

The Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill

Submission to the Communities, Equality and Local Government Committee

Wales Violence Against Women Action Group

September 2014

1 Introduction

1.1 The Wales Violence Against Women Action Group

The Wales VAW Action Group has successfully worked together for six years, campaigning on issues in Wales at a national level to tackle violence against women and girls. Members are drawn from women's sector organisations in Wales who work with a common purpose. Membership includes Welsh Women's Aid, Llamau, New Pathways, BAWSO, National Federation of Women's Institutes-Wales, Rape Crisis England and Wales, Deryn, NUS Wales and the Survivor's Trust.¹

The Action Group has successfully campaigned for policy change across all levels of government, public bodies, the private sector and the public sphere in order to raise awareness of the issues surrounding violence against women and girls and to shape public policy to reduce the level of violence suffered by women and girls in Wales.

It campaigns against all forms of violence against women and girls, including domestic abuse, sexual violence, harassment and stalking, forced marriage, honour-based violence and female genital mutilation. It focuses geographically in Wales as much of the public policy relating to violence against women and girls is devolved.

1.2 Violence Against Women and Girls in Wales

Research studies continue to find alarming and persistently high levels of violence against women and girls in the UK in general and Wales. These figures refer to 2011/12:

- Up to **three million** women across the UK experience rape, domestic violence, forced marriage, stalking, sexual exploitation and trafficking, female genital mutilation (FGM) or so-called 'honour'-based violence each year;ⁱ
- Violence against women and girls costs society £40 billion each year in England and Wales. Recent Wales figures on the cost of just domestic abuse on the Welsh economy was a total of **£826.4 million**;ⁱⁱ
- Every year **one million** women experience at least one incident of domestic violence – nearly **20,000** women a week, with **2** women a week killed as a result; ⁱⁱⁱ
- Every year over **300,000** women are sexually assaulted and **60,000** women are raped;^{iv}
- **33 per cent** of girls in an intimate relationship aged 13-17 have experienced some form of sexual violence from a partner;^v
- In 2011, the Forced Marriage Unit received **1468** calls to its helpline regarding suspected/potential forced marriage, **78 per cent** of whom were women;^{vi}

¹ Full list of members available at: <http://walesvawgroup.com/about-us/>

- **3.7 million** women in England and Wales have been sexually assaulted at some point since the age of 16;^{vii}
- It is estimated that of **17,000** migrant women involved in off-street prostitution in England and Wales, **2,600** have been trafficked and **9,200** are vulnerable migrants who may be further victims of trafficking;^{viii}
- **20 per cent** of women say they have experienced stalking at some point since the age of 16;^{ix}
- In Wales in 2010/11, the Police recorded **2,485** sexual offences.^x The British Crime Survey highlights that only **11 per cent** of victims report to the police;^{xi} therefore we can reasonably estimate that the actual number of women experiencing sexual offences in Wales was nearly **23,000** last year;
- In Wales in 2013/14, there were **6,325** prosecutions of violence against women and girls offences, with a conviction rate of 76.7%. Of these, **5,637** were cases of domestic abuse; **257** cases of rape, and **431** cases of sexual offences;
- Welsh Women's Aid's members supported **9,337** women in 2013/14, with **2,263** entering refuge;
- The All Wales Domestic Abuse & Sexual Violence Helpline (managed by Welsh Women's Aid) supported **27,972** callers in 2013/14.

1.3 Legislation to tackle Violence Against Women and Girls

Given that the prevalence of violence against women and girls is so unacceptably high, we were very pleased when the Welsh Government announced it would legislate to tackle the issue, and that they would publish a Violence Against Women and Girls Bill. It demonstrated a clear commitment to make difference to the lives of women in Wales by sending a strong signal to the public sector in Wales that more must be done to prevent violence against women and girls and that barriers to services for victims should reduce. It also indicated that the Welsh Government well understood the gendered-nature of the violence occurring, that the victims of these forms of violence were overwhelmingly women and that much of the violence occurred because the victims are women.

