

**Women's Aid submission to the Joint Committee on Human Rights Inquiry into
violence against women and girls – March 2014**

Summary

- Women's Aid is the national domestic violence charity that supports a network of around 300 local services working to end domestic violence against women and children in England. Our member services are integrated domestic violence service providers delivering a range of holistic services for women experiencing domestic violence and their children. Keeping the voices of survivors at the heart of its work, Women's Aid campaigns for better support for women and children, provides training and resources for professionals and delivers a package of vital 24 hour lifeline services through publications, websites and the National Domestic Violence Helpline (run in partnership with Refuge) on 0808 2000 247.
- Women's Aid Annual Survey 2013 of almost 200 domestic violence services in England found that in 2012/13 these organisations supported nearly 117,000 women and children through refuge accommodation and outreach support. This includes nearly 10,000 women and over 10,000 children in refuge, and over 82,500 women and 14,200 children in outreach services.
- Women's Aid warmly welcomes the JCHR Inquiry into violence against women and girls and the opportunity to submit written evidence. We will restrict our comments to our areas of expertise.
- We welcome the interest the UK Government has shown on the issue of ending violence against women and girls (VAWG) and particularly the recent announcement by the Prime Minister, when questioned by the Chair of the JCHR, Dr Francis, that the UK will soon be ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).
- We believe that for the UK Government to meet its international obligations in regards to provision and funding of services and support for women survivors of domestic violence significant changes and improvements are needed.

Introduction

Violence against women is recognised internationally as a violation of women's human rights and a form of discrimination against women¹. The impact of domestic violence, and in particular intimate partner violence, on women's lives can be devastating and long-lasting and women should be supported to escape, cope and rebuild their lives.

¹ General recommendations made by the Committee on the Elimination of Discrimination against Women. General Recommendation No. 19 (11th session, 1992), see also Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011, (Istanbul Convention) Article 3 – Definitions. The Istanbul Convention was signed by the UK Government in June 2012.

We believe that there are key areas of policy and practice in England that are not compliant with the Istanbul Convention and provisions in CEDAW. We will address these areas in our written submission. They include:

- Provision and commissioning of gender-specific specialist domestic violence services that meet women's needs;
- Prevention of violence against women and girls;
- Police response to domestic violence;
- Access to justice for women survivors of domestic violence;
- The impact of welfare reform on survivors of domestic violence.

The extent to which the Government's VAWG Strategy provides an effective, cross-Government response

Women's Aid welcomed the development of a cross-governmental Violence against Women and Girls (VAWG) Action Plan in 2010 and the subsequent refreshes of the document and the creation of an Inter-Ministerial Group on VAWG with representatives from across Government in recognition that VAWG is a cross-governmental issue and requires engagement from all Departments. We also welcome the leadership that the Home Secretary has demonstrated on the issue.

However, Women's Aid is concerned about the engagement from other Government Departments in the VAWG Action Plan. In particular we would like to see:

- The Department for Education ensuring all children and young people are able to access high quality education on healthy relationships in school;
- The Department of Health improving the response of health professionals in recognising and supporting women experiencing violence;
- The Department of Communities and Local Government providing leadership to local authorities on addressing VAWG as many issues are rooted in local authority action and responsibilities they have such as housing.

The impact of wider Government policies, such as contracting-out services, localism, reform of legal aid and welfare reform, on its compliance with the obligations under the Istanbul Convention and CEDAW in relation to VAWG

Women's Aid believes that the Government policy of localism and devolving of power and budgets to a local level without significant direction on the level of protection and support required and how to assess needs and create a level playing field, has opened up an accountability gap that has had a damaging impact on the provision of gender-specific specialist domestic violence services that women need. We provide more evidence on this in the later section on competitive tendering of services.

