Better Public Services

Breaking the silence on violence against women
Foreword
Violence against women is a very serious issue. It damages the lives of women and children. Domestic violence is the biggest killer of women aged 19 to 44 across the world - greater than war, cancer or traffic accidents.

An important step forward is to 'break the silence on violence' against women and we welcome the opportunity to work with a broad range of partners. We are calling on public authorities, voluntary sector organisations, trade unions and students to work together on this crucial agenda.

Let's discuss the issues openly as the basis for taking action together to tackle violence in the home, at the workplace and in the community. Please get in touch with us if you would like to make a difference.

Kate Bennett
National Director Wales

Contents
Breaking the silence on violence against women ........................................................... 3
A Human Rights approach ............................................................................................ 4
The Gender Equality Duty .......................................................................................... 5
Violence against women in numbers ........................................................................... 9
The costs of violence against women .......................................................................... 11
At the workplace ......................................................................................................... 13
Children and young people ....................................................................................... 14
Race, disability, age and sexual orientation ............................................................... 15
Next Steps .................................................................................................................. 17
Annex 1 - Welsh Assembly Government Policy ...................................................... 19
Annex 2 - United Kingdom Government Policy ....................................................... 20
Annex 3 - Violence against women and the law ....................................................... 21
Annex 4 - International framework ........................................................................... 23
References ............................................................................................................... 25

November 2009
Breaking the silence on violence against women

The United Nations defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.” (1)

Violence has no boundaries in terms of geography, wealth, race, religion, disability, age or sexual orientation. It is recognised as encompassing, but is not limited to:

- domestic abuse
- rape and sexual violence
- female genital mutilation
- forced and child marriage
- crimes in the name of ‘honour’
- human trafficking and sexual exploitation
- sexual harassment (in the workplace and in the public sphere)
- prostitution.

Each year across the UK at least three million women experience violence, and there are many more living with the legacies of past abuse. (2) Violence against women is recognized as a cause and consequence of inequality experienced by women.

Violence against women is a fundamental human rights issue. The scale and impact of violence against women is so significant that all public authorities have a role to play in reducing violence and protecting women.

This report provides an insight into violence against women, its prevalence and its effect on women, children and society. It outlines the actions we should all take to address violence against women.
A Human Rights approach

Violence against women is a human rights issue. It denies women and girls the most fundamental of human rights: life, liberty, bodily integrity, freedom of movement and dignity of the person. It constrains women’s choices, options and behaviour since personal safety features so strongly in routine decision making; is it safe to travel alone?, to walk alone?, to attend a meeting at night?; to challenge a statement or decision? (3)

Under the Human Rights Act 1998, all public bodies have an obligation to protect the human rights of individuals and to ensure that their human rights are not being violated. The articles most relevant to violence against women are:

- Article 2: Right to life
- Article 3: Right to be free from torture, inhumane and degrading treatment
- Article 8: Right to family and private life, which extends to physical and psychological integrity.

The Commission’s Human Rights Inquiry identified that ‘failures by authorities to protect people from being stalked and harassed’ and ‘not being sufficiently protected from domestic abuse’ are everyday situations in which the Human Rights Act might apply. (4)

The principles and framework of the Human Rights Act are invaluable tools to mainstreaming action against violence against women.

Map of Gaps 2, a recent report that mapped services for women who experience violence, found that in Wales:

- All local authority areas are served by a specialised service for women who have experienced domestic abuse or violence
- There is one rape crisis centre
- There are six sexual assault referral centres
- There is one prostitution, trafficking and sexual exploitation service
The Gender Equality Duty

The Gender Equality Duty (GED) requires all public authorities to have due regard to the need:

- **To eliminate** unlawful discrimination and harassment, and
- **To promote** equality of opportunity between men and women

The general duty applies to every public authority in Wales. This means that all public authorities in Wales, and voluntary and private bodies carrying out functions of a public nature on their behalf, have a legal duty to prioritise action to address the most significant gender inequalities within their remit and take actions that are likely to deliver the best gender equality outcomes.