During the early consultation process in 2012, the Action Group provided 30 recommendations based on the sector-wide experience. The main areas where we recommended activity were as follows:

1. Reduction in the prevalence of all forms of violence against women and girls, and support for women and girls who experience such violence;
2. Guaranteed access to adequate and sufficient services for women in Wales;
3. Compulsory initiatives in schools and other educational settings to prevent violence against women and girls before it starts, and for supporting pupils affected by such violence;
4. Appropriate and timely interventions, referrals and signposting occur as a result of improved health responses to violence against women and girls;
5. Employers know how to help female employees affected by violence against women and girls.

We are therefore disappointed in the current content of the Bill as published, and feel very strongly that it simply will not adequately impact on the lives of women in Wales, either in reducing violence or improving access to services for victims. There has been very limited discussion with the sector about the content of the Bill since the publication of the White Paper in 2012, and we feel as an Action Group that there has not been any opportunity to justify why we called for these specific recommendations, as nearly all of them have not been included in the Bill.

2 General Principles

2.1 Gender Neutrality

The name of the Bill is hugely disappointing. Given that it is not linked to a significant increase in funding to ramp up the level of services available, we expected a Bill that would send a very strong signal about violence against women in all its forms, and that it would be based on well-understood international definitions of violence against women and girls.

The structural nature of violence against women and girls as gender-based violence is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men. It is vital that a shared understanding of the links between all forms of violence against women and girls, as well as its shared causes and consequences, informs the legislation.

Instead, we have a gender neutral Bill that does not mention women, and therefore singularly fails to take account of the gendered-nature of the violence it seeks to tackle. Not only that, but it binds the hands of future governments to ensure that only gender-neutral strategies and policies will be introduced in the future, ruling out specific activity across the public sector to specifically tackle violence against women and girls.

Given that other parts of the UK and countries around the world currently have or are developing policies and strategies to tackle violence against women and girls, it would be deeply disappointing to enshrine a position that would negatively impact on women in Wales.

One of the unintended negative consequences of gender-neutral national policy in this area is that service commissioners within local authorities will seek to commission gender-neutral, non-specialist domestic abuse services, which do both male and female victims a disservice. Since the Welsh Government separated domestic abuse from violence against women and girls within the *Right to be Safe* strategy, Welsh Women's Aid has had to intervene in three separate instances in which local authorities have sought to either withdraw funding or exclude specialist women-only services from applying for new funding to deliver domestic abuse services, despite a lack of evidence of need for a mixed service, the safety risks of a mixed-sex service, and the well-established urgent need for specialist gender-specific services for women and their children.

Reasons given by local authorities have ranged from mistakenly thinking that providing a gender-specific service is breaking equalities legislation, to unproven assumptions that domestic abuse affects men just as much as women.

Our position does not preclude the provision of services to male victims of domestic abuse. The Welsh Government already has policy, strategy and services which mandate the provision of services to male victims. The reason for introducing this particular Bill is in recognition of the fact that women disproportionately experience certain forms of violence and that therefore stronger action is needed to tackle this, which only legislation can offer.

We feel very strongly that women should be recognised both in the title of the Bill, its content and its consequences.

2.2 Definitions of Violence Against Women and Girls

The current name is also disappointing as it is cumbersome, divisive and unclear. Why identify domestic abuse and sexual violence and no other specific forms of violence? Why separate domestic abuse and gender-based violence, when it has such a highly disproportionate impact on women.

Currently in Wales, there exists a lack of clarity amongst agencies and the general public regarding what is meant by the term 'violence against women and girls', as well as exactly what specific forms of violence/abuse entail – particularly those forms of violence that are not so well-known as domestic abuse, in addition to the non-physical-violence aspects of domestic abuse. This lack of clarity has led to a conceptual confusion about what exactly it is that we are trying to tackle (and how) when we talk about violence against women and girls and its various forms, which has negative ramifications for policy and practice.

Few would consider this Bill as designed to tackle forced marriage, female genital mutilation, stalking or other forms of violence disproportionately or entirely suffered by women.

The UN definition is as follows:

The term Violence Against Women is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

The Committee on the Elimination of Discrimination against Women (CEDAW Committee) of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in its general recommendation on violence against women and girls No. 19 (1992) helped to ensure the recognition of gender-based violence against women and girls as a form of discrimination against women.

The United Nations General Assembly adopted a Declaration on the Elimination of Violence against Women in 1993 that laid the foundation for international action on violence against women and girls. In 1995, the Beijing Declaration and Platform for Action identified the eradication of violence against women and girls as a strategic objective among other gender-equality requirements.

