

National Strategy on Violence against Women, Domestic Abuse and Sexual Violence Consultation response from



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ABOUT THE CHARITY

1. FNF Both Parents Matter Cymru is a children's rights charity supporting parents and grandparents who are facing exclusion from the lives of the children they care about. Our work is underpinned by the UNCRC – specifically Articles 9.3 and 18.1
2. Our charity runs a telephone Helpline for parents and grandparents with child contact problems – receiving around 1000 calls per annum. We also help people at our monthly face to face support meetings that take place in 11 different locations across Wales from Bangor to Newport and Carmarthen to Queensferry attended by around 1100 people attend each year.
3. All of our meetings are registered with the Law Society's charity Law Works Cymru as Legal Advice Clinics where attendees can meet with a family law solicitor on a one to one basis to receive free specialist legal advice.
4. The charity also provides the Secretariat to the newly formed Cross Party Group on Fathers and Fatherhood in the Welsh Assembly.
5. In response to the needs of our service users the charity has launched a new service to support male victims of domestic violence and abuse on a pilot basis in the Ely area of Cardiff.
6. We have met with the National Adviser on Ending Violence against Women, Domestic Abuse and Sexual Violence on two separate occasions. She has attended our Cardiff support meeting in August 2016 where she was joined by 18 male and 19 female service users and volunteers for the charity. She also attended the meeting of the Cross Party Assembly Group on fathers and fatherhood on the 11th September in Ty Hywel where Erin Pizzey, founder of the world's first refuge spoke on the subject 'Are Fathers Disposable?' Our charity has great respect on a personal and professional basis for Rhian Bowen-Davies and remains ready to work collaboratively with her and others to achieve the ultimate aim of moving to a society where everybody is able to live fear free.

EXECUTIVE SUMMARY

7. Our charity has contributed to all of the consultations undertaken by Welsh Government and by the Assembly. We attended each of the public consultations organised by the VAWG team in Welsh Government.
8. We have seen the Welsh Government's consistent statements throughout the process including in this strategy document, such as:
9. *'The Act covers all forms of 'gender based violence' in recognition that both men and women are victims of violence.....'*
10. Sadly this reference in the Introduction is one of the few examples of a recognition of a gender inclusive response in the Strategy.
11. In the foreword by the Cabinet Secretary we see the importance of the 'Ask and Act' agenda. This policy will inadvertently add significantly to the problems faced by male victims of abuse. Without a very clear message to front line practitioners to ensure that they apply this agenda proportionately to male victims we will see a further marginalisation of their experience. While services adopt a gender prejudiced view towards the experience of men there will be no justice in Wales. No greater example of this gender prejudice could be found than the practice of 'call screening' male callers ONLY by domestic abuse services in Wales. Until this practice is prohibited by Welsh Government – possibly by requiring services funded by the state not to breach the Equality Act 2010 – discrimination and unfair treatment will be the inevitable consequence of this strategy.
12. The importance of listening to the voice of survivors of abuse is rightly at the centre of the strategy. Sadly however the work commissioned by Welsh Government from Welsh Women's Aid cannot possibly claim to be representative nor is it a safe basis upon which to build this strategy. *'Are you listening and am I being heard'* is a powerful document capturing the experience of 65 women and ONE man – perhaps the embodiment of expression 'Token male'. It is impossible to square the building of a National Strategy upon a document that fails to even remotely capture the picture of a large number of victims who are currently being further victimised by the response of the State to their misfortune.
13. The six Objectives in the strategy set out on p17 & 18 are laudable. It is hard to disagree with the rhetoric. However talk of healthy relationships and gender equality (Objective 2) or challenging perpetrators (Objective 3) are unlikely to be realised within such a gender exclusive framework of action. Objective 5 is perhaps the greatest hope and the worst disappointment of all – stating that victims will be provided with equal access to appropriately resourced, high quality, needs led, gender responsive services. The reality is a millions miles away from these empty words if you are a man and face the prospect of being re-victimised by statutory and third sector services. Your position is even worse if you face being falsely accused as a perpetrator. If you are a man in Wales there will be no justice.

