

Comments regarding the Domestic Abuse Bill Draft Statutory Guidance (July 2020 version)

From: Gender Parity UK

It is a step in the right direction that the Domestic Abuse Bill itself is gender neutral and many aspects of the bill are to be applauded. The guidance however has many problematic and questionable parts, most of them due to the gendered nature of the guidance and its reliance on documents that are based on ideologies and claims, rather than facts or proven theories. The guidance even contradicts itself several times.

Why is a gendered approach problematic?

A gendered approach has been used for over three decades now and while female victims of male perpetrated domestic abuse received the support, visibility and recognition they need, the same is demonstrably not the case for male victims of female perpetrated Domestic Abuse (and LGBT victims). The lack of representation and support of male victims is known to the government as evident in several government papers mentioning the issue. But the government has failed completely to promote proportional equality in service provision and recognition of male victims.

Almost all documents referenced in the Guidance are female victim focused and often exclude male victims completely. These documents work with a gendered approach based on an ideology that assumes that Domestic Abuse is “power and control exerted by men against women”. This is incorrect as evident by the fact that at least 1/3 of victims are male (with female perpetrator). Domestic Abuse in same-sex relationships is also as common as in straight relationships, which debunks the “gendered violence” narrative.

The gendered approach has lead to:

- Male victims being 3 times less likely than women to report their abuse to police

- Male victims being half as likely than women to report their abuse to a health professional
- Only 1% of government funding allocated to Domestic Abuse being dedicated to male victims
- Only 40 beds in shelters for male victims of DA in the UK, none in London
- False allegations being used against Fathers in divorce/custody cases
- Police not being trained to focus on male victims of DA
- Health professionals not being trained to identify male victims
- Male victims of DA being screened as potential perpetrators by Respect
- Male victims not being believed and being ridiculed
- Male victims ending up homeless
- Male victims committing suicide

Making the bill and the guidance gender neutral will save lives! Keeping the guidance gendered will not save a single woman, but will marginalize male victims even more, when it is obvious that they have been failed by the government.

The most problematic errors/omissions of the guidance are:

- **The guidance needs to be completely gender neutral/gender inclusive** (with the exception of pregnancy and FGM)
- **False claims/myths regarding the cause of Domestic Abuse** (gender based, power and control, misogyny, Duluth model)
- **Selective evidence** (cherry picked data highlighting women as victims, data that shows men as victims left out or minimized)
- **Gendered, female focused research** (51 referenced documents were either female victim/male perpetrator exclusive or female victim/male perpetrator focused; only 1 document was male victim focused.)
- **Innocent until proven guilty** (both in the bill and in the guidance there needs to be a clear distinction between “victim” and “alleged victim” and “alleged abuser” and perpetrator)

- **Funding for male victims** (The lack of funding and support for male victims needs to be addressed in the guidance and proportionate services for men need to be promised in the guidance)
- **Parental alienation** (the guidance uses a false definition of this form of abuse)
- **False allegations** (false allegations of abuse must be included as Domestic Abuse)
- **Child contact obstruction** (must be included as Domestic Abuse)

1. **Domestic Abuse causation myths.** The following paragraphs need to be taken out of the guidance, because they are based on ideology, not on evidence-based research and/or perpetuate and increase existing discrimination against male victims

- Paragraph 14 *“Domestic abuse is both a cause and consequence of gender inequality, with women disproportionately the victims.”*
The statement is based on an ideological approach and not science-based.
High rates of same sex relationship domestic abuse prove that is is not a gendered issues but an issue that can and does affect all people.
The second statement must read: “... women report the majority of DA.”
- Paragraph 37 *“At the center of all these abusive behaviours is the perpetrator’s desire to exercise power and control over the victim.”*
Originator of the Duluth Model, Ellen Pence recognised in 1999 that this is not true. Their assumption was not based on facts or research. The *Power and Control myth* contradicts the ACEs (Adverse Childhood Experiences) model, which is far more widely used and accepted.

- Paragraph 38 *“The power and control wheel illustrates the common themes and experiences of victims of abuse, as well as the tactics used by perpetrators.”*

The Duluth/Power and Control model needs to be completely removed from this document. It is proven to be wrong.

