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Communities, Equality and Local Government Committee

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

Response from: Respect



## **Gender-based violence, domestic abuse and sexual violence (Wales) Bill**

### **Submission from Respect to the Committee for Communities, Equalities and Local government**

#### **Respect**

[Respect is the UK membership](#) association for Domestic Violence Prevention Programmes and Integrated Support Services. Our vision is to end violence and abuse in intimate partner and close family relationships. Our key aim is to increase the safety and well-being of victims by promoting, supporting, delivering and developing effective interventions with perpetrators.

We are also the UK's national organisation for work with male victims of domestic violence and young people using violence and aggression.

We run the national helplines for perpetrators ([Respect PhoneLine](#)) and male victims ([Men's Advice Line](#)). We also run the national inspection scheme for programmes working with men who abuse female partners and are piloting a programme for women who use violence.

We speak to thousands of perpetrators and male victims each year on our Helplines. Our members work with thousands of perpetrators, mostly men, each year. Our members are mainly domestic violence perpetrator intervention programmes but also other domestic violence projects working with male or female victims.

We are currently piloting and evaluating interventions with young people using violence and aggression and with women using intimate partner violence. We are also in the process of drafting a framework for standards of work with male victims of domestic violence.

We work in partnership with academics at leading universities in the UK and US, with policy makers, funders/commissioners and practitioners across the UK and with our partners in the EU.

#### **Overall comments**

We are of course pleased that the Welsh government is taking domestic violence and other forms of violence against women and girls and gender-based violence seriously.

Wales has a proud history of leading the way in the world for recognition of how gender and intimate partner violence are linked. We understand that earlier in the process of developing this legislation the focus was specifically on violence against women and girls.

We expect that the change to a more gender-neutral definition is probably because of misunderstanding about having a piece of legislation focussing on one specific part of the

population. We know from local commissioning experience that it is entirely possible to ensure provision for male victims of domestic and sexual violence within an explicitly violence against women and girls framework ([Rowlands, 2014](#)). We also know that legislation can and indeed often does address the specific needs of one part of the population, such as people with disabilities, or children.

Violence against women and girls, or gender-based violence against women and girls as the UN describes it, is both a cause and a consequence of gender inequality negatively affecting women and girls. This is not only about quantity, although national prevalence data as well as other research demonstrate clearly that domestic and sexual violence and other forms of gender-based violence overwhelmingly affect women and girls more than men and boys. It is also about context, meaning and impact.

It would be a shame if flaws in drafting weakened the impact of what could be a hugely significant piece of legislation.

## **Definitions**

The definition doesn't state clearly whether or not the scope is about adults and children, or only adults. This should be made clear.

This is further complicated by the inclusion of only three specific types of gender-based violence: domestic abuse, Female Genital Mutilation and forced marriage. There are so many forms of violence against women and girls, and so many forms of gender-based violence, it is strange to include only two specific examples but also to include them not only as examples but as part of the definition. The description of the term gender-based violence is also confusing and includes violence because of sexuality. This reduces clarity and also imposes unnecessary restrictions on the scope.

As a result of what appears to be attempting to legislate for anyone, the net result will be that the legislation is so weak as to be effective for no-one.

The risk is that once the definition is ring fenced, statutory attention will be confined to those types of violence in the list.

The UN definition of gender based violence is an inclusive list, with a long list of types of gender-based violence whereas the list in this Bill is an exclusive list and with only three types of violence, one of them weakly defined.

If the Welsh government wishes to continue to use the term gender based violence we strongly recommend that they use an inclusive definition and the UN list of types of gender-based violence.

If the Welsh government wishes to focus specifically on violence against women and girls we recommend that they consider using relevant definitions, again, inclusive.

