

PLVAW 18

Ymchwiliad ôl-ddeddfwriaethol i Ddeddf Trais yn erbyn Menywod,

Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015

Post legislative inquiry into the Violence against Women,

Domestic Abuse and Sexual Violence (Wales) Act 2015

Ymateb gan: Both Parents Matter

Response from: Both Parents Matter

This is a response from FNF Both Parents Matter Cymru – a Welsh charity primarily supporting the rights of children and young people under Articles 9 and 18 of the UNCRC. The charity provides the Secretariat for the Cross Party Assembly Group on Fathers and Fatherhood

- **To what extent the approach to tackling violence against women, domestic abuse and sexual violence is improving as a result of the obligations in the Act?**
 1. In writing this report we were able to re-visit the FNF BPM consultation response to the Committee in September 2014. Sadly it made for depressing reading as many of the issues that we see now were raised in that earlier documentⁱ
 2. The legislation has had the effect of making services that already tended to approach allegations of abuse from a pre-determined and gendered perspective even more polarised in their work
 3. The men who approach us for help and support report in more than 40% of cases that they have experienced a range of psychological, emotional, financial and also physical violence at the hands of their female partners. They also report a gendered response in their experience of engaging with public services. Examples include men who are told to ‘man up’ by officers from South Wales Police when they report that the tyres of their car have been slashed following a domestic argument over child contact – even though the children were in the car when they drove away.
 4. We identified to the Assembly during the passage of the legislation that pre-determining the result of investigation by including the gender of victims within the title of the legislation would make it more difficult for the 30% + of victims of abuse who are male to receive the help and support they need. We cannot imagine any other Government initiative that would adopt a similar stance. For example whilst 75% + of those who commit suicide in Wales are men the Talk to Me 2 strategy does not have an equivalent gendered perspective.
 5. It is significant to note that as far back as 2009 in the Ministerial response from the then Social Justice Minister to the Strategic Action Plan to Update the Domestic Abuse Strategy and to Tackle Violence Against Women one of the three key messages he identified was ***‘the need to provide more services for male victims of domestic abuse’***.ⁱⁱ The Minister at the time was Carl Sargeant AM. We see that almost seven years later the Minister is once again in a position to deliver on this strategic vision.

- **What are the most effective methods of capturing the views and experiences of survivors? Are arrangements in place to capture these experiences, and to what extent is this information being used to help inform the implementation of the Act's provisions?**
 6. We have studied the document – ‘Are you listening and am I being heard?’ⁱⁱⁱ commissioned by Welsh Government from Welsh Women’s Aid. It is a powerful document grounded in the experience of 65 women and 1 man who have faced domestic violence and abuse. These women deserve for their voices to be heard and measures put in place to provide them with help and support. We are particularly pleased to see that the project has successfully engaged with ethnic minority women – who represent more than 44% of the total in the survey.
 7. What is glaring is its omission of the experience of men. Welsh Women’s Aid stated on p15 of the report that
‘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.’
 8. This statement clearly illustrates the failings of existing methods to capture the views and experiences of survivors. Services that are currently funded to support all victims of abuse are unable to reach the large number of male victims to such an extent that just one male survivor could be found.
 9. The failure to engage with male victims is a further indication of the difficulties exacerbated by this gender biased legislation in Wales.
 10. Male victims (29%) are over twice as likely as women (12%) to not tell anyone about the partner abuse they are suffering from. Only 10% of male victims will tell the police (26% women), only 23% will tell a person in an official position (43% women) and only 11% (23% women) will tell a health professional.^{iv}
 11. Women (31%) are significantly more likely to identify partner abuse they’ve suffered as Domestic Violence than men (19%).^v
 12. A gender specific approach needs to be introduced that allows existing services with a strong track record and ideological commitment to support for women to concentrate on the group of survivors that they are best equipped to support. This will allow new services that will support male victims to emerge.
 13. The services that have developed have a strong feminist heritage and an experience of supporting female victims. Some might suggest these organisations have a strong anti-male bias seeking to downplay the experience of men and ensure that women are exclusively supported while men are monitored and disadvantaged when they seek help. We don’t believe that the conspiracy theory is proven, rather that organisations whose core purpose and values have developed to support women from the experience of women are simply not suited to provide support to men. We can find no better evidence or this than Welsh Women’s Aid’s own analysis in their briefing paper on male victims of abuse^{vi}
The vast majority of domestic abuse services are catered towards women and have been developed with women’s specific set of service needs in mind

as a result of over thirty years of tailoring services to meet the needs of women and children

14. The position of Welsh Women's Aid in relation to male victims was clearly stated in their document produced in 2010 for the Assembly ^{vii}

'The assumption that services which have been created with women's needs in mind will be a perfect 'fit' for male victims, or that single-sex domestic abuse services can become mixed-sex, fail to take into account men's and women's specific, and often different, needs. As such, gender-neutral approaches are not helpful (and indeed can sometimes be dangerous) for either male or female victims.'

