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Domestic abuse support within safe accommodation: statutory guidance and regulations consultation

Contents

- Page 1: Section 1 - Introduction
- Page 2: Section 2 - Executive Summary
- Page 3: Section 3 - Core domestic abuse –related statistics (including housing)
- Page 5: Section 4 - Whole System Culture Change
- Page 8: Section 5 - Statutory Guidance Changes
- Page 14: Section (6) - LOCAL AUTHORITIES, ENGLAND - Domestic Abuse (Local Authority Strategies) Regulations 2021

Further Details

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Section 1: Introduction

About the ManKind Initiative

- 1.1 The ManKind Initiative charity (formed in 2001) was the first charity in Great Britain to support male victims of domestic abuse. We take a modern 21st century inclusive and equality-based view of domestic abuse and believe that there needs to be more support and recognition for both women and men within the full range of protected characteristics. We recognise there are more female victims than male victims and do not want funding taken away from female victims to be given to men, we believe more funding, including for safe accommodation, is needed for all.
- 1.2 Our core services include a national helpline (c2,500 calls per year), National Service Standards, a training programme and a national information service for

agencies. We created the National Male Domestic Abuse Partnership which is network and community of practitioners who support male victims of domestic abuse. We also worked in partnership with both the CPS and the Home Office on their respective statements regarding male victims of VAWG crimes.

- 1.3 A core part of our work is to ensure the voices of male victims, their children and wider family (including mothers/fathers and sisters/brothers) are heard. This includes ensuring their experiences are not minimised by gender stereotypes so they are better recognised within society and the public services.
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Section 2: Executive Summary

- 2.1 The response to this Consultation also includes the views of a number of front-line practitioners from organisations who currently deliver refuge/safe house provision. The charity ran a round-table event for these practitioners specifically to obtain their views on the Guidance. These are members of the Male Domestic Abuse Network practitioners' community which the charity created and manages.
- 2.2 This response is based on three areas:
 - the need for culture change within local government, the housing sector and wider statutory sector alongside greater accountability;
 - specific areas where the Guidance can be enhanced further, and,
 - changes to the wording in one of the Statutory Instruments.
- 2.3 Our view is that the Guidance and the relevant legislation will lead to positive outcomes for all victims including male victims. We believe it can be enhanced but fundamentally it is sound.
- 2.4 Any comments therefore should be taken in that positive spirit. We know the Ministry has been very supportive of male victims including through the process of the initial delivery of the Guidance and the Needs Assessments.
- 2.5 We would urge the MHCLG not to succumb to the pressure that you will receive to make it less inclusive and to not recognise all victims equally – including statements that deliberately move the narrative/understanding away from recognising men and LGBTQ+, BAME, elderly and disabled victims.
- 2.6 All references to male victims within this response include GBT+ victims, male victims with children, and, men who are victims of forced marriage and “so- called” honour based abuse.

Section 3: Core domestic abuse –related statistics (including housing)

General Statistics

- 3.1 The charity has produced 55 key facts¹ relating to male victims of domestic abuse. There are a number that are key and of particular relevance (all refer to the 55 key facts, unless indicated in the footnotes). General statistics include:
- The Office for National Statistics figures show every year that one in the three victims of domestic abuse are male equating to 757,000 men (1.56m women). The same ratio applies to male victims of partner abuse.
 - One in 6-7 men and one in 4 women will be a victim of domestic abuse in their lifetime.
 - Of domestic abuse crimes recorded by the police, 26% were committed against men. This equates to c155,000 offences per year.
 - Only 4.4% of victims of domestic abuse being supported by local domestic services are men according to SafeLives data. This highlights how few men are being supported by local domestic abuse services and is a sign of structural failure in the domestic abuse system with respect to male victims.
 - Over the pandemic period, the charity saw an increase in calls to its helpline by 25%.
 - Half of male victims (49%) do not disclose to anyone they are a victim of domestic abuse and are two and a half times less likely to tell anyone than female victims (19%).
 - One in five victims (19%) of forced marriage are male² and specialist helplines like Karma Nirvana have reported increases in men seeking support in relation to so-called “honour” based violence and those with no recourse to public funds.