## **Scope of the Bill - perpetrators**

The aims and purpose of the Bill do not include specific mention of perpetrators. As the cause of the problem it is vital that they are specifically mentioned. This is of particular concern as Wales is currently poorly provided with community based perpetrator interventions for non convicted perpetrators and is also affected by misunderstandings about what constitutes a safe and effective

intervention tackling perpetrators. There is the excellent, accredited programme Choose 2Change run by Relate in North Wales and developing in Cardiff. We also know of two other nascent programmes being developed in parts of West Wales. However there is a significant funding gap. There is also a problem with the commissioning of other interventions as perpetrator interventions when they are not.

The lack of any mention of perpetrators or ways of challenging perpetrators, holding them to account and enabling them to change if possible allows the current situation in Wales to continue, which is that there are huge geographical and other gaps in provision of perpetrator programmes.

A common misconception about perpetrator programmes is that they lack evidence of outcomes. Whilst the evidence base is still developing, there are significant pieces of research and evaluation which inform perpetrator work. These show that a well-run, properly resourced programme, when delivered as part of a coordinated community response, significantly reduces domestic violence.

We are concerned that at the moment there is confusion amongst commissioners about what is or is not a perpetrator programme and effective methods for ensuring safe and effective work. For example, some commissioners are commissioning Caring Dads as a perpetrator programme, when it is a parenting programme (an excellent one, by the way, but none the less, not a perpetrator programme). This clarity could be in guidance, but if perpetrators are not mentioned in the Bill attention to perpetrator programmes will get missed. We recommend that the guidance includes clear statements on perpetrator programmes and that a perpetrator programme has to directly address the domestic violence against the partner/ex-partner not only the parenting and/or impact on children.

[Accreditation](#) is an essential way of ensuring quality control, safety and effectiveness of the programme.

Perpetrator programmes are a valuable contribution to victim safety, offering ways of holding perpetrators to account, carrying out more effective risk assessment and management, protecting victims and helping to prevent future violence. This potentially protects many women and children. Research into the programme in Hull also found that this resulted in a significant return on investment for public funding.

The research found that for every £1 invested in a DVPP, the return is:

- £2.24 in reduced criminality (excluding set-up costs)
- £2.57 in net savings to the Health Service
- £10 in savings to all public agencies
- £14 in total savings when Human & Emotional costs are included (including all set-up costs<sup>1</sup>).

Given the average cost of taking one child into care is £130,000 per year, if a DVPP averts just one care proceeding, it will have recovered its entire annual staffing costs.

Our paper "[Working with the source of the problem](#)" outlines this range of ways perpetrator programmes contribute to coordinated community safety responses to domestic violence.

## Scope of the Bill – service provision and funding

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<sup>1</sup> Ibid.

We are concerned to note that the current regime of budget cuts has resulted in cuts to services and cessation of any growth or development in services to fill existing gaps.

We are worried that adopting a very loosely defined definition (see below) means that this will result in further lack of attention to specific needs of men and women which are often different.

The lack of commitment to services for victims, strengthening the enforcement of the criminal justice system, awareness raising, work with perpetrators, compulsory sex and relationships education means that the impact of the Bill will be weak.

### **Relevant authorities**

We understand that police forces are not under the direct jurisdiction of the WA. However, without any mention of the criminal justice system or the police force, it appears that the Bill is missing one of the key fundamentals of how we prevent violence and how we protect victims. It also undermines the power of the criminal law.

CPS Wales exists as a specific body to make decisions about prosecutions and VAWG is explicit as a specific policy. Whilst the Welsh government may not be able to impose requirements on Welsh police forces directly it is surely possible to find a way of including mention of the criminal justice system alongside local authorities and health. Without the law making a clear line or distinction between behaviour which is unpleasant or upsetting and behaviour which is illegal, there is no framework for tackling violence and abuse. The potential for legal consequences and legal protection is a vital part of a coordinated community response. At the very least, the Bill could require the other authorities to work in a coordinated way with the criminal and civil justice systems.

### **Oral evidence and further information**

As the national organisation for work with male and female perpetrators and for work with male victims (as well as young people using violence) we would very much like to contribute our expertise to the committee's hearings and would be very happy to appear at an oral evidence if possible. Do contact Thangam Debbonaire (below) to arrange this if it is possible, or for any further information.

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