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Registered Charity No. 1089547 – Company Registration No. 3869893
Honorary Patrons – Lord Cotter, John Penrose MP, Liz Lynne MEP, Ian McNicholl and Erin Pizzey

Submission to DWP consultation:

Strengthening families, promoting parental responsibility: the future of child maintenance.

(1) Summary

- 1.1 In response to the consultation, the charity has raised three points – one on question three and two on question seven.
- 1.2 On question three the charity raises the issue that all policies, procedures and information made available and given to victims of domestic abuse must include male victims, and that male victims are equally recognised throughout C-MEC and the CSA as female victims. To fail to do so will mean a breach in equalities legislation¹ and the public sector equality duty.
- 1.3 On question seven the charity raises the requirement to ensure the exemption charge is not just available to male victims of domestic abuse but the application of the criteria must be the same as for female victims. The equality means the equal interpretation of those within C-MEC and the CSA rather than just ensuring the regulations are set out for all victims. This must be monitored.
- 1.4 The charity also raises the issue on question seven that there is a need to ensure the exemption does not encourage false allegations of domestic violence and domestic abuse.
- 1.5 It is important to note that the latest government statistics (British Crime Survey) show that 11.2 of men and 22.6% of women have been victims of partner abuse in their lifetime (a ratio of 33%:66%) – that is for every three victims of partner abuse, two will be female and one will be male.

(2) About the ManKind Initiative

- 2.1 The ManKind Initiative (www.mankind.org.uk), is a national charity dedicated to support male victims (and their children) of domestic abuse. The charity's mission is to directly, and indirectly help others to, support male victims of domestic abuse and domestic violence across the UK and within their local communities.
- 2.2 The charity undertakes this role through direct services such as running a national helpline, information and referral service for male victims. It also performs an advocacy role by providing training and information and giving presentations to the third sector and statutory authorities as well ensuring society, statutory agencies and others fully recognise that domestic abuse/violence victims can be male or female and must be equally supported.

(3) Question 3 – information and support services

- 3.1 In line with the legal meaning of equality as well as the public sector equality duties outlined in the 2010 Equality Act, there is a clear requirement to ensure that not only are male victims of domestic abuse viewed equally in the regulations governing child maintenance but also in their practical interpretation and implementation.
- 3.2 This means there should be information, advice and support services made available to male victims of domestic abuse in the same way they rightly are for female victims. Any domestic abuse campaign and information that is made available must include full information about male victims. This information must not be a footnote, a small sentence or the oft-used throwaway line that appears on some public sector information (including websites) stating that “men can also be victims but the majority of victims are female.”
- 3.3 Any proactive campaigns for victims of domestic abuse must also include recognition of male victims as well as female victims.
- 3.3 In addition, the child maintenance system should fully recognise male victims and all those working within C-MEC and the CSA are fully aware of the need to treat male victims as equals to female victims. This includes receiving adequate training, responding equally to any male stating they are a victim of domestic abuse in the

same way they would for a female victim and also being aware of the existence of male victims.

- 3.4 The charity believes that the responses given to those entering the child maintenance system who state they are a victim of domestic abuse should be monitored to ensure that male victims stating they are a victim of domestic abuse are treated (and believed) in the same way as female victims are.

(4) Question 7 – domestic violence

- 4.1 In a similar vein to the answers set out in response to question 3 (3.1 above), not only must the regulations, especially those set out in paragraph 38 of the consultation equally recognise male and female victims, the actual application and day-to-day interpretation of the proposals must also, This especially applies to staff determining the exemption of the application charge on each case. To fail to do so will be in breach of the Equalities Acts 2006 and 2010 including the public sector equality duty.
- 4.2 Paragraph 38 refers to the Government's strategic vision in 'Call to End Violence against Women and Girls'. However, this strategy does not cover or refer to men and boys. Therefore to refer to this document in application of the exemption charge is discriminatory and in breach of the sections of the law outlined in 4.1 above.
- 4.3 If any literature, training or information based on the exemption charge is produced based on this strategy then the Department for Work and Pensions will be in breach of the law as it will be failing to ensure equal recognition of male victims of domestic abuse and boys.
- 4.4 The additional concern that the charity has on basing the exemption charge on the strategic vision outlined in paragraph 38 is that this will be the basis whether overtly or subliminally used for training for those in deciding on exemption applications and or in the back of the minds of those making the decisions. This is a form of discrimination.
- 4.5 There will be a requirement to ensure the exemption charge is not just available to male victims of domestic abuse but the application, interpretation and implementation of the criteria must be the same as for female victims. This applies

in the day-to-day actions of those staff making the judgments on applications for exemptions. This equal application of the criteria must be monitored

- 4.6 With regard to the exemption of the charge, there has to be a clear and verifiable proof that those approaching the C-MEC and the CSA for an exemption are victims of domestic abuse.
- 4.7 The charity has long raised concerns that allegations of domestic abuse (it applies to women and men) can be made without the necessary verifiable proof in some circumstances. False allegations of domestic abuse are a form of domestic abuse themselves and the charity receives calls from men who have said they have been falsely accused of domestic abuse and this accusation has been taken as the truth (in the family court system and in CSA applications) when no such evidence has been available – because they are not true.
- 4.8 The charity is concerned that unless the exemption from the application charge given to domestic violence victims is based on evidence (a prosecution) it will actually encourage false allegations. To fail to ensure there is evidence will also stigmatise the recipient of the false allegation and the acceptance of such an allegation by C-MEC or the CSA without evidence would actually leave the organisations open to civil restitution by the victim of the false allegation.

Notes

¹ Section 8(2) of the 2006 Equality Act and Sections 113, 29 and 149 of the 2010 Equality Act

² British Crime Survey 2009/10 (Homicides, firearm offences and intimate violence - Table 3.01 page 82 <http://webarchive.nationalarchives.gov.uk/20110218135832/rds.homeoffice.gov.uk/rds/pdfs11/hosb0111.pdf>

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ENDS