Domestic Abuse Refuge/ Safe House Distribution (Male Victims)

- 3.2 There are a range of statistics related to male victims and housing – including the volume of refuges and safe houses.
- The charity estimates that around 300 men are sleeping rough because of partner abuse every night³ based on figures produced by Crisis in 2014 which showed that 13% of men (61% of women) who are rough sleepers because they suffered partner abuse. Extrapolating the Government figures on the number of rough sleepers, this equates to 300 men in the autumn of 2020.

¹ 55 key facts (2021) on male victims of domestic abuse: <https://bit.ly/2PON3wV>

² Source: Forced Marriage Unit 2019 report, Home Office: <https://bit.ly/3wrhycN>

³ 13% of men who are rough sleepers is due to partner abuse (Crisis – A Nation Apart? published December 2014) and according to Ministry of Housing, Communities and Local Government, 85% of all rough sleepers are male. Extrapolating the Government figures on the number of rough sleepers, this equates to 300 men in the autumn of 2020.

- The Government’s figures published in December 2020⁴ showed that a high number of questionnaire respondents who were rough sleepers reported having previously experienced domestic abuse (35%). There was a statistically significant difference when comparing between genders; 67% of women respondents reported domestic abuse compared to 27% of the men. From the same questionnaire approximately one third of women (36%) and one tenth (11%) men reported being a victim of domestic abuse within the last year which was far greater than the Office for National Statistics for the general population in England and Wales (7% for women and 4% for men).
- In volume terms this will mean more male rough sleepers than female rough sleepers who are victims of domestic abuse, albeit it is important to note that there should never be a competition between the genders of victims. This is based on the Autumn 2020 MHCLG figures showing 2,277 men and 377 women were sleeping rough.
- There are currently 33 organisations⁵ in England with only 227 refuge/safe house places for male victims – including no places in London (bar emergency accommodation – funded until November 2021), the Home Counties or East Anglia at all. Of these 227 spaces nationwide, only 47 are dedicated to men.
- The current refuge / safe house provision for men per region in England is set out below. These are run by local commissioned services, often working in partnership with local housing associations and funded by local councils:⁶

Region	Organisations	Refuge/Safe Houses Spaces	Dedicated Places	Non-Dedicated Places
East Midlands	6	28	6	22
East of England	0	0	0	0
London	0	0	0	0
North East	2	10	0	10
North West	7	57	7	50
South East	0	0	0	0
South West	8	37	11	26
West Midlands	7	53	4	49
Yorkshire and Humber	3	42	19	23
Total	33	227	47	180

⁴ MHCLG: Understanding the Multiple Vulnerabilities, Support Needs and Experiences of People who Sleep Rough in England (December 2020)

⁵ Correct as at 5 May 2021 – figures from the ManKind Initiative/Male Domestic Abuse Network

⁶ Source: ManKind Initiative.

- 3.3 Every Monday, the charity contacts all of the organisations within each of the regions above to determine what vacancies are available. An updated list of available spaces is then placed in a secure section of the MDAN portal⁷. On average, there are about five organisations that have vacancies on any given Monday, and these often become full as the week progresses.
 - 3.4 This can be exacerbated by a man who has additional needs such as mental health support, is disabled, is taking his children with him or perhaps has a substance misuse issue then these numbers are further reduced. This is because they can be placed in this accommodation if there is nothing else suitable.
 - 3.5 Often when a new male refuge /safe house is created, it may take a month for them to fill the places. This is usually because the provider has 'presumed' that men or referring organisations (police, housing departments, health service, solicitors etc.) will have knowledge of the new provision, but this is not always the case. We recommend a programme of proactive contact and promotion with these agencies as from experience when this has taken place, the refuge/safe houses fill quickly – ensuring men and their children can make use of the new provision.
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Section 4: Whole System Culture Change and Accountability

