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Registered Charity No. 1089547 – Company Registration No. 3869893

Honorary Patrons – Lord Cotter, John Penrose MP, Ann Goodchild, Paul Chivers, Erin Pizzey and Clive Lever

## **Domestic Abuse Bill 2020: Report Stage/Third Reading A 21<sup>st</sup> Century and inclusive approach to supporting ALL victims including male and LGBTQ+ victims of domestic abuse**

### **About the ManKind Initiative**

The ManKind Initiative charity (formed in 2001) was the first charity in Great Britain to support male victims of domestic abuse. Our aim is to ensure all male victims, and their children, escape from their domestic abuse. We take a modern 21<sup>st</sup> century inclusive and equality-based view of domestic abuse. The charity thus strives to ensure that all victims, including males, females, LBGTQ+, and their children, receive the support they need.

Our core services include a national helpline, a popular website, a training programme and a national information service for agencies. We also worked in partnership with both the CPS<sup>1</sup> and the Home Office<sup>2</sup> on their respective statements regarding male victims of VAWG crimes.

### **Statistics**

Five core statistics about male victims (fuller set in Appendix 1):

- The number of male victims per year is 786,000 (one in three of all victims)
- Half of male victims (49%) fail to tell anyone they are a victim of domestic abuse and are nearly three times less likely to tell anyone than female victims
- 11% of male victims (7.2% women) have considered taking their life due to partner abuse
- Three men have allegedly been killed by their female partners since “lockdown” (16 in total in 18/19)
- There are only 36 organisations with 204 refuge/safe house spaces for male victims.

### **Summary**

The charity is supportive of the Domestic Abuse Bill but we feel there are significant areas that can be improved to better support all victims – including male and LGBTQ+ victims and their children, alongside female victims and their children.

However, there requires a number of other significant changes to improve the Bill and also the domestic abuse landscape in general. These can be found below in four recommendations covering the Statutory Guidance, parental alienation, coercive control and the national advisory committee.

A fuller briefing is available on the charity’s website at <https://www.mankind.org.uk/media-and-policy/public-policy-and-research/>

For further information, please contact Mark Brooks OBE, Chair on 07834 452357 or [chairman@mankind.org.uk](mailto:chairman@mankind.org.uk)

<sup>1</sup> CPS Public statement on male victims for crimes covered by the CPS VAWG Strategy <https://www.cps.gov.uk/publication/cps-public-statement-male-victims-crimes-covered-cps-vawg-strategy>

<sup>2</sup> Position statement on male victims of crimes considered in the cross-Government strategy on ending Violence Against Women and Girls (VAWG) [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/783996/Male\\_Victims\\_Position\\_Paper\\_Web\\_Accessible.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/783996/Male_Victims_Position_Paper_Web_Accessible.pdf)

## Domestic Abuse Bill: Third Reading

### Support

1. We support Statutory Definition of Domestic Abuse being gender neutral to ensure equality of the law for all victims/perpetrators of domestic abuse in line with the British Constitution. We also support the full range of measures such as including children in the definition of domestic abuse as well as economic abuse. We also support the new responsibilities to support victims to get access to safe accommodation.

### Changes

2. **Recommendation 1:** We believe that the **proposed clause (68(3)) in the Statutory Guidance will reinforce and embed administrative (lack of recognition and support by the statutory and justice sectors) cognitive and societal bias against male and LGBTQ+ victims. This clause should be removed.**

For the law to be fully inclusive and to be applied equally then the Statutory Guidance must apply equally to all and be clear that it does so.

However, the proposed clause (68(3)) states “*Any guidance issued under this section must, so far as relevant, take account of the fact that the majority of victims of domestic abuse in England and Wales are female*”.

Whilst the Government<sup>3</sup> in correspondence with the charity has made some reassuring clarifications, there remains concern about the meaning and application of “*as far as relevant*” by those actually applying the Guidance. This is because that phrase allows a subjective judgement which may have the unintended consequence of further marginalising male and LGBTQ+ victims. This is because those making this “judgement of relevancy” may not fully and equally recognise these victims. It runs the risk of embedding and allowing the continuation of stereotype, administrative and cognitive bias by the backdoor.

