

Equi-law UK response to the Domestic Abuse Bill 2019-21

Submitted 26 5 2020

1 About Equi-law UK

Equi-law UK works towards ensuring that laws and other directives or advice from the UK government maintain a gender-neutral balance both in content and implementation.

2 General comments on the Bill.

Equi-law supports the majority of the Bill. However, we ask that both the Bill and the Guidance be written in inclusive and gender-neutral language. The ONS figures show that men account for 35% (women 65%) of those who suffer from domestic abuse.¹

It is vital that the Bill does not use gendered language in relation to Domestic Abuse. Legislation on suicide would not be considered a gendered, even though 25% of suicide victims are female (male 75%).²

2.1 Beyond 'victim/perpetrator' language

Research shows that a high proportion of Domestic Abuse is *Situational Couple Violence*, which involves both people. The Victim/Perpetrator narrative does not take this into account and prevents both from getting the support they need to manage the conflict. It is vital that the person making the complaint should be referred to as 'the accuser' or 'the complainant', not 'the victim' and that the accused person is referred to as 'the accused' and not as 'the perpetrator' unless and until they are found guilty.

3 Comments on amendments

3.1 Amendments in the name of Philip Davies.

We support these amendments. In particular the addition of 'parental alienation' and 'false allegations' as forms of domestic abuse. These are common features of the trauma experienced by people who seek help from the various organisations and individuals who support this submission.

Equi-law UK is fully aware that the majority of the disadvantages which men suffer are not the result of the wording of the law, but in the way it is implemented. We therefore support the Davies amendments which call for a gender-balance on the various support process which enact the Bill.

3.2 Amendment: 'Consent of Director of Public Prosecutions' in the name of Harriet Harman et al

We oppose this amendment because the law should not tie the hand of the prosecution service in this way. There are many circumstances where death occurs unintentionally and to call these 'murder' requires that act was intentional. This cannot always be the case.

4 Additional comments

4.1 Domestic Abuse Commissioner. Gender-neutrality

We ask that the remit of the Domestic Abuse Commissioner be tightened to ensure gender-neutrality. Already the current commissioner has shown a bias which adversely affects men. She has openly supported a 'gendered' definition of domestic abuse (Select Committee interview 2019) and has written to hotel CEOs asking that they offer refuge spaces for vulnerable women, with no mention of men or LGBT etc.

4.2 Cross examination of complainant in domestic abuse court.

The law should be worded to ensure that the accused is not treated as guilty until so proven.

The accused can be confronted with accusations that may misrepresent, exaggerate or falsify the facts. If the accused is disadvantaged in defending him/herself, then the process of serving justice can be obstructed.

Participants in this submission:

- Mike Bell, Equi-law UK
- Philipp Tanzer, Uniter4Men
- Stephen Fitzgerald, Men and Women Working Together
- Don Marshall, Pathfinders
- David Eggins, Temper
- Lisa Chamberlain
- Belinda Brown, author
- William Collins, author 'The Empathy Gap'
- Neil Lyndon, author 'No more sex wars'.
- Richard Leighton, Cluster B
- Robert Wells, Domestic Abuse Business Support Ltd.
- Will Davis, shared parenting campaigner

Statistics on actual prevalence of domestic abuse

Source: Domestic Abuse Bill. Policy Equality Statement. Demonstrating Compliance with the Public Sector Equality Duty (PSED)

Although 75% of domestic abuse reported to police was female (25% male), only 10% of men report their abuse while 26% of women report. This suggests that the actual domestic abuse figures for males and females are near equal. (figures from sections 41 and 43)

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/bulletins/suicidesintheunitedkingdom/2018registrations>