

Healing Men (HM) campaigns for justice for men and boys in Wales. HM's response is confined to the issues around Domestic Abuse.

Boys and girls the real victims of Domestic Abuse (DA) through being abused or witnessing abuse and learning violent and abusive behaviour at home. Girls and boys are at three times the risk when both parents are abusive. In broad terms as many girls and boys are killed each year in the UK by their parents as there are women killed as a result of DA but this is never openly discussed.

Any strategy to end or reduce DA in Wales must tackle all the root causes of DA as well as all instances where DA is causing the current suffering of Welsh women, men, boys and girls.

HM's Petition "*Stop Sexism in Domestic Abuse*" appeals to the Assembly to see all the root causes of all the human suffering that DA brings about and to intervene in the insidious cycle of intergenerational transmission of DA that will otherwise perpetuate DA in Wales through each successive generation. The Minister for Local Government and Government Business has rejected this proposition on the 21 May 2014 without addressing the overwhelming evidence put forward by HM. Surely any serious proposition that is evidence based and seeks to tackle the root causes of DA in Wales requires investigation and due consideration by Ministers and the Assembly?

Surely preparing new legislation is the most appropriate and necessary time to put the suffering of men and women and girls and boys in Wales above gender politics and openly and clearly address all the issues that cause and perpetuate the human suffering from DA in Wales?

1. The general principles of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill

Gender Based Legislation.

Domestic Abuse (DA) is not a gender based issue and to include DA in "gender based" legislation is to fail to recognise the unique and particular human dynamics and suffering involved in DA and the risks posed to the current and future generations of girls and boys.

The following has been agreed with a senior architect of the proposed gender based legislation (Dr A Robinson) as a definition of the gendered approach as it relates to DA (or Intimate Partner Violence – IPV);

"The gender paradigm of IPV argues that domestic violence is a result of patriarchal social systems where men are exclusively the batterers and females are exclusively the victims of male dominance and privilege.

This Neo-Marxian model posits the masculine (bourgeoisie) as occupying the upper rungs of privilege, authority, and power over the feminine (proletariat).

Thus, domestic violence is the physical manifestation of his social dominance as it is forcibly imposed on her submissive feminine body.

Conversely, female violence is initiated reactively, purely as a form of self-defence. . (Prof. Brenda L. Russell)

The "Violence Against Women" team in the WG has not rejected or disputed this definition.

The Task and Finish Group Report in 2012 (which is openly acknowledged by the WG in its significance in informing the development of the new legislation) explicitly states;

"... masculinity is associated with violence in ... Wales ... and all interventions must address men's violent behaviour ..."

This view is emphatically affirmed by Dr A Robinson, the TFR's lead author. Such extremely radicalised principles cannot provide any useful insight into DA or its causes or provide insight into how to reduce the human suffering of those involved.

The proposed new legislation was originally entitled the Domestic Abuse (Wales) Bill, but this simple and potentially beneficial endeavour was radicalised into the gendered ideology that forms the current proposals.

The process by which this radical ideology was developed is so contentious that the legal department of the WG has had to use its extensive powers and resources to ensure that it is kept secret from the people of Wales. This embargo has been steadfastly upheld despite the importance of the issues and the human suffering involved and puts personal interest in a particular political agenda above proven evidence and above the suffering of the men, women and boys and girls of Wales for generations to come.

How can this be a sound basis on which to form new legislation that is likely to be in force for many years and generations to come? What kind of principle requires this secrecy? Why can't the people of Wales know what is being done in creating the new legislation that will govern them on this very sensitive issue?

HM respectfully suggests that such secrecy should be swept aside in developing such important and much needed legislation. Careful consideration should be given to;

- The contentious dynamics that created the current gendered proposals
- The evidence base described in HM's petition that will permit effective measures to tackling and reducing the root causes of DA
- The suffering of boys and girls as well as the men and women involved.

The current gendered approach to DA is politically motivated, far too coarse, brutal and discriminatory in its approach and has been unsuccessful in tackling the root causes of, and reducing, DA in Wales.

Surely it is time to seize this opportunity to take a new and more humane approach to this difficult and important social issue?

Non Gender Based Legislation

There is a wealth of evidence based research, practice and experience covering many countries and spanning decades that shows that DA is about how we (women and men) have learned to behave in intimate partner relationships and it is not about gender. More detailed information is given in the supporting information to HM's petition "*Stop Sexism in Domestic Abuse*" which urges a more realistic and humane approach be adopted to tackle the root causes of DA and is currently being considered by the Petitions Committee of the Assembly. One of the Petitions first signatories was Erin Pizzey who founded the very first women's refuge in Chiswick in the early 1970s. Other signatories include practicing professionals, psychotherapists and others skilled and knowledgeable in dealing with the complexities of human relationships.

A new non-gendered approach is required to tackle DA in Wales and one that recognises that DA is a particular non-gendered human phenomenon in which both men and women can share both responsibility and suffering. Including DA in the proposed gender based legislation only looks at the symptoms of DA (victims) and does not seek to tackle the root causes of the suffering and how this affects boys and girls and future generations.

Boys and Girls

Boys and Girls are the real victims of DA. Not only the current generation of girls and boys, but subsequent generations as each generation learns violence and abuse in the home and then passes this learned behaviour onto their children. In broad terms as many girls and boys are killed each year in the UK by their parents as women as a result of DA.

Research shows that 70-80% of the women and men who initiate DA were abused, or witnessed abuse as children. The Family Constellations work of Dr Franz Joseph would suggest that this early trauma might be present in all cases of initiating abusive behaviour.