In June 2012, the UK also signed the European Convention on Combating and Preventing Violence Against Women and Domestic Violence ('The Istanbul Convention'). Governments that agree to be bound by the Convention are required to take action on all forms of violence against women and girls.

The Welsh Government maintains that it is beyond its legal powers to draft legislation that mentions women. This is simply unacceptable, and at the very least, highly contestable.

By publishing legislation designed to include everyone, it singularly fails to address an issue that overwhelmingly impacts on women and hampers activity across the public sector to do so.

2.3 National Strategy

In the first instance, we would welcome a national strategy to tackle violence against women and girls. In reality, such a national strategy already exists in the form of the 'Right to Be Safe Strategy'. The Wales VAW Action Group worked with the Welsh Government to ensure that its national domestic abuse strategy was broadened to include all forms of violence against women and girls, and some real progress was made at the time and subsequently regarding better understanding the broader forms of violence. We are very concerned that this Bill represents a step backwards in this understanding.

By removing any reference to women in the Bill, we are very concerned that the new law will enshrine that future Welsh Governments must have gender-neutral national strategies, and will therefore not develop specific violence against women and girls strategies. That would be an outrageous position, particularly given the early progress made, and the way in which organisations and administrations across the UK and around the world are developing and implementing violence against women and girls strategies.

The current Right to be Safe strategy contains significant weakness, however, and we are also concerned that if we simply enshrine that we have a strategy, we cannot be sure that there will be any impact on the lives of women in Wales. The current strategy contains no measureable outcomes, and its implementation is effectively scrutinised by the civil servants who are responsible for it. We cannot be sure that a future national strategy in this form will make a difference unless there are real performance indicators and external scrutiny.

Real progress will need to be made in new and different activity to really make a difference, and simply enshrining the current activity will not be good enough.

2.4 Local Strategies

There are currently local strategies for tackling elements of violence against women, though much of the focus and activity is on domestic abuse, rather than the wider forms of violence.

In responding to the White Paper, we provided detailed recommendations about how the NHS have a key role to play, so we welcome the moves to enshrine local strategies that ensure that the Local Authorities and the Local Health Boards will need to come together to take action. We remain unconvinced at the language used in the Bill surrounding statutory duties. It does not seem that the duties as outlined in the Bill are as clear cut as those in other statutory instruments, with local authorities able to opt out of providing certain services.

One major concern is fundamentally flawed statistical information being used to evidence need or potential need. The Action Group would like to see the Bill to require changes and strong direction to the needs assessment process local authorities use.

2.4.1 Local Authorities

Local Authorities currently have local strategies that are either directly or indirectly related to violence against women and girls, but that does not mean that women and girls living in their area have been better protected from violence or have experienced better services. Implementation at a local level has been so varied as to create a postcode lottery for services, and if Bill does not include specific actions to tackle this patchy delivery, then we will again be simply enshrining current inadequate provision.

2.4.2 Health Services

The health service spends more time dealing with the impact of violence against women and children than almost any other agency.

Physical and sexual violence and abuse have direct health consequences and are risk factors for a wide range of long term health problems, including mental health problems, substance misuse, trauma, unwanted pregnancy, sexually transmitted infections and risky sexual behaviour. Violence and abuse also has major consequences in terms of depression, anxiety, and self-harm amongst women. Action to tackle the causes and consequences of violence against women and children therefore contributes to the health and well-being of the population.

Health settings often represent the one place where it is possible to talk to someone about their experience without discovery or reprisal from the perpetrator. As such, the Bill should include mechanisms for ensuring that all front-line health practitioners are able to identify and respond appropriately to women experiencing violence/abuse. There currently exists guidance within the health service, so we need to be sure that this legislation will lead to change. It will be important to ensure that this Bill leads to a step change in scrutiny and accountability to ensure that the policies are actually implemented on the ground across Wales.

The Bill should include a provision for statutory initial and ongoing professional training for GPs and other health professionals on identifying and responding appropriately to VAW. Such training should also extend to the undergraduate curriculum for medical students, and should include:

- Understanding the links between violence/abuse and other health conditions (physical and mental), to aid identification and referral;
- Identification of victims through appropriate questioning;
- Enabling and dealing with disclosure of violence/abuse;
- Referral and signposting to specialist VAW organisations;
- Addressing immediate safety concerns for women and children;
- Appropriate post-disclosure interventions;
- Identifying, responding to, and referring perpetrators.

