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Joint Committee on Human Rights

Oral evidence: [Violence against women and girls](#), HC 594

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Written evidence from witnesses:

- [Refuge](#)

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Members present: Dr Hywel Francis (Chair); Baroness Berridge; Baroness Buscombe; Baroness Kennedy of the Shaws; Lord Lester of Herne Hill; Baroness Lister of Burtersett; Baroness O’Loan; Mr Virendra Sharma; and Sarah Teather

Questions 64-84

Witnesses: **Vera Baird QC**, Police and Crime Commissioner for Northumbria, and **Sandra Horley CBE**, Chief Executive, Refuge gave evidence.

Q64 Dr Hywel Francis (Chair): Good morning and welcome to this evidence session of the Joint Committee on Human Rights inquiry into violence against women and girls. Welcome. For the record, could you introduce yourselves, please?

Vera Baird: I am Vera Baird. I am the Police and Crime Commissioner for Northumbria.

Sandra Horley: I am Sandra Horley, Chief Executive of Refuge, the national domestic violence charity that helps 3,000 women and children on every single day.

The Chair: Thank you. Could I begin by asking the first question? It is directly on the Istanbul Convention. I will apologise to begin with by saying that part of this question I will have to read out because I am quoting directly from the Convention. As you know, the Convention does not call for the creation of a separate criminal offence for so-called “honour crimes”, but rather it requires that culture, customs, religion, tradition or so-called “honour” should not be regarded as justification for such crimes. In particular, this covers claims that the victim—and these are words from the Convention—“may have transgressed cultural, religious, social and traditional norms or customs of appropriate behaviour”. Are you aware of any cases at all where attempts to justify criminal behaviour on the basis of culture, tradition or religion have been successful within our criminal justice process?

Sandra Horley: We are not aware of any explicit attempt to justify a crime in the criminal justice system on grounds of honour, culture, religion, tradition or custom. However, we feel that there

is an implicit acceptance of violence against women that is often subtly sanctioned on the grounds of tradition and culture.

The Chair: Are you saying that is the case on the part of the defence, or would that be implicitly within the judicial system?

Sandra Horley: Within the judicial system. It is manifested, for example, in less rigorous police response to reported incidents when the crime relates to domestic violence, and a less rigorous response to sentencing in domestic violence cases for perpetrators—with charges often being downgraded. When crimes are perpetuated in a domestic context, this seems to be treated less seriously than other violent crime. With FGM, there has only been one highly contentious prosecution to date. Trafficking-related prosecutions remain very low, not just in this country but internationally. There were 139 trafficking-flagged prosecutions in 2012-13—99 of which resulted in a conviction. For forced marriage, which was criminalised in June 2014, there just are not official figures yet.

Vera Baird: If you are asking about court-based defensive justification, I do not think that there has been such an attempt. The criminal law criminalises against everyone. There is no defence for particular beliefs in our law. If you are looking specifically at BME-type cultural issues then that is one thing, but I think I am hearing and agreeing with what Sandra Horley says—which is that there is a great cultural problem with white people too. This is that there is still an implicit assumption of a patriarchal society. There is an implicit assumption that domestic violence is some sort of squabble between parties in a private context, and that it is possible to at least devalue or undervalue domestic violence and violence against women generally in that context. Of course, we are still very much belaboured by the fact that we have a highly male-dominated judiciary who frankly are not, as I understand it, trained in domestic violence and in my experience do not get it at all.

Sandra Horley: Refuge supports 3,000 women and children in our services on any given day, and our experience of working directly with women and children shows us that professionals in the criminal justice system generally have a very poor understanding of violence against women and girls. Some women and children face additional barriers to accessing justice—including those from ethnic minority communities, who sometimes face hostile, racist attitudes from police officers and others in the criminal justice system. If English is not their first language, they can find it very difficult to access support.

Q65 The Chair: To follow that up, then, what is to be done? Do you think the UK Government is dealing with Article 42 of the Istanbul Convention? Are there any legal or other measures that could be taken so as to better comply with Article 42's requirements?

Sandra Horley: Later in this session, I will be coming on to the need for a public inquiry. We need to get to the truth of what is happening. We need to understand the blockages, and why officers are not taking domestic violence seriously. There is a failure to remove the aggressor when women call for help. There is a failure to do basic investigation. They downgrade the crimes. The homicide rate is not going down. It is not just about the police, and I have to say that there are many police officers who are trying to respond appropriately to victims of domestic violence from all cultures. It is not just the police—it is about other agencies.

The Chair: But would it help if there was proper training for the CPS?

Sandra Horley: Training is a partial solution. Training in itself, and changing legislation in itself, is not the answer. What we need is a change in culture across the whole police and criminal justice

system. All departments need to change the way they respond to victims of domestic violence. But training and legislation alone will not be the answer. We need a public inquiry to get to the bottom of what is going wrong. I have been doing this work for 37 years. We have worked with tens of thousands of women and children. We are dealing with a problem of epidemic proportions. Every six seconds a woman is going into a police station for help in this country. According to the HMIC report, the police are dealing with a million cases. We have a problem of epidemic proportions, and the state's failure to tackle it is a problem of similar proportions. There is no sign that either problem is abating, and the combination of the HMIC review and the vague commitment to interdepartmental engagement with its recommendations is simply not good enough. Only a public inquiry will do.

The Chair: So, your answer to the question I posed at the beginning—which was, do you think the UK is meeting its obligations with regards to Article 42 of the Istanbul Convention—

Sandra Horley: No.

The Chair: —is no.

Vera Baird: I should have thought that technically we are. I shall not agree with Sandra throughout. There is obviously a great deal of patchiness in the response to domestic violence. The HMIC report on the police found that six forces were doing it sufficiently well to not be criticised at all—of which one was my own. There were eight who were doing it so badly that they were named and shamed, and the rest were somewhere in the middle. Even on that assessment there is great disparity—as there is with training. If one talks about police training, it is not a national proposition. There have always been things like Centrex, the National Policing Improvement Agency, and now the College of Policing. They try to set standards, but it is about local take-up, local leadership and local culture, and whether things are given priority. I believe we will come to the question of coercive control presently. That is a key issue. It is not so much about criminalisation, which you may want to discuss, but there has been an absolute failure to have trained and got people to understand that domestic violence actually is not best. We are narrowing our ambit at the moment to domestic violence. There is a whole lot of stuff to say about rape, trafficking, harassment and stalking too. But looking at domestic violence in itself, it is still treated as if an incident of violence is one thing on its own—as if it was a fight on the street or something of that kind—when inevitably it is a course of conduct.

