

GBV 37

Communities, Equality and Local Government Committee

Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill :
Stage 1

Response from: CARE

Committee Clerk
Communities, Equality and Local Government Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear Sir/Madam

Consultation on the Gender-based Violence, Domestic Abuse and Sexual Violence Wales (Bill)

CARE is very pleased to have the opportunity to respond to the consultation of the National Assembly for Wales' Communities, Equality and Local Government Committee on the Gender-based Violence, Domestic Abuse and Sexual Violence Wales (Bill).

CARE is a faith based charity with extensive experience campaigning in relation to human trafficking and sexual exploitation across the UK Parliaments and Assemblies and also in Brussels.

We believe that the Gender-based Violence, Domestic Abuse and Sexual Violence Wales (Bill) is clearly a very significant piece of legislation that could put Wales very much at the cutting edge of engaging with this very important policy challenge. However, we are very concerned that some of the current definitions located at the heart of the Bill, if unamended, will potentially seriously limit its ability to properly engage with the full breadth of the challenge of gender based and sexual violence.

This year has witnessed the passing – by very significant majorities – of two seminal statements in relation to sexual violence in both the European Parliament (the Honeyball Report) and at the Council of Europe (the Mendes Bota Report). Both make it very plain that an increasingly important context for sexual violence against women is commercial sexual exploitation, prostitution.

For example the plenary resolution on the Honeyball motion (European Parliament resolution of 26 February 2014 on sexual exploitation and prostitution and its impact on gender equality (2013/2103(INI))):

“Recognises that prostitution and forced prostitution can have an impact on violence against women in general, as research on sex buyers shows that men who buy sex have a degrading image of women;”

“Stresses that the normalisation of prostitution has an impact on violence against women; points in particular to data that show that men buying sex were more likely to commit sexually coercive acts against women and other acts of violence against women, and often presented misogynist attitudes;”

“Notes that 80-95 % of prostituted persons have suffered some form of violence before entering prostitution (rape, incest, paedophilia), that 62 % of them report having been raped and that 68 % suffer from post-traumatic stress disorder – a percentage similar to that of torture victims; “

“Prostitution and the sexual exploitation of women and girls are forms of violence and as such are obstacles to equality between women and men. Virtually all of those who buy sexual services are male. Exploitation in the sex industry is both a cause and a consequence of gender inequality perpetuating the idea that women’s and girls’ bodies are for sale.”

In addition the points should be made that:

- Home Office data has shown as many as 85% of people in prostitution have experienced physical abuse in the family home, with 45% reporting familial sexual abuse.
- According to the Association of Chief Police Officers people in prostitution are thought to be 60-120 times more likely to be victims of murder than the general population.

Moreover, both reports also note that the sale of sex is inextricably tied up with human trafficking:

For instance, the Honeyball report states: “the prostitution markets fuel trafficking in women and children”

The Bota report states “although they are distinct phenomena, trafficking in human beings and prostitution are closely linked.”

That is certainly borne out by the most recent NRM figures that show that the demand for paid sex in Wales is as big a driver for trafficking into the nation as demand for forced labour.

The Need for Amendment

We believe that if the Gender-based Violence, Domestic Abuse and Sexual Violence Wales (Bill) is to be in a real position to properly engage with gender based and sexual violence, their definitions in clause 21 of the Bill must expressly engage with commercial sexual exploitation. This is important not just because commercial sexual exploitation constitutes a significant aspect of gender based and sexual violence, but also because it has distinct needs. For example the Honeyball report states:

‘Recognises that a vast majority of persons in prostitution would like to stop but feel unable to do so; stresses that these persons need appropriate support, particularly psychological and social assistance, to escape the sexual exploitation networks and the dependencies frequently associated with these; suggests, therefore, that the competent authorities put in place programmes to help persons escape prostitution, in close cooperation with the stakeholders;”

The Bota report, meanwhile, calls on Member States to:

“set up ‘exit programmes’ for those who wish to give up prostitution, aimed at rehabilitation and based on a holistic approach including mental health and health-care services, housing support, education and training and employment services;”

Conclusion

We very much hope that the Committee will robustly make the case for ensuring that the definitions of gender-based and sexual violence are fit for purpose, that they expressly include commercial sexual exploitation in their definition and that the provision of 'exiting programmes' should be part of every Gender-based Violence, Domestic Abuse and Sexual Violence Wales strategy mandated by the Bill both nationally and locally.

We would be more than happy to give oral evidence to the Committee on this matter if that was helpful.

Yours sincerely,

Dr Dan Boucher

CARE's National Assembly for Wales Policy Officer and Director of Parliamentary Affairs