- 4.1 As set out in the introduction, this response is based on three areas: The need for culture change within local government and the housing sectors; specific areas to enhance the Guidance further and the wording in one of the Statutory Instruments.
- 4.2 Our view is that the Guidance and the relevant legislation will support the need for culture change which we very much welcome; however, we believe it can be enhanced further. Any comments therefore should be taken in that positive spirit. We know the Ministry has been very supportive of male victims including through the process of the initial delivery of the Guidance and the Needs Assessments.
- 4.3 The issue of culture change featured highly in a round table the charity organised in relation to this consultation with a number of front-line practitioners from organisations who currently deliver refuge/safe house provision. These are members of the Male Domestic Abuse Network practitioners' community which the charity created and manages.
- 4.4 From their feedback and that of the experience from the charity's helpline the main issue is of a culture within local authorities, including housing departments and social/children's services, and, related agencies/sectors such as health sector, justice/police, homeless/mental health charities. They continue to be susceptible to a gender stereotypical view of domestic abuse that fails to recognise male victims.

⁷ Male Domestic Abuse Network (www.mdan.org.uk)

This means they are not “seen” or “recognised” as victims of domestic abuse and therefore are not supported with respect to potential housing needs – or other needs.

4.5 Some of the front-line practitioners in the roundtable said:

- *“we have to get statutory agencies to start to take male victims seriously – we have to educate them and really persuade them the men we support are high risk”;*
- *“there is a real attitude with some professionals with regard to men”, and,*
- *“provision for men in this area is decades behind female victims even taking into account smaller volumes”, and,*
- Others remarked that many of the men they support they are highly vulnerable (including men who are victims of forced marriage and “so-called” honour-based violence) and there are a growing number of men with no recourse to public funds contacting them.

4.6 The outcome of this culture means men are unable to find anywhere safe near their locality (it is too far for many to travel if the safe accommodation nearby and therefore they do not want to break employment, lose contact with children or wider family/friends). As the charity has reported (and others have too) men end up sleeping in garages, parks, cars and couches because there is nowhere to go. Many are forced to leave their children behind with a violent partner. This requires a culture change in the attitude of many agencies to recognise and address this.

4.7 There are a number of cognitive biases driving these gender stereotypes:

- Confirmation/societal bias (confirmation of a belief system that promotes the narrative that only heterosexual women can be victims);
- Expectation bias (because there is a lack of men coming forward, it confirms an expected view they do not exist in sufficient numbers), and,
- Ostrich bias (not wanting to know/ignoring the existence of male victims due to the costs of supporting them).

4.8 This creates an environment where there is a structural failure to recognise male victims (and encourage them to come forward) which can be seen in the outcome of the lack of safe accommodation provision for men and their children. This means a lack of:

- institutional curiosity which leads to a deficit of data (which many will be finding out now via their Needs Assessments);
- male-focussed awareness campaigns, website pages or information services aimed at encouraging male victims to seek support and come forward. This is

especially the case for safe accommodation which is likely to cost more than community-based support, so the costs can act as a disincentive to run awareness campaigns;

- policy, senior leadership or proactivity to seek to address the lack of safe accommodation for men;
- bids (or arguing for more funding) to MHCLG or others for funding to support men in safe accommodation;
- partnership work with neighbouring authorities to create safe accommodation especially refuge/safe houses). For example, there may not be sufficient demand for a whole male refuge in one local authority, but there is likely to be with four together, but local authorities do not have those conversations;
- recognition of male victims at an individual level and often professionals do not show sufficient professional curiosity. This means some are unaware of the support for male in their communities (through the commissioned community-based support) and do not internally argue/make the case for safe accommodation, and,
- awareness of their legal responsibilities such as the Homelessness Act 2002/Homelessness Reduction Act 2017 (we think the new guidance in this Act will have a positive impact), Housing Act 1996 and also the Care Act (2014). In particular, we believe that many local authorities and related agencies are oblivious to the needs of the Equality Act 2010 with respect to access to safe accommodation, especially around the Equality of Opportunity clause in the Public Sector Equality Duty.

4.9 The charity and other practitioners supporting male victims continue to have conversations with local authorities (especially housing departments) seeking safe accommodation for male clients, often with children, who are unaware of the equality principles and that the Housing Act applies equally to men. They are unaware that if a father with two daughters is assessed at the same level of risk/need as a mother with two sons, the father should not be offered a lesser level of safe accommodation support as this is a breach of Equality Act.