14. We have drawn the Welsh Government's attention to these issues time and time again. So, perhaps a more positive approach may bring results. In that vein we make the following proposals to address the issues
- **Separate support services for female and male victims of abuse – so that women can access and be supported to access gender exclusive support – but so too can men.**
 - **Ban the discrimination currently practiced against men by DV support services that 'screen' only men to determine whether they are 'genuine' victims and without their knowledge or consent pass on their details to other services that further victimise them.**
 - **Resource appropriately, NOT EQUALLY, services for men run by men unconstrained by a feminist ideology that sees men as perpetrators that provide training, support, awareness raising and other important services in an appropriate way.**
15. Fundamentally we ask the Welsh Government to recognise that services for men cannot be commissioned from organisations that have developed from a feminist ideology of domestic violence. These organisations and individuals perform excellent work to safeguard and support women facing the reality of male violence and abuse. It is unfair to expect them also to support male victims effectively. Of course it is even more unreasonable to expect men who suffer abuse at the hands of female partners and ex-partners to be represented and supported by these feminised services.

Question 1 - Do you agree with the priorities under prevention? Do you have any further suggestions? Please include any evidence (data, research or anecdotal).

16. Objective 1: Increase awareness of violence against women, domestic abuse and sexual violence across the Welsh Population
17. The Welsh Government has worked tirelessly and effectively to promote awareness of Violence against Women. Changing the name of the legislation was a hugely significant element within this so that the focus is always on women with any other group being relegated to a subordinate position.
18. Talk of 'challenging beliefs and inequalities amongst communities' rings very hollow when the reality for many men is that they are guilty until proven innocent or face exclusion from their homes, communities and children by statutory services who provide false and misleading information to civil courts to decide life changing issues on the balance of probabilities.
19. Improving the way that survivors are heard is another laudable aim but of little comfort to men who see that the strategy is grounded upon a comprehensive study that fails to consider their experience at all. Our charity undertook a series of 5 focus groups with 67 men in 6 different locations across Wales for the Fairer Futures division of Welsh Government in 2015. <https://www.fnf->

[bpm.org.uk/image/upload/branch/cymru/Equality Objectives FNF BPM focus group feedback final.pdf](http://bpm.org.uk/image/upload/branch/cymru/Equality%20Objectives%20FNF%20BPM%20focus%20group%20feedback%20final.pdf) We also produced evidence of the disadvantage faced by men when trying to access Legal Aid for Family disputes with 227 respondents to inform the EHRC 'Is Britain Fairer? 2015 report [https://www.fnf-bpm.org.uk/image/upload/branch/cymru/Evidencing DV FINAL report for publication.pdf](https://www.fnf-bpm.org.uk/image/upload/branch/cymru/Evidencing%20DV%20FINAL%20report%20for%20publication.pdf) We also shared a brief note with Welsh Government setting out evidence of inequality in Wales in July of this year [https://www.fnf-bpm.org.uk/image/upload/branch/cymru/FNF BPM response to Welsh Govt re inequalities.pdf](https://www.fnf-bpm.org.uk/image/upload/branch/cymru/FNF%20BPM%20response%20to%20Welsh%20Govt%20re%20inequalities.pdf) Surprisingly none of these submissions appear to have impacted on the Strategy document.

20. In light of the profound gender discrimination at the heart of the Welsh Government's approach we read the commitment to a communication campaign to 'positively engage men and boys in challenging all forms of violence against women, domestic abuse and sexual violence' as more of a threat than a reassurance. We hope to be proven wrong.
21. In relation to the national Training Framework we know that some professionals have already raised concerns about the gender exclusive approaches that are a sub-text to the 'education'. Unfortunately our charity has not been involved or consulted in respect of the important issues we raise such as the vulnerability of male victims within the Violence against Women framework, and the significance of understanding the dynamics of inter-personal relationships particularly when couples are separating. We do not believe that the conditions under which false and malicious allegations are made is properly understood by professionals.