It is, therefore, vital that all forms of DA be recognised and addressed and effective strategies and responses are developed that will intervene in the generational cycle of learned abuse and violence.

Baby P suffered dreadfully before his early death at the hands of his parents. How would we, as a society, respond to him had he survived and gone on to abuse his own children? The radical

ideological gendered approach would simply and brutally condemn him for being male and would not and cannot acknowledge or respond effectively to the suffering and learnings he experienced in his early years.

Surely the very least that the Welsh Government can do is to look at and consider the very considerable evidence against the advisability of continuing with a gender based approach to DA and to put forward reasoned and evidence based responses based on a comprehensive and careful consideration of the widest evidence base and all the information that is currently available?

Ministerial Advisor

Section 18 (2) discriminates against those suffering from DA in male or female same sex relationships in that the Advisor is only empowered to consider "related matters" in so far as they relate to "people of a different gender". Surely this is discriminatory against those in same sex relationships?

2. Potential barriers to the implementation of these provisions and whether the Bill takes account of them,

Adopting the radicalised gendered approach to DA exposes the Welsh Government (WG) to legal challenge and censure and has meant that Equalities Impact Assessment (EIA) on which the proposed legislation is based is fatally flawed. The EIA is a statutory requirement in completion of the process of preparing new legislation. Thus the proposed legislation itself is undermined and opened to challenge. A formal complaint about the radicalised and discriminatory process and approach adopted by the WG in its preparation of the EIA is being prepared and will be formally lodged with the WG by Healing Men during the consideration of the current draft legislation by the Assembly.

The WG has committed to recognising all victims of DA. However, the WG does not commit to supporting all victims of DA "equally". This ideological omission is contrary to the individuality of the subject in Equalities legislation i.e. that *this* individual should not be treated differently from *that* individual because of a protected characteristic (for example sex).

Equalities legislation is designed to support the equal treatment of individuals and not specified groups. There have been rulings in America that have supported the rights of an individual man in that it has been found contrary to Equalities legislation to frame legislation in support of groups and that the rights of the individual, as an individual, must be upheld. A practising solicitor in America is aware of, and interested in, supporting a similar challenge in the UK in conjunction with an active UK organisation should this prove to be necessary in the final legislation.

A UK based solicitor and human rights barrister have taken a watching brief on the development of this new legislation with a view to taking forward a case of discrimination against a man who has already suffered from DA at the hands of his female partner and who has been badly served by the current gendered policies and who is entitled to Legal Aid. The charities Parity and Mankind have also pledged their support to any man in Wales who is disadvantaged by the new legislation when it comes into force.

In addition Healing Men is taking determined and ongoing action against Gwent Police and Cardiff University for Sexual Harassment because of their support of the discriminatory and sexist nature of radicalised political ideology.

Healing Men is also determinedly continuing with its action against the NSPCC for its failure to recognise all forms of DA to which boys and girls are exposed and thereby putting girls and boys at risk. This is directly contrary to its Royal Charter and is therefore ultra vires, making any contractual arrangements unenforceable and putting the entire structure of this essential £120m charity at risk. This is a most serious matter.

Surely new legislation scheduled to become law in 2015 should be based on true equality, support all victims of DA equally and be based on the most comprehensive and careful consideration of all the latest evidence and information available?

4. The financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum,

The WG's Explanatory Memorandum (p.9) puts the total economic costs of DA to the Welsh economy at some £826.4m. Surely full resources and attention must be invested to tackle the root causes of DA, not just the symptoms, if the WG is to have any success in reducing the suffering of women, men, girls and boys in Wales and make any reduction to the huge economic and social costs of DA?

The current focus of the Legislation is to tackle the symptoms of DA in so far as they affect adults. The gender bias dictates a disproportionate and overwhelming allocation of resources to supporting females as victims. This policy ignores the prevalence and significance of violent and abusive females and has the effect of discriminating against men and boys as well as women in same sex relationships as set out in HM's petition.

The root cause of DA is violent and abusive people and how this was learned in the home. DA is not gender based. The proposed legislation does not (and the radicalised gendered policy cannot) address this fundamental issue

Research has shown that boys and girls are at three times the risk when both parents are abusive. All forms of DA must be recognised (including violent and abusive females and mutual [bidirectional] abuse) so that effective powers and strategies can be introduced to break the cycle of intergenerational transmission.

The current gendered policy has the effect of disproportionately allocating funds and resources in a discriminatory way. The WG typically provides £ 5,000,000 to £6,000,000 to women's charities every year, mostly Women's Aid and associates. Virtually nothing is provided to support men's charities. The effects of gendered politics can be seen when one compares the published accounts of Welsh Women's Aid with UK and Welsh charities supporting men.

	Welsh Women's Aid	Mankind Initiative	FNF-BPM (C) Ltd
Years as a limited company	2 13 4		
Net assets	£1,306.6k*	£61.8k	£7.4k

** Net assets include £493,468 cash at bank. The net assets have been accumulated in just over two years of operation and is roughly equivalent to the total annual grants received from the WG.*

Healing Men's Proposal

HM proposes that;

- Domestic Abuse legislation is separated from gender based legislation with which it has no sensible relevance or meaning
- The particular and specific issues around the causes and effects of DA can be addressed in the original title "Domestic Abuse (Wales) Bill" as the most effective way to address the root causes of DA and how these dynamics and behaviours are learned and implemented by successive generations of girls and boys.

Healing Men will be pleased to respond to any requests for further information or clarification.

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