4.10 The cultural changes will also benefit male victims/survivors alongside the institutions. On the former, male victims will be more aware of their rights themselves. On the latter, organisations such as community-based IDVA service providers, local homeless charities, social housing providers, local solicitors/CABs and even local council housing departments will be able to better advocate for support for any male clients. It means there is in theory greater opportunities for accountability in the system than there is there now.

- 4.11 The charity produced its “Making Invisible Men, Visible” Support Guide⁸ for the Needs Assessments, which also underpins the sector-led National Service Standards for Services Supporting Male Victims that we published in 2020)⁹ as both offer practical support but also help to hasten the cultural change needed.
- 4.12 This required culture change can be enhanced by strengthening the Guidance in a few key places alongside a small change to a draft regulation. These are set out in the next section.

Section 5: Statutory Guidance Changes

Violence Against Women and Girls

- 5.1 It is worth mentioning that as befits the charity's inclusive approach, we support in principle the Government’s Violence Against Women and Girls Strategy, albeit we strongly believe there should be a parallel strategy for men and boys. As that is not imminent, it is also important to note that the newly published “VAWG” strategy¹⁰ includes male victims. We recognise the Home Office Male Victims Statement 2019, which we understand will be refreshed and is intended to strengthen the recognition/support for men.
- 5.2 This recognition is important because it is consistently referenced throughout the Draft Guidance and also in one of the statutory instruments, with no reference to “(domestic/intimate) violence against men and boys”. This is problematic for two reasons:
- Firstly, it serves to only reinforces the existing culture and bias’ that does not recognise men and boys as victims of domestic abuse – so they will never be viewed as equals.
 - Secondly, hardcoding the phrase “violence against women and girls” in legislation without reference to men and boys may well be subject to a Judicial Review/Complaint to the Equalities and Human Rights Commission.
- 5.3 On this point regarding omitting a reference to men and boys and only referencing women and girls, is in effect unconstitutional as it gives greater weight to the law and

⁸ ManKind Initiative: “Making Invisible Men, Visible” <https://www.mankind.org.uk/local-domestic-abuse-partnership-boards/>

⁹ Male Domestic Abuse Network: “National Quality Standards for Services Supporting Male Victims of Domestic Abuse” <https://www.mankind.org.uk/for-professionals/national-quality-service-standards/>

¹⁰ HM Government: Tackling violence against women and girls strategy (<https://www.gov.uk/government/publications/tackling-violence-against-women-and-girls-strategy>)

its application, based on an individual’s gender not there level of risk or need. This would be in breach of the “British Constitution” and related Human Rights and Equality Acts.

Statutory Guidance: Suggested Amendments

5.4 The Guidance is comprehensive, mainly inclusive and has already lead to changes in some approaches from local authorities with regard to minority victims such as male, LGBTQ+, elderly and disabled victims. We have therefore suggested some amendments to the Guidance in the table below which we believe will further enhance it.

5.5 The table sets out the page numbers, sections and comments on the Guidance which we are confident are easy to follow.

Ref	Page	Section	Comment
1	4/5	Who is the Guidance For?	We believe the Care Act 2014 is worth adding given that it encompasses duties on public bodies (especially local authorities) with respect to Adult Safeguarding.
2	4/5	Who is the Guidance For?	Commensurate with the comments in the opening section here – the reference that states “Violence against women and girls” should include “(which includes domestic and sexual violence against men and boys)” else it will be assumed it does not apply to men and boys.
3	5	Main Points	This section is excellent as it is clear that it applies to all equally. Please do not accede to other organisations that we are sure will put in requests to try and deliberately steer this towards only heterosexual women as victims. Any changes could lead to the guidance being applied unequally and the multi-dimensional nature of domestic abuse will be lost.
4	9	Specialist safe accommodation	We believe that to re-emphasise the need for this Guidance to be inclusive of male victims and their children - that “men/male” should be recognised in the list. We know they are referenced in Section B5 but given that men are referenced clearly in the template form, bringing this out here will again emphasise their importance as an under-represented minority group.
5	10	Specialist safe accommodation	We believe, this was also felt strongly with the front-line practitioners that we spoke to, that there should be a