Case Study

A Bridgend couple separated in 2014. Mum worked full time as a Domestic Violence support worker for a housing charity, dad was the full time carer for the children having received compensation for industrial in excess of £200,000 which he used to buy the family home.

Mum obtained a Without Notice Non- Molestation Order and an Occupation Order against the dad removing him from the house. When dad was called to Court for a Return Hearing mum's legal adviser persuaded him to agree that he would not contest the two Orders on the basis that Mum would allow him substantial contact with the children. Subsequent to the hearing mum's solicitor wrote to define that 'substantial contact' with the children meant a weekly two hours session supervised by the maternal grandparents at their house.

During the second contact session the grandparents alleged that dad had physically abused one of the children. Other members of mum's family present escalated the situation and forced dad out of the grandparents home making threats to kill. Dad was arrested by the Police when he arrived at the station to

make a complaint against the Mum's family and was held for 12 hours before being released without charge.

Mum also made allegations that dad had threatened to kill her and the children. She was referred to a MARAC where she was deemed at high risk. Our charity also referred dad to the MARAC but the referral was rejected on the basis that mum was already being protected and that dad was not deemed high risk.

After 12 months of proceedings in the Family Court all of mum's allegations were found to be false. In the judgement it was stated that they were made maliciously to obtain an advantage in the process of separation.

The final settlement however left mum as the primary carer for the children and with around 50% of the joint assets.

Objective 2 – Enhance education about healthy relationships and gender equality

22. We welcome the recognition of ACEs and the excellent work undertaken by Liverpool John Moores University. The research highlights the significant problems caused through Parental Separation – which has the second highest prevalence as an indicator of ACEs.
23. We note that nowhere in the strategy is there a recognition of the statutory duty on Welsh Ministers to have due regard to the UNCRC as required by the Rights of Children & Young Persons (Wales) Measure 2011. This is particularly worrying in light of the specific provisions of Articles 9.3 and 18.1.
24. Evidence gathered in our Welsh Dads surveys 2015 and 2016 https://www.fnf-bpm.org.uk/image/upload/branch/cymru/WELSH_DADS_SURVEY_2016_report_FINAL.pdf show that fathers (and particularly separated fathers) feel marginalised and excluded by statutory services that exhibit a culture of 'institutionalised sexism' towards them. We believe that the national Strategy is likely to further exacerbate this problem.
25. Objective 3 – Challenge perpetrators, hold them accountable for their actions and provide interventions and support to change their behaviour.
26. We are aware from data compiled by the House of Commons library that the Probation Service has a gendered approach that discriminates against men in terms of their recommendations to the Criminal Courts. (see data in answer to Q4 below)
27. It is very clear from the references to Project Mirabal and DRIVE that the entire focus of perpetrator work is within the context of male perpetrator / female victim paradigm. Whilst recognising that men are disproportionately perpetrators does the Welsh Government believe that women cannot be perpetrators also? Assuming that the answer is no, it begs the question how specifically that will be addressed with an absence of any form of programme dealing with female perpetrators. Indeed we are aware of one occasion in RCT

where an abusive woman was sent on the Freedom Programme because this was felt to be the only resource available.

28. Within the Prevention element it is significant that there is no mention of the academic research that identifies higher levels of Coercive and Controlling behaviour nor higher tendency towards physical abuse exhibited by female rather than male subjects (Bates et al 2014)

<http://www.bps.org.uk/news/women-more-aggressive-partners-men>

29. We have also previously shared with the National Adviser research from the University of Teeside that demonstrates the dangers to men of help seeking behaviour from services that are focussed towards the prevailing gender paradigm of male perpetrator / female victims – (McCarrick et al 2015)

Question 2 - Do you agree with the priorities under protection? Do you have any further suggestions? Please include any evidence (data, research or anecdotal).

