



HOUSES OF PARLIAMENT

Joint Committee on Human Rights

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

Wednesday 26 November 2014

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Written evidence from witnesses:

- [Home Office](#)

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

Questions 112-137

Witnesses: **Rt Hon Nicky Morgan MP**, Secretary of State for Education and Minister for Women and Equalities, **Rt Hon Lynne Featherstone MP**, Minister for Crime Prevention, Home Office, and **Rt Hon Mike Penning MP**, Minister for Policing, Criminal Justice and Victims, Ministry of Justice, gave evidence.

Q112 Dr Hywel Francis (Chair): Welcome to this session of the Joint Committee on Human Rights—the last evidence session involving Government Ministers. For the record, please introduce yourselves.

Nicky Morgan: Nicky Morgan, Secretary of State for Education and Minister for Women and Equalities.

Lynne Featherstone: Lynne Featherstone, Minister for Crime Prevention and ministerial champion for tackling violence against women and girls overseas.

Mike Penning: Mike Penning, Minister of State with responsibility for policing at the Home Office and for criminal justice and victims in the Ministry of Justice.

Q113 The Chair: The acoustics are not wonderful in this room, so do not be afraid to project your voices as if you are in the theatre. I begin by asking about the teaching of sexual consent. The Government’s action plan states that the Department for Education will “promote the teaching of sexual consent” and “pursue a range of channels to make suitable materials available to schools on violence against women and girls and related safeguarding issues”. Why have the Government not made the teaching of sexual consent and other violence against women issues, such as discussing forced marriage, compulsory?

Nicky Morgan: The teaching of sex and relationship education is compulsory in secondary state-maintained schools. We understand and believe that most other secondary schools follow that lead. In fact, some primary schools also teach this. The Government's view is that there is space in the curriculum for schools to teach personal, social, health and economic education, which encompasses a wide range of issues. You have mentioned a couple that are important: consent and violence against women and girls. As you will have appreciated from recent reports, there are wider issues around British values and the role of girls and women in society more generally, which I want schools to teach.

On consent education, the PSHE Association, which the Department for Education has given some money to, has been commissioned to produce education and guidance for teachers on teaching about consent. That will be published shortly. My colleagues here may also want to talk about the "This is Abuse" campaign, which schools are able to draw on and is particularly targeted at young people, aiming to teach them about what consent is and what healthy and unhealthy relationships are.

Lynne Featherstone: "This is Abuse", which is a campaign that was launched during my first innings at the Home Office, is really about the issues that you raised; it is a prevention campaign encouraging teenagers to rethink their views on consent, violence, abuse and what rape is. If you google "This is Abuse", it will come up, and the films that were made were really targeted at young people; they were shown on MTV and the sort of channels or places where they could access it. It deals with some difficult situations, as young teenagers generally negotiate what a relationship looks like and what abuse, coercion, bullying, and harassment are. I recently went to a school of teenage girls in my constituency and asked, "Who has seen this?" Nearly the whole class put their hand up. Reaching and getting to the people who need to understand this is very important.

The Chair: That seems plausible and even worthy. I am not saying that in any patronising sense. When you consider that the majority of schools in England are now academies and that the setting up of free schools is encouraged, how can these schools be obliged to consider health, relationships, violence within relationships, forced marriage and female genital mutilation within the school curriculum?

Nicky Morgan: Schools are required to teach a broad and balanced curriculum. Ofsted will inspect all schools on the basis of the spiritual, moral, social and cultural education that they provide to their pupils. As we have recently seen, Ofsted will not hesitate to challenge where they feel that a broad curriculum is not meeting that spiritual, moral, social and cultural test. We firmly believe that PSHE and a broad curriculum for life, which would include the issues that you talked about, is very important. It obviously needs to be taught in an age-appropriate way. I want relationship education to be talked about as well. But it is also for schools to decide what is most appropriate for the students they are teaching at the age they are and given the communities that they are living in.

Q114 The Chair: May I pose a question which I have not discussed with my colleagues? I reported to students from a university near me last week that we were undertaking this work. They asked, given the gravity of the subject that we are dealing with, how seriously Government Ministers would take a report of this kind at the very end of a Parliament?

Nicky Morgan: I certainly will take it extremely seriously. In terms of the issues that the Committee has been looking at—you see here politicians from at least two of the parties, and I know that the other main parties are also extremely interested in this issue. Whether it is the end

of a Parliament or the beginning of a Parliament, we all know as a society that these issues need to be tackled. It does not really matter which party is in power or the stage of the Parliament in terms of the seriousness with which these issues have to be addressed. Clearly, we will be looking at broader issues relating to abuse and child sexual exploitation. Our international work is shared by all parties, in terms of the importance of campaigning against, or rather raising awareness of, violence against women and girls.