			<p>reference to what is not acceptable.</p> <p>We know of male victims, who because the council do not have safe accommodation for them, are offered places in emergency accommodation which is not suitable. This includes bail hostels or those accommodating people with substance misuse issues, above public houses or in multi-occupancy accommodation which further exacerbates their trauma often forcing them to return to their abuser.</p> <p>.</p> <p>We believe this is inappropriate and that a reference should be made that this type of accommodation is not deemed as “Safe Accommodation” under this Guidance. This obviously applies to female victims too.</p>
6	10	Specialist safe accommodation	<p>There is a reference to standards including the Women’s Aid National Quality Standards which are great for female victims but are not aimed at and/or applicable at male/LGBTQ+ victims. They are not focussed solely on safe accommodation. It could mean someone signs up to those Quality Standards and then is not required to apply the MHCLG strands which apply to everyone.</p> <p>We believe that this section should be changed so that all Local and Unitary Authorities must comply with the MCLHG standards (which therefore acts as the minimum/core standards for everyone). This would also ensure there is consistency on the compliance/application of the Guidance.</p> <p>To make sure they are still referenced, this could be added separately (on the lines of):</p> <p>“There are a range of other quality standards available that local authorities should take into account where relevant such as the Women’s Aid National Quality Standards, Imkaan Accredited Quality Standards and Male Domestic Abuse Network Standards.”</p> <p>We added the latter as these standards are in place¹¹ (</p>

¹¹ Male Domestic Abuse Network: “National Quality Standards for Services Supporting Male Victims of Domestic Abuse” <https://www.mankind.org.uk/for-professionals/national-quality-service-standards/>

			This is not aimed at downgrading the Women’s Aid or ImKaan Guidance as both are very good. Just to be clear the quality of their Standards is not part of our reasoning.
7	11	Designed specifically for victims with relevant protected characteristics	<p>Would it be possible to add “male” onto this list as well.</p> <p>We think this is growing in importance given the increased recruitment of dedicated staff with community-based services of male support workers which is being funded by MOJ/MHCLG funding.</p>
8	12	(e) at least one person appearing to represent the interests of charities and other voluntary organisations that work with victims of domestic abuse in its area	<p>There are a number of issues with this clause and the guidance text underneath.</p> <p>(i) A number of councils are now commissioning “community-based domestic abuse services” as part of their single-service commissioning. The positive aspect of this approach is that it means that there is a service that covers and is responsible for all victims – albeit they can sub-contract some provision to specialists.</p> <p>We therefore think that by inserting the word “all” (see bold below) will ensure that all victims are represented even if there is not a specific specialist service.</p> <p style="text-align: center;">“Representation of such services should adequately reflect the needs of all those affected by domestic abuse in the local area,</p> <p>The reason for this suggestion is that it re-emphasises the responsibility on the commissioned service that it represents all victims and also reminds the commissioner as well.</p> <p>Our motivation for this is that there could be one charity on the Board but they do not speak up or represent all victims even if they are meant to. In addition, they may feel “obliged” not to challenge the narrative of the Tier 1 authority who has commissioned them.</p>
9	16	Local Needs Assessments	<p>We would be grateful if male victims could be included in the section that begins with: “In undertaking the local needs assessment, Tier One authorities should use...”</p> <p>We know that it is included in Section B5, however given</p>