Objective 4 - Ensure professionals are trained to provide effective, timely and appropriate responses to victims and survivors.

30. We remain entirely sceptical that the voices of male victims of abuse will be heard within the national survivor engagement framework. The evidence we have so far is that the services who are commissioned to facilitate such engagement are incapable of finding male victims other than the 'Token Male' who we understand was interviewed in refuge, and is reported to have stated that men don't need refuge provision.
31. On page 15 of '*Are you listening and am I being heard*' we read this statement in a section entitled – 'Background of Survivors' - 'Although we sought involvement from women and men to participate, in separate focus groups, 65 women survivors participated in focus groups/interviews and 1 man participated by interview. A number of male survivors were contacted about the consultation and encouraged to participate in focus groups or interviews by their male support workers, but declined to take part.'
32. There is an obvious concern raised about the ability of services such as Welsh Women's Aid to appropriately reflect the totality of experience of all victims. However even more significant is the clear evidence that even well resourced, established and professional organisations such as Welsh Women's Aid experience a difficulty in getting men to come forward and speak about their experience as victims of abuse. This has enormous significance for the National Strategy which is entirely absent from any aspect of this document. If men are harder to reach you need to try harder to reach them.
33. We do not have statistics about the extent to which the Live Fear Free Helpline has been successful in reaching out to male victims to offer support and referral pathways. We are aware however that its predecessor the All Wales Domestic Abuse Helpline found that around 2% of calls were from male victims. Given the

direct discrimination faced by male callers to DV services we currently do not refer any male victims to services in Wales – preferring to use the Mankind Initiative Helpline and Men’s Aid in England.

34. We have addressed elsewhere in this document our grave concerns about the practical implementation of ‘Ask and Act’ in terms of exacerbating discrimination against men.
35. We remain concerned about the pressures being put upon Cafcass Cymru to ensure that they do not recommend contact for fathers in Private and presumably also Public Law cases. We have taken our concerns in this area to the President of the Family Division.
36. We know that these pressures stem both from the Survivor’s Stories work produced by Welsh Women’s Aid and by the powerful analysis in the Child First campaign’s research ‘Nineteen Child Homicides’ <https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2016/01/Child-First-Nineteen-Child-Homicides-Report.pdf> We recognise the awful and tragic reality of the suffering and deaths of these 19 children in 12 families at the hands of their fathers, seven of whom succeeded in taking their own lives at the same time. Nothing can or should detract from this grim reality. However we have been made aware of a research document entitled ‘330 Child Homicides’ <http://mra-uk.co.uk/?p=1281#comments> that examines the gender of perpetrators of child deaths through a detailed analysis of Serious Case Reviews from 2009 to 2015. This evidence shows that women are disproportionately the perpetrators of child deaths – and that single mothers are the highest risk group of such perpetrators. Whilst more detailed analysis of this research is clearly required we urge the Welsh Government to look at this new emerging data to inform the National Strategy.
37. Our concerns about the lack of data about Flying Start and Families First engagement with fathers is well known to Welsh Government. We have already been informed by letter from the First Minister that requiring services to record details about the gender of parents would be a ‘disproportionate administrative burden’. No data exists about the success or otherwise of engagement with fathers as the Welsh Government refuses to require services it funds to record gender. Our own research conducted in 2014 highlights the very low success rate of between 3 and 11% in terms of parents engaged by services. https://www.fnf-bpm.org.uk/image/upload/branch/cymru/Male_participation_in_Family_Support_services_March_2014.pdf

Question 3 - Do you agree with the priorities under support? Do you have any further suggestions? Please include any evidence (data, research or anecdotal).

Objective 5 Provide victims with equal access to appropriately resourced high quality, needs led, strength based, gender responsive services across Wales.

38. We note with some interest in this section the following statement from Welsh Government

'Timely responses which respond to multiple needs without judgement are needed.'

