

The ManKind Initiative

Flook House, Belvedere Road, Taunton, TA1 1BT
Registered Charity No. 1089547 – Company Registration No. 3869893
Honorary Patrons – Lord Cotter, Ian McNicholl, John Penrose MP, Sara Westle and Erin Pizzey

The ManKind Initiative

Submission to the Home Affairs Committee Inquiry into Domestic Abuse

(A) Background

About the ManKind Initiative

1. The ManKind Initiative is the first British charity to support male victims of domestic abuse. Since 2001, we have been at the forefront of providing services, support and campaigning for male victims ensuring that they (and their children) receive the support and recognition they need.
2. Our aim is to ensure all male victims of domestic abuse are supported to enable them to escape from the situation they are in. We are gender inclusive in our approach so whilst we are a service provider for men, we want all female victims (and their children) to escape too so do not want services or funding switched from male to female victims. We do not believe domestic abuse support and recognition for victims should be based on a “competition” between the genders.
3. Our core services include a national helpline which receives 1,800 calls per year (25% of calls are from family members, friends and work colleagues – often women), a popular website, a training programme and a national conference. The charity has three Independent Domestic Violence Advisers and is a member of a number of national committees and stakeholder groups.

Statistics

4. 4.3% of men and 7.5% of women stated that they have experienced domestic abuse in 2016/17, equivalent to an estimated 713,000 male victims and 1.2 million female victims. In addition, 2.7% of men (equivalent to 450,000) and 5.2% of women (equivalent to 862,000) experienced partner abuse (non sexual). **For every three victims of partner or domestic abuse, two will be female and one will be male.**¹
5. In 2016, 135,005 men reported to English and Welsh police forces stating they were a victim of domestic abuse. 24% of all victims who report to the police are male².
6. Male victims (39%) are over three times as likely as women (12%) not to tell anyone about the partner abuse they are suffering from. Only 10% of male victims will tell the

¹ ONS BCS Focus on Violent Crime and Sexual Offences 2016/17 <http://bit.ly/2G9nGPv>

² FOI requests to 43 police forces (Ian McNicholl, The ManKind Initiative): <http://www.mankind.org.uk/wp-content/uploads/2018/01/SUMMARY-FOI-RESPONSE-AT-31-DECEMBER-2016-MANKIND-WEBSITE-VERSION-LIVE-01-SEPTEMBER-2017-GENDER.xlsx>

police (26% women), only 23% will tell a person in an official position (43% women) and only 11% (23% women) will tell a health professional³.

7. In 16/17, 13 men died at the hands of their partner or ex-partner compared to 82 women⁴.
 8. 27 organisations offer refuge or safe house provision for male victims in the UK - a total of 105 spaces, of which 31 are dedicated to male victims only (the rest being for victims of either gender)⁵.
 9. There are 180-200 organisations providing services to male victims in March 2018. In 2012, the figure was 70. The vast majority of these services are provided by organisations providing services for women and men.⁶
-

(B) Executive Summary

10. We support the Government's intention of taking a more proactive and focussed stance on domestic abuse. However, we remain concerned that the application of current policies and programmes do not adequately support male victims and are concerned that future services will not either. We therefore would like to see further measures in a number of key areas.
11. We support:
 - a. the proposed gender-neutral statutory definition of domestic abuse
 - b. the proposed inclusion of Economic Abuse in the new legal definition of domestic abuse
12. We believe further measures and change need to be made including:
 - a. Ensuring the **statutory guidance for professionals with safeguarding responsibilities must be fully gender-inclusive** and all training must also be gender-inclusive.
 - b. **Parental Alienation Syndrome** to be included in the new legal definition of domestic abuse
 - c. Creating a parallel **Ending Intimate Violence Against Men and Boys Strategy** covering the same types of crimes as the successful Ending Violence Against Women and Girls Strategy. This is a position supported by the Victims Commissioner.
 - d. Ensuring the appointed **domestic abuse commissioner** has an inclusive, multi-dimensional and equality based view of domestic abuse.