The role of public authorities

The Gender Equality Duty is an important mechanism for tackling violence against women.

The scale and impact of violence against women is so significant that all public authorities in Wales should consider prioritising the issue. This means assessing the needs, services and employment of women experiencing violence and setting priorities accordingly.

Violence against women is an issue that cuts across all services, policies and employment practices. All public authorities should consider what steps they can take towards prevention, provision and protection. This can be done by:

- Combating the attitudes that allow the violence to take place
- Supporting those affected by violence with voluntary as well as statutory agencies
- Providing immediate safety and an overall sense of safety and security

The Gender Equality Duty and single sex services

It would be inappropriate under the Duty to cut funding and/or services to women in order to provide services to men, or to require those who provide single sex services to expand their remit to cover both genders equally. The Commission knows that some local authorities in Wales have misinterpreted the Duty this way.

Men can be victims of violence at the hands of male and female partners and ex-partners. Services for men who experience violence are important but women’s and men’s experiences of violence are different. Services for women and men do not have to be identical in nature or scale. In fact it is unlikely that they would be.
An effective approach would be to respond to local and national needs and provide additional funds for services to men where these are identified as lacking, without distracting from women’s services or funding.

- Between April 2007 and March 2008 93% of calls to the Wales Domestic Abuse Helpline were from female victims. (7)

- 89% of those who suffer sustained violence are women (8)

- Men are less likely to be repeat victims, are less seriously injured and are less like to report being fearful (8)

- 44% of all female homicide victims were killed by a current or former partner in 2007/08. This compares with 6% of male victims killed by current or former partners. (6)

Southall Black Sisters v Ealing Council

The case between Southall Black Sisters and Ealing Council highlights the issue of specialised provision. Amongst other things Ealing Council was charged with failure to have proper regard to equality legislation or its own policies when it made its decision to end funding to Southall Black Sisters – a move it planned to take in favour of establishing a generic borough wide service.

Ealing Council withdrew from the case, and agreed to pay the costs of Southall Black Sisters representation and the costs of the Commission who intervened in the case as an interested third party. This demonstrates that positive action is an essential part of equality. The public duties do not call for ‘identical’ provision for all irrespective of need.

This case highlights the need for specialised services for ethnic minority women. The same principles would apply to other specialised provisions for women - and for men.
Meeting the general Gender Equality Duty

All public authorities, and voluntary bodies carrying out public functions on behalf of a public authority, are subject to the general gender equality duty. There are four key steps that can assist public authorities to meet the duty effectively:

- **Information**
  
  Gathering information and disaggregating the data allows public bodies to understand the extent of violence against women. Working with voluntary sector organisations assists public bodies to collect relevant data and evidence.

- **Consultation**
  
  Through consultation public bodies can involve the relevant internal and external people to provide information and identify what actions and milestones can be set to address violence against women. For example, public bodies could find it helpful and appropriate to consult with voluntary and community organisations that have specialist knowledge on gender equality and violence against women.

- **Transparency**
  
  Transparency ensures that public bodies communicate clearly and widely what they plan to do as a result of the gender equality duty. This can include details of decision-making processes, priorities, actions as well as updates on progress.

- **Success**
  
  It is important that public bodies focus on actions that deliver real outcomes – specific identifiable improvements that bring about change.
To deliver real outcomes public bodies can consider...

- Developing domestic abuse workplace policies to raise awareness and provide support to colleagues
- Adapting anti-bullying policies to refer explicitly to sexism and to define sexual bullying
- Reducing incidents of sexual harassment within the workforce to eliminate violence altogether
- Delivering a long-term campaign that looks at combating attitudes which deem violence against women acceptable
- Allocating resources to activities preventing and addressing gender based violence
- Integrating gender awareness into the education curriculum in order to address stereotypical behaviours and attitudes, increasing sexist and sexual bullying
- Reducing women’s fear of using public transport or being out after dark.
- Increasing the number of funded refuge places in their areas
- Providing more effective funding for rape crisis centres