Legal aid

Women's Aid believes that legal aid is an essential tool for the protection of women and children from domestic violence. It enables women to secure protection orders, establish safe child contact and access safe accommodation; which in turn can empower women to escape violent relationships. We welcome the Government's decision to exempt women experiencing domestic violence from the reforms to Legal Aid but are concerned about the level of evidence which is required by women.

A recent study conducted by Rights of Women, Women's Aid Federation England and Welsh Women's Aid shows that since April 2013:

- 50% of women do not have any of the prescribed forms of evidence in order to apply for legal aid in family law cases.
- Research suggests that 60% of women take no further action if they are not eligible for legal aid.
- Over 30% of women report finding it very difficult to find a Legal Aid solicitor.²

Women in abusive situations need to access legal aid for a multitude of reasons, from applying for injunctions against perpetrators of violence to child contact issues. The many women who are now unable to access legal aid, especially the 60% who take no further action, are potentially at much greater risk and potentially unlikely to try and seek help again from the criminal justice system. We are currently working with the Ministry of Justice as they review the evidence criteria.

In July 2013 the UN Committee on the Elimination of Discrimination Against Women (CEDAW) published their concluding observations of the seventh report of the United Kingdom. In its concluding observations the Committee was concerned that the Legal Aid, Sentencing and Punishment of Offenders Act 2012, "unduly restricts women's access to legal aid³." The observations also expressed concern about the conditions applied to accessing legal aid, including the proof that women had to present to prove domestic violence. The CEDAW Committee's concluding comments urged the UK to, "a) ensure effective access by women to courts and tribunals, in particular women victims of violence; and b) continuously assess the impact of the reforms to legal aid on the protection of women's rights⁴." Women's Aid supports these recommendations and calls on the Government to implement them without delay.

We believe that the reforms to Legal Aid are placing unnecessary burdens of proof on women survivors of domestic violence that restrict them from accessing vital Legal Aid and contravene the Government's obligations under CEDAW.

Welfare reform

Women's Aid is very concerned about the impact of Universal Credit, the size criteria and the Benefit Cap on women survivors of domestic violence and their children.

Universal Credit

Universal Credit (UC) is a single integrated payment replacing many of the out of work means-tested benefits and working tax credit and child tax credit. UC will be paid to one member of a couple. As UC will include means-tested payments that are currently paid separately, and because payments will be made monthly, the amount that one member of a couple receives in one lump sum each month is likely to be quite high. Women's Aid is concerned that a standard rule of a single household payment could present an incentive

² Rights of Women (2013) Evidencing domestic violence: a barrier to family law legal aid

³³ CEDAW, Concluding Observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland, July 2013.

⁴ Ibid.

and opportunity for a controlling partner to misuse this money, thus creating greater scope for financial abuse.

The Government has said that a UC award can be split between partners, but only as an exception – not as a matter of choice. DWP guidance on 'personal budgeting support' includes access to alternative payment arrangements such as split payments, indicating that payments can be split between the claimant and another person (such as a partner) where there is financial abuse.⁵

Whilst welcoming the recognition of domestic violence as a situation where split payments may be needed, Women's Aid is concerned that even asking for a split payment could put women at risk. The guidance states that a split payment can be considered where 'the couple decide to remain together in the same household and a separate claim to UC is not made'. Women's Aid's response to this DWP guidance expressed concerns that in practical terms asking for a split payment could put survivors of domestic violence at risk. Even if the perpetrator does not have to agree to a split, it is likely to become obvious that the payment has reduced (because of the size of the award). If this is only done in cases of financial or other abuse, this could put the survivor at greater risk of further abuse. It appears that the decision to make a split payment will entail a discussion with both parties before a decision can be made and both parties will be advised of the decision.⁶ Women's Aid is working with DWP officials on this issue.