³ ONS BCS Focus on Violent Crime and Sexual Offences 2014/15 <http://bit.ly/1p8CGl0> Table 4.28 on Appendix Table: <http://bit.ly/1M1diC5>

⁴ ONS BCS Focus on Violent Crime and Sexual Offences 2016/17 <http://bit.ly/2G9nGPv>

⁵ Male figures - The ManKind Initiative (March 2018)

⁶ Oak Book Directory - The ManKind Initiative

- e. Ensuring guidance on **Relationships and Sex Education in secondary schools is inclusive** ensuring equal recognition and focus is given to male and LGBT+ victims as heterosexual female victims.
 - f. Ensuring the **national narrative, culture and conversation** on domestic abuse is more inclusive to encompass male and LGBT+ victims, including more awareness campaigns.
 - g. Ensuring any **new measures, training and guidance in the family courts** on domestic abuse is inclusive and there is consistency in judgements.
 - h. **Ensuring health professionals, social services officers and housing officers** hold an inclusive view of domestic abuse and better support and recognise male victims.
-

(C) Areas of Agreement

Statutory Definition

- 13. We wholeheartedly agree with the aim of ensuring the statutory definition continues to “*not be limited to women and girls and recognise abuse that happens in all relationships.*” This must underpin the Government, statutory sector and societal approach to domestic abuse.
- 14. This ‘gender-neutral’ definition will ensure that the legislation, its application and guidance remains in line with the “British Constitution” and the democratic/legal framework of this country. This will ensure the individual and their individual need/risk remain the primary factor in domestic abuse and support for domestic abuse victims.
- 15. To include in any definition anything other than a gender-neutral definition would lead to a breach of the Equalities Act 2010, Human Rights Act 1998 and also leave the statutory sector open to breaches in the Care Act 2014 and Housing Act 1996 in how they apply any non-gender neutral definition.

Economic Abuse

- 16. We agree with the expansion of the definition to include economic abuse in the legislation. Economic abuse is part of the ‘dangerous cocktail’ of domestic abuse crimes that affect victims and is one that has fallen in-between different parts of legislation so it is welcome that it is included and has not been overlooked
- 17. It is important to ensure that all statutory guidance and communications are gender inclusive as economic abuse affects male victims as well as female victims. One in seven men (and one in five women) have experienced financial abuse from a partner or ex-partner (Co-op/Refuge Money Matters report published in 2015)⁷ – forming 40% of all victims. Failure to take an

⁷ Money Matters: Written for The Co-operative Bank and Refuge by Nicola Sharp-Jeffs. <https://www.refuge.org.uk/files/Money-Matters.pdf>

inclusive approach will mean that economic abuse will wrongly be seen as a crime only affecting heterosexual women – not all women and men.

(D) Areas where change is needed

Statutory Guidance

18. Whilst we agree with the Statutory Guidance in principle, we have concerns that the eventual guidance will not be inclusive thereby ensuring equal recognition and support for domestic abuse victims (especially male and LGBT+ victims), based on individual need and risk.
19. This concern is borne from an overarching Government narrative of the “gendered nature of domestic abuse.” At a national policy level, this is broadly used to define and portray domestic abuse as a crime against (heterosexual) women – and not a crime against the individual (which would of course be in line with the statutory definition).
20. In many quarters, albeit reducing in terms of numbers of professional adherents, domestic abuse is often placed in an ideological framework (‘the patriarchy’). This framework acts against modern professional practice (individual need and risk), the proposed (and welcome) gender-neutral domestic abuse definition and also creates a hierarchy of victims based on their protected characteristics not need/risk. This is not an inclusive approach to the crime. This approach leads to differences in statutory responses to victims, funding/services and societal recognition. In effect, it frames domestic abuse as a “heterosexual women’s issue” not a “person issue” or a “crime against a victim”.

