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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: House of Lords (Second Reading)

A 21st Century and inclusive approach to supporting ALL victims including male and LGBTQ+ victims

(1) 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 21st century inclusive and equality-based view of domestic abuse. The charity thus strives to ensure that all victims, including males, females, LGBTQ+, 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 CPS¹ and the Home Office² on their respective statements regarding male victims of VAWG crimes.

(2) 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 37 organisations with 215 refuge/safe house spaces for male victims (only 48 are solely available for male victims).

(3) 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. This is especially on the detail of Statutory Guidance parental alienation, coercive control and the national advisory committee .

We have also provided in Annex A, a letter from 50 women who have been affected by a male victim of domestic abuse they know – including mothers and sisters whose sons/brothers have been murdered or committed suicide due to domestic abuse.

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

¹ 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-yawg-strategy>

² 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

Domestic Abuse Bill: Second 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.
2. 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 on local councils to support victims to get access to safe accommodation.

Changes

3. **Recommendation 1 (Clause 73(3)): We believe that the proposed clause (73(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.**

The clause states that “*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*”.

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.

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.

Whilst the Government³ 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 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.

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.

³ 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.”

4. **Recommendation 2 (Clause 1(3)): We believe that Parental Alienation⁴ 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.

We are pleased that it is recognised in the Statutory Guidance but believe it would be strengthened by being in the Statutory Definition.

4. **Recommendation 3 (Clause 2(1)): 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 – in effect, it creates a “household test”.

This therefore ignores coercive and controlling behaviour by one partner that continues to occur after the partners are no longer in the same household but are personally connected (nearly always when they are no longer in an intimate relationship 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.

It also means there are differences in how coercive and controlling behaviour is defined in different parts of the United Kingdom

This section and clause therefore must override/supersede the Serious Crime Act by removing this arbitrary household test to ensure that this important form of domestic abuse is applied in a way that protects all victims.

5. **Recommendation 4 (Clause 12(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.

1 September 2020

For further information, please contact Mark Brooks OBE, Chair on 07834 452357 or chairman@mankind.org.uk

⁴ “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

Appendix 1: Women supporting male victims of domestic abuse (Domestic Abuse Bill)

We are writing to you regarding male victims of domestic abuse to ensure that their voices are heard in the Domestic Abuse Bill and its Statutory Guidance. This is also part of a new campaign run by the ManKind Initiative charity called Stand With Him.

We are a group of women who have been personally affected by the experience of an individual male victim of domestic abuse we know. Whether that be as mothers, sisters, daughters, friends, colleagues or new partners of a man who has been in this situation.

We are writing on behalf of all male victims of domestic abuse to ensure their voices are heard alongside the voices of their daughters and sons. As the Government recognises, they make up one in three of all victims of domestic abuse (1.6 million women and 786,000 men were victims of domestic abuse in 2018/19)

In both the Domestic Abuse Bill and the Statutory Guidance, it is vital they have equal recognition with female victims, their barriers to seek help are fully understood and that they are fully supported. They should no longer be marginalised and ignored and any attempt to do so places them and their children at higher risk.

We believe all individual victims, whether female or male, deserve the same levels of support and that the law should not only apply to all equally, it must be applied equally to all.

Male victims of domestic abuse often fear they are not believed and will not be supported or understood if and when they do come forward. There are not enough awareness campaigns to encourage them to do so, not enough funding to support them and not enough recognition within many statutory agencies. We also need society to change its attitude towards them. It is vital this Bill and Guidance addresses this and does not make their situation even worse by marginalising them further.

Please ensure the voices of those who we love, care for and share friendships with are not silenced, marginalised or forgotten. We urge you to ensure the Bill and Guidance fully supports and equally recognises male victims of domestic abuse and their children. We all Stand With Him – the male victim we know.