The Chair: We hope to produce this report in early January. We then expect you to respond to it within six weeks. Perhaps you could commit yourselves here and now to a strong response, and we will be able to discuss that response on the Floor of the House.

Nicky Morgan: It is a very important issue. I cannot speak for my colleagues, but we will absolutely want to respond to this before the end of the Parliament. We look forward to discussing it further.

Mike Penning: I know exactly where you are coming from. Being in five Departments in one Parliament has been an interesting experience. That is probably more than anyone else. We all talk about John Reid being in many Departments—that was over 13 years. When I arrived—I am sure that it was the same for Lynne, because she was in the first Administration as well—there was work from the previous Administration on our desks; consultations that had taken place and work that was taking place. Of course, you could make a conscious decision as the new Government and new Ministers to say, “Well, I think that was a load of rubbish.” On this particular issue, I think that there is a consensus, so I do not think that that is going to happen. Whoever replaces this Committee—all the Committees fold and we then come back again—would surely not let any Government do that. I just do not think that that will ever happen, and I do not think that there will be a need for it either.

Q115 Mr Sharma: We have heard about a lack of consistency and co-ordination in the area of education and prevention. There are ample examples of good practice that we have heard about, yet that good practice remains piecemeal. How can we move towards the mainstreaming of education and prevention work, rather than the pockets we currently have?

Nicky Morgan: I go back to the point I made to the Chair, in terms of education. It might be that Lynne would like to talk about prevention issues. In relation to the requirement for a broad and balanced curriculum—we might come on to it later, but one thing I am particularly focused on is the online safety of all our young people and equipping them with the tools to deal with threats of violence. Violence is violence, whether it happens online or offline. We have seen with the new national curriculum introduced and starting to be taught from this year that IT safety is much more prevalent. We are teaching our young people to detect threats and deal with them. I have mentioned the broad and balanced curriculum. I also go back to the point of Ofsted inspecting on the spiritual, moral, social and cultural elements of the curriculum. As we have seen, they will not hesitate to hold schools to account for that. Teaching about the role of girls, violence and the issues that you and the Chairman have talked about so far is very much part of that curriculum.

Lynne Featherstone: In a sense, my answer to the first question was about prevention, particularly targeting men and boys about the meaning of consent. Best practice is shared across the country in a number of ways. In particular with FGM, the training of front-line professionals will allow that to spread right across every Department, in terms of health, policing, education and social work.

We will begin to have a cohort of people who understand the agenda of violence against women and girls. It crosses every part of our lives and therefore is reflected in the way that we address

violence against women and girls in Parliament through the inter-ministerial group, which is chaired by the Home Secretary, in which we all have a set of actions that are reported and moved forward. There could be matters that need to be pushed outwards and downwards, because a lot of how these issues are treated is down to what is done in local areas, not just at the centre.

Q116 Baroness O’Loan: For too long, violence against women has been seen as a women’s issue. The Istanbul Convention requires ratifying parties to encourage men to take action against violence against women. What action is the Government planning—Lynne referred to men and boys—to increase awareness, responsibility and action among men against violence against women?

Lynne Featherstone: We support all of the campaigns that take this on, such as the White Ribbon campaign and the UN’s HeForShe. We have a national helpline for perpetrators of abuse where they can seek help. We also have national helplines for anyone to call when they are suffering domestic abuse.

You go to the heart of the matter: when it comes to violence against women and girls, the fundamental issues are lack of equality and that men are part of the answer. As for the Istanbul Convention per se, we have moved a fair way towards its ratification. We have now criminalised forced marriage, which was one of the requirements. The outstanding part for full ratification is to do with extending extra-territorial jurisdiction. That is with the Minister as we speak.

However, as I said, the laws are not the issue; it is what is being done on behaviour change. We have had six roadshows about domestic abuse and violence going out to spread best practice, to help with commissioning and to deal with related matters, so that local areas can identify the services they need.

Nicky Morgan: I think I am right in saying that there was a campaign during the World Cup earlier this year. It had happened before, but it was an advertising and publicity campaign particularly targeted at men about domestic violence because, sadly, at previous events like that we have seen an increase. It was very much an awareness campaign.

Lynne Featherstone: It was the “Football united against domestic abuse” campaign by Women’s Aid.

Q117 Baroness O’Loan: I accept the work that you are doing, but there are cultural issues within the community. You described the helpline. Then there was the World Cup, but that came and went. It is more about getting into those communities and what Government are doing to ensure that attitudes change within the communities where domestic violence is just accepted—and there are many.