It is clear in the statistics that there are more female victims of domestic abuse (and they must always receive the support they and their children need), however, under this Bill (and all Acts of Parliament), all victims are equal.

We therefore believe there is no need for this clause at all if all victims are to be recognised as equals, as they are in law, and the Guidance will apply to all those equally.

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<sup>3</sup> Correspondence sent by Victoria Atkins MP, Minister for Safeguarding to the ManKind Initiative (dated 20 April 2020) said: “One of the purposes of any supporting statutory guidance is to provide more detail on the features of domestic abuse, which would include recognising that the majority of victims are female. This would equally include recognising that men and those identifying as LGBTQ+ can also be victims of domestic abuse and that they can face specific barriers to leaving abusive relationships, reporting crimes against them and accessing the help that they need.”

3. **Recommendation 2: We believe that Parental Alienation<sup>4</sup> should be included in the statutory definition as a type of domestic abuse.**

This is a growing issue fully recognised by CAFCASS and the Family Courts. This is clearly an abusive behaviour between those who have been intimate partners because it is a form of psychological, emotional and financial abuse (often a victim has to continually go back to the Family Courts) but there is no criminal offence against it and therefore no sanction.

4. **Recommendation 3: There should be alignment with Scotland on their definition of coercive and controlling behaviour thereby changing the ‘household test’.**

Currently the law in England and Wales (Serious Crime Act 2015) only allows this law to be applied when the two partners (or ex-partners) are living in the same property. This therefore ignores coercive and controlling behaviour by one partner that continues to occur after partners are no longer in the same household (nearly always when they are no longer together). This behaviour often is shown through economic abuse and wilful, deliberate and regular breaches in Child Arrangement Orders. The legislation in Scotland (Domestic Abuse (Scotland) Act 2018)) does not have such an arbitrary ‘household test’, hence it is stronger and better – and therefore should be adopted in England and Wales.

5. **Recommendation 4: There should be statutory improvements in the accountability and transparency of the Domestic Abuse Commissioner.**

This is to ensure that the voices of male victims of domestic abuse and their children are always included. Very few in the domestic abuse sector speak up for male victims of domestic abuse and their children. It is vital in the legislation that there is an open process in the recruitment of advisory board members and there is a guaranteed place for a person that solely represents male victims, given they make up one in three of all victims.

### Additional Whole System Changes

6. We believe that there should be more wholesale changes to the domestic landscape in the UK to ensure this decade is far more inclusive in supporting all victims of domestic abuse. These changes are set out below:
- a) The introduction of an “Ending Intimate Violence Against Men and Boys” Strategy in parallel to the successful and welcome “Ending Violence Against Women and Girls” Strategy.
  - b) Introducing a National Statement of Expectations on domestic abuse for men and boys alongside the current National Statement of Expectations which focuses on women and girls.
  - c) Ensure there is a gender-inclusive narrative in Relationships and Sex Education.
  - d) Create a national network of refuges and safe houses for males and LGBTQ+ victims of domestic abuse.

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<sup>4</sup> “Parental alienation” means any behaviour where a child’s resistance or hostility towards one parent is not justified and is the result of psychological manipulation by the other parent

- e) Increase the level of appropriate and inclusive service provision for male victims of domestic abuse based on risk and need.
- f) Creating proactive national/local awareness campaigns targeted at male and LGBTQ+ victims.
- g) Improve and provide appropriate training to the police, local councils, the health sector and justice system to raise awareness on how to better support male victims of domestic abuse.
- h) Improve support for female and LGBTQ+ perpetrators of domestic abuse.
- i) Review and reform the legal definition of rape to include male and LGBTQ+ victims who are raped by women.