39. This sentence is both uplifting and at the same time chilling. We know that services will respond in a gender discriminatory way. What makes this deeply worrying is that there will be no judgement applied. How will victims of false allegations be protected if the falsely reporting perpetrator reaches out for support first? Presumably they will be believed and their abuse will be rewarded. This is the politics of the primary school playground – with incentives being given for 'telling teacher' first, except that the consequences are much more far reaching affecting the lives of children and families.

40. We know from our research conducted with fathers that their experience of family support services is deeply discriminatory against them. We know for example from Cardiff Council that despite an assessment of the Supporting People expenditure and needs analysis that shows a need for services for male victims at around 50% of the rate for female victims in reality the funding for the last financial year was £23,000 for men and £1,050,000 for women. We suspect, sadly, that probably meets the test of 'gender responsive services' under Objective 5 of the strategy.

Objective 6 – Work together as a sector to understand and meet the needs of our communities, increasing sustainability and capacity of the sector

41. We have little confidence that the organisations identified in Section 3 and including 'third sector and specialist services' will seek to do anything other than control, diminish and discriminate against male victims of abuse – including those targeted by false and spurious allegations. Male survivors tell us that is their experience now and we see no element within the National Strategy that will improve that position.

42. Commissioning and funding 'gender inclusive' services will have the effect of 'crowding out' emerging services for men that currently lack the funding and capacity to develop gender responsive services. What we fear is a pattern identified by Welsh Women's Aid in a previous consultation on the passage of the Bill when they observed

'Across Wales funders and decision makers are pressuring specialist VAW organisations to deliver mixed sex services.' WWA Consultation response - paragraph 266

43. Earlier in their influential report to the Welsh Assembly on male victims of abuse they noted that

'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

44. We therefore call on Welsh Government to include within the strategy and the Delivery Plan ring fenced monies to establish and support nascent services for male victims to be developed from a survivor perspective rather than a feminist one.

Question 4 - Do you think the priorities will have a positive / negative impact on protected characteristics? If so, which and why/why not? Are there further opportunities not covered by the priorities to promote equality? Please include any evidence (data, research or anecdotal).

45. Throughout Section 2 of the strategy document there is a focus on the experience of women – even when they represent a tiny proportion of the groups being identified eg Victims who offend. In this supposedly gender neutral section we read that

'Statistically it is shown that women involved in the criminal justice system are more likely to have experienced some form of abuse during their childhood, and many also report that their offending was to support their partner or someone else's substance misuse.' This section continues with *'...there is much that can be done in other areas, such as health, education, housing and social services, to help and prevent women from getting into the criminal justice system in the first place.'*

46. Further in this section we hear about the Women's Pathfinder project – *'an integrated, women-centred, multi agency approach to working with women who come into contact with the criminal justice system.....'* It is of course an entirely gender specific service.

47. Finally in this section on 'Victims who offend' we hear that

'Good practice in Wales exists, and includes a network of women-centred provision, provided by Safer Wales, women's centres (like Cardiff Women's Centre, North Wales Women's Centre), and the work of domestic abuse and sexual violence services that support women involved in the justice system.'

48. The last paragraph exerts that *'more needs to be done.....with a focus on reducing the high numbers of short sentences women have.'*

49. The utter hypocrisy of the Welsh Government position is exposed in this section which focusses completely on the experience of women who represent a tiny minority of 'Victims who offend'.

50. The realities of the criminal justice system are that women make up 4.7% of the prison population (3,856 women and 81,272 men at 1st July 2016). The following facts are known about the gendered nature of the criminal justice and prison environment

- A higher proportion of men are given a sentence of custody than women, irrespective of age of offender (juveniles, young adults or adult) and type of court.
- For each offence group, and age category, a higher proportion of males are sentenced to custody than female.^[SEP]
- Examinations of the seriousness of crime showed that the seriousness did not affect the favourable bias towards women: female shoplifters were less likely than comparable males to receive a prison sentence.^[SEP]
- Women first offenders were significantly less likely than equivalent men to receive a prison sentence for a drug offence.
- Probation staff were more than twice as likely to recommend custody for male offenders due to be sentenced in crown court cases than for female offenders. (24% of males and just 11% of females).
- Repeat offenders are more likely to fare better if they are women. 39% of men compared to 29% of women are sent to prison for committing more than 15 offences.
- 43% of men who enter custody lose all contact with their families.^[SEP]

51. These figures were compiled by the House of Commons library at the request of Philip Davies MP (Conservative – Shipley). None of these facts however appear to have influenced Welsh Government’s strategy.

