



All-Party Parliamentary Group on
Domestic Violence and Abuse



All-Party Parliamentary Group on

Women in Contact with the
Justice System

Minutes of the joint event hosted by the APPG on Domestic Violence and Abuse, the APPG for Women in Contact with the Justice System and the Centre for Women's Justice

'Parliamentary film screening of "Stop Criminalising Survivors" and expert panel discussion'

Wednesday 15th May 2024, 17:30 –19:00

In-person event

Chair: Apsana Begum MP and Baroness Hodgson of Abinger

Apsana Begum MP

Apsana welcomed attendees to the joint event hosted by the APPG for Domestic Violence and Abuse, Women In Prison (WiP), and the CWJ. She thanked Baroness Hodgson for co-chairing the meeting alongside her. Apsana also thanked the panellists, especially Megan and Fri who contributed to CWJ's film and would be courageously sharing their experiences on the panel.

Baroness Hodgson

Nearly 60% of women in prison and under community supervision by probation services are survivors of domestic abuse and we know that the true number is likely to be much higher given the immense barriers to disclosing. Often survivors' alleged offending is directly linked to their experience of domestic abuse, however research has shown that this is frequently not taken into account in decisions to prosecute, convict and sentence women.

A powerful new film developed by the Centre for Women's Justice (CWJ) sheds light on this issue through the testimonies of 5 survivors, who were criminalised as a consequence of their experience of domestic abuse. Building on the problems set out in the film, the expert panel discussed what changes are needed to protect survivors - particularly Black, racially minoritised and migrant survivors - from unjust criminalisation.

Baroness Hodgson introduced the CWJ's film '[Stop Criminalising Survivors](#)', in which five survivors of domestic abuse share their personal stories of criminalisation. She explained that the film features commentary from experts and practitioners who set out the changes urgently needed in policy, law and practice to protect survivors.

A 15-minute version of the film was then screened, a full version of the film as well as detailed segments on each survivors' story can be found [here](#).

Baroness Hodgson noted how powerful and moving the film was and thanked CWJ for developing it and for helping the women to feel safe enough to tell their story. She paid tribute to the survivors featured in the film, noting their courage and bravery to share their stories and noted how many children were also affected by domestic abuse.

Apsana Begum MP

Apsana said that to build on the problems set out in the film, the expert panel will discuss what changes are needed. There would then be an opportunity to ask questions.

Apsana noted that the APPG had invited the Minister for Domestic Violence and Safeguarding, Laura Farris MP, to speak but she was unfortunately unable to attend. She then introduced the panel of speakers and invited Megan to share her contributions.

Megan

Megan began her remarks by noting that despite being a very high-volume crime, police are only provided with minimal training on domestic abuse and spend more time on training to assess tyre tread. She emphasised that criminalising survivors perpetuates the cycles of abuse and blame that they suffer in abusive relationships, institutionally. "The victim is usually blamed for their part in the domestic abuse," she said. Megan shared her experience of being arrested and charged with a crime after suffering consistent and serious abuse only to then be ridiculed and accused of 'glamourising a lifestyle' and being attracted to a 'bad boy' image in front of the jury, her family, and the few others in her life that still supported her. "The criminal justice system is systemically gaslighting women and girls in to believing what they've suffered isn't valid and that nobody cares" she said, "It is an extension of the abuse".

Megan called for statutory defences for survivors of domestic abuse, explaining that in her case the 'duress' defence could not be applied as she did not deny any of the actions that she was accused of, but rather explained that she didn't know about her perpetrator's crime. She also asserted that public interest assessments need to be considered in the context of cases where domestic abuse is present and questioned where the public interest lies in convicting a victim of abuse over the perpetrator of abuse. In terms of the Crown Prosecution Service, she said, "He had strangled, raped and abused me. I had no previous crimes. I felt targeted, the prosecution was callous. Women and girls deserve better and are being let down again and again". In conclusion, Megan highlighted the lack of faith that women and girls have in the systems that are meant to serve them, adding that they not only egregiously fail women and girls but it is "a system that appears designed to work against them".

Fri

Fri explained that she was in an abusive relationship for 6 years, during which time she had 2 children. Fri was just 16 when this relationship started and over time the abuse

escalated, and her confidence disintegrated. Throughout the relationship, Fri suffered physical, emotional and sexual abuse. In self-defence, Fri killed her abuser after he strangled her and was subsequently charged with murder. When her case went to trial in 2015, Fri was 22 and her children – who were put in foster care - were 1 and 2.

Fri shared that she was represented by an all-male legal team and that the solicitors changed regularly, meaning she wasn't able to build a relationship with any of them and found it difficult to talk to them. She tried to tell her legal team about the abuse she had suffered but they never listened to her or considered this in her case.