## 2 July 2020

For further information, please contact Mark Brooks OBE, Chair on 07834 452357 or [chairman@mankind.org.uk](mailto:chairman@mankind.org.uk)

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### **Appendix 1**

#### 10 Core Statistics on Male Victims of Domestic Abuse:

##### *The Office for National Statistics report*

1. In 2018/19, 786,000 men (3.8% men) and 1.6 million women (7.5% women) and were victims of domestic abuse in 2018/19 equating to a ratio of two female victims to every one male victim.<sup>5</sup>
2. In 2018/19, one in four women and one in six/seven men will be a victim of domestic abuse in their lifetime.
3. 576,000 men (2.5% men) and 1.2 million (4.8 women) were victims of partner abuse in 2018/19 equating to a ratio of two female victims to every one male victims<sup>3</sup>.
4. In 2017/18, 11% of male victims (7.2% women) have considered taking their life due to partner abuse.<sup>6</sup>
5. In 2017/18, nearly half of male victims fail to tell anyone they are a victim of domestic abuse (only 51% tell anyone). They are nearly three times less likely to tell anyone than a female victim (49% of men tell no one as opposed to 19% women). This has worsened since 2015/16 where the figures were 61% for men (88% women).<sup>7</sup>
6. Of those that suffered from partner abuse once or more in 17/18, 45.7% of male victims had suffered from force (28% of women), 2.9% of male victims had suffered from sexual assault (6.2% women) and 18.1% suffered from stalking (23.4% women)<sup>4</sup>.
7. In 2018/19 - 16 men (80 women) were killed at the hands of their current or ex-partner.<sup>8</sup>
8. In terms of refuges/safe houses, currently, there are 36 organisations with 204 spaces with only 43 of those places are dedicated for men. Many parts of the UK have no or limited places at all – for instance, East Anglia and Kent/Sussex/Surrey has no spaces.

<sup>5</sup> Domestic abuse prevalence and trends, England and Wales: year ending March 2019: Report - <https://bit.ly/38f7GWh> and Data - <https://bit.ly/3ajXVrm>

<sup>6</sup> Partner abuse in detail, England and Wales: year ending March 2018: Report - <https://bit.ly/38epe4X> and Data - <https://bit.ly/38faSRL>

<sup>7</sup> ONS domestic abuse: findings from the Crime Survey for England and Wales: year ending March 2018 <https://bit.ly/2FY8UYc->

<sup>8</sup> Homicide in England and Wales: <https://bit.ly/2VM3aw3>

9. In 2017, 159,000 men reported to English and Welsh police forces stating they were a victim of domestic abuse (73,000 in 2012) as did 480,000 women (311,000 in 2012). 23% of all victims who report to the police are male.
10. 53% of the men who call the ManKind Initiative helpline have never spoken to anyone before about the abuse they are suffering and 70% would not have called if the helpline was not anonymous.

## *Covid-19*

- Three men have lost their lives to domestic abuse (allegedly killed by their female partners) during the lockdown period<sup>9</sup> Calls to the ManKind Initiative helpline since lockdown are 35% higher than normal.
- Visitors to the ManKind Initiative website since lockdown are over 100% higher than normal.
- Male victims, like female victims, are at higher risk as many are now stuck indoors with their abuser. They are therefore more easily controlled through violence, psychological abuse and isolation. It is harder for those men to seek a safe space to reach out for help.
- Custody and Child Arrangement Orders: A number of fathers are now contacting the charity stating that their exes (mothers) are using the Covid-19 lockdown as a reason to breach agreed Child Arrangement Orders awarded as part of shared parenting. This is despite the fact that the Government has issued guidance to state that the lockdown should not be used as a reason to breach Child Arrangement Orders unless through mutual agreement. There have been media reports (Guardian 7 April) of lawyers “inundated by divorced parents arguing over lockdown custody.”
- Counselling: We have had a number of men contacting the charity because their appointments with counsellors or other forms of support have been cancelled and they want someone to talk to.

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<sup>9</sup> <https://www.mankind.org.uk/wp-content/uploads/2020/06/9-28-06-2020-ManKind-Initiative-Covid-19-Briefing-Male-Victims-of-Domestic-Abuse.pdf>