

Source: ONS BCS Focus on Violent Crime and Sexual Offences 2012/13 Table 4.03

We appreciate that these figures make uncomfortable reading for those who seek to deny or diminish the experience of men. We understand why some feminist groups criticise the Crime Survey of England & Wales – and these statistics – on the basis that they fail to capture the severity of the abuse affecting women. That is a valid argument in relation to the problems faced by women and needs to be taken into account in determining the shape and extent of services supporting female victims and survivors. It is not an argument for diminishing or denying the experience of men.

It is notable that many of the statistics set out above are used in the Welsh Government’s Explanatory Memorandum. However the interpretation placed upon them is again to demonstrate that men are an insignificant element

The Welsh Government recognises in Wales, consistent with the rest of the world, women are disproportionately impacted by all forms of intimate violence. Although the prevalence and severity of gender-based violence, domestic abuse and sexual violence disproportionately affects women, the Bill recognises anyone can be affected by such violence and abuse.

Source – Welsh Govt – Explanatory Memorandum paragraph 7

The Welsh Government's own 10,000 Safe Lives project commissioned by the Minister for Local Government and Communities fulfilling a commitment in the Programme for Government 2011-2016 and sponsored by DV expert Jan Pickles stated that:

- **In the last twelve months one in twenty men and one in fourteen women aged 16-59 in Wales reported being a victim of domestic violence.**

<http://wales.gov.uk/docs/dpsp/policy/12062010ksaferlivesexecsumm.pdf>

Source: *Effective Services for Vulnerable Groups 10,000 Safer Lives Project - Executive Summary page 2 Point 3 – The Case for Change.*

It seems strange therefore that the Welsh Government should now see that the most important thing that they can say to male victims is that women are the group overwhelmingly likely to be a victim.

Issues with existing services for men in Wales

The growth in supposedly gender neutral services in Wales has already been mentioned. As Welsh Women's Aid and others have stated these have the effect of diluting the focus on protection for women and girls, but they and also fail to provide a 'fit for purpose' service for male victims.

There is however a greater problem in the provision of services to men. The methodology used by Safer Wales to 'screen' male victims of abuse when they call its specialist Dyn Project is discriminatory. No service for female victims of abuse require their service users to undergo an assessment to determine whether they are perpetrators of abuse when they present as victims. We would urge the Communities, Equalities & Local Government Committee to ask Safer Wales to justify discriminating on the grounds of the gender of victims.

In her Final Evaluation Report of The Dyn Project: Supporting Men Experiencing Domestic Abuse December, 2006 Dr Amanda L Robinson states on p 18

'Given the issues that arise when working with men who experience domestic abuse, particularly heterosexual men, it is essential that a screening process is developed.'

Dr Robinson continues by stating that

‘the mis-reporting of abuse can itself be a form of domestic abuse and the ‘victim’ may be making a false report’

Perhaps understandably within the context of the project Dr. Robinson fails to appreciate that mis-reporting of abuse may potentially occur with female victims. The significance of this failure is however hugely important. She continues by stating:

‘Resolving counter-allegations is essential in order to identify who (for want of a better term) is the primary victim (as opposed to the primary aggressor).

The really problematic part in her analysis follows

Specifically, based on the likelihood that a significant number of (largely heterosexual) male referrals will be men with a history of domestic abuse, it is important to screen male referrals to avoid:

- Colluding with a perpetrator of domestic abuse;***
- Providing services to someone who does not need them;***
- Equipping a perpetrator who presents as a victim with information that may be used against his partner; and***
- Failing to accurately assess risk to a partner and any children.***

The report which it must be remembered is dealing with a service supposedly set up to support male victims continues

With regard to these points, one emerging area is information-sharing with the Cardiff Women’s Safety Unit to assess risk to a couple based on information from both partners.One key benefit of the Dyn Project has been access to information that has subsequently allowed the Cardiff Women’s Safety Unit to re-assess risk to a partner (usually because of an apparent escalation).

The rationale often quoted about this approach is that men who present as victims have a proven record of being perpetrators and so must be screened to protect women and girls. Statistics from the Dyn Project ‘evidencing’ that 47% of service users are perpetrators are self-justifying. Clearly there is some truth in the view that those who present as victims may be perpetrators BUT currently the monopoly of ‘screening’ that applies to male victims denies the possibility that women can present as victims whilst being perpetrators. Unless services for women also ‘screen’ service users then services for men should not do so either. Gender neutral services that differentiate between male and female victims and use different methodologies need to cease this practice as a matter of urgency. We have already referred this issue to the Equalities and Human Rights Commission for their consideration.

PROPOSED UK GOVERNMENT LEGISLATION

We should also be aware of the UK Government consultation announced last month on the criminalisation of emotional and psychological abuse. The consultation has come about as a result of a campaign by Women's Aid (England) and others to bring the definition in the criminal law into line with the UK Government's own definition of abuse. Bringing these elements into the field of criminal responsibility – for which the Welsh Government does not have competence – is sure to have consequences for the proposed legislation in Wales before the Committee.

The criminalisation of emotional abuse is strongly welcomed by our charity as it will enable many of our service users to seek criminal prosecution of parents with primary care of children who abuse both the child and the 'Non-resident parent' by withdrawing contact.

In light of the popularly accepted belief that over 90% of primary care parents are female it may result in the overall gender split of domestic abuse statistics to move more significantly towards equality.

CONCLUSION

Separating domestic abuse services for men from those for women is a vital objective that needs to be achieved in this legislation. The Feminist lobby has demonstrated how a lack of clarity can place women and girls in danger in terms of the commissioning and provision of services. They also demonstrate that diluting funding to support male victims also undermines the protection of women and girls. On the opposite side of the argument we see that services for men delivered in a gender-neutral framework or worse by those groups whose primary focus is the protection of women cannot properly be regarded as fit for purpose in their task of supporting men. These facts have informed our call to exclude men and boys from this legislation as to include them helps neither gender.

DECLARATION IN RELATION TO MARK ISHERWOOD AM

Mark Isherwood AM – Shadow Minister for Communities and Housing and a member of this committee is a Trustee of the charity. In this respect it is important for us to acknowledge that Mark has not been included in any of the comments or statements made in this submission. We also need to note that Mark takes a different approach to the charity in opposing changing the title to the 'Ending Violence against Women (Wales) Bill' and has instead supported gender specific strategies for both men and women within it.

Submitted on behalf of FNF Both Parents Matter Cymru by Paul Apreda, National Manager

www.fnf-bpm.org.uk