2.5 Ministerial Adviser

We have previously identified the need for an external individual not only to advise the Welsh Government but to in order to scrutinise the activity of the Welsh Government and the public sector.

We are hugely disappointed, however, as this seems to be a civil service appointment, which would lack the independence required to ask the difficult questions.

Furthermore, in enshrining an adviser on an entirely gender-neutral platform, it rules out any future Welsh Government from appointing an adviser on violence against women and girls.

Ideally, we need a Commission on Violence Against Women and Girls who has the powers and the teeth to be able to make a real difference to the lives of women in Wales. If this Bill enshrines a situation that means this cannot happen in future, then we will be doing a disservice to the women of Wales.

3 Significant Omissions

The main elements of the Bill are a national strategy, local strategies and a ministerial adviser. These following areas are those that have been entirely omitted from the Bill – a huge disappointment given the strong political vision outlined when the Violence Against Women Bill was first announced.

3.1 Improved Service Commissioning

Although we have always recognised that this Bill would not be about a significant uplift in the resources available to commission considerably more services for the victims of violence, but we did expect that the Bill would seek to tackle the unacceptable postcode lottery of services across Wales.

Many areas of service provision are simply not available in all areas, and access to specialist services such as for victims of sexual violence, trafficking and FGM are so patchy as to render them impossible to access for women living in certain areas of Wales. This has been flagged up in UK-wide research; *Map of Gaps* stated: 'in Wales, strong domestic violence provision [...] indicates that the domestic abuse policy has had an impact. However, the lack of voluntary/ third sector sexual violence services suggest that this needs to be extended to all forms of violence against women and girls'.^{xii}

There is also a wide variation in expertise and capacity geographically across the vital public services that can prevent violence, protect women and girls and provide services for victims.

Specialist support services provided by the women's voluntary sector are absolutely vital for assisting women to overcome violence/abuse and to rebuild their lives. The availability of support depends upon the woman's location, and poses particular problems for women in rural Wales.

There has been a relatively recent shift from specialist support towards generic, non-specialist service provision (particularly for domestic abuse services), which is inferior in providing the specialist support that women so desperately need to recover from violence/abuse and to rebuild their lives, and coupled with the current economic climate, poses a real risk of a loss of the significant specialism that has been developed within the violence against women and girls third sector over the past four decades in designing and delivering services that fit women's specific needs. There remains an urgent need for highly specialised services to assist women following violence/abuse, including women-only services and services for BME women, coupled with a dangerous lack of understanding about the value of these services, perhaps particularly amongst local authority service commissioners, which is of great concern.

Statutory services, such as Specialist Domestic Violence Courts and Sexual Assault Referral Centers, usually support women who report the violence to the police or authorities. Voluntary sector services such as specialist rape and sexual violence organisations, refuges, domestic abuse outreach projects, services for ethnic minority women and trafficking services provide support to women who have experienced abuse recently, as well as in the past or as a child. They are essential lifelines that can take the form of counselling, information and advice, advocacy, shelter, self-help, and routes to employment or training. Their focus is solely to support women in overcoming the impacts of the violence they have experienced.

Black and Minority Ethnic (BME) women are disproportionately affected by different forms of VAW, including forced marriage, so-called ‘honour’-based violence, female genital mutilation (FGM) and sexual exploitation through trafficking. BME women also face specific barriers to reporting and seeking support from abuse, and therefore have specific needs which require specialised and dedicated support services.

There is only one FGM service in Wales.^{xiii} It is estimated that there are at least 66,000 women and girls in England and Wales who have undergone FGM, in the main prior to arrival in the UK, with a further 33,000 girls and young women at risk.^{xiv} There are few community-based services and significant gaps, especially with respect to girls at risk.

Research commissioned by the National Federation of Women’s Institutes (NFWI) in 2009 into violence against women and girls in rural and urban areas identified a lack of services to address the impact of violence against women and girls.^{xv} Both rural and urban women interviewed for the research said that support services which women would trust enough to use were simply not available. Respondents said that they had *least* access to perpetrator programmes, Rape Crisis Centres and women’s refuges. Both rural and urban women felt the top services for dealing with VAW in their local areas were women’s refuges followed by either Rape Crisis Centres or the police. However, services such as Rape Crisis Centres and women’s refuges that women stated they valued highly for tackling violence against women and girls were the ones they had least access to locally.