- Paragraph 62 *“Domestic abuse perpetrated towards women by men is a form of violence against women and girls (VAWG) and is linked to wider gender inequality, misogyny and perceptions around harmful gender norms....”*

The paragraph needs to be completely removed. It’s ideology based and has no footing in research or science. It trivializes violence against men and violence perpetrated by women against women. It is embarrassing to include unproven claims and theories like this in a document that informs legislation. The fact that it corresponds with VAWA does not give it legitimacy, but highlights the need for a fact and research based approach instead of ideology based rhetoric.

- Paragraph 88 *“This crime disproportionately affects women and girls but it is important to recognise that men and boys may be victims too.”*

It is not proven that DA “disproportionately affects women and girls”. The “effects” of domestic abuse can be measured in many ways. The effects on men are dramatically under-researched. Psychological research shows that the trauma of male and female victims has similar effects and is equally disabling for both genders. While more women are victims of DA homicides, the high rate of male suicides indicate that their experience of abuse costs a very high number of lives.

Why must gender be mentioned unless men and boys get a disproportionately large amount of support compared with female victims? The opposite is the case with (approx.) 35% of victims (men) receiving less than 1% of support. Men, not women need to be highlighted, since they are being ignored and excluded in regards to

recognition, support, representation (incl in the process of this Bill), funding and access to services.

“it is important to recognise that men and boys may be victims too”
Men MAY not be victims TOO, men ARE victims. Using “may” indicates that it is unclear if men are victims, which is a despicable way to phrase it. The word “too” solidifies that men are 2nd class victims, that are less important than female victims.

- Paragraph 98 “*FGM is a form of violence against women and girls which is, in itself, both a cause and consequence of gender inequality.*”

FGM is always carried out by women, based on cultural norms, similar to male circumcision. In the UK FGM is illegal, but MGM (circumcision) is legal, which, in itself, is clearly a “consequence of gender inequality” against men. The argument, that circumcision is not “as bad” is addressed in the linked video!

- Paragraph 101 “*There are many reasons why an individual may become a perpetrator of domestic abuse and these can include: a desire to exert power and control over someone; misogyny; low self-esteem; or experience of abuse in their childhood*”

The word “misogyny” needs to be erased or “misandry” needs to be added. Further examples of incorrect analysis of the causes on DA. It contradicts ACEs analysis of causes of DA.

2. **Biased data. Selective evidence.** These comments are based on non-scientific claims, falsehoods or intentionally exclude male victims. This will lead to a continuation of men and boys being overlooked when this bill becomes law.

- Paragraph 23 “*The vast majority is perpetrated by men against women*”.

This is an unproven statement. The real numbers are unknown due to under-reporting, particular by men, which is acknowledged by the government. Male victims are 3 times less likely to report their abuse

to the police. 25% of DA reported to police is reported by men. That means that it is most likely that men and women experience DA in similar numbers. This is supported by research.

- Paragraph 41 *“Between 25-30% of children in the UK live in households with domestic abuse and domestic abuse is a factor in 50% of social worker assessments of children in need, over half of serious case reviews and two-thirds of child contact applications from 2017- 2018.”* These statistics are incorrect [see link](#)

- Paragraph 63 *“we recognise that more women than men are affected by domestic abuse”*

This is not proven to be true and statements like this increases marginalization of male victims.

- Paragraph 64 *“Women are far more likely than men to experience repeated and severe forms of abuse. Women experience higher rates of repeated victimisation and are much more likely to be seriously hurt or killed than male victims of domestic abuse. Figures show that from the year ending March 2016 to the year ending March 2018, the majority of victims of domestic homicides (homicides by an ex/partner or by a family member) were female (74%). This contrasts with non-domestic homicides where the majority of victims were male (87%).”*

This claim is incorrect and is contradicted even by the ONS findings.

The ONS Data says:

“Female victims of partner abuse were more likely than male victims to experience non-physical abuse (emotional, financial) and sexual assault by rape or penetration(including attempts); male victims of partner abuse reported a higher level of force than female victims.”

Data that proves the statements in the guidance to be wrong can be found in our detailed analysis.

- Paragraph 106 *“It is estimated that around three women a week take their own lives as a result of domestic abuse and that women who*

experience domestic abuse are twice as likely to experience depression. “

This claim is not research based at all.

It also excludes male suicides, which are 4-times as high. Suicide in connection with DA, including post separation (financial, custody, parental alienation, stalking), needs to be a new focus of gender-inclusive research.