Baroness Buscombe: I wanted to very quickly say to Sandra that if you have 37 years of experience, I have a feeling you might know more than many as to why this is the case. Do you honestly think that a public inquiry is going to reveal the truth?

Sandra Horley: A public inquiry would be open, independent and transparent. It would seek evidence from the victims themselves. It would seek evidence from organisations like Refuge. It would hopefully get to the bottom of what is going wrong. I want to pick up on a point that Vera made about leadership. The Home Secretary has shown real leadership around this issue. She commissioned HMIC to investigate the police response to domestic violence, but it is a bigger problem; it is not just about the police. There are blockages. We need a cultural event, like a Stephen Lawrence-type inquiry, to understand what is going wrong in this country. We need something like the Shipman Inquiry or the Leveson Inquiry. This is a major social problem. It is costing the state £16 billion every single year. I am sorry to say that training a few police officers is not the answer.

In terms of our obligation under the Convention, the laws may be there and the policies are in place. The problem is implementation; there is a serious lack of implementation in this country. It is fine to say that we are fulfilling the obligation, but it is on paper. The women on the ground that we work with every day are routinely let down by the criminal justice system.

Q66 Baroness Buscombe: Article 51 of the Istanbul Convention requires parties to take the necessary “measures to ensure that an assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence is carried out by all relevant authorities”, who should also “provide co-ordinated safety and support”, and who should ensure that the assessment that is carried out takes into account the fact that “the fact that perpetrators [...] possess or have access to firearms”. I have three questions in relation to this. Maybe we will do two and then the third. Are there any particular challenges preventing the UK from meeting the obligations in this regard, and do you think there is sufficient training and awareness among frontline staff in the police of their obligations in this regard?

Sandra Horley: The main challenge for the UK is volume. Police across the UK are inundated with reports of domestic violence incidents—as I said earlier, over a million incidents were reported between August 2012 and August 2013, as found by HMIC. Yet politically and organisationally it is not given the priority it so urgently requires. Instead, poorly trained first response officers are responsible for making nuanced decisions regarding risk and child protection. There are 39,000 babies in this country living with domestic violence. We are leaving it to first response officers to make really challenging and nuanced decisions around risk. The most dangerous cases should be referred, and sometimes are referred, on to specialist public protection teams. However, too often the response is inaccurate, and opportunities to intervene and prevent serious harm or homicide are missed. In too many cases there is no risk assessment being conducted with the victim or the children. The perpetrator is not arrested, and if he is arrested the victim is very often not notified when he is subsequently released. There is a real problem around risk assessment. Some officers are risk assessing, but it becomes a tick-box exercise. There is no point in doing risk assessment if we then fail to safety plan. It is about risk management as well as risk assessment. That is a very big problem.

Officers and other professionals must be thoroughly trained in the complex risks and dynamics of domestic violence. We have to remember that risk is dynamic. Risk assessment needs to be done continuously. It can change very quickly. So, our concerns about the current police approach to risk assessment are: poor understanding of risk, poor implementation and a failure to use risk assessment to inform safety planning. I have concerns about ACPO’s risk assessment pilot. Vera may know a bit about this. We are deeply concerned by ACPO’s pilot to reduce bureaucracy. We all want to reduce bureaucracy, but they are considering making risk assessment discretionary. This is just going to confuse officers. Metropolitan Police plan to replace the CAADA-DASH risk assessment tool with a brief, multi-purpose vulnerability assessment framework. That means there will be a move towards the generic assessment of risk and vulnerability.

The Chair: I am going to pause you there. With all due respect, you are reading from a statement there. It would be helpful if we had that statement subsequently, and if you tried to be a little more succinct in your answers. We will have the document if you pass it on to us.

Sandra Horley: These are just my notes.

Vera Baird: I will just say a couple of things. In terms of the way it works, there is a DASH risk assessment that is carried out by the response officer. It is capable of being a tick-box exercise,

but we hope that it is not, because they are trained in how to do it. DASH—Domestic Abuse, Stalking and Harassment—has been around for quite a long time. If the risk is assessed as high, then the person goes into the MARAC, which is a multi-agency response body where all of the authorities, including housing, the police, safeguarding and so on, get together and discuss the person's case with a view to safeguarding them. There is an increase in third-party references to the MARAC these days, so it is not simply the police who are referring people in. This is very welcome. The health sector and housing are also starting to refer what they perceive as high-risk people into the MARAC. In Northumbria, if it is a medium risk rather than a high risk, the DASH assessment is sent to the neighbourhood teams. The neighbourhood teams draw up a safety plan, an action plan and a contract—all rolled into one—with the complainant to try to plan forward for her safety. Historically, standard risk has not had any kind of follow-up by police, but now in Northumbria that too goes to the neighbourhood police and is safety-planned in exactly the same way.

I want to add one thing. In Northumbria we have a scheme where—obviously only on particular nights in particular areas—a refuge outreach worker accompanies every police officer who is called out to a domestic violence case. The principal point of that, of course, is to get some help to the victim as early as possible. So, the two go together; the officer stops whatever has caused the 999 call and the refuge worker then has an opportunity to talk to the complainant and offer any kind of help. These are extremely experienced people. When I came into being a Police and Crime Commissioner, I said that any officer going to a 999 call must give the phone number for the refuge, but there was about a 1% response to that. Now that people see the worker there is a 55% response. In the pilot we had for six months up to the World Cup, save for one person these were new contacts to the refuge. So, in that way we are bringing people in to assistance who would not otherwise have come in. But very importantly, the police are now far more confident that their risk assessments are valuable, because they are supported and informed by the experience of refuge workers. They may not have had 37 years, but some have been involved in this activity almost as long as Sandra and I have—though she and I have been in different wings of it throughout. We are doing quite a good job with that. Clearly it is not going to be possible to do that everywhere, but we know where there is the highest call-out rate. We know which nights, and so on. We have got some funding from the Home Office to expand that.

The Chair: I think the third question has been answered.

Baroness Buscombe: I think it has. My third question was: are the police meeting their obligations under Article 51? Certainly for Northumbria we have the answer.