1. AH, Carmarthenshire, brother (*he was a victim for 17 years, which ultimately resulted in him taking his own life*)
2. Alexandra, Birmingham, step sister (*my step brother was murdered*)
3. Alison, Edinburgh, friend (*he was a victim for over 30 years*)
4. Ann G, Southampton, mother (*my son took his own life*)
5. Anna, Southampton, sister (*my brother took his own life*)
6. Anne, Somerset, sister (*my brother was a victim for 18 years*)
7. Anne-Marie H, Lincolnshire, friend (*my friend had nowhere to go for help*)
8. Barbara Lavelle, Wirral, mother (*my son was murdered by his partner*)
9. Becky, Bristol, daughter (*my father was a victim for 18 years*)
10. Brenda, Hertfordshire, mother (*my son has been scarred for life because of his ex*)
11. Caroline, Birmingham, ex-partner (*my ex-partner was murdered*)
12. Cath, Bolton, mother (*my son was subjected to violence*)

13. Diana, Edinburgh, mother (*my son has been a victim*)
14. Diana, Cheshire, ex-wife (*my ex-husband suffered domestic abuse that he hid from his daughters*)
15. Debbie Livesley, Chorley, ex-partner (*my ex-partner was murdered by his wife*)
16. Eileen, York, mother (*my son suffered mental trauma even after the relationship ended*)
17. Elizabeth, Norwich (*I have friends and a colleague who were victims*)
18. Fiona, Worcestershire, friend (*my friend's brother was murdered by his partner 2019*)
19. Hannah, London, daughter (*my father was a victim for 18 years*)
20. Hannah, Birmingham, friend (*my friend's brother was murdered by his partner 2019*)
21. Jackie, Carmarthenshire, mother (*my son was a victim*)
22. Janet, Sussex, mother
23. JW, Cheshire, mother (*my son has full parental responsibility but his ex is still causing trouble for the family*)
24. Jo, South Wales, daughter (*my elderly father's new wife physically and financially abused him*)
25. J, North West, fiancée (*my partner suffered at the hands of his ex-wife*)
26. JLW, Cheshire, sister (*my brother suffered for five years*)
27. Kate, Herefordshire, partner (*my current suffered coercion, control and physical violence from his ex*)
28. Kathleen, Greater London (*close relative of male victim*)
29. Kathryn, Hertfordshire, partner (*my partner suffered for 15 years due to his ex*)
30. Katie Brown, Birmingham, brother (*he was killed by his partner*)
31. Kelly, sister (*my brother and a friend suffered, the latter committed suicide*)
32. KR, friend & now partner of one survivor,
33. Jenny, Birmingham, friend (*my friend's brother was murdered by his partner 2019*)
34. Laraine, Birmingham, mother (*my daughter lost her ex partner to domestic abuse*)
35. Louise, Glasgow, sister (*people laughed at my brother*)
36. Louise Cunningham, Birmingham, mother (*son was murdered by his partner 2019*) –
37. Margaret, Birmingham, ex-husband (*my ex husband abused by his partner*)
38. Natalia, wife (*my husband was subjected to awful abuse by previous partner*)
39. Olivia, London, friend (*my friend was murdered by his girlfriend*)
40. Rosie, Worcestershire, sister
41. Ruth, Birmingham, friend (*my friend's brother was murdered by his partner 2019*)
42. Sara Westle, Leicestershire, mother (*my son was murdered by his girlfriend*)
43. Sharon, Bromley, girlfriend (*my boyfriend was in an abusive relationship for several years*)
44. SW, Essex, sister (*brother was murdered by partner*)
45. Tamsin Hutchinson, Chorley, friend (*my friend was murdered by his wife*)
46. Tracey, mother (*my son is going through mental abuse*)
47. Vicki, Leicester, mother
48. V. M. A, mother
49. Zoe, Birmingham, cousin (*cousin was murdered by his partner*)
50. Anonymous mother, Wales, mother (*my son took his own life*)
51. Anonymous mother, YM, Armagh, mother
52. Anonymous, Manchester, mother
53. Anonymous, London, mother (*my son considered suicide*)
54. Anonymous, Gloucestershire, mother
55. Anonymous, Midlands, sister (*my brother was a victim and took his own life*)
56. Anonymous, Warwickshire, sister (*my brother was a victim and took his own life*)

* Note: These testimonies have been sent freely to the charity over the past month and have been anonymised where necessary and where requested. All signatories have a direct connection to a male victim as described. Some signatories do not wish to be contacted by anyone bar the charity.