- Paragraph 107. *“There are strong links between women’s experience of domestic abuse and coercive relationships, and their offending. Almost 60% of female offenders have experienced domestic abuse”*

This is based on gendered research that only focused on female offenders, which make a small minority. Male offenders that experienced DA were excluded from research and this needs to be addressed in the guidance.

- Paragraph 108 *“Alcohol use by women in particular has in other studies been found to be a response to experience of abuse from partners.”*

This is based on gendered research that only focused on women. Men that experienced DA were excluded from research and this needs to be addressed in the guidance.

Paragraph 109 *“The majority of women who experience homelessness have been abused. Women who are homeless are particularly vulnerable to being further targeted by perpetrators...”*

This is based on gendered research that predominantly focused on women. Men are 85% of rough sleepers and majority of homeless, but are near excluded from support for DA affected homeless. It is also untrue that homeless women are particularly vulnerable. Male homeless/rough sleepers experience violence in higher numbers.

3. **Gender-Inclusive Research and Training.** Research needs to include male victims equally to female victims and should be overseen by a neutral scrutiny committee. Legislation for female and male victims of domestic abuse cannot be based on research that:

- exclusively focuses on women
- almost exclusively focuses on women
- views men as perpetrators and women as victims
- is based on gendered ideology
- is not published in a peer-reviewed journal which requires evidence-based methods
- is produced by lobby groups such as Woman's Aid without critical external professionals NOT aligned with said organisation.
- We assessed the documents quoted in the guidance:

Out of 78 documents:

25 documents were neutral, this includes 8 ONS statistics and many documents largely unrelated to Domestic Abuse

29 documents were gendered, female focused. 13 documents by SaveLives which follow a gendered approach

16 Documents exclusively focused on female victims

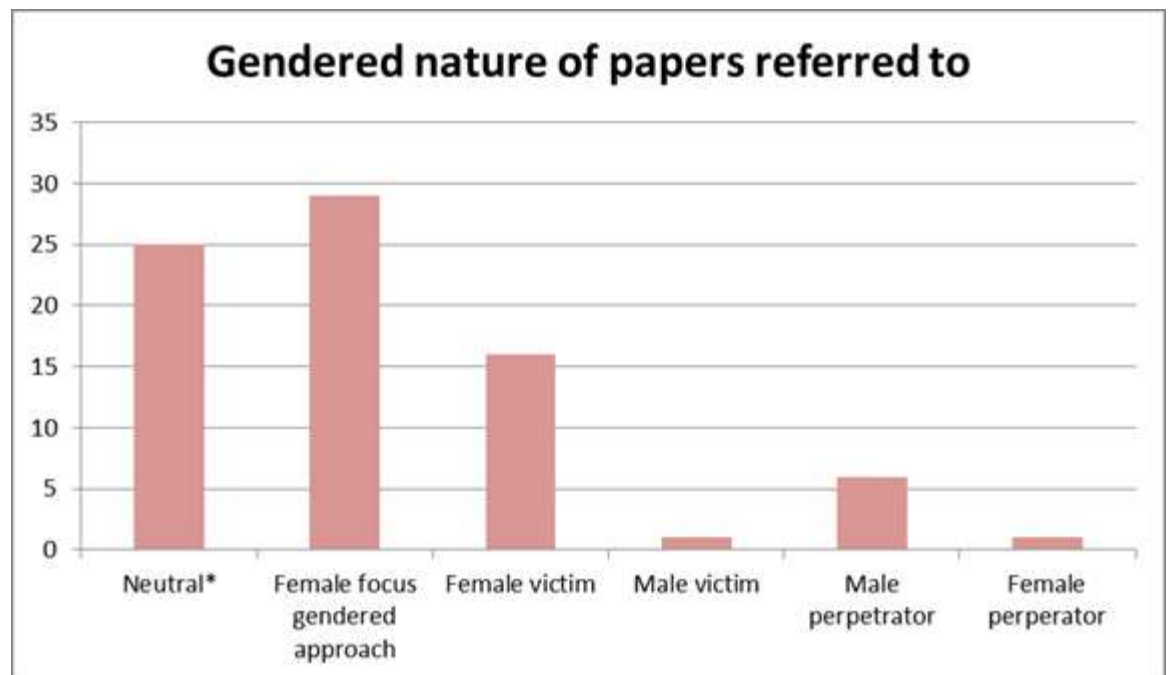
6 documents on male perpetrators

1 document on female perpetrators

1 document on male victims

51 documents are based on an ideological, gender based, female focused approach, male perpetrators.