Parental Alienation

21. We strongly believe that Parental Alienation Syndrome (PAS) should also be included in the statutory definition. This is not covered by the legislation on Controlling and Coercive Behaviour (Section 76 of the Serious Crime Act 2015) as this is based on intimate partners who live together (which is in itself non-aligned with the Government’s domestic abuse definition which covers current and ex-partners).
22. PAS is growing substantially in recognition throughout the justice and legal sector with Children and Family Court Advisory and Support Service (Cafcass) reporting that it is a feature of approximately 11%-15% of divorces involving children⁸. In addition, Cafcass reports that parental alienation plays a part in approximately 80% of the most difficult divorce cases seen by the court.

⁸ The Guardian 17 November 2017 (<https://www.theguardian.com/society/2017/nov/17/parental-alienation-divorce-custody-crackdown-cafcass>)

23. Broadly PAS refers to a situation in which a resident parent (usually but not exclusively) turns their child against the non-resident parent, intentionally or unintentionally, resulting in the child's supposed desire to reject all contact with that parent. More succinctly, Cafcass Chief Executive Anthony Douglas, stated that it was the "practice of 'brainwashing' children against a former parent".
24. The focus from a Cafcass perspective is on the impact on the child, however, PAS has an impact on the alienated parent (ex-partner) that is clearly aimed at causing psychological, emotional and financial abuse against them. It is also clearly controlling and coercive behaviour and would fit under the government definition of domestic abuse setting aside the 'living together' clause in Section 76 of the Serious Crime Act 2015.
25. The psychological, emotional and financial abuse caused by PAS involves:
 - The deliberate nature and behaviour of manipulating a child against an ex-partner causing psychological and emotional harm;
 - The deliberate nature and behaviour of manipulating a child against an ex-partner is coercive and controlling behaviour;
 - The psychological and emotional harm against an ex-partner by the wilful, deliberate and continual breach of Child Arrangement Orders;
 - The financial abuse by the wilful and continual breach of Child Arrangement Orders means the non-resident partner having to constantly seek further legal redress ultimately with financial burden of doing so.
26. In conclusion, Parental Alienation Syndrome would fit squarely with the government's proposed statutory definition of domestic abuse and should be included as such.

The introduction of an "Ending Intimate Violence Against Men and Boys Strategy"

27. We agree with the principle of the Ending Violence Against Women and Girls Strategy and Framework. But not when it also encompasses male victims of VAWG crimes – including domestic abuse, sexual abuse/violence, stalking, forced marriage and honour-based crime. It is an illogical policy contortion to define and classify male victims of these crimes as victims of VAWG crimes.
28. The charity has set out its position, alongside a number of other charities (in the sexual violence/abuse field) directly with officials and ministers that it is time now for the government to take an inclusive, equality and needs-based approach which means creating a parallel "Ending Intimate Violence Against Men and Boys Strategy". The reason is
 - It is factually incorrect to class men and boys who are victims of these crimes as victims of crimes against women and girls;

- The approach minimises and disrespects the lived experience of men and boys who suffer these crimes, contributing to their vulnerability;
 - Reporting rates for male victims of these crimes continues to be far too low, which then has an impact on service provision and funding. It is our judgment that current policies act as a disincentive and barrier to reporting;
 - Male victims of these crimes continue to be more invisible than they should be to society at large and current government policies contributing to this;
 - The approach hampers the creation of nuanced and gender responsive statutory services and understanding at a national, regional and local level, and,
 - There continues to be under provision of resources and funding at through national, regional and local bodies.
29. The introduction of a parallel strategy and separate classification and categorisation would provide a pathway towards resolving many of these issues which have such a negative impact on the wellbeing of vulnerable men and boys in our society. This includes a lack of service provision, societal recognition and an improved response from statutory authorities.
30. An example of how this policy contortion works in practice is the fact that those men who came forward in 2016 and 2017 to say they were victims of sexual assault as young footballers are classified and codified by the Government as victims of VAWG crimes. Whenever this is stated in public including through training professionals in the statutory sector (police, local authority and health) – it is met with incredulity.
31. The introduction of a parallel **Ending Intimate Violence Against Men and Boys Strategy** is a position supported by the Victims Commissioner.