"I blamed myself, my confidence was taken away... [My legal team] didn't fight for me" Despite trying to change her legal team, she was refused permission to transfer her legal aid. Fri shared that growing up in Liverpool she had experienced racism, which she felt was a factor in her case given the all-white jury. Fri was ultimately found guilty of murder and spent 7 years in prison during which time she met many other women who shared very similar experiences to her. "Domestic abuse wasn't taken into account and I saw this for a lot of women."

Fri eventually successfully appealed her conviction, but a re-trial was ordered at the same crown court she was convicted at previously. On the eve of the trial, the crown offered her a plea to manslaughter which she accepted as she wanted to go home to her children.

Harriet Wistrich, Founder and Director, Centre for Women's Justice

Harriet highlighted the immense courage of the survivors on the panel and all those who contributed to CWJ's film 'Stop Criminalising Survivors'. Harriet explained that CWJ's policy work around the criminalisation of survivors is led by Katy Swaine Williams. CWJ has published a range of reports on the matter including [Double Standard, No Safe Space](#), [Making Self-Defence Accessible](#) and [Women Who Kill](#). Harriet remarked on the coincidence of this event being held in Parliament today, when MPs are debating the Criminal Justice Bill in which Jess Phillips MP tabled a range of amendments to tackle unjust criminalisation. This includes statutory defences which are vital in cases such as Fri's.

Harriet recalled the recently reported case of Robert Lomas, a farmer who has been arrested on suspicion of murder after he shot a man dead who was burgling him. If charged he may rely on the 'householder's defence', a specific statutory defence that was introduced following a similar case involving another farmer called Tony Martin. This allows householders facing an intruder to rely on self-defence even if their actions appear disproportionate - in recognition that someone facing an intruder in their home might legitimately 'overreact'. Harriet noted, however, that no such defence exists for victims of domestic abuse who use force against their abuser; CWJ is supporting an amendment that has been tabled in the Criminal Justice Bill to address this gap and introduce an equivalent defence for use in these cases.

Harriet also explained that most women who kill their abuser use a weapon, due to the disparities between them and their abuser in terms of physical strength and confidence in using violence. This is one factor that makes it harder for women in these cases to rely on self-defence, as their actions may be seen as disproportionate. Harriet expressed her deep sympathy for the parents of murder victims who are campaigning to resolve the disparity of minimum sentence tariffs for murders that take place using a knife that is brought to the scene, as opposed to those that take place in the home using a knife that is already present. However, she explained that increasing the minimum sentencing tariff for those who use a knife in the home would likely have devastating and unintended consequences for survivors like Fri, who may use a knife to protect themselves against an abuser.

Harriet explained that CWJ is also supporting a second amendment to the Criminal Justice Bill that would introduce a statutory defence for survivors of domestic abuse who are coerced into offending. This is modelled on the defence that already exists for victims of modern slavery who are compelled to offend as part of, or as a direct result of, their exploitation - contained in Section 45 of the Modern Slavery Act 2015. Such a defence is critical for survivors like Megan who were experiencing coercion and control.

Rachel Ozanne, Director of Programmes and Partnerships, Women in Prison

Rachel shared that WiP is a national charity which provides independent, holistic, gender-specialist support to women facing multiple disadvantages, including women involved in, or at risk of being involved in, the criminal justice system. The organisation runs women's centres and works in prisons and the community to support women leaving prison. Domestic abuse is very prevalent in this work, she explained, "For us, about 60% of women disclose they have experienced domestic abuse at the start of our work, that goes up to closer to 80% as they get to know us".

WiP runs a diversion programme in police custody and a lot of the cases women are arrested for are domestic abuse, "In our local London project we estimate this represents about 75% of cases" she explained.

To respond to this high prevalence of domestic abuse, WiP developed a programme called "Creating Community Connections", a two-year pilot funded until March 2025 by HM Prison and Probation Service (HMPPS). The programme is the only of its kind in the women's prison estate and focuses on providing domestic abuse support. During the first year of delivery, WiP supported 1,667 women with positive impacts reported, 97% reported that their understanding of healthy relationships had increased, 96% said they felt more aware of how to plan to stay safe, and 93% of women said their confidence and self-esteem had improved.

Despite these extremely positive outcomes, WiP is no longer able to deliver an essential part of the programme due to changes introduced by the new National Framework for

Interventions by HMPPS. The changes require all rehabilitative interventions that address thinking, attitudes and behaviour to be accredited by them. The group programme WiP was delivering was deemed to be a psycho education programme which according to the evidence base used by the National Framework, do not reduce reoffending. This raises concerns around the evidence base used and whether the research is based on men's offending. The film highlights all the ways domestic abuse can be a driver and cause of women's offending, so perhaps more research is needed into that, and into what are therefore effective interventions. Given the prevalence of experiences of domestic abuse for women in contact with the criminal justice system, the HMPP's decision is deeply concerning.