15. We are delighted to report that following discussions with the National Adviser and a request for data on the number and percentage of male callers to the gender neutral 'Live Fear Free' Helpline we have accepted an invitation from Welsh Women's Aid to meet with them in October to explore how we may be able to assist in the understanding of the experience of male victims in a more accurate way.

- **Whether survivors of abuse are beginning to experience better responses from public authorities as a result of the Act, particularly those needing specialist services?**

16. Our charity has compiled the Welsh Dads survey in 2015 ^{viii} and again in 2016. ^{ix} The most recent survey included responses from 209 men across Wales – with every local authority represented. Although domestic abuse was not a specific category about which men were invited to comment the 2016 survey included a new section on the experience of engaging with Police. Whilst we recognise that the Police are not a devolved matter their practices cast a long shadow over the response of other public authorities such as health and education that are wholly devolved.

17. The overwhelming experience of men has been that neither Police nor DV services treat them with fairness or equality. 59 respondents stated that their experience was Strongly or Mostly Negative while 23 expressed Strongly or Mostly Positive experience. The views of respondents included the following in the Welsh Dads survey 2016.

Seems they only act for mums

Inherently sexist in their approach to DV.

Police seem to believe mothers story over father

Spoke to the police when my wife first left and was made to feel like a criminal.

I have been the victim of domestic abuse and harassment. They ignore any Male reports of incidents, and then threaten the man with warning notices. They do not care about men etc. They only care about statistics for female reports.

The police defend mums position by threatening me with arrest and taking our child into police protective custody at the whim of mum, despite no crime being committed and being informed that they have no powers to act in such a way over civil matters.

South Wales Police discriminate against non resident fathers

officers initial reaction to callout is to side with mum and try to convince child that mum is right and they should go back to her!

18. The experience of men is that when they are victims they are often treated as perpetrators and rested by the Police. This experience has been shown in academic studies by Dr. Jessica McCarrick of Teesside University quoted in the Telegraph who stated
- “Men find it incredibly difficult to talk about their experiences of domestic violence because of the shame and emasculation they feel is associated with it. “To find the courage to speak out, only to be accused of violence themselves, is incredibly disheartening and ultimately prevents countless men from reporting intimate partner violence.”*** ^x
19. We are calling for an immediate end to the gender discrimination whereby male survivors seeking help and support are ‘screened’ by services funded by Welsh Government and others to determine whether they are ‘genuine’ victims of abuse. We believe that this practice – that only applies to male survivors - is clearly discriminatory. We have approached the EHRC in Wales for their support in looking at ways to bring about legal challenges to this practice.
20. Our charity also undertook research in the area of eligibility for Legal Aid as a result of domestic violence to inform the EHRC’s ‘Is Britain Fairer? 2015’ report. Once more the comments from the 226 responses received paint a clear picture that services discriminate in favour of women and against men. ^{xi}

Seems that DV doesn't get recognised against a male. I was a victim and now barely see my child, have lost my house and everything.

I was threatened and assaulted by my wife, who due to her having an affair I was leaving .police were not really interested .if I had assaulted her I would have been charged .ie gender bias

Over a period of nine years I was beaten up by my wife, and then beaten up by the system which listened to her lies, and assumed I was guilty

Being a male victim of Domestic violence was not something anyone ever believes you actually happened.

I do not know of a single gender neutral DV helpline, do they even exist? the media is full of experts/journalists/women rights groups who regularly diminish DV against men in favour of women victims only. there is simply not enough or any awareness for men as to what they need in order to pursue legal action for DV. we are expected to provide everything

without any support, whereas women victims get funded support groups to assist them.

The system is a joke. It's designed for women and only works for women. When my ex made false claims of harassment to the police I was cautioned and interviewed by two women officers who looked at me like I was guilty from the outset. A female would never be interrogated by two male officers like this.