Equality Bill

The Equality Bill is expected to come into force from 2010. The Bill replaces over 100 pieces of legislation with one single Act. The Bill introduces a new public sector duty replacing the three existing duties on gender, race and disability. This will create a new public sector duty which will cover gender, race, disability, sexual orientation, transgender, age and religion or belief. The Bill enables the Welsh Assembly Government to create its own specific equality duties to reflect the devolved context and the needs of the people of Wales.(9)

More information on the Gender Equality Duty and Equality Bill can be found at www.equalityhumanrights.com
Violence against women in numbers

Violence against women is under-reported, but research shows:

Domestic abuse

- 1 in 4 women experience domestic violence in their lifetime. (12)
- 20% of young men and 10% of young women think abuse or violence against women is acceptable. (11)
- 45% of women have experienced some form of domestic violence, sexual assault or stalking. (13)
- Two women each week are murdered by their partners or ex partners in the UK. (14)
- There are an estimated 500,000 incidents of domestic violence every year across Britain and there are an estimated 7,000 criminal prosecutions. (15)

Rape and sexual assault

- Women’s greatest fear of crime is rape and sexual assault. Men’s greatest fear of crime is theft of, or from, vehicles. (16)
- Nearly half of teenage girls in one survey had been made to feel guilty for refusing sex, with young women expressing confusion about their right and capacity to ‘say no’. (17)
- 80,000 women suffer rape and attempted rape every year. (5)
- Between 78% and 86% of stalking victims are female, with between 18% and 31% experiencing sexual violence within the context of stalking behaviour. (18)
- At least 75% of rapes are never reported to the police. Maybe as many as 95%. (19)
- 6% of rapes reported to the police lead to the rapist being caught and convicted. (19)

Human trafficking, sexual exploitation and prostitution

- 80,000 women work in ‘on-street’ prostitution in the UK. (20)
- 70% of those involved in street prostitution have a history of local authority care. (22)
- The average age women become involved in prostitution in the UK is 12 years old. (20)
- 19% of women working as prostitutes in flats, parlours and saunas are originally from the UK. 81% are migrants. (23)
- 74% of women cite poverty or the need to pay household expenses and support their children as a primary motivator for entering prostitution. (24)
- Prostitution and trafficking of women is the third highest ‘black market’ income-earner globally (after arms and drugs). (21)
‘Honour’ crimes and forced marriage

- Up to 17,000 women in Britain are subjected to ‘honour’ related violence. (25)
- An estimated 1,000 British Asian girls are forced into marriage each year. (27)
- The Forced Marriage Unit deals with approximately 250 forced marriage cases each year. Approximately 85% of these are female. (28)

Female Genital Mutilation

- 66,000 women in England and Wales had been subjected to Female Genital Mutilation, mainly prior to arrival in the UK. (29)
- A further 33,000 girls and young women are at risk. (29)
- In the countries where the prevalence of Female Genital Mutilation is high the most common age for the procedure is between 6 and 8 years. (29)

Sexual Harassment

- Half of all women experience sexual harassment in the workplace. (31)

Missing data: There are some forms of violence where there is less reliable data – like sexual harassment in public spaces and flashing.

In Wales

- Between 2006 and 2007 50 women with no recourse to public funding were supported by BAWSO - 72 women were turned away. (32)
- Between 2007 and 2008 1,505 women and 1,338 children were accommodated in refuges by Welsh Women’s Aid groups - 2,700 women were turned away due to a lack of available refuge space. (33)
- 13,982 calls were made to the All Wales domestic abuse helpline between 1 April 2007 and 31 March 2008. (33)
- Amnesty International estimates that there are hundreds of women in Wales who have been trafficked into the sex trade. (34)
- In 2008 South Wales Police assisted in 32 cases regarding forced marriages. (35)
- In North Wales there have been more than 30,000 domestic violence attacks or threats in the last three years – one for every 25 people living in the region. (36)
- In 2007 the conviction rate for rape in North Wales was 8.5%. (37)
- 19% of Welsh population think domestic abuse is best handled as a private matter. (38)
- 28% of students in Wales agreed that a woman is responsible for being raped or sexually assaulted if she is alone and walking in a dangerous or deserted area. (39)
The costs of violence against women

Cost to society
It is estimated that the total cost of domestic abuse alone in England and Wales is around £23 billion each year.(40)

- **Criminal Justice System (CJS):** this amounts to around £1 billion a year, which is almost a quarter of the CJS budget. CJS components include: prosecution, courts, prison, probation and legal aid with the largest single component being the police.