Women's Aid believes that the welfare reforms currently contravene CEDAW advice on action for the UK government. The most recent CEDAW report expressed concern that, "under the Universal Credit system, benefits and tax credit will be paid into a bank account of one member of the family, which poses risks of financial abuse for women due to power imbalance in the family, particularly if payment is made to an abusive male spouse⁷." The CEDAW report therefore stated that, "the Committee urges the State party to adopt preventative measures against potential exploitation of the Universal Credit system by an abusive male spouse⁸."

Supported exempt accommodation and refuge services

Help with housing costs for residents of supported housing (such as hostels and refuge services) have traditionally been met by Housing Benefit, under provisions called 'exempt accommodation'. The definition covers accommodation provided to a claimant by (i) an upper-tier county council, (ii) a housing association, (iii) a registered charity, or (iv) a voluntary organisation, where that body, or a person acting on its behalf, also provides the claimant with care, support or supervision. Whilst many refuge services would meet that definition a major gap in many cases is that the landlord is a housing association or similar body, with the specialist domestic violence service being a managing agent for the property, and providing support under contract to the local authority – so not providing the support 'on behalf of' the landlord. This is a common arrangement across the supported housing sector.

⁵ <http://www.dwp.gov.uk/policy/welfare-reform/universal-credit/latest-on-universal-credit/>

⁶ HL Hansard 14 January 2014 col WA14

⁷ CEDAW, Concluding Observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland, July 2013.

⁸ Ibid.

Other gaps are where the landlord is a local council's housing authority.

Housing support for residents under 'exempt accommodation' rules remains with Housing Benefit, being excluded from the housing costs covered by Universal Credit. A key problem with Universal Credit housing costs is that Universal Credit will be assessed on a whole month basis and paid monthly. It will also (in most cases) be paid direct to the individual claimant rather than the landlord. If survivors in refuge services had been subject to Universal Credit rules, providers could have been left without payments for a short stay. Exempt accommodation is also ignored in the calculation of the Benefit Cap and size criteria.

On 12 February 2014 the Welfare Reform Minister, Lord Freud, appeared in front of the Work and Pensions Select Committee and stated that supported accommodation would be defined in a broader way in order to protect more hostels and refuges.⁹ However, it appears that any revised definition will apply to the size criteria rules (see below). Women's Aid welcomes this announcement and the additional protection from welfare reform for refuge services.

The size criteria (Spare Room Subsidy or 'bedroom tax')

Individuals in council or housing association properties who currently use housing benefit to pay for some, or all, of their rent but have spare bedrooms may now see their housing benefit decrease. The total amount of eligible rent used to calculate housing benefit available for a property will be reduced by 14% if there is one extra bedroom and by 25% if there are two or more spare bedrooms. This may affect some families who have settled in a new home following a period in temporary accommodation such as a refuge service may be under pressure to move again because they are deemed to be under-occupying, creating further disruption and distress. Discretionary Housing Payments (DHPs) are unlikely to be adequate as no payment can be guaranteed nor is it likely to be sufficient to meet ongoing housing needs. The National Housing Federation has recently reported that demand for DHPs has risen, and the likelihood of getting help has diminished¹⁰.

The size criteria has also been applied to some survivors of domestic violence living in a home which has been made safe through sanctuary measures (such as a panic alarm). Women's Aid is concerned that in some cases, local authorities have suggested that she should take a lodger, or move to a smaller property. Women's Aid is concerned that this advice could put the survivor, and any lodger, at risk. Women's Aid has also supported a judicial review of the size criteria. This involved 'A' and her 10-year-old son, who are only entitled to receive housing benefit for a two-bedroom property. However they live in a three-bedroom property which has been specially adapted for them by the police, as her life and physical safety are at risk from an ex-partner with a history of serious violence. She has had a 'panic space' installed in her home, and specialist 'sanctuary system' installed. This includes expensive reinforced doors, electric alarms, a marker on the house and alarms linked to the police station. She has now been told that her housing benefit is to be reduced by 14%.¹¹

⁹ <http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/6101>

¹⁰ <http://www.housing.org.uk/media/press-releases/vulnerable-cut-off-from-bedroom-tax-relief-as-demand-for-emergency-help-tri>

¹¹ http://www.hmsolicitors.co.uk/news/category/item/?asset_id=1521

Good practice

Swindon Women's Aid, successfully lobbied to get cross party support in Swindon Borough Council to exempt and make DHPs available for all sanctuary scheme properties in Swindon from the size criteria. Women's Aid welcomes the move taken by Swindon Borough Council and call on all other councils in England to follow their lead and place the needs of women and children at the heart of their policy decision.