Q67 Baroness Kennedy of The Shaws: Over the last decade—and, I think, long before that—we have had a number of very high-profile cases where women have sought police help, have not received adequate response, and have ended up dead. In some cases, these deaths have happened in the presence of their children, and the children have sometimes even been killed with their mother. The learning does not seem to translate across police forces. In the Hasanovic case, Kent and Sussex police were publicly criticised in an inquiry. In the Christine Chambers case, the Essex Police were publicly criticised. But it does not seem to translate. We have 46 police forces in England and Wales. Somehow, there does not seem to be learning across here. I wondered if you had anything to say about those cases, which highlight what the ultimate problem is when it does not work.

Sandra Horley: We are dealing with a national problem. These are isolated cases across the country. The problem with looking at specific cases is that it does not give us the national picture. Two women a week are killed in this country by a current or former partner. The scale

of the problem is so great that we are failing to join up the dots between areas, or between individual failings. In the case of Sabina Akhtar, who was stabbed to death by her husband, the inquest found that significant and serious failings had been made by Greater Manchester Police, the social services and the CPS, which possibly contributed to her death. In the case of Cassie Hasanovic, the inquest found that Kent Police, Sussex Police, and the CPS all failed to take appropriate steps to safeguard Cassie's life. In relation to Sussex Police and the CPS, the jury also found that had they taken appropriate steps, there was a substantial chance that Cassie would not have been murdered. I just spent five weeks at an inquest into the case of Maria Stubbings. The inquest found that Essex Police made a number of failings that contributed to her death—failings related to a wide range of basic policing duties and issues. These included, as I have highlighted earlier, failures in risk assessment, safety planning, supervision, training, communication, IT systems, and failures to arrest the perpetrator. Then there was Rachael Slack and Auden Slack. The inquest also found that Derbyshire police made a number of failings that contributed to their deaths, including failing to inform Rachael that they had assessed both her and Auden as being at high risk of domestic homicide, and failing to discuss with Rachael any steps that she could have taken to address the risk to Auden. This is going on up and down the country.

I really respect Vera's leadership around this area, and all that she has said about Northumbria and what they are trying to do, but the problem is that the police response, and the response of other state agencies, is patchy. I can only tell this Committee what we at Refuge hear every single day from thousands of victims. Yes, I have worked in this field for a long time, but there are hundreds and hundreds of other women and women's groups who are also experiencing similar problems. We have a very major social problem in this country. Domestic violence is taking lives and ruining lives, and the police and other state agencies are not responding appropriately. The evidence is there: the HMIC review, IPPC reports, homicide reviews; countless guidelines and policies are issued. Yet there has been little change. We have not seen the sea change we need to see.

Q68 Baroness Kennedy of The Shaws: I have a quick supplementary. We cannot go into it in length, but is there any country we should be looking to whose response is better and much more comprehensive than ours?

Sandra Horley: The Canadian Government has a fantastic approach to domestic violence, which in fact was modelled on the UK's Home Affairs Select Committee recommendations back in—if I can remember the year—1976. It is a three-pronged approach: prevention, protection and provision. There is a co-ordinated strategy with funding to match so that women can get the help and support they need. There is training of police officers and prosecutors, and rigorous implementation. I will add that they have a mandatory arrest policy. We will come on to this, but I do not believe that we need to be changing legislation in this country. What we have a problem with is implementation.

Baroness Kennedy of The Shaws: Can I pick you up on that? You are saying that there was a report in approximately 1976, and that this was what Canada drew on in order to create—

Sandra Horley: That is correct. I had visits from Canadian politicians and officials who were very impressed by the British Select Committee. They went on and implemented it, but we failed to do that.

Vera Baird: Can I answer too, on your question about deaths? The process, as you will know, is that all domestic-violence-linked deaths must undergo a Domestic Homicide Review, which is

local and requires all the agencies that either were involved or should have been involved with the person to give a report about their engagement. The problem with those is that the organisations within, say, Northumbria or Kent, learn from those, but that the message does not go wider. The Home Office has tried to do that but I do not think it has succeeded.

However, the law is beginning to close in on poor police responses. Refuge are intervening in the Joanna Michael case, which is going to the Supreme Court. There are a couple of issues here. There has been a historic case, Hill—relating to the last victim of the Yorkshire Ripper—which has been stopping actions by subsequent victims against the police for poor investigations. That has now been challenged in the context of a woman who was killed because some mistakes were certainly made. The question of whether negligence can be held against the police by a subsequent victim—or by an active victim—for a failure to investigate that crime is coming to the Supreme Court. I think it has been heard but there is no judgment yet.

I will very quickly discuss a second issue. There has been a very successful action against the police in connection with the Worboys or “black cab rapist” case. This guy allegedly raped about 105 women. He doped people who were in the back of his cab. The court found that the police were in breach of their obligation under Article 3 to protect people from inhuman and degrading treatment—of which, of course, rape would be an example. You might say that serious domestic violence might also be inhuman and degrading treatment. They were in breach of that because they had systemically failed to investigate properly. So, the law is beginning to look at this question. It is being driven by campaigning lawyers looking quite a lot at violence against women and girls. As you can see from those cases, the law is beginning to close in on these failures. There are two Chief Constables currently under inquiry due to their forces not sufficiently investigating child sexual exploitation. Again, there is pressure there. I hope change is being driven.

The Chair: Your answers have been extremely comprehensive, so much so that you have anticipated some of the questions coming up.

Q69 Baroness O’Loan: In recent years we have seen a number of legal actions in negligence against the police for alleged failings towards victims of domestic violence. Those attempts have been unsuccessful due to the relative immunity that police historically enjoy against such claims within English law. Do you think that position complies with the UK’s obligations towards victims of domestic violence under the Convention? Should that immunity be withdrawn, or should it be maintained? And do you think that the current legal position benefits victims of domestic violence?

Vera Baird: My view is it does not. We do not currently meet the requirements. It is a good thing that these legal processes are beginning to be taken very seriously and driven forward. There is not actually an immunity; there is an absence of a duty of care. But still, the point is the same.

Sandra Horley: I would add that Refuge is calling for the immunity that protects police negligence claims to be abolished. As Vera said, we are intervening in the Joanna Michael case.

Q70 Baroness Lister of Burtersett: Article 55 of the Istanbul Convention requires parties to ensure that investigations and prosecutions in domestic violence cases are not wholly dependent upon a complaint by a victim, and that the proceedings may continue even if the victim withdraws her or his statement or complaint. In your view, is the UK meeting these obligations? Is there any room for improvement and, if so, what should be done?