We are not convinced that the national and local strategies outlined in the Bill are significantly different from those that currently exist, and therefore we cannot expect a better way of commissioning services across Wales. We cannot expect every local authority to provide every specialist service locally, but neither can we expect from the current Bill that local authorities will work together to pool resources and provide specialist services on a more coordinated or regional level.

3.2 Prevention through Education

We are hugely disappointed that the Welsh Government has failed to include any adequate educational elements within the Bill. We know that in order to reduce the prevalence of violence, we must focus on prevention, and that begins with informing and educating young people about healthy relationships and challenging the attitudes and behaviors that are persistent in society regarding the violence against women and girls. Focus on school provision will also directly enhance the support available of young people who may have suffered from or are at risk of violence.

Mandatory lessons in healthy relationships would be one way to ensure that young people have access to the information they need. The current classes delivered are insufficient, patchy and focuses solely on domestic abuse, whilst teachers remain untrained in dealing with any disclosures made by pupils following the sessions. Though the Welsh Government has said that it will consider this as part of a future curriculum review, we remain concerned that this might not ultimately occur.

A shocking number of young women and girls in Wales experience violence and abuse within their own relationships, and female pupils regularly experience sexualised and gender-based bullying within our schools and other educational settings, which has a negative impact upon their safety, wellbeing, educational attainment and prospects. One-third of girls in an intimate relationship aged 13 to 17 have experienced some form of sexual violence from a partner.^{xvi}

The following figures are from a 2011 YouGov poll and weighted to be representative of 16- to 18-year-olds in the UK:^{xvii}

- Almost **one in three** girls have experienced unwanted sexual touching at school;
- **71%** of 16-18-year-olds say they have heard sexual name-calling such as “slut” or “slag” towards girls at school daily or a few times per week;
- Close to **one in four** (24%) 16-18-year-olds said that their teachers never said unwanted sexual touching, sharing of sexual pictures or sexual name calling are unacceptable;
- **40%** of 16-18-year-olds said they didn’t receive lessons or information on sexual consent, or didn’t know whether they did.

There is currently no compulsory education on violence against women and girls in schools. Compulsory lessons are only one way of tackling this issue in schools. We provided the Welsh Government with a raft of recommendations for schools and young people other than compulsory lessons, and remain concerned that all have been refused at this time.

As outlined in the Department for Children, Schools and Families' Violence against Women and Girls Advisory Group final report and recommendations (2009), schools should tackle violence against women and girls:

- Through a whole school approach, by developing practice on VAWG that includes creating a strong ethos of respect exemplified by staff behaviour and leadership, and is made clear throughout relevant policy and procedure.
- Prevent violence against girls and young women by creating an environment that challenges rather than tolerating it and teaching boys and girls to build respectful relationships. Work in schools should include working positively with young men and young women. They should also explicitly include the issue within PSE education when exploring the concept of relationships
- Support girls and young women experiencing violence, discrimination and sexual bullying by:
 - Acknowledging, identifying and intervening in violence against girls and young women
 - Engaging and working in partnership where possible with parents/carers
 - Ensuring that staff are aware of signs and symptoms and alert to them
 - Providing support for them directly through its pastoral role and securing effective referral to appropriate facilities and services, for example counselling services
 - Working in partnership with specialist support services
 - Prominently displaying information about advice services, in both public and private spaces in schools.

Our Action Group has can provide significant evidence to outline further the evidence base and suggested approaches for tackling violence against women and girls in schools. We would specifically like to ensure that the following elements are included on the face of the Bill as minimum statutory requirements:

- Ensure that there is one fully-trained 'go-to' staff member in each school with expertise in violence against women and girls and the knowledge and confidence to assist pupils in seeking assistance and information;
- Include education on violence against women and girls and healthy relationships mandatory on the school curriculum in Wales; this should be taught from a perspective of gender equality and human rights;
- Ensure that schools regularly collect data on all forms of violence against women and girls, including sexual harassment and bullying;
- Ensure that education on violence against women and girls and healthy relationships is available to children and young people not engaged in formal education system or 'NEETS';
- Appoint a violence against women and girls champion amongst school governors and the student council;
- Ensure that Estyn inspects on school responses to violence against women and girls.
- Ensure provision of comprehensive violence against women and girls and healthy relationships training for all related professionals

The first element outlined here is vital to ensure that many of the others come to fruition. We cannot expect every teacher to be highly trained in being able to support young people who may have suffered sexual violence or who are at risk of forced marriage, but there should be one specially trained staffer who can adequately deal with these complex issues and can lead on behalf of the school the wider programme to develop understanding, raise awareness and challenge poor practice.