- **Health Care:** the majority of the cost to the NHS comes from physical injuries - £1.2 billion a year. Domestic abuse also has an impact on mental health costing the NHS an additional estimated £176 million a year.

- **Social Services:** the annual cost to social services is nearly £250 million, which is overwhelmingly for children rather than adults.

- **Housing:** the total is estimated at £160 million a year. This includes expenditure on emergency housing, housing benefit for emergency housing and refuges.

- **Civil Legal:** injunctions, divorce and child custody are just a few of the Civil Legal services costing over £300 million a year. Almost half is covered by legal aid and the other half by the individual.

- **Economic Output:** lost economic output accounts for around £2.7 billion a year. It is estimated that around half the costs of such sickness absences is covered by the employer and half by the individual in lost wages.

- **Human and Emotional costs:** this is estimated to be over £17 billion a year. This cost includes the pain and suffering that is caused by domestic abuse.

Other forms of violence against women in England and Wales rises to **£40 billion** each year. (41)

Cost to the individual
Violence against women can lead to a loss of independence, home and income. Women may turn to drugs, alcohol and other substances in an attempt to cope with their situation. Research shows that women who experience domestic violence are up to 15 times more likely to misuse alcohol and nine times more likely to misuse other drugs than women generally.(42)
The psychological impact on victims living with violence can include anxiety, sleep problems, loss of self respect, low self worth, feelings of hopelessness, depression and loss of confidence. The effects can lead to self harm and actual or attempted suicide. (14)

- 50% of women in prison have experienced domestic violence and 33% has experienced sexual abuse. (43)
- 30% of cases of domestic violence start during pregnancy. Violence in pregnancy has been identified as a prime cause of miscarriage or stillbirth. (44)
- Up to 95% of prostituted women are problematic drug users, including around 78% heroin users and rising numbers of crack cocaine addicts (45)
- 68% of women in prostitution meet the criteria for Post Traumatic Stress Disorder in the same range as victims of torture and combat veterans undergoing treatment (46)
- 10% of children living in refuge have no access to NHS services, such as a doctor or dentist (47)
- Women who have undergone FGM are twice as likely to die during childbirth and are more likely to give birth to a stillborn child than other women. (48)
- 40% of homeless women state that domestic violence was a reason for becoming homeless. (49)
- Suicide among young Asian women is 3 times the national average (50)
At the workplace
Domestic abuse can impact greatly on an individual’s working life. The workplace can be a place to escape violence but also the place the perpetrator can locate the person experiencing violence. Perpetrators may be able to use workplace resources – phones, email or other means to threaten, harass or abuse their current or former partners. At the time when a person is experiencing domestic violence their employment is most under jeopardy. Domestic abuse can affect productivity, emotional and physical health.

- 56% of abused women arrive late for work at least five times a month.
- 28% leave early at least five days a month.
- 53% miss at least three days of work a month.
- Productivity and concentration falls substantially.
- 75% of domestic violence victims are targeted at work – from harassing phone calls and abusive partners arriving at the office unannounced, to physical assaults. (51)

Workplace policies
Protection from violence against women can mean a personal sense of safety and security. An effective method to enhance a sense of protection is for employers to implement workplace policies. This will:

- Help to prevent domestic abuse by raising awareness and tackling attitudes and behaviour
- Provide protection from domestic abuse by establishing processes to ensure the health, safety and welfare of employees
- Ensure provision of services for those affected by domestic abuse by fully utilising other workplace policies.