The Benefit Cap

Women's Aid has been concerned that the Benefit Cap could result in survivors either not leaving a violent relationship (because of fears that refuge costs will not be covered) or returning to a violent relationship when finances become difficult. A survey by the Chartered Institute of Housing of the impact of the Benefit Cap in Haringey also uncovered "several reports" of women choosing to stay with violent partners who had a job, because they believed that if they took the children and left the family home they would be subject to the benefit cap.¹²

Dual housing costs are also an issue relating to the Benefit Cap. People can claim housing benefit (or, at some point in the future, Universal Credit housing element) for two rents (for any temporary accommodation they have fled to as well as their home if they intend to return). This is a vital support to enable survivors to return home when it is safe to do so (eg when the home is made safe through sanctuary measures or if the perpetrator has been dealt with). Having benefit for two rents will mean that someone will inevitably be subject to the Benefit Cap. Dual housing payments may be needed when someone is in any temporary accommodation, not just a refuge service.

As noted above, amendments to the regulations should ensure that most refuge services are covered under Housing Benefit and Universal Credit regulations, so the housing costs of most refuge services should be disregarded in the calculation of the Benefit Cap. However housing payments for other forms of temporary accommodation outside of any new protection would remain subject to the Benefit Cap.

The adequacy of support services for victims of violence in line with the standards required by the Istanbul Convention and CEDAW, including the impact of competitive tendering on service provision

Dedicated specialist gender- specific specialist domestic violence services have been provided in England for around 40 years. These services are vital for women escaping domestic violence. They provide emergency, temporary accommodation in crisis situations for women, including advice, information and support for both women and children. In addition many services also provide outreach, resettlement, support groups and other projects for survivors.

Women's Aid is concerned about the impact funding cuts is having on specialist gender-specific services.

¹² <http://www.theguardian.com/society/2013/oct/23/benefit-cap-failing-achieve-aims>.

Women's Aid has shown that there is a crisis of funding for specialist services to meet the needs of survivors of domestic violence¹³. These services offer holistic women-only support, providing a safe space in which women and their children can rebuild their lives. Services that best meet women's needs, and what women want, are those that are dedicated gender-specific services delivering specialist support¹⁴.

However, these services are under threat. Between 2010/11 and 2011/12 domestic and sexual violence services saw funding cuts of 31%¹⁵. These cuts are drastically affecting gender-specific specialist services and the women they support. We know that localism is opening up an accountability vacuum for the funding of these services. The government should issue stronger guidance on commissioning to ensure that there is good service provision is available in sufficient numbers to match the population across the country. Furthermore, the commissioning process doesn't always contain the expertise needed to commission specialist domestic violence services.

Women's Aid Annual Surveys of member services in 2012 *and* 2013 showed that around a third of respondents that were currently receiving local authority funding stated they would receive less funding in the next financial year (33% and 30% respectively). Women's Aid Annual Survey in 2013 also showed that nearly half of respondents (48%) were running services without any funding at all. This included six refuge services and nine helpline services¹⁶. The sustainability of the domestic violence sector is crucial to enable specialist services to offer the support that women survivors of domestic violence want and need.

Many women have to move from their local area in order to be safe – government research has found that 70% of referrals to refuge services in England are from local authority areas outside of the one in which the service is located.ⁱ Women who travel out of area do so for reasons of necessity, because they cannot be safe in their area. This is particularly so for BME women in small tight-knit communities who cannot 'disappear' in their immediate locality. The worrying trend towards allocating refuge space quotas for 'locally-connected' women can mean women and their children are unable to access safety and support at the point of need.