The best way to achieve the above recommendations is for the legislation to ensure universal delivery of a whole-school approach to preventing and tackling violence against women and girls across the education system. This approach should incorporate and make statutory the initiatives suggested in the

above recommendations, at a minimum. A 'whole-school approach' addresses the needs of pupils, staff and the wider community across the Curriculum and the entire learning environment within a school. It aims to develop an ethos and environment in a school that supports learning and promotes the health, wellbeing and safety of all.

Practical steps towards building a whole-school approach should include the above recommendations at a minimum, and should also incorporate:

- Staff leadership, including placing responsibility for the work within a working group or within a senior manager's work strand;
- Positioning the work to link to school policy frameworks, including schemes of work and priority areas such as attainment, good behaviour, child protection, anti-bullying and social inclusion;
- Working directly with students through input to the curriculum, peer-led advocacy and mentoring;
- Researching and consulting with young people, staff and parents to gather data and achieve universal 'buy-in';
- Increasing awareness of the issues through staff training;
- Developing a 'shared language' within the school, which engages with human rights and gender equality.

3.3 Challenging Attitudes

The Action Group understood that the Bill as originally envisaged would also see to tackle wider societal attitudes towards violence against women and girls in order to challenge attitudes and really seek to focus on prevention. This area of activity is now omitted.

We saw between 2011 and 2013 some groundbreaking campaigning activity to challenge and to try and change attitudes towards violence against women and girls in Wales, shifting focus towards perpetrators, wider forms of violence and unacceptable behavior and away from focusing entirely on the victim.

We expected this activity to continue and to be included in the Bill so that future Welsh Governments would be obliged to carry on this vital work. At this stage, we cannot be sure how such activity will be mandated at a national or local level.

3.4 Workplace Policies

Again, this is another substantive area where we gave strong evidence to the Welsh Government and yet it was omitted from the final Bill.

We know that violence against women and girls can seriously impact on woman's ability to fulfill their job duties, and can also be targeted in the workplace – not only by harassment in the workplace but also we know that 75% of women that experience domestic abuse are targeted at work – from harassing phone calls and abusive partners arriving at the office unannounced, to physical assaults.^{xviii}

The workplace represents an excellent avenue for assisting women to safely access services and information that can ultimately save their lives – in addition to saving a significant amount of money to organisations, currently lost through absenteeism, sick leave, decreased productivity, lateness, errors and increased employee turnover.

We would want to see all employers in Wales developing a workplace policy to identify and assist female employees who are victims of violence. This Bill provides an excellent opportunity to ensure that all public sector employees benefit from such policies. It is also vital to ensure that such policies currently in existence are broadened from only focusing on domestic abuse to all forms of violence against women and girls.

Research shows that 56% of abused women arrive late for work at least five times a month, 28% leave early at least five days a month, and 53% miss at least three days of work a month.^{xix}

It is vital that training is delivered on violence against workplace policies to ensure that they make a real difference to women's lives. The Equality and Human Rights Commission's template domestic abuse policy could be expanded on to include all forms of VAW and made mandatory for both public and private

sector employers.

Consideration should be given to international examples of violence against women and girls policies that take a 'whole-workplace approach', including preventative measures and initiatives to engage men in challenging violence, e.g. *Working Together Against Violence* by Women's Health Victoria.

A key element to supporting employers in developing adequate policies and processes would be through appropriate consultation with recognised trade unions, across all sectors. It is vital that within the public sector a suitably trained "go to" person with expertise in violence against women and girls and the knowledge and confidence to assist employees in seeking assistance and information.