Workplace policies provide a clear statement that the organisation will not tolerate domestic violence. They demonstrate a commitment to responding sensitively and effectively to those needing help and support. This will increase employee productivity and morale, reduce employee turnover, reduce the risk of violence in the workplace and save lives. (52)

Trade Unions
Trade Unions can play a crucial role by:

- Negotiating workplace policies to support and assist workers suffering domestic violence
- Campaigning for better services for victims of domestic violence, including training workers
- Working with campaign groups to raise public awareness
- Lobbying for action to address the problem and improve services. (53)
Children and young people

Attitudes

An NSPCC/Sugar survey found that a sizable minority of young people harbour attitudes that condone violence against women, especially coercive sex. (54)

Nearly half of teenage girls in this survey reported feeling guilty for refusing sex, expressing confusion about their right and capacity to ‘say no.’ (54)

A study of 2,081 young people found that pornography influences young men’s expectation of sexual relationships, leading to pressure on young women to comply. (3)

One third of teenage girls say that cheating justifies violence, and over 40% of all girls said they would consider giving a boy a second chance if he hit them. (54)

One in eight young men believed it would be 'OK' to hit a woman if she was 'nagging'. (11)

Experiences

- In 90% of all domestic assaults on women which occur in the home, children are in the same or adjacent room. (55)
- Girls and young women are more likely to experience sexual violence and significant numbers live in fear of it. (56)
- 39% of all overseas assistant cases dealt with by the forced marriage unit in 2008 involved children under the age of 18. (26)
- There is growing evidence of vulnerable British people, especially young women leaving the care system, being trafficked for sex within Britain. (57)

The impact on children

Children living with violence can be affected by the fear, disruption and distress in their lives. They may have physical, emotional, learning, behavioural or development problems and their educational performance and achievements may also be affected. (58)

The connections between violence against women and young people can be identified and factored into policies and practices. There are connections between violence against women and young people turning to drugs and alcohol as a coping strategy. It can be associated with routes into offending by young women and men. Teenage pregnancies and the link to coercive sex can be recognised in polices to address the issue. (3)
Race, disability, age and sexual orientation

Ethnic minority women

Ethnic minority women are not one homogenous group and can be faced with very different experiences and barriers. Women can experience forms of violence unique to their community such as forced marriage, female genital mutilation and crimes in the name of honour. In some communities the violence can be perpetrated by extended families.

Sometimes information and services are not accessible or not viewed as a source of support because of previous negative experiences. If a woman’s first language is not English, it may be much harder to understand the systems of support. Women from some ethnic minority communities, are less likely to be employed, making it harder to leave an abusive relationship.\(^{(59)}\)

A woman’s insecure immigration status gives her partner an opportunity to control her and the threat of deportation severely limits her options. Women who come to the UK on a wife’s visa face particular difficulties if they leave an abusive husband within 12 months of their arrival. Under the two year rule they have no recourse to public funds and so cannot claim benefits. As a result many women may feel they have no option but to be dependent on their settled spouse or partner.

Gypsy Travellers

Statistics show that between 61% and 81% of Gypsy Traveller women have experienced direct domestic abuse. Cultural expectation can make it difficult for domestic violence to be challenged. This can include expectations that marriage is for life and that women who leave marriage are often ostracised. A Gypsy Traveller woman leaving because of domestic abuse not only loses her home and partner, but also her community, her culture and way of life.\(^{(60)}\)

Disabled women

Disabled women are twice as likely to experience violence than non-disabled women and they are likely to experience it over a longer period of time. Women with mental health conditions and learning disabilities are particularly vulnerable to sexual violence - but least likely to see the perpetrator brought to justice.

Disabled women can be more physically vulnerable than non-disabled women and are less likely to be able to remove themselves from the situation. Additional barriers such as lack of access to public transport or buildings can make it extremely difficult for those experiencing abuse to access support services available to other women.\(^{(61)}\)
Older women

Older women are less likely than any other age group to report their experiences of violence. There is often confusion between domestic violence and elder abuse, which means that the needs of this group can be overlooked. Injuries and distress can be seen to be age-related rather than the outcome of violence. This means people are less likely to ask about it.