Despite this, many local authorities are reluctant to spend money on refuge services in their area which may not help 'local residents'. Anecdotally Women's Aid hears that as more refuge provision is cut back nationally, the less likely that local authorities are to fund their own provision.

Localism and competitive tendering

Due to localism and devolving of power and budgets to local authorities commissioning of domestic violence support services is now undertaken by local agencies. We have seen a trend moving away from commissioning specialist services towards generic services from non-specialist housing associations.

¹³ *A growing crisis of unmet need*. Women's Aid (2013)

¹⁴ *Why women only?* Women's Resource Centre (2007).

¹⁵ Towers, J and Walby, S (February 2012) *Measuring the impact of cuts in public expenditure on the provision of services to prevent violence against women and girls*. Lancaster University.

¹⁶ Women's Aid Annual Survey 2013

We are aware that some local authority commissioners are focusing on reducing cost without first understanding local need or provision, or making efforts to level the playing field for services. The lack of capacity in the specialist domestic violence sector for business development, marketing or tender writing is acute and is felt much more severely than in other parts of the voluntary sector.

In some areas, including Devon, tenders are being won without including provision for refuge support, but only crisis accommodation or safe housing. Refuge provision for women includes wrap-around care and support to enable women to cope and rebuild their lives – not a just a bed. Without adequate provision the government is not fulfilling its responsibility under article 22 of the Istanbul Convention.

While localism is an opportunity for commissioners to harness local, grass-roots, expertise that has evolved and developed in the domestic violence sector. This does not seem to be happening. Women's Aid is concerned that in some areas local authorities commissioners appear to be using competitive tendering to commission a service with little account for the quality of the service or the experience of service users. This poses a significant risk to the provision of good quality specialist domestic violence services for women and the long term viability of the sector.

The level of support services for survivors of violence in England does not meet the Council of Europe's recommended levels, one refuge space per 10,000 population, and has also drawn criticism from the latest CEDAW report.

CEDAW was concerned that, "the austerity measures introduced by the State party have resulted in serious cuts in funding for organisations providing social services to women, including those providing for women only.....It is also concerned that the State party resorts to commissioning women's services instead of direct funding, which allegedly risks undermining the provision of these services. The Committee is further concerned that budgetary cuts in the public sector, disproportionately affect women, due to their concentration in this sector¹⁷."

The CEDAW Committee, "urges the State party to mitigate the impact of austerity measures on women and services provided to women, particularly women with disabilities and older women. It should also ensure that Spending Reviews continuously focus on measuring and balancing the impact of austerity measures on women's rights. It should further review the policy of commissioning services wherever this may undermine the provision of specialised women's services.¹⁸"

The adequacy of the response of the police, prosecution and judiciary to VAWG

Women's Aid believes that there is currently an inadequate response to domestic violence from the police, prosecution services and justice system. We believe that the Committee

¹⁷ CEDAW, Concluding Observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland, July 2013.

¹⁸ Ibid.

should take into account two upcoming reports and publications that should feed into the Inquiry on these issues:

- The All Party Parliamentary Group on Domestic and Sexual Violence will be publishing its Inquiry report on access to justice for women on 10 March 2014.
- Her Majesty's Inspectorate of the Constabulary (HMIC) will also be publishing the report of its Inquiry (requested by the Home Secretary) on the police response to domestic violence at the end of March 2014¹⁹.

Police response to domestic violence

Women's Aid is aware of a very varied police response to domestic violence across England. We are very concerned about the impact of the frequently negative police response to domestic violence, as poor responses can ultimately contribute to domestic violence homicides and a plethora of other forms of physical and psychological harm. Poor responses can also result in many women not wanting to report domestic violence and continuing to experience violence. There are some examples where the police response is very good and women feel supported throughout any investigations but these good responses tend to be down to a single officer's commitment to protecting women from domestic violence rather than a force-wide good response to domestic violence.