"We need to stop punishing women for the actions of their abuser," explained Rachel. She concluded her remarks highlighting that criminalising any women is incredibly serious and has far reaching impacts. Instead of punishing a woman for their experiences of domestic abuse, we need to ensure that they receive the trauma-informed support they need. WiP is highly concerned that not enough is being done in this regard. We must ensure that a woman is seen as a 'whole person' and the root causes of her offending, are recognised and addressed.

Baroness Hodgson added that the incredibly traumatising impacts of being arrested need to be considered, as well as the challenges to pick your life up again afterwards.

Sophie Francis-Cansfield, Head of External Affairs (Interim), Women's Aid.

Sophie thanked Fri and Megan for sharing their experiences with the APPG. She noted that controlling and coercive behaviour has rightly been highlighted as a direct driver of offending in the types of cases being discussed. Controlling and coercive behaviour is at the heart of domestic abuse and can undermine a survivor's mental wellbeing, sense of self-worth and confidence to speak out, and therefore their ability to recognise trauma or to seek justice. Importantly, it must be recognised that Black and minoritised survivors experience coercive and controlling behaviour in specific ways due to intersecting inequalities.

Despite domestic abuse being high on the political agenda, this joint event has highlighted that not enough is being done to address the critical issues surrounding survivor experiences with the criminal justice system. Whilst most survivors do not report to the police, when they do, they do not receive adequate protection from perpetrators or the justice they deserve. The Crown Prosecution Service found that the annual number of prosecutions for domestic abuse offences has almost halved between 2016/17 and 2022/23. Similarly, there has been a decline in prosecutions, charging rates, and the police taking action and building cases to be prosecuted. Even in rare cases when a perpetrator has been prosecuted, survivors are not sufficiently protected or supported. One survivor told us, "*My abuser went on the run after his conviction and the system failed to revoke his passport even under warning, he then went on*

to abuse me online daily, for years alongside his partner and even though the police were informed of the distress this was causing me they did nothing proactive to make the online abuse stop. They made him untouchable."

Additionally, survivors are not able to access appropriate support that they urgently need. Specialist frontline services that provide a lifeline to women who feel unsafe, isolated and have nowhere to turn, continue to face real terms funding cuts off the backdrop of inflation and the increased cost of living.

Sophie asserted that the criminal justice system needs extensive reforms to protect survivors of domestic abuse, increase their trust and confidence in the system, and ensure justice as well as their long-term safety and independence. Crucially, this includes achieving a greater understanding of the gendered nature and dynamics of intimate partner domestic abuse and coercive and control across all parts of the criminal justice system. Mandatory and specialist training for the judiciary, prosecutors and police is crucial to improve criminal justice outcomes. Sophie stated that the system must also focus on survivors' rights and safety by proactively linking survivors to specialist support services that are best placed to support their recovery.

Baroness Hodgson

Baroness Hodgson thanked attendees for their contributions and opened the floor for discussion.

Discussion

- Jane, who also contributed to CWJ's film, noted that being criminalised as a result of domestic abuse can happen to anyone. She recalled how as a former practising lawyer, she had trusted in the system and never imagined she would be unjustly criminalised. Jane echoed the experiences of Megan and other survivors by saying that the state became her secondary abuser. She also echoed calls for a workable defence for survivors of domestic abuse, adding that as well as stopping unjust criminalisation, it would help to illustrate that domestic abuse is not tolerable.
- One member of the audience noted that many survivors are unaware that they are experiencing domestic abuse. They asked whether, alongside training for professionals operating in the criminal justice system, training should be delivered to students and within the community to allow all people to recognise abuse. Sophie agreed with the need for education and noted that current Relationship, Sex and Health Education (RSHE) is inadequate and does not address relationships effectively. She shared that [Women's Aid's research on children and young people](#) showed that young people felt that RSHE was inadequate, rushed, awkward and did not cover the issues that they are exposed to outside of the classroom. Sophie also highlighted that the Department for Education fails to engage with VAWG experts, which Women's Aid continues to raise.

- Another member of the audience noted that in a freedom of information request on training for judges and barristers, there was an overall lack of focus on domestic abuse. Sophie noted that Women's Aid focuses its work in relation to this on judges in the family courts. She highlighted that there is often a conflation between transparency and the independence of the judiciary, which needs to be addressed. Harriet added that police training must be improved as well, but overall, there needs to be improved accountability to tackle domestic abuse. Harriet noted the CWJ's work to push for the public's interest to be considered when sentencing and noted that unfortunately the number of specialist domestic abuse courts has significantly reduced. Rachel agreed but added that training must be part of a wider approach that also involves a culture change.
- One audience member noted the lack of men at the event, and that it is men who are often in senior positions of power in public services such as the police. They asked for comment on this. Sophie noted that often rooms on these discussions are filled with women despite men also being invited, however, she pointed to male allies who do contribute to work tackling VAWG.

Baroness Hodgson concluded the session, thanking all speakers and attendees for participating in the event, thanking Lucy Russell, Katy Swaine Williams and Alexandra Williams for organising the event, and paying tribute to the survivors who bravely shared their experiences.