Older women seeking to end a violent relationship may be faced with additional barriers. Older women may be carers of their abusive partners and/or adult disabled children, and more likely to be unaware of the support services available to them. The lack of separate pension provision affects their economic position. Opportunities to stay with friends and relatives can be limited and refuges are often not seen as being suitable. (62)

Lesbian and bisexual women

Whilst this report focuses on violence perpetrated by men against women, it is worth noting that violence also can take place within same gender relationships. Lesbian or bisexual women may be vulnerable to abusers who undermine their sexuality and threaten to 'out' them to family members, colleagues and employers.

Lesbian and bisexual women can be faced with additional barriers when seeking help and support. Some women may fear hostility or homophobia from agencies and be reluctant to speak out in case it results in criticism of all lesbian and bisexual women. (63)

More evidence needs to be available to further understand the experiences of ethnic minority women, disabled women, lesbian and bisexual women, transgender women, and women of different ages and faith.

In meeting the needs of all women public authorities should be aware of the Race Equality Duty and the Disability Equality Duty.

More information on the Disability Equality Duty and Race Equality Duty can be found at www.equalityhumanrights.com
**Next steps**

Violence against women is a serious issue. To tackle it effectively we should work together to:

**Use the Gender Equality Duty**

The duty can be used to prioritise violence against women. This will mean assessing the needs and services, setting priorities accordingly and reprioritising existing resources. The Gender Equality Duty does **not** mean that services should be provided on an equal basis for women and men. It may well be appropriate to have single sex provision that is different in both nature and level of resource.

**Incorporate a Human Rights approach**

Violence against women denies women the most fundamental of human rights. The Human Rights Act is an invaluable tool for addressing violence against women and building it into business plans so that the public receive better services.

**Change attitudes**

Providing training and raising awareness around gender equality, sexual harassment and violence against women is essential in ensuring that a working environment is created in which unacceptable behaviour is challenged.

**Break the silence**

Talk about violence against women and it will make your organisation a safe place where employees can discuss, disclose and ask for help. Employees will then feel better able to name their own experience of violence and seek help. Silence and taboos surrounding violence against women collude with perpetrators of abuse.

**Raise awareness**

Display posters and leaflets about violence against women. Have the National Helpline and other violence against women organisation posters visible to employees and visitors. Where possible collect data on the extent to which your organisation deals with violence against women.

**Have a domestic violence policy**

A workplace domestic violence policy can provide a clear statement that the organisation will not tolerate domestic violence. It will demonstrate a commitment to respond sensitively and effectively to those needing help and support, as well as take action against those perpetrating violence.
Provide training

Recognise the need to provide training for all staff so they are aware of the issues and dynamics of violence against women. It is important that key staff know what their roles and responsibilities are for identifying, reporting and responding to survivors and perpetrators. Ongoing training and its impact on the workplace can be provided for all.

Work in partnership

Work in partnership with other organisations in your area/sector to share effective practice and to consider, for example, provision of joint services, sharing of awareness raising material, etc.

Offer support

Be familiar with the support services offered in your area. If violence is disclosed your organisation can support women by explain their rights and the services they can access, signposting them appropriately and responding sympathetically to their disclosure in a non-judgemental manner.

The Commission in Wales

The Commission is committed to working with others to address violence against women.

This work will include:

- **Influencing** the Welsh Assembly Government’s strategic action plan to address violence against women and suggesting updates to the Welsh Assembly Government's Domestic Abuse Strategy.
- **Building** the evidence base by exploring further the domestic abuse results of our survey of attitudes in Wales.
- **Campaigning** to change attitudes that justify and excuse violence against women.
- **Raising awareness** of violence against women by encouraging all local authorities in Wales have domestic abuse workplace policies.
- **Continuing to collect information** from local authorities on what measures are taking place to ensure: prevention, perpetrator accountability and protection and support for victims.
- **Monitoring** the availability of services for women who suffer violence and ensure that public authorities meet their statutory obligations.
- **Influencing** the Welsh and Westminster governments in relation to the Equality Bill and ensuring the public sector equality duties in Wales are fit for purpose.
Annex 1 - Welsh Assembly Government Policy


Since the strategy was published Welsh Assembly Government funding for domestic abuse has increased from £1.4million in 2004 to £3.7million per year in 2009. There are many examples of progress, for example:

- The Welsh Assembly is supporting a number of projects across Wales. This includes two domestic abuse helplines, domestic abuse co-ordinators in every part of Wales, thirteen one stop shops, eight peripatetic children’s workers and a co-ordinator to support children and young people in refuges.