Sandra Horley: “No” is the answer from Refuge. The HMIC’s report found that police still rely heavily on the victim to build a case. It should not be up to an intimidated victim to make decisions about charging. Some women do withdraw from giving evidence, but that is because they are not getting support. Or it could be because they are being intimidated by their perpetrator. In order to build effective evidence-led prosecutions, it is vital that police undertake rigorous investigations and collect the evidence. We are not even doing the basics around evidence-gathering, and we are not supporting the victim appropriately. So the answer is no, we are not fulfilling our obligation.

Vera Baird: I also think that we are not fulfilling our obligation, but, again, there are positive moves. A fairly recent consultation from the CPS has established a protocol about evidence-gathering in domestic violence cases, so that the police are required to do house-to-house inquiries, to get the 999 call, and all of the elementary stuff you would expect them to do that they have not really been doing. The fashion at the moment is for body-worn video. There has been a pilot of this. This is where police go wearing a camera that is active all of the time, so that they get shots of what is happening in the premises, the attitude of the two parties, and so on. They wear that. That is capable of being evidence, through some processes. That is the current, fashionable way of bolstering a prosecution for a victim who does support the case, or to try to bring the prosecution if she will not. I was told yesterday by the College of Policing that there has been a pilot in Essex that shows that where body-worn video is used, more charges are brought without the victim’s support.

First, we have got a long way to go with that. It really is in its infancy. Secondly, it is a question of attitude—whether people are as keen to take prosecution, assuming “keen” is the right word, if she is not supporting it. But also, you have to come back to the judiciary. Do they take a case against the perpetrator seriously if she is not there to say what he did? If you are going to make recommendations, training the judiciary about domestic violence is my number one.

Sandra Horley: I have a small point. It depends on the officers turning on the body cameras. We frequently have cases where they have forgotten.

Vera Baird: They would be disciplined.

Sandra Horley: They are not disciplined; that is the problem. They are not held to account. Maybe they are in your force, but they are not overall. What we have here is a culture. There is a basic problem with police culture. They are not listening to the victims, they do not remove the aggressor, they fail to investigate, they do not turn on body cameras, and they do not value women’s lives as much as they value property crime. I know you are making great efforts, and lots of officers are, but this is not consistent across the country and we are not fulfilling our obligation. My job, Refuge’s job, and the job of other women’s organisations is to give women a voice. Our job is to tell the truth. I would like nothing more than to sit here and say that we have had a sea change in attitudes and culture since HMIC’s report was produced eight months ago. We have not had that change.

Q71 Baroness Berridge: Tom Winsor, in recent comments, took this question back a step. He commented that there are certain communities where you are not even getting the reporting of crime that is going on. You talked in the beginning about the coercive control aspect. We received evidence in previous sessions from women’s rights groups about certain communities that are very patriarchal, where reporting is not happening. Do you agree with Tom Winsor that there is this issue—that we have cultural, patriarchal pressures operating that are leading to the police not intervening in these situations?

Vera Baird: Yes. It is right historically, and it is right today. It is very well known that it is extremely difficult to report violence when it is being inflicted within your family by a violent partner. It is all the harder if, for instance, you do not speak English, and if the community you are surrounded by tends to see the violent partner as the active participant in it, and you as a very quiet, non-participant in it. I am 90% sure that Sandra would agree with me when I say that it is increasingly difficult for BME women to find culturally sympathetic people to talk to. The biggest victims of cuts in refuge provision have definitely been the specialists. If somebody is not able to speak the language, and is not going to get a culturally sympathetic or even an understanding response, then the prospect of them complaining about the most hideous behaviours are very much undermined. That is a huge problem.

The police try. You have got a witness to follow from the Angelou Centre in Newcastle, so you will get an outsider's view of how we are doing there. The police do try to engage with organisations like the Angelou Centre—which is essentially run by Asian women for the support of Asian women—because they know that women will come to them, but they might also go to the Angelou Centre. They want there to be open conduits to the police thereafter.

Q72 Baroness Buscombe: I am moving on to gender-based violence. A central plank of the Istanbul Convention is the recognition that the majority of victims of domestic violence are women. As a result, it regards violence against women as a form of gender-based violence that is committed against women because they are women. Is the UK consistently treating violence against women and girls, inside the context of domestic violence or not, as gender-based violence and, if so, how is it doing this? If not, why not?

Vera Baird: In my view, it is not. For instance, Home Office figures about domestic violence again would say one in four women and one in six men suffers from domestic violence, which is not a realistic approach. First of all, the definition of domestic violence includes violence in the family, so it is not just the partner violence we would think of. The public would think of domestic violence as partner violence, but two brothers having a fight in the pub is domestic violence. It is things like that—violence inflicted by men on men within the family context—that ups those numbers and completely distorts public spending.

I have had a long dialogue with, and I am very impressed by, I must say, Norman Baker, who is a Minister who is responsible for these figures. I am not sure if Refuge was there, but a lot of the violence-against-women sector came to meet Police and Crime Commissioners at a Home-Office-sponsored event about a year ago, where these figures were doled out by the Home Office as the word about domestic violence. They distort the reality hugely and they distort public spending, because local authorities feel that they have to supply, for one in six men, refuge places, and for one in four women, refuge places, when the truth is that it is a very different topic that is being looked at.

The other thing that goes on in commissioning is a complete distortion of the Equalities Act, where it is thought that, if you commission some services for, for instance, black and minority ethnic people, you have to commission them for white people as well. If you commission them for women, you have to commission them for men. You commission on the basis of need, but that is not getting through. On those two examples, I would say no; we do not appreciate that violence against women and girls is it.

Sandra Horley: The very succinct answer to your question is “no”. There are three main problems in this respect, which we are happy to write to the Committee about. The Government definition of domestic violence is gender-neutral, and that is causing major problems, which we

are happy to write to you about. The UK law used to address violence against women is gender-neutral. The UK law does not address cumulative harm so often experienced by victims of domestic violence. Rather than go into it in too much detail here, though, we are happy to write to you about that.

Q73 Mr Sharma: Most answers are overlapping the questions as well, but one thing is domestic violence amongst ethnic minorities in various forms. It is not only the language barrier but the girl or the woman being brought up in an environment and culture that blocks the girls coming out and reporting it as well. I hope that is taken on board in the future. My question to you is: is evidence relating to the sexual history and conduct of the victim only permitted when it is relevant and necessary, or do you find it is introduced more routinely?

Vera Baird: It is not confined to when it is necessary and relevant, I am afraid. We introduced Section 41 of the Youth, Justice and Criminal Evidence in 1999, and there was a piece of academic work done in 2006 on 2003 data that said, frankly, it has made no difference. Since then, there has been a key piece of work done with the judiciary and I hope things are improving.