Women's Aid supported the Inquiry into Women's Access to Justice conducted by the All Party-Parliamentary Group on Domestic and Sexual Violence. The majority of women survivors of domestic violence who responded to this Inquiry had negative experiences with the police and felt that they were not properly supported or protected and the perpetrators were not effectively dealt with.

The most significant issues with the police response to domestic violence according to survivors include:

- A lack of training for officers on domestic violence and a lack of understanding around the complexity of abusive relationships and why women find it difficult to leave.
- A lack of understanding of coercive control and psychological abuse.
- A lack of specialist domestic violence officers. Many women who report good experiences with the police were in contact with specialist officers.
- A lack of a gendered approach to domestic violence despite the overwhelming evidence that men are the primary perpetrators and women the primary victims.
- Fear that the police are unable to provide suitable protection for them or deal with the perpetrator adequately.

Other key issues with the police responses to domestic violence include:

- A lack of diversity within the police force (for example there are few women or BME officers in leadership positions in the police) which leads to a lack of understanding of issues that affect different groups of people, including domestic violence.

¹⁹ The Home Secretary announced a Her Majesty's Inspectorate Constabulary (HMIC) inspection of all police force's handling of domestic violence cases in August 2013 after three very high profile domestic violence homicides in Essex. The aim of the inspection is to investigate how all police forces are tackling domestic violence, protecting survivors and dealing with perpetrators. The inspection will be reporting in March 2014.

- A lack of leadership within the police on domestic violence
- A culture in the police that doesn't understand the impact and gendered nature of domestic violence and leads to disbelief and suspicion towards women survivors of domestic violence.
- An inconsistent approach to the investigation of domestic violence.
- An over reliance on victims as witnesses and insufficient evidence gathering when they attend the incident.
- The assumption that there is a 'perfect victim' who will present themselves according to the police's attitudes on how a 'real' victim should act. These assumptions are particularly challenging for black and minority ethnic (BME) women, disabled women, women who abuse substances, women offenders and sex workers as the police will also be informed by their attitudes towards those groups of women as well.
- Police minimising the impact of domestic violence related crimes.

On average two women every week in the UK are killed by a partner or former partner. This statistic has hardly changed despite numerous commitments from the police and government to effectively tackle domestic violence and the fact that many women are killed are known to statutory services.

Access to justice

We do not believe that currently all women survivors of domestic violence have access to criminal or family justice and this is unacceptable. There is also a failure in the system to address the most pervasive form of intimate partner violence - coercive control. This gap means the courts only address individual incident of violence which is often not considered enough for prosecution and perpetrators are able to avoid punishment.

- In 2012/13 there were 88,110 domestic violence cases in England and Wales that were referred to the CPS.
- Of the cases referred to the CPS the decision to charge was made in 64.6% of cases.
- In 2012/13 70,702 defendants were prosecuted, a fall of 11.1% on 2011/12²⁰.
- A 2009 review by the Association of Chief Police Officers stated that "about a quarter of incidents recorded by the police result in arrest, while only 1.5- 5% of incidents result in conviction²¹."

We are aware of work that the CPS are doing to improve their handling of domestic violence cases and response to domestic violence victims. This includes face to face training for all their prosecutors in domestic violence and offering a range of e-learning for them on specific domestic violence issues.

The concept of the 'perfect victim' or 'perfect witness' still pervades the justice system today and often women are not treated as survivors of intimate partner violence, a devastating and traumatising experience, but as witnesses. Women's Aid has received reports from survivor that they have not been offered the safety precautions that they need such as giving video

²⁰ House of Commons Library Note Domestic Violence (December 2013)

²¹ ACPO, *Tackling perpetrators of violence against women and girls*, ACPO Review for the Home Secretary, September 2009

evidence, evidence behind a screen or separate waiting areas in family courts – safety precautions that enable them to go through the justice process.