1 document is focused on male victims, only one sentence was used from this document, taken from the introduction.



*Neutral documents consisted of :
8 ONS statistics

6 other Acts/government data
2 economic cost of DA
5 children focussed
1 LGBT
1 Disabled
1 consumer vulnerability

- The documents and the research used to inform the guidance is so dramatically gendered and bias, that it is absolutely impossible for this bill to not directly discriminate against male victims.

Training for police, NHS, service providers needs to be fully inclusive of male victims. Male victims cannot be addressed in a diminishing way and need to be highlighted equal to female victims to counter the drastic underreporting of male victims and the lack of professionals to identify male victims. Male and female LGBT victims, disabled, elderly and victims from minority background need to be highlighted as well in an appropriate amount.

- Paragraph 65 needs to include lack of services and issues of gendered training of services
- Paragraph 66 *“can discriminate or exclude, explicitly or implicitly, groups of victims and survivors such as gay, bisexual and transgender (GBT) men and boys”* Men and Boys are the second largest group of DA victims and are not a special minority group like LGBT victims. Men are 49% of the population and need to be recognised as a large victim group in their own right.

4. Innocent until proved guilty.

Paragraph 18: *“In this guidance “A” is referred to as the perpetrator and “B” is referred to as a victim. The term ‘victim’ is used in this document to denote someone who has experienced domestic abuse. It should be noted that not everyone who has experienced, or is experiencing, domestic abuse*

chooses to describe themselves as a 'victim' and may prefer another term, for example, 'survivor'."

It is crucial that throughout the document the correct terms "alleged Victim" and "alleged abuser" are being used when appropriate. The terms "victim" and "perpetrator" can only be used in paragraphs where the guilt of the perpetrator has already been proven. In paragraphs where the terms "victim" and "perpetrator" are used, (example Paragraph 59) the sole guilt of one party, referred to as perpetrator must have already been proven. An accusation is NOT sufficient. How does the Bill/the Guidance address people engaging in bi-directional domestic abuse, where both are victims/perpetrators?

5. **Funding for male victims.** The lack of funding and support for male victims needs to be rectified in the guidance and proportionate services for men need to be promised in the guidance.

6. Parental Alienation

Paragraph 118: *"Research also shows that perpetrators of domestic abuse may target and undermine parents' relationships with their children, using power and control dynamics, for example using vexatious applications to the family court to prolong proceedings (sometimes referred to as "parental alienation")"*

The guidance uses an incorrect definition on "parental alienation" CAFCASS use the following definition, which needs to be used in the guidance:

"What is parental alienation?"

*We recognise parental alienation as **when a child's resistance or hostility towards one parent is not justified and is the result of psychological manipulation by the other parent.**"*

"While not restricted to alienation, behaviours and indicators can include: a parent constantly badmouthing or belittling the other; limiting contact; forbidding discussion about them; and creating the impression that the other parent dislikes or does not love the child.

They can also include spurning, terrorising, isolating, corrupting or exploiting, and denying emotional responsiveness. These tactics can foster a false belief that the alienated parent is dangerous or unworthy. Children may adapt their own behaviours and feelings to the alienating parent to ensure that their attachment needs are met (Baker, 2010).

It is worth noting that even the most alienated child will hold strong views of their own in addition to those they may have been coached to hold.

Where a child is being alienated, it may be in their interests for the authority of the court to be used to work towards restoring the relationship, although we are aware of how difficult this can be. The court must carefully balance its decisions to ensure that both children and adults are kept safe, and ensure that children are able to maintain relationships with both parents where this is safe and in the child's best interests."

7. False Allegations (needs to be added to the guidance)

It is crucial that false allegations of domestic abuse are being classified as domestic abuse itself. Every year thousands of parents' lives and reputations are destroyed by malicious allegations. Allegations of DA in court give the accuser access to legal aid. This has made their use endemic, and there is currently no deterrent as false accusers are not prosecuted when their claims are disproved. By classing false allegations as domestic abuse an essential deterrent would be provided.

8. Child Contact Obstruction (needs to be added to the guidance)

The Guidance must include child contact obstruction: when one parent deliberately and repeatedly prohibits the other parent's contact with their children without good reason. At present even court ordered contact arrangements are frequently flouted by one parent and this is done with impunity as the Courts often fail to enforce their own orders. This brings the whole system into disrepute and denies children one half of their parental support, which is known to hugely exacerbate future disadvantage.