For two seconds, let me tell you that, in Northumbria, we have established a group of court observers. We are going to watch every rape case in Newcastle Crown Court for the next six months and judge, according to a matrix, whether they are being conducted fairly, so I might have some more information, more up to date, presently.

Mr Sharma: If introduced, how do you think a new criminal offence of coercive control would assist in meeting the UK's obligations towards the victims of domestic violence under the Istanbul Convention?

Vera Baird: This is a very major plank of Sandra's current position, so I leave the floor to her in one minute. I am absolutely sure that all the criminal justice agencies and the wider community need to learn that domestic violence is about coercive control. It classically is a controlling relationship, in which there may be a lot of violence; there may be a little violence. It is about control and it is about using things like financial pressure, cutting you off from your family, not letting you go out, texting every time you are out, alleging that you are having affairs. It is also about undermining someone's ability to just carry out their own affairs in order to keep that person in your control. Of course, we well know that that gets worse when there is a threat, for instance through pregnancy from another person who will share the victim's attention or when the victim tries to leave. I am absolutely sure that we must stop having agencies that think domestic violence is about black eyes, and have ones that understand that is what is going on. Whether it should be a criminal offence is another step. I am not sure about that.

Sandra Horley: To pick up on that point, Vera, Refuge does not believe that the UK needs to criminalise coercive control in order to meet its obligations under Article 33. It is possible, under existing legislation, to prosecute non-physical abuse, for example stalking and harassment laws. Psychological injury can be prosecuted under the offence of ABH, which is part of the Offences against the Person Act. In order for psychological harm to amount to ABH, it must be of sufficient severity to meet criteria for a psychiatric condition.

We are recommending extending the definition of psychiatric injury, so that it encompasses all forms of psychological harm resulting from violence inflicted. There are significant problems with criminalising coercive control generally. We do not believe that it is workable. We believe that greater effort needs to be made to implement existing laws. Creating a new offence of coercive control could have unintended consequences. It could lead to, for example, it being treated as a

separate category of crime. It could lead to reduced sentencing. It might be that perpetrators make allegations of coercive control against their victims. I think it will just be unworkable, and there are problems with implementing an offence of coercive control. The police are already confused. The definition is very broad; it is vague and hard to understand. Coercive control often takes place in private domestic settings without the benefit of a third party there. I just think it is going to be unworkable.

The Chair: Thank you both for your evidence today. You have been extremely helpful and very comprehensive. If you feel that there are issues that we have not covered, and I am sure there have been, because we have had limited time, please write to us. You have hinted to us about recommendations; yes, we will be most certainly making recommendations. Feel free, on the basis of evidence-based statements obviously, to make suggestions in that sphere as well. Thank you very much.

Examination of Witnesses

Rachel Horman, Solicitor and Head, Domestic Violence and Forced Marriage Department, Watson Ramsbottom, **Sara Browne**, Iranian and Kurdish Women's Rights Organisation, and **Rosie Lewis**, the Angelou Centre

Q74 The Chair: Good morning. Could I invite you to introduce yourselves, please?

Rosie Lewis: My name is Rosie Lewis. I have come from the Angelou Centre. We are based in Newcastle upon Tyne. We are a black and minority ethnic women's centre. We provide specialist domestic abuse provision for women and children. I am an IDVA based there, an independent domestic violence advocate, dealing with high-risk victims.

Sara Browne: My name is Sara Browne. I am from the Iranian and Kurdish Women's Rights Organisation, and we actually represent now Middle Eastern and North African women and girls. We have widened that from our original group. We focus in particular on honour-based violence, forced marriage and FGM in our campaigning, but we also have 16 staff and we speak seven languages between us. We provide advice, counselling and referral services as well.

Rachel Horman: My name is Rachel Horman. I am a domestic violence solicitor and the head of the department that deals solely with domestic violence and honour-based violence, forced marriages and that kind of thing. I am also a director with Paladin, the stalking advocacy service.

The Chair: We have several questions to put to you. Please do not feel obliged to answer every question. There are three of you and you may well be in agreement, but we do have some time. Could I begin by asking again the question about the Istanbul Convention? The Convention requires law enforcement agencies to respond promptly and appropriately by offering adequate and immediate protection to victims. Do you think the newly introduced domestic violence protection orders are working well in offering this protection?

Rachel Horman: I certainly do not, from my experience. I work in Lancashire and Manchester, and my experience in Lancashire is I have not seen a single client who has had the benefit of one. I made some checks this week and there have been seven domestic violence protection notices made in the whole of Lancashire. It is not clear how many of those then went on to become orders. The scheme only went live in Lancashire on 1 August, and I understand lots of other counties are behind in getting that in place. I have not noticed any difference myself. Like I say, I

was working in Manchester when the scheme was being piloted and, again, it was not used very often.

Rosie Lewis: As an IDVA, I am part of the Multi-Agency Risk Assessment Conference, the MARAC that Ms Baird was talking about. On the ground, there have only been a couple of DVPOs put through. As I said before, we are a specialist organisation that works with BME women. We have not seen any go through MARAC that have been concerning or supporting BME women. A lot of that is because these orders being put through is dependent on the risk assessment that takes place on site; it depends upon the officer's experience when they are turning up.

For the women we are working with, the majority are not able to speak English and there are a number of other barriers in place. When police officers are turning up, they are not necessarily treating many BME women in the same way as they would an English-speaking or white woman, because they are not effectively going in, looking at the situation and applying the same protocols. Sometimes they are speaking to the English-speaking member of the family; this obviously has an effect in terms of how they respond and whether they put that protection order through. That goes back to the cultural competence and understanding of the police officers who are actually going in. It is really important that the police officers on the ground have that understanding and cultural literacy to be able to do that. There appears to be an inconsistent response in terms of officers going out.

Again, I have only seen the implementation of this over the last few months. Like I say, there have only been a few cases put through in the Newcastle area. There has not been any kind of feedback about how that is going on to be implemented. Obviously we are looking at this as a shorter-term fix as well, so we need to look at how we are working and supporting victims over the longer term, especially when they are facing multiple barriers.

Sara Browne: Our team has not come across them being used very much. We asked the solicitors who we work with, and they said it is too early to tell.

Rachel Horman: Could I make another point about the DVPOs? One big problem is that a breach of one is not a criminal offence. That means they do not really have any teeth, and also the grounds for making one are very similar to the grounds for prosecuting. If the grounds are made to prosecute for a crime, then why not do that? At least arrest and put them on Part 4 bail, because there is a 28-day expiry and clients will not even be able to access legal aid, quite often, in 28 days. It takes a long time for them to get legal aid to put civil orders in place.

