

GBV 58

Communities, Equality and Local Government Committee

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

Stage 1

Response from: Caerphilly Domestic Abuse Forum

Consultation on the 'Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill' response on behalf of Caerphilly Domestic Abuse Forum.

1st September 2014

The Caerphilly Domestic Abuse Forum is a multi-agency partnership co-ordinating and developing services within Caerphilly; ensuring the delivery of the local Domestic Abuse and Sexual Violence Action Plan 2014-15. The forum is supported by the Safer Caerphilly Partnership.

Caerphilly Domestic Abuse Forum welcomes the introduction of the Welsh Government's 'Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill' as an opportunity to reduce and prevent incidents of all such forms of abuse and to improve the arrangements and support for the protection of victims. The consultation process is essential in ensuring the Bill is fit for purpose and can continue to lead the way within the UK; Caerphilly Domestic Abuse Forum recognise its responsibility in taking part in this process and therefore submit their response to the following term of reference:

1. *The general principles of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill and the need for legislation to improve the Public Sector response in Wales to domestic abuse, gender-based violence and sexual violence, including:*
 - *The publication of national and local strategies and*
 - *The appointment of a Ministerial Adviser on Gender-based Violence, Domestic Abuse and Sexual Violence.*

It is important that the definitions used within the Bill mirror other applicable legislation to avoid misinterpretation and to enable its principles to be fully realised.

The Bills White Paper adopted the United Nations definition of 'violence against women' (VAW). The loss of this wording from the title and within the content of the Bill has made the Bill gender neutral. The Equality and Human Rights Commission recognise that the prevalence, impact and consequence of violence against men is very different to violence against women and believe that it is right for legislation to focus on women as they are disproportionately affected; 'It happens because women have an unequal position in society and further reinforces that unequal position'.¹ A gender neutral approach to legislation would fail to interpret the Equality Act accurately. To get appropriate services requires examining the extent of violence of a particular group. Male and female victims of domestic abuse have different levels of need and require different kinds of services. A gender neutral approach to specialist services may lead to a disproportionate response for male victims and may presume a female model of service provision is appropriate.

Within the Bill 'abuse' is interpreted to mean 'physical, sexual, psychological, emotional or financial.' Whilst it includes psychological abuse it does not clearly state coercive control as pattern of controlling behaviour and as included in the Home Office definition of domestic abuse.

Prevention features as one of the principle aims of the Bill and so for the 'healthy relationship education' commitments described in the White Paper to be omitted is very disappointing. Such work is a key facet for tackling domestic abuse from an early age to prevent the cycle of domestic abuse and to promote healthy relationships amongst young people. Healthy relationships are about general respect issues and apply here to both intimate and familial relationships. Whilst it has been stated that the proposals made in the White Paper will form part of the Welsh Government's national curriculum review, the extent to which this will deliver on all aspects of the 'whole school approach' is uncertain and requires clarification. There are opportunities to link this work with general bullying messages within schools as well as respect for family members. Particular consideration needs to be given to the

¹ Equality and Human Rights Commission Consultation Response February 2013 (Ending violence against women, domestic abuse and sexual violence (Wales) Bill).

appointment of a fully trained 'go-to' staff member in each school as well as champions at a more strategic level.

In terms of supporting those affected through having a work place policy this is now being taken forward by a 'Public Service Leadership Group'. Whilst this is positive work the White Paper went further in its proposal to reach out beyond public sector organisations and work proactively to encompass the same approach for employees across Wales. There is a concern that by omitting this from the Bill it dilutes the potential for such work.

The publication of a national and local strategy with time linked actions and objectives to achieve the purpose of the Bill are welcomed, as is the extra power for Welsh Government to implement. It is however crucial that the local strategy is based upon a comprehensive needs assessment to ensure an accurate local picture which includes areas of need which may be hidden.

The appointment of a Ministerial Advisor on Gender-based Violence, Domestic Abuse and Sexual Violence is described in somewhat unclear terms and gives little information on the resources dedicated to the role and what it will achieve above and beyond the statutory guidance. An independent advisor role that could challenge both local and national strategies would be welcomed.

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On behalf of Caerphilly Domestic Abuse Forum.