There is no support for men, plenty for women though.

As a man, we are more vulnerable to constant abuse by the mothers of our children and almost no authority will do anything about it. We are clearly in a very weak position.

Police, housing, government organisations and social services did not and do not care.

- **Whether the National Adviser has sufficient power and independence from the Welsh Government to ensure implementation of the Act?**
 21. We have been delighted to meet with the National Adviser on two occasions to discuss the experience of male victims of abuse and the systemic failings made significantly worse by the provisions of the legislation. She attended the August 2016 meeting of our Cardiff support group together with 37 of our volunteers and service users, where she was able to listen to the testimony of male survivors and their female family members and friends.
 22. We remain hopeful that the genuine concerns about the marginalisation of men and boys will be addressed, although it is currently too early to determine whether these encouraging words will translate in making real differences for men both as victims and as indirect victims through the use of false allegations.
 23. We hope that through engagement with the National Adviser she will be able to promote a more balanced approach to the issues recognising the importance of addressing issues such as false allegations, appropriate services for male victims that are not commissioned from or controlled by a feminist agenda.
 24. We note that the National Adviser has powers under Section 21 (1) c of the Act to undertake research relating to pursuing the purpose of this Act. We have discussed in some detail the ways in which men are discriminated against in the provision of support and the lack of research about their experience. We hope that the National Adviser will work with us to secure appropriate resources to close the evidence gaps and highlight the specific needs of men.

To what extent the good practice guide to healthy relationships is successfully influencing the development of a whole school approach to challenging violence against women, domestic abuse and sexual violence?

25. There is little that we can say on this aspect of the consultation as we have not been given the opportunity to contribute to the development of the guide nor to assist in implementation.
26. We are however gravely concerned that the content of the guide continues to promote a gendered perspective that supports a world view where male is bad and female is good.
27. Throughout the guide the consistent message that is promoted is that whilst men and boys could be victims the focus of attention will be on women and girls and through that 'gendered lens'.
28. Our charity would welcome the opportunity to contribute substantively to the production and development of Health Relationships guidance and work providing a perspective on the experience of boys in particular but also seeking to engage with girls and boys to raise issues about the presumption that women are the primary or sole carers for children.

REFERENCES

ⁱ FNF Both Parents Matter Cymru - https://www.fnf-bpm.org.uk/image/upload/branch/cymru/CONSULTATION_RESPONSE_TO_THE_WELSH_ASSEMBLY_Final.pdf

ⁱⁱ Carl Sargeant AM, *Ministerial Statement*, 5 January 2010.

ⁱⁱⁱ Welsh Women's Aid – 'Are you listening and am I being heard?' <http://www.rhianbowendavies.com/wp-content/uploads/2016/09/Are-you-listening-and-am-I-being-heard-FINAL-July-2016.pdf>

^{iv} ONS data quoted by Mankind Initiative – 30 Key Facts <http://new.mankind.org.uk/wp-content/uploads/2015/05/30-Key-Facts-Male-Victims-Mar-2016.pdf>

^v ONS Perceptions of partner abuse as DV <http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/adhocs/005682whethervictimsofpartnerabuseperceivedwhathappenedtothemtobedomesticviolencebysexyearendingmarch2015>

^{vii} Welsh Women's Aid – Male victims of domestic abuse p 1 http://www.welshwomensaid.org.uk/images/stories/documents/Male_Victims_of_Domestic_Abuse_-_FINAL.doc

^{viii} Ibid p 1

^{ix} Welsh Dads survey 2015 – FNF Both Parents Matter Cymru https://www.fnf-bpm.org.uk/image/upload/branch/cymru/WELSH_DADS_SURVEY_report_v2.pdf

^x Welsh Dads survey 2016 https://www.fnf-bpm.org.uk/image/upload/branch/cymru/WELSH_DADS_SURVEY_2016_report_FINAL.pdf

^{xi} Dr. Jessica McCarrick Teesside University - <http://www.telegraph.co.uk/news/uknews/crime/12061547/How-male-victims-of-domestic-abuse-often-end-up-getting-arrested-themselves.html>

^{xii} Evidencing Domestic Violence: Men Legal Aid and Family disputes 2015 – FNF Both Parents Matter Cymru https://www.fnf-bpm.org.uk/image/upload/branch/cymru/Evidencing_DV_FINAL_report_for_publication.pdf

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