Q75 Mr Sharma: Are the domestic violence protection orders appropriate when considering violence against women within the family or, for example, so-called honour-based violence and killings?

Sara Browne: Our position is that we need to be very careful to separate training within the police on honour-based violence and domestic violence. Absolutely there may be cases where there is domestic violence and also risk of honour-based violence. Domestic violence can trigger honour-based violence. What tends to happen is that it all gets mixed together. Honour-based violence training is not happening across the country as it should be; it is extremely patchy, more so than domestic violence training.

What happens is that the risks are not being spotted in terms of who the perpetrators could be. It could be not just close family members but wider family members and community members. We have worked with many extreme cases, where people have had a campaign of harassment from many different community members, often people who are unknown to them. You do get

cases with contract killers and bounty killers involved even, as well. We need to be very careful that honour-based violence is not being overlooked. At the moment, it is being sidestepped; there has been a lot of focus on FGM, but not on honour-based violence and looking at risk.

Rosie Lewis: I would echo that, but I would say that we need to look at diversity within the overarching idea of what honour-based violence is. We are going down a route where a lot of the training appears to be focusing on predominantly South Asian women and their experiences, whereas actually it is across the board. Honour-based violence should really be about violence with regards to codes of honour, in terms of how the women are victimised and perpetrated against. There needs to be an understanding of cultural diversity and the way that there is perpetration through many different cultures of acts that fall under the honour-based violence rubric, including cultures from Eastern Europe, the Middle East, Africa and South Asia. Again that gets back to the police having a really good amount of cultural competence, so that they are able to read situations and understand what they are going into, and that they are risk-assessing appropriately.

Q76 Baroness O’Loan: To an extent you have dealt with your feelings about the protection afforded to women in the honour-based-killing situation, but I wanted to ask you: it is 10 years since Banaz Mahmod was murdered; have things improved at all since then? Could something similar happen again? Are you comfortable with the protection that young women are afforded? I suspect the answer is no.

Sara Browne: We think there have been improvements, but it is very patchy. There are some real basics that are not being done. I conducted some research last year seeking figures on honour-based violence from a simple FOI request from all police forces. We were really shocked that one in five police forces was not able to provide the figures. That means that they were not flagging cases. Flagging is not just about understanding how many cases are going on; it is essential because, if police are not flagging cases, they are not collecting that data and having their eyes open to what is going on. They are not joining up the dots.

With Banaz Mahmod’s case, she went to the police five times. There are many things; it all comes back to understanding risk—understanding that, if one sister has experienced honour-based violence, what about the other sisters? It is all about stepping back and having training, but also that very basic thing of flagging. I am repeating that exercise now and we are just getting those reports back, but I have already seen that we have not had an improvement throughout so far, so I will provide that evidence when that comes through and also provide the report we did with 16 recommendations, which I can pass on to you.

Rachel Horman: From my experience, I would agree there have been improvements, but there are still huge problems and we still clearly need a lot of training for the police, social workers and teachers. Social workers and the police are still using family members to interpret, which is very dangerous, because they are likely to be the perpetrator. That is an issue. Also, social services are still treating young girls as being naughty and out of control, when actually it is a forced marriage issue. They side with the family. I have seen civil court cases adjourned for family mediation to take place to resolve it, which is very dangerous again and has been seen in a lot of the honour killings that have gone on, and then you have issues with refuge accommodation for the victims. If they have no recourse to public funds, then they cannot get in refuges and there are issues with legal aid as well.

Q77 Baroness Buscombe: To what extent do you think the police are afraid of intervening when this honour-based violence and so on is within communities where the police are afraid of being accused of being racist?

Sara Browne: There is a problem with that, and there is also a problem with police engagement with communities. Quite often the response is to have police going out to mosques and so on. Often, it stops at meeting with male leaders of the community. We are working directly with women. I am the only person in our charity who is not from a Muslim background, but everyone else is. We have many women coming to us all of the time, but we do not see the police coming to do engagement work with us. The police need to build up trust with the women and girls who are at risk and that leads us on to education, which is absolutely essential. That is the big gaping hole.

Rosie Lewis: The police really need to work with organisations like ours. 6% of our referrals are self-referrals from the community. Those women will not report directly to the police; it just would not be happening. That definitely needs to be recognised. Ms Baird mentioned that some police agencies are working closely with organisations such as ours. It is really effective when it happens; however, again it goes back to training and consistency, in terms of police response.

Q78 Baroness Berridge: The recent inspections have shown that there are still problems with the way that the police and prosecutions are responding in this matter. What are the main problems facing the women who you particularly work with and represent?

Sara Browne: Not being believed. That links on to the coercive control issue and issues like dowry and so on. It is their not being believed—we do not have a victim-centred approach. If a woman is going to the police, that is a huge deal, particularly if she is from a community where going to the police is seen to be a shameful thing to do. She has been brought up to believe that she should not do that. By going to the police, she is putting herself at great risk. That heightens the risk that she is at. We need the police, first of all, to believe victims. If there is not that trust in those cases, that then comes out to the community. Why would other women then put themselves forward?

Rosie Lewis: For us, it is an understanding of wider complex needs and the additional barriers that many black and minority ethnic women face, especially the ones who we are supporting. Again, like I say, 6% do not speak English as their first language. You also have to think about basic skills, understanding of services and if they are able to access any services. They are usually not able to do that independently or without a lot of support.

Immigration and no recourse to funds is a huge issue, because often, when police are going in, sometimes there is an amount of doubt about whether that victim is credible, because she has no recourse to funds. Also, on the effectiveness of supporting those victims, obviously there are certain routes to go down when women have no recourse to funds, in terms of applying for domestic violence concessions. There is very little understanding about how to support victims when there is no recourse to funds or there is uncertain immigration status. That is a big issue in terms of how victims are dealt with and policed as well. That comes into the mix.

Rachel Horman: The investigations by the police are often pitiful. It often results in no charges being brought, which puts them at more risk. They are not looking to try to find any other evidence other than the victim's statement, which is really inappropriate. You get victims that are actually having to investigate their own crimes.

Q79 Baroness Lister of Burtersett: You will have heard our previous witnesses were talking about this new proposed criminal offence of coercive control. In your experience, do you think it will be beneficial for the victims and survivors with whom you work or do you think it raises the kinds of problems that our previous witnesses raised?