			that men have been referenced clearly in the template form, bringing this out here will again emphasise their importance as an under-represented group.
10	17	B3: Strategies	<p>In the first paragraph it states that the Tier 1 authorities should publish their Strategy.</p> <p>We have found in the past this will either be paper based or will be buried in a council meeting committee paper which then means it is impossible to find (many have to resort to FOI requests). For example, paper 7 on the Safeguarding Sub-Committee.</p> <p>Our belief is that it should be more explicit by saying it must be published “online on the authorities’ website in its domestic abuse section” or “online on the authorities’ website where it can be easily found by the public and statutory agencies”.</p> <p>You may not want to be so explicit on where but it is a point worth making because it will add additional accountability/transparency and Tier 1 authorities will not see it as a tick box exercise.</p>
10	17	Needs Identified	<p>We would be grateful if male victims could be included in the section that begins with:</p> <p>“The support needs identified as part of the local Needs Assessment...”</p> <p>We know men are listed in Section B5 but given that men have been referenced clearly on the template form, bringing this out here will again emphasis their importance as an under-represented group.</p>
11	18	B3: Strategies	<p>In the paragraph that states “Services not restricted by the victim’s locality...” we believe that this should refer to national domestic abuse helplines.</p> <p>Specifically because the National Domestic Abuse Helpline is for female victims only so it excludes other national level domestic abuse helplines.</p>
12	18	B3: Strategies	This follows on from previous points where the reference

			<p>below to Violence Against Women and Girls (VAWG) does not remind Tier 1 authorities that their VAWG strategies must include male victims of VAWG crimes.</p> <p>We would suggest that this is included in brackets: (including male victims)</p> <p>“Strategies should, as far as possible, be linked to and / or joined-up with other relevant local authority functions, such as (but not limited to): Violence Against Women and Girls (including male victims)..”</p> <p>”</p>
13	19	B4: Giving Effect to Strategies	<p>In this paragraph below that starts Commissioning authorities should ensure that the...” “male” should be included as well (as per the arguments above and also it is included in a paragraph earlier in this section.</p>
14	20	B4: Giving Effect to Strategies	<p>Please see our comment in reference 6 for our view here for this paragraph:</p> <p>B4.X In commissioning support services under this duty, Tier One authorities must ensure that services are provided in accommodation.</p>
15	22	Monitoring and Evaluating	<p>We believe this paragraph should include an additional sentence (see bold) that meeting protected characteristics such as these will be vital in understanding how well under-represented groups are being supported:</p> <p>“Local monitoring and evaluation should include the collection and analysis of both quantitative and qualitative data. Tier One authorities should ensure that the outcomes of victims accessing support are considered in their evaluation, to ensure the support made available adequately meets the level and nature of need within the area. This should include, as far as practicable, the protected characteristics of victims.”</p>
16	26	Reporting The chair /	<p>We believe the report should include the names of the organisations which are members of the Board.</p>

		Board	
17	28	Prevention	Commensurate with previous comments, please add (“which includes men and boys”) to this paragraph after women and girls: Children and young people are better informed and educated around consent, healthy relationships, gender inequality and violence against women and girls (which includes men and boys).
18	28	Prevention	Commensurate with previous comments add (including men and boys) to this paragraph after women and girls: The organisation contributes to local strategies for ending violence against women and girls (which includes men and boys).

Section (6): LOCAL AUTHORITIES, ENGLAND - Domestic Abuse (Local Authority Strategies) Regulations 2021

6.1 The clause that the charity believes that should be amended is

Under 5.—(1),

- A relevant local authority must, when preparing a section 57 strategy, have regard to their local authority functions in respect of matters including—
(a) violence against women and girls;

6.2 The problem with this clause is that it is not inclusive of men and boys who are victims of “VAWG” crimes such sexual abuse, forced marriage, sexual exploitation, sexual violence, stalking, domestic abuse or “so-called” honour-based violence.

6.3 This means that these functions are not inclusive – and therefore unconstitutional (including in breach of the Human Rights Act and Equality Act) – as they do not include men and boys. This unbalances the applicability of the law.

6.4 We believe that this can be overcome by placing this wording after the clause:

- (including male victims of crimes classed as violence against women and girls’ crimes)

6.5 If for some reason this cannot be accommodated, this should be made clear that it applies to male victims of these crimes in the explanatory statement underneath the statutory regulation.

6.6 Without including these clarifications, could mean the regulation could be subject to Judicial Review (as it breaches other Acts of Parliament) or at least a complaint to the Equalities and Human Rights Commission as well as the Victims' and Domestic Abuse Commissioners.

Section (X): The Domestic Abuse Support (Relevant Accommodation) Regulations 2021

No comments