52. In relation to the section on Children and Young People there is again a gynocentric view put forward within what purports to be an inclusive framework. The document states *‘Many women who are the victims of violence have children, and ensuring the well-being of those children must be a priority for both public services and the victim’*. It would seem that ‘many men who are the victims of violence’ seemingly do not have children. The child’s right to maintain direct contact and a meaningful relationship with both parents following divorce or separation appears to be an inconvenient aspect of the UNCRC (Article 9.3) and is not to be recognised in terms of the duty of due regard under the Rights of Children & Young Persons (Wales) Measure.

53. The most noticeable aspect of the many different groups / issues specifically identified under the section is the absence of men and an analysis of the particular issues they face as victims.

54. This is best illustrated by the sections of p10 of the consultation document. They start with a statement that

‘This strategy recognises that anyone (women, men, children and young people) can experience and be affected by domestic abuse..... ‘ In the next paragraph however we hear that ‘Women who are known to be especially vulnerable to violence and / or who are marginalised, such as women in prostitution, women from BME communities, disabled

women, women with mental health or substance abuse problems, young women in care, will require specialised approaches.'

55. Apparently men will not require any specialised approaches other than presumably to continue to unlawfully discriminate against them by 'call screening' processes.
56. When we move to Section 4 of the document we see the same rhetoric of thinly veiled gender discrimination again apparent. The Welsh Government boldly state that *'The ultimate aim of moving to a society where everybody is able to live fear free contributes across all of the well-being goals, delivering well integrated outcomes for the people of Wales.'*
57. It is then stated that this ambition will be realised by
- *Ending discrimination against women and girls*
 - *Eliminating all forms of violence against women and girls in the public and private spheres' etc*

Question 5 - What opportunities does this strategy give to promote the use of the Welsh Language? Do you have concerns that this strategy could have an adverse effect on opportunities to use the Welsh language?

58. We have no significant view on this question.

Question 6 - We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

59. Following many years of engagement with Welsh Government on the domestic abuse agenda our volunteers and service users have the very clear impression that their voices are not being heard and that the Welsh Government is not listening: a terrible irony in view of the title given to the Survivor's Stories that inform and underpin this strategy. That reality is central to the understanding of our answers to the specific questions above. The settled view of those we seek to represent is that whatever we say about male victims will not be heard.
60. We have drawn attention to the impossible imbalance in resources provided by Welsh Government to organisations that support men compared with women in this media report <http://www.walesonline.co.uk/news/politics/wales-gives-77-times-much-11780326> where a Welsh Government spokesman is reported as saying that:

'Many of the organisations cited in this list also support men's issues. Welsh Women's Aid, for example, receives funding from us to deliver the Live Fear Free helpline – a 24 hour help and advice service for both men and women.'

61. We believe that this approach is a cause and a consequence of gender discrimination in domestic abuse and seriously undermines the National Strategy.

62. We agree with much reported by the Western Mail from Eleri Butler, CEO of Welsh Women's Aid on 20th September. We have enormous respect for the achievements of the organisation and the individual. Eleri said:

'The fact that domestic abuse is gendered is supported by research and crime data...'

63. We agree

'The fact that domestic abuse is gendered underpins our work to end domestic abuse and all forms of violence against women.'

64. We agree

'Women and their children are much more likely to need lifesaving support like refuge services. This does not mean that men don't experience domestic abuse or don't need support..... It means that safe, separate and different kinds of support are needed, which respond to the different needs of all victims.'

65. We couldn't have put it better ourselves.

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