Rachel Horman: I am very much in support of it. While I hear the argument that other legislation can be used, that is not actually happening in reality. I see clients every single day that are being told, “Come back when he hits you, because we cannot do anything.” Unless we can tackle it at the beginning and also look at what domestic violence actually is—it is not about just a black eye but the psychological coercive nature—then we are completely missing the point. I think it is essential.

Rosie Lewis: It helps us to understand violence against women and girls on a continuum. Rather than individualising different acts, it is actually a much broader spectrum, in terms of control. Also, we really need to think about evidence. We are finding it hard enough to come up with support for evidence for victims that have been physically abused. We have to think about how we are going to support, taking forward, things that are going to fall under coercive control.

That comes on to the point that, if we have invested so much time and energy into domestic abuse services and IDVAs who are working with police, working in a multi-agency forum, then we need to be working with them more, probably through the judicial system, in terms of looking at the evidence they present as well. They are experts in their field. They can provide that kind of evidence that women who have been through abuse find very difficult to come up with themselves, especially black and minority ethnic women, who face multiple barriers.

Sara Browne: We held a focus group with 14 of our clients and then we also met with all of our staff. Everyone was behind the criminalisation. People were talking about all sorts of things, like economic control. That was a really big issue, and I think dowry was going to come up as an issue, which is a very serious problem—direct control. People really felt that they were not being taken seriously, but also the perpetrators felt that they would not be taken seriously. That was a big thing. If the law was on the side of the victim and she could say, “This is wrong in this country, and these are my rights,” then that would help, but people need to know their rights. That is a big issue. If this behaviour is wrong, then everyone thought it should be criminal.

Q80 Baroness Berridge: Ms Browne, you just mentioned the fact of people knowing their rights. It surprises people in 21st-century Britain how there can be both women and men growing up or being in communities that are incredibly cut off from what most of us experience. Their reading material and their access to technology can be very severely controlled. What strategy would you have to ensure that, somehow or other, we get to the most vulnerable women in these communities, who are living very closeted lives, to ensure that they do know their rights so that, when they need to step outside that, they know where to go? Would it be education in schools?

Sara Browne: It depends on the age group we are trying to reach. We have the Right to Know campaign at the moment. We have been backing the PSHE Bill, which is now being heard again in February. We want our issues to be covered within that. I know it very much has a focus on violence against women, but it is absolutely essential that we go into schools and that we go into all schools, because we need to reach everybody. What tends to happen is people say, “Okay, we will go into that particular city, that community,” but we need to be realistic. All children need to know about these issues, because they may be affected or their friends may be, or their communities and so on. We really do need to address these issues in terms of rights in schools.

Also, teachers need to be trained to spot the risks and so on, because it is both about protection and knowing your rights in the first place, and knowing where to get help. Organisations like ours do a lot of work with women informing them about their rights and a lot of empowerment work. We need to be supported, and the reality is that we are not supported at all. We spend a lot of our time trying to get funding. It is so patchy; it is not sustainable.

Q81 Baroness Kennedy of The Shaws: I wanted to ask about legal aid, because we hear from a number of groups that say that the cuts to legal aid are actually impacting even more powerfully on minority groups of women around these issues. We know and have heard about the exception that is created for domestic violence, but we have also heard that it is not really being very effective. What is your experience of the issue of access to legal aid?

Rosie Lewis: BME women are disproportionately affected by this. There is no doubt about that. Again, it is going back to an uncertain immigration status and lack of recourse to funds. Many women cannot access social justice, and there are also a lot of obstacles in the way, in terms of the evidence that needs to be brought forward for women to be able to access legal aid as well. Not all women are necessarily put through the MARAC process or the high-risk process at the right time, so therefore their evidence looks like it is less significant, even though they could have endured 20 years of horrific abuse.

Rachel Horman: The more controlling the situation and the less that a woman is able to get out of the house and out of that immediate community, the less likely there is to be any evidence in order to access legal aid. Also, the Legal Aid Agency is looking at bringing in a residence test, which will really impact these women.

Sara Browne: I would echo that. I was a legal aid lawyer and left because of the legal aid cuts. I was in immigration, which has been absolutely slashed, which has a direct impact on BME women. There are many different issues going on at once. Women may be kept at home, so they will not be able to sort out their immigration status. As you have touched on before, they are seen as the guilty party. In terms of the evidence that you need to gather, language problems and so on are a big problem. Also, the knock-on impact on organisations like ours, without us getting any funding or extra support, means that we are taking on the role, and our advisers are saying that cases that might have taken a month or two before are taking an intensive six months or longer, because we are having to pick up the pieces, not as lawyers.

Rosie Lewis: Many of us are writing statements. Many of us are taking the women through non-molestation orders and stuff ourselves, because there is no legal aid in support.

Sara Browne: Another issue is divorce. There are certain areas with which people will not get support, so they can be trapped. That has many implications within a community as well. You cannot move on, so there are lots of problems.

Q82 Baroness Lister of Burtersett: I have a couple of questions. The first is specifically to Sara. Your organisation was quoted recently in what I felt was quite a shocking report in the *Independent* about dowry-related violence. Your organisation was quoted as saying, "Nearly every case we deal with involves some form of dowry abuse." Could you just very briefly say a bit about how you see the problem and what could be done about it? If you are able to give us supplementary written evidence on that, that would be really helpful.

Sara Browne: It is something that we have not explicitly begun to look into, but we will. I was there at the meeting with Diane Nammi, our founder, and the journalist from the *Independent*.

Certainly it is something that runs through it; we are dealing with marriage cases constantly, and dowry is one form of power and control that runs through all of those cases.

Rachel Horman: Dowry has a transnational status as well, because into that comes things like land, jewellery and gold. All of those things are other forms of control that are very clearly part of the dowry, which obviously involve even more coercive control over those women, because it involves family as well—family abroad or communities abroad too.

Sara Browne: Absolutely. There is a much wider pressure that people are trapped in, which can ultimately lead to suicide.

Baroness Lister of Burtersett: We had some written evidence about the general issue of so-called honour-based evidence from the JAN Trust. I should declare an interest as a patron. They were raising the issue of the dangers of demonising entire communities. How can we avoid that but, at the same time, take it with the seriousness it has to be taken?