An inclusive domestic abuse commissioner

32. We fully support the position of a domestic abuse commissioner but the person appointed must be someone who has an inclusive, multi-dimensional and equality based views of domestic abuse (men and women can be perpetrators and victims – including those in same-sex relationships).
33. If the person selected has a gender exclusive and ideological view (their sole focus is only heterosexual women are victims and that only heterosexual men are perpetrators) then all male victims, women in same-sex relationships and transgender victims will not be equally supported. This should be in the clear in the recruitment process and job description. The interview panel should include representatives from across the whole sector.
-

Inclusive Relationships and Sex Education

34. It is vital that teenage boys and girls understand what are unhealthy and healthy relationships and that both women/girls and men/boys can be both perpetrators and victims. Our fear is that the education around this, and other crimes, is only aimed at heterosexual male perpetrators and heterosexual female victims, therefore not taking into account male and LGBT+ victims.
 35. The forthcoming guidance on Relationships and Sex Education in secondary schools must ensure it is inclusive – failure to do so will lead to heterosexual teenage boys and those who are LGBT+ being in a vulnerable situation. They will not recognise themselves as being potential victims of domestic abuse. In addition, schools/colleges will not be responsive to them alongside the support they rightly will give female heterosexual victims.
-

Ensuring magistrates and family courts are inclusive and consistent

36. We have serious concerns about the skills and legal training of a number of magistrates especially their ability to ensure any proposed Domestic Abuse Protection Orders pass the relevant evidential threshold. Too many are unable to leave their personal bias behind.
37. At the present time, we are also not convinced magistrates at the family courts should be able to issue these Orders for the same reason as above alongside the inability of equal access and affordability of legal support by both parties in serious parental conflict cases. We are also certainly not convinced that Cafcass and social services staff have the experience, expertise and resources to be involved.
38. Since the reduction in legal aid for child residency disputes in the family courts except where there is a claim of domestic abuse, the law of unintended consequences has seen the number of accusations of domestic abuse in these cases rise exponentially. There is no evidence of an increase in the actual amount of domestic abuse in these types of relationships.
39. Where there is the continual, deliberate and wilful breach of child arrangement orders these should be treated in the same way in the family courts rather than be ignored when they are clearly contempt of court. The failure by the family courts to treat these breaches as contempt exacerbates Parental Alienation Syndrome and also the psychological, emotional and financial abuse on the parent who is being alienated or is the victim.
40. We certainly support those convicted of domestic abuse and sexual offences (including rape) from not being allowed to directly cross examine their victim, in the same way that is applied in a criminal court.
41. Some of the reporting however, conflates those with actual convictions (including cautions and restraining orders) with those who had been accused, but not convicted.

42. We ask that any measures proposed in the review are clear in defining this delineation, and, that Due Process, Equality of Arms and Section 6 of the Human Rights Act is maintained.
 43. From the helpline that we run, we hear from men who have said they have been falsely accused of domestic abuse including in a family court setting and also a father's charity (Families Need Fathers) carried out research that indicated that this was an issue.
 44. We cannot prove via our anonymous helpline the veracity of all of these claims, beyond the fact that is not an unusual type of telephone call and therefore we are confident that a number will be truthful.
 45. In fact, false allegations are themselves a form of domestic abuse as they are designed to psychologically and emotionally control an (ex) partner, and, through the family courts, have the potential to financially control an (ex) partner (especially in terms of facing the prospect of large legal fees).
-

Ensuring a gender-inclusive narrative and training for statutory services

46. The Government has to change the societal narrative, culture and conversation on domestic abuse – to make clear that it is a crime that happens to everyone - including men and LGBT+ victims.
47. This would also support better responses from statutory agencies so they recognise they have the same statutory responsibilities and obligations to those victims as they do for heterosexual female victims. We remain concerned about the responses from too many professionals in the health sector, social services and housing who do not recognise or respond to male victims of domestic abuse.

The ManKind Initiative
4th July 2018