- The All Wales School Programme includes a module on domestic abuse and is operating in 97% of primary and secondary schools in Wales.

- There are sexual assault referral centres in Merthyr Tydfil, Colwyn Bay, Carmarthen, Risca, Cardiff and Swansea.

- Care way pathways in maternity and accident and emergency setting have been introduced.

- A forced marriage and honour based crime action plan has been delivered. This new guidance was issued to health, social services and education professionals. Specialist ethnic minority services for women in Swansea, Cardiff, Newport and Wrexham are being supported.

- A network of Multi-agency Risk assessment Conferences has been established plus ten Specialist Domestic Violence Courts across the country to provide support for victims at different stages of the criminal justice system.

- Raising awareness through publicity campaigns such as the one over the 2008 Christmas period which saw a 38% increase in calls to the national help line when compared with December 2007.

- On 26th November 2009 the Minister for Social Justice and Local Government launched a violence against women and domestic abuse Christmas publicity campaign. The campaign aims to raise awareness of the ‘early warning signs’ of an abusive relationship, as well as publicise how the Wales domestic abuse helpline can provide support.

- In October 2009 an extra £1 million was added to the domestic abuse and violence against women budget.

This year the Welsh Assembly Government is consulting on a strategic action plan to address violence against women and to update the Welsh Assembly’s domestic abuse strategy. (5)
Annex 2 - United Kingdom Government Policy

Some examples of progress within the past ten years include:

- Investment in support services for victims of violence, such as funding for helplines and sexual assault referral centres.
- Investment to support victims through the criminal justice system to reduce the stress of the process and bring more offenders to justice – this includes Specialist Domestic Violence Courts.
- Specialist training – including for prosecutors, police and court staff.
- Multi-agency arrangements to case manage the most vulnerable victims and most dangerous offenders.
- Rolling out a network of Independent Domestic Violence Advisors to provide a sustained and tailored response with emotional support.

There are cross-government national action plans for:

- Sexual violence and abuse
- Domestic violence
- Forced marriage and crimes committed in the name of ‘honour’ and
- Human trafficking

In 2009 the Government launched ‘Together we can End Violence Against Women and Girls: a strategy’. The strategy focuses on two separate themes:

- Actual violence against women and girls including how to prevent it, support those who have been victims and bring perpetrators to justice.
- Women’s fear of violence and the effect this has on their day to day lives.

The goal of the strategy is to allow women and girls to “live their lives free from harassment or violence” and “to live a life without fear of violence and to live in a culture where violence against women is unacceptable.”

(10)
Annex 3 - Violence against women and the law

Until the late 1980s the criminal justice system paid little attention to the needs of women and children experiencing violence. Violence at the home was frequently seen as a private matter, not 'real' violence and the sympathies of a predominantly male police force were often with the violent man/husband. Often Police intervention in ‘domestics’ was seen as ‘interfering in private affairs’, or being worthy of little police effort as ‘successful prosecutions’ were rare. (30)

The Commissions attitudinal survey found that while the majority of people did not regard domestic violence as social acceptable. Almost 1 in 5 did nevertheless believe that it is best handled as a private matter.(38)

Research shows that a minority of women report their experiences of violence. For those that do there is the following legislation:

The Crime and Disorder Act (1997)

This Act places a duty on local authorities and the police to work together with other agencies to tackle crime at a local level through the provision of a Community Safety Strategy, which should include domestic abuse.