Rosie Lewis: I think very strongly that it goes back to what I was saying about this idea about honour-based violence being this very specific thing. It is actually on a continuum of violence against women and girls. We must not remove aspects of so-called culturally aligned perpetration from that spectrum of the way that violence is perpetrated. For us that is very fundamental. If you go down the route of just honour-based violence, it becomes very ghettoised. It also means that it is reduced down to a singular thing with a set of expectations, with expectations around how the victim will be as well. We need to broaden our ideas about what honour-based violence and domestic abuse are.

Sara Browne: We take a slightly different approach. Going back to what we were talking about at the beginning, the police need to understand what honour-based violence is and what those risks are. Sometimes, the concern is more about community relations and so on than the victims. We feel that we need to take a risk-based approach and that abuse is abuse. If anyone is at risk, we need to be understanding that risk, and that should be a priority. Abuse itself demonises all communities. Domestic violence affects everybody. For us, it is very much about focusing on who is in danger. Let us focus on that. We worry that those priorities can be sidelined sometimes, because there is a concern that we can have Rotherham-type situations.

Q83 Baroness Buscombe: What we are talking about here is how to prevent totally unacceptable behaviour in a civilised society. Do you think we should be rethinking and revisiting our residency tests and our rules for citizenship, such that some form of deterrent should be introduced, or some form of education and training, among those who are seeking citizenship and residency in this country—I am thinking mostly of the men, obviously, in this situation—such that they understand that all of this behaviour is seriously not acceptable in this country?

Rosie Lewis: There are two sides to that, very briefly. Obviously violence against women and girls is across all cultures and all communities. Again, this comes back to how we understand honour-based violence and do not ghettoise it into one particular culture. On the other side of it, again it is about that intervention work. It is work with men in all communities, making sure there are holistic services available for women, making sure that there is education and that that ongoing intervention work is done alongside it. I cannot respond for my organisation but, from my experience, I do not think it is necessary to do a residency test.

Baroness Buscombe: I am not saying do a residency test. What I am saying is to look at the rules of residency, so that people coming here understand that some things that they had thought

acceptable in another culture are not acceptable here. I am not saying it is a risk of residency; I am just saying that they understand, they learn, that certain issues like those relating to dowry and honour-based crime are not acceptable and will not be allowed.

Rosie Lewis: For the majority of the women we are supporting, the perpetrators are actually British. That would have a lot of implications on many of the women who we are currently supporting, in terms of looking at residency. For the majority of the women we are supporting, however, the perpetrators are British nationals.

Mr Sharma: My question is: do you think that this domestic violence regarding dowry, caste or any other cultural aspect is linked only to first-generation Asians, or is it second- or third-generation as well?

Rosie Lewis: It is definitely all generations.

Mr Sharma: Do you have cases concerning children born here?

Rosie Lewis: We have evidence of that, yes.

Q84 Sarah Teather: I want to ask you about the kinds of support and assistance we offer to victims during investigations and judicial proceedings. Obviously the Istanbul Convention requires parties to make that available, whether that is through governmental or non-governmental organisations, or domestic violence councillors. I just wondered if you think we are fulfilling our obligations there. How particularly are we supporting women from black and ethnic minority backgrounds? I would be interested to hear your perspective.

Rachel Horman: I do not believe that we are fulfilling our obligations at all. While there is support in place, it is patchy and you only get an IDVA if you are classed as high risk in many areas, because of funding. If you are not classed as high risk, you do not really have any support going through the criminal justice system. Many victims feel like they have no voice within that at all. If you add a language barrier to it as well, it makes it even more difficult. The legal aid cuts mean that certain sections of society are alienated even more, because they cannot get access justice with that. No, I absolutely do not think we are.

Rosie Lewis: Many BME organisations have developed according to need, and those women need holistic support from beginning right through to recovery. That is something that is not really available in the majority of IDVA services. We are set up to get funding for the specific IDVA posts that we do, but the majority of IDVAs in Newcastle only work with victims for 12 weeks. If you consider that that victim has multiple barriers, that is obviously a very short amount of time. Often, they are not referring on to other services if there are other services for them to be referred to. You find repeat victimisation. I see women coming back through the MARAC system, suffering domestic abuse again and again, because they have not been given that holistic support that they need to enable them to go through the different legal proceedings to get the protection that they need.

Sara Browne: Also, the legal aid cuts mean that solicitors' time with people is very restricted. Going back to not that long ago when I was practising, there was a difference in that you really were able to sit down with people, reassure them and explain the full system to them. You are now so restricted. That is one area, and then there is not enough support. We are overwhelmed. Particularly our Arabic- and Kurdish-speaking advisers are overwhelmed. We could do with

having many more advisers. In terms of across the country, it is one thing if you are in London, but there are definitely advice deserts.

Rachel Horman: There is no input for the victim within the criminal justice system at all. We see very often that the CPS lawyers are just not prepared; they do not know the case. The defence lawyers run rings around them. The victim does not get to speak to the CPS lawyer before. I think that, if there was a scheme where, when the police and the CPS were looking at the charges—because there is a massive issue of under-charging and much lower offences being charged, because they are easy to prove, rather than a more serious one—there could be a meeting with either a lawyer or an IDVA, with the victim, the CPS and the police, the victim would feel much more a part of the process and more likely to go through.

Rosie Lewis: As I have demonstrated before, when 6% of our referrals are from the community, it is really important that specialist service provision is retained, and that is across the board. That is not just necessarily about BME communities but LGBT communities and other minority communities as well. They are able to meet their needs. If the victims' needs are not met, there will be repeat victimisation on most occasions and that victim will be failed by the justice system.

Sara Browne: Another issue is that we have heard from the solicitors we are working with at the courts that there is under-staffing. It is not a welcoming place at all. Obviously it is a stressful experience anyway, but apparently that has got much worse. At the same time, we are having a massive increase in people who are having to represent themselves and are seeing the judges get more and more grumpy about this. It is a real problem. As I said, divorce is an example.

Rachel Horman: The other issue is that, whilst we are obviously looking at the victims, the perpetrators in this are completely ignored and will go on from one family to the next to the next. All their children will be removed by social services quite often, and nothing is done about the repeat perpetrator on different families unlike, say, a sex offender, where you might have a sex offender register. We do not have anything like that in terms of domestic violence, which then means that Clare's Law does not work. If the perpetrator changes their name, then the Clare's Law disclosure becomes very difficult and they just roam around causing chaos.

The Chair: You have been extremely helpful to us today. You have been very comprehensive. If you feel that there are issues we have not covered, please write to us. As I said to the previous panel, we are hopefully going to be making recommendations. We would be guided by some of the feelings that you have concerning our recommendations. Thank you very much.