4 Barriers to Implementation

As mentioned above, a number of barriers to implementation of the Bill exist in its current format due to areas of omission, but particularly in regard to ensuring local strategies are fit for purpose and adequately resourced. Implementation in this regard could be significantly strengthened by increasing the powers of the proposed 'Advisor' position to include the ability to issue sanctions to Local Authorities for non-compliance.

The wording and definitions used by the Bill will also likely lead to barriers to implementation. With the loss of the term 'Violence Against Women' from the title and internal wording of the Bill, replaced by the gender-free umbrella term 'Gender-based Violence' (of which 'Violence Against Women' is one type, we have effectively lost this framework of understanding that is attached to the term as an internationally recognised shorthand for the most pervasive form of gender-based violence as a particular and significant phenomena. The Action Group is concerned that by moving to the term 'Gender-based Violence' the less common or well understood forms of 'Violence Against Women' such as FGM and stalking will lose priority and fail to be considered within the wider context of abuse which they sit. This could impact on public understanding of these types of abuse and the work undertaken around the Bill by local authorities and other statutory agencies. This framework of understanding around violence against women and girls is particularly imperative in regards to the local service needs assessments which local authorities will be obliged to undertake.

5 Unintended Consequences

The Violence against women and girls sector has suffered from cuts along with other public services in recent years. This has occurred alongside a significant year-on-year increase in demand for Violence against women and girls services. The sector as a whole is very dependent on secure long-term funding from Welsh Government to protect services for women and children fleeing domestic abuse and violence.

If, as intended, victim reporting of violence against women and girls is raised by the Bill as it progresses through the National Assembly, then pressure on services is set to become ever more acute in the coming years. Currently it is our understanding that no funds dedicated to the Bill will go towards frontline services.

Service providers across the sector have stated that they are already under significant pressure and are very concerned by an increase in demand without more investment to secure sufficient service levels across Wales.

6 Financial implications

Increasing reporting as a result of such planned aspects of the Bill as 'Ask and Act' and public sector training will lead to increased pressure on these services without doing anything to address the geographical gaps in provision of services. Provision should be made within the Bill to address any

increase in reporting to ensure victims and specialist services are protected and supported to allow a holistic approach to implementation.

The loss of preventative aspects within the Bill as published, such as education on healthy relationships in schools and public behavior change campaigns will also likely lead to a lost opportunity to address the huge cost of violence against women and girls to the economy in Wales. Recent Wales figures on the cost of just domestic abuse on the Welsh economy was a total of £826.4 million, which included £303.5m (health care, criminal justice costs, social service, housing, legal and economic) and £522.9m (human and emotional costs).^{xx}

7 Subordinate Legislation

We remain concerned that so many recommendations that we made as an Action Group are not explicitly included in the Bill, and therefore will not be tackled appropriately in subordinate legislation.

With regard to what is present, such as the national and local strategies, we are concerned that the balance between primary and secondary legislation is not appropriate, as it simply leads to too much variation of service provision as well as lack of scrutiny, and therefore may lead to minimal change.

ⁱ Coy, M., Kelly, L. and Foord, J. (2009). *Map of Gaps 2: The Postcode Lottery of Violence Against Women Support Services in Britain* (EHRC and EVAW).

ⁱⁱ Järvinen, J., Kail, A. and Miller, I. (2008). *Hard Knock Life: Violence Against Women – A Guide for Funders and Donors*.

ⁱⁱⁱ Povey, D. (ed.), Coleman, K., Kaiza, P. and Roe, S. (2008). *Homicides, firearm offences and intimate violence 2007/08, supplementary volume 2 to Crime in England & Wales 2007/08*. (London: Home Office).

^{iv} Smith, K. et al. (2012). *Homicides, Firearm Offences and Intimate Violence 2010/11*. Home Office Statistical Bulletin 02/12. (London: Home Office).

^v Barter, C., McCarry, M., Berridge, D. and Evans, K. (2009). *Partner Exploitation and Violence in Teenage Intimate Relationships*. (NSPCC and University of Bristol).

^{vi} Forced Marriage Unit statistics taken from Foreign and Commonwealth Office website, available online at: <http://www.fco.gov.uk/en/travel-and-living-abroad/when-things-go-wrong/forced-marriage/> [accessed 20th July 2012].

^{vii} Walker, A., Kershaw, C. and Nicholas, S. (2006). *Crime in England and Wales 2008/09*. Home Office Statistical Bulletin, July 2006.

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