Attrition rates for domestic violence are high and prosecution rates have decreased in the last year. We know from experience that when women are supported by specialist services such as Independent Domestic Violence Advocates (IDVAs), dedicated specialist domestic violence services or by well trained police professionals usually based in specialist domestic violence police units, they are more likely to have a successful outcome in court. Initiatives such as Specialist Domestic Violence Courts (SDVCs) are also shown to support women through the difficult justice process to a successful outcome. Specialist gender specific domestic violence services such as those that many Women's Aid members run are also vital in offering refuge or outreach support to women survivors of domestic violence going through the criminal justice process.

Child contact is used by perpetrators to further control and hold power over women survivors of domestic violence and there is a presumption in family law courts that contact is always in the best interests of the child. Article 31 1) of the Istanbul Convention requires all incidents of violence covered by the Convention to be taken into account in the determination of custody and visitation rights. Currently this is not the case. Courts need to take this into account and priorities the right to life of the survivor and their children and professionals need a better understanding of domestic violence and the impact on women and their children when dealing with child contact cases.

Cuts to legal aid and stringent evidence criteria for proving domestic violence are also restricting women's access to justice. These changes to the legal aid system which came into effect in April 2013, through the Legal Aid Sentencing and Punishment of Offender Act 2012 (LASPO). Common complaints include women being denied legal aid because they are not able to produce evidence of domestic violence and this leading to women either withdrawing from the case or representing themselves in court against the perpetrator.

Women's Aid believes that to improve access to justice for women survivors of domestic violence in England all frontline justice professionals should have specialist-led domestic violence training. Also information and communication with the woman about the progress of prosecutions and court cases should improve drastically and safety facilities such as separate waiting areas should be available at all court facilities and the ability to provide video evidence in a safe women only space such as a women's centre.

Legislative reform

The current legal system in England does not criminalise coercive and controlling behaviour that happens within an intimate relationship; however as soon as the relationship ends that behaviour is criminalised by stalking laws. Recent research has identified this gap and states, "quite suddenly, context matters; ongoing conduct becomes legally significant, as do the nonphysical harms that result when a person is subjected to power and control. In its approach to stalking, the law adopts a model of crime that, nomenclature aside, seems more

closely aligned with the realities of domestic violence.²² This is a clear gap in protection for women experiencing domestic violence and the result of this is that police officers are not trained to respond to it and are not able to charge perpetrators for a pattern of coercive controlling behaviour that results in serious harm to the women

It is vital that the police and other criminal justice agencies do not lose sight of domestic violence being a gendered crime. 89% of victims of domestic violence who have experienced repeat victimisation (over 4 incidents) are women.²³ Homicides of women are most likely to have been committed by their partner or ex-partner, whereas this is not the same for homicides of men where the perpetrators tend to be other men.

Women's Aid believes that to ensure that women survivors of domestic violence receive the response from the police that they are entitled to all police officers should receive specialist-led training on domestic violence as part of their basic training and continued professional development and the Government should explore ways to include coercive control and patterns of behaviour in criminalised behaviours.

Conclusion

Women's Aid believes that there are key areas that require improvement for the UK to be compliant with its international obligations with regard to VAWG. In areas such as provision of services, protecting women through legal means and their access to justice and punishing and sanctioning perpetrators we believe that the UK has vast room for improvement.

Women's Aid welcomes the commitment made by the Prime Minister in January 2014 that the UK Government will ratify the Istanbul Convention as soon as the Anti-Social Behaviour, Crime and Policing Bill has received Royal Assent and believe it is vitally important that they do so.

²² Tuerkheimer, D. Yale Journal of Law & Feminism (2013) *51 BREAKUPS, Yale Journal of Law and Feminism.

²³ Ibid.