The Protection and Harassment Act (1997)

This was intended to tackle stalkers and provide more effective protection for abused women, in particular those who no longer live with their abuser. This Act enables the police to protect women and to use the criminal law against men who threaten, pester and harass women after the relationship has ended. (44)

Female Genital Mutilation Act (2003)

This act repeals, re-enacts and strengthens the provision of the 1985 Prohibition of Female Circumcision Act. The provisions have established a new offence of taking a female abroad for the purposes of FGM or of assisting a non-UK person to mutilate a female overseas. The maximum penalty for FGM has increased from 5-14 years imprisonment.


The Sexual Offences Act (2003) is seen by the Home Office as the first overhaul of sexual offences legislation. It aims to provide a strong, clear and modern approach to this area of the law, by putting the victim first. It is designed to protect everyone from abuse and exploitation. For the first time this legislation defines new responsibilities surround consent.

The Domestic Violence, Crime and Victims Act (2004) aims to put victims in the centre of the criminal justice system and embraces tougher powers for the police and courts to protect victims and prosecute abusers. Measures include a stay away order for convicted perpetrators of domestic violence in order to ensure the victims safety.

It also means that common assault is an arrestable offence. This Act has been seen as an essential measure that strengthens the rights of victims and witnesses, ensuring they receive the help, support and protection that is needed.

Forced Marriage (Civil Protection) Act (2007)

Under the Forced Marriage (Civil Protection) Act, courts are able to make orders to protect the victim or potential victim where a forced marriage has or is about to take place and help remove them from the situation. The courts have a wide discretion in the type of injunctions they will be able to make to enable them to respond effectively to the individual circumstances of the case and prevent or pre-empt forced marriages from occurring.
Annex 4 - International framework

The Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW)

In 1979 the United Nations General Assembly adopted this international convention. It came into force in 1981 and is seen as an international bill of rights for women. CEDAW has the support of 185 State Parties which makes it one of the most highly endorsed international human rights conventions.

The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations.

The UK signed up to the Optional Protocol to CEDAW at the end of 2004. This entitles individual women and groups of individual women to petition CEDAW on violations of the Convention. It also allows the Committee to launch enquiries into grave or systematic violations, including all forms of violence against women.

More information can be found at http://www.un.org/womenwatch/daw/cedaw/

The UN Convention on the Rights of the Child (UNCRC)

This is an international human rights treaty that grants all children and young people (aged 17 and under) a comprehensive set of rights. The Convention gives children and young people over 40 substantive rights. These include the right to:

- special protection measures and assistance
- access to services such as education and health care
- develop their personalities, abilities and talents to the fullest potential
- grow up in an environment of happiness, love and understanding
- be informed about and participate in achieving their rights in an accessible and active manner.

All of the rights in the Convention apply to all children and young people without discrimination.

More information can be found at www.unicef.org/crc
The UN Convention on the Rights of Persons with Disabilities (UNCRDP)

The purpose of the convention is to promote, protect and ensure the full and equal enjoyment of all human rights by persons with disabilities. It covers a number of key areas such as accessibility, personal mobility, health, education, employment, habilitation and rehabilitation, participation in political life, and equality and non-discrimination. The convention marks a shift in thinking about disability from a social welfare concern, to a human rights issue, which acknowledges that societal barriers and prejudices are themselves disabling.

More information can be found at http://www.un.org/disabilities
References


17. NSPCC/Sugar (2006) Teenage girls reveal unwanted sexual experiences
http://www.nspcc.org.uk/whatwedo/mediacentre/pressreleases/22_may_2006_unwanted_sexual_experiences_wdn33559.html


27. National Union of Teachers (2005) *Silence is not always golden, tackling domestic violence*


34. Amnesty Wales (2007) Under the Covers, trafficking for sexual exploitation in Wales, Cardiff: Amnesty Wales


44. Women’s Aid Domestic Violence: Frequently Asked Questions Factsheet 2009


56. http://www.id21.org/education/e5jm1g1.html


59. Izzidien S (2008) “I can’t tell people what is happening at home” Domestic abuse within South Asian communities: the specific needs of women, children and young people, London: NSPCC