Lynne Featherstone: I am afraid it happens in all communities. If you are talking about minority communities, one of the issues is how to get into those communities. Right now there is a £100,000 package, with £10,000 going to a scheme I visited. It is about training community champions to go into those communities that are closed to us and begin that change mechanism. In the case of FGM, another example would be working with faith leaders. These are mainly patriarchal societies where what the faith or community leader says goes.

The Girl Summit on 22 July was convened by the Prime Minister. The Home Office got a declaration signed by more than 300 faith leaders—and not just to sign up, but for it to be up, where someone will see it. That work goes on, because in those communities that is the way to propagate. However, while those are patriarchal societies and community leaders are hugely

strong, you have to have a number of means of accessing those communities, because community or faith leaders do not always take the progressive view.

Q118 Sarah Teather: A number of organisations expressed concern to us about the lack of co-ordination across Government Departments around policy on violence against women, specifically around the areas of immigration and asylum claims. There was confusion, delayed claims and contradictions between international and domestic policy. There are a number of examples, but I am thinking specifically of the one Lynne mentioned a minute ago around FGM, where the Government has very clear policy, yet it seems to have no obvious lead-in to asylum policy. At least one of the organisations said there was virtually no representation from UKVI on stakeholders groups. I wonder whether any of you can comment on the extent to which the work that is being done is actually making it through into asylum policy within the Home Office.

Lynne Featherstone: All asylum claims that are lodged in the United Kingdom, including those submitted by women on the grounds that they have been victims of sexual violence, are carefully considered in accordance with our international obligations under the 1951 Refugee Convention and the European Convention on Human Rights. No one who is found to be at risk of serious harm in their own country of origin will be returned. Claims are always considered on a case-by-case basis, based on the background. I know there have been some very high profile cases around FGM in particular. Because of the Government's strong stance on FGM, there was somehow an expectation that everyone who was at risk of FGM would be granted asylum. Obviously I cannot comment on any individual case. There are 120 million girls in the world at the moment who are at risk of FGM. Officers who are trained on gender-sensitive matters have to investigate each case on its own merits.

Q119 Sarah Teather: The accusation made by refugee organisations is that the good advice and good practice elsewhere in the Home Office—they were very willing to congratulate the Home Office on some of this work—simply does not make it through to the people who are looking at asylum determination. Advice is not being taken into account on training, and UKVI representatives are not turning up at meetings where good practice is shared. Lynne, I guess you would be the relevant lead here among the three Ministers. To what extent are you able to get colleagues within the Home Office who are responsible for this area to take account of the work that you are doing?

Lynne Featherstone: Clearly I am able to do that. I don't think there is any platform from which I have not spoken about FGM and the need to deal appropriately and sensitively in all areas, including asylum. Immigration officials are trained to consider all applications. We are committed to treating asylum applicants with dignity and respect. Our staff receive mandatory training on managing cases sensitively. If you're saying that that simply is not happening—

Sarah Teather: That's exactly what I am saying.

Lynne Featherstone: That is not my knowledge or experience of it, but I hear what you say and I will go back to the Department and ask to be better informed; but my understanding is that all cases are considered on their merits in the light of the evidence and the law.

Mike Penning: I want to touch on that, not with my Justice hat on, but as a Police Minister. We will come to this later on, but I was with a rape and sexual violence unit only yesterday in Warrington. One of the areas, which I think is close to this area, that is a real problem is that, for instance, there was a lady on a sponsored visa who had had an arranged marriage—not a forced marriage, an arranged marriage—who had gone to the police within a couple of weeks of coming here and made an accusation of domestic abuse. She couldn't go back home—she was on a

sponsored visa—so where did she go while the police investigated it? She went to a place of refuge, but she was not entitled to any benefits. It is a really difficult area, and I know the police are very conscious of that. What happens in the future will be very interesting, but the only way that this will work, and it was working in this particular instance, is if we break down the silos—you will always hear me talking about that—and work together throughout the different areas, and that includes not only Education and Lynne's Department, but local government. The amount of times I used to hear, "This is not our problem; this is somebody else's problem", but what I hear now, particular through contact with the police, who tend to be at the forefront, is that when help is asked for—this does not happen everywhere; it's not perfect—it is received. I am very conscious of the point you made, and I will take it back.

The Chair: I am conscious of time. I know the Ministers want to be succinct and do not want to be here after 4 o'clock. I therefore ask all of you to be more succinct in your replies.

Lynne Featherstone: We have made strenuous efforts to ensure that those who are doing the interviews are properly trained. Women can now request a female interviewer. They can also bring a friend with them to the interview for emotional support. Guidance has been enhanced and rewritten. The guidance and training were devised in conjunction with Asylum Aid and the United Nations High Commissioner for Refugees, and we continue to work together closely with them.

I have to tell you about the training and the effort that the Home Office is making. I hear what you are saying about the refugee organisations that say that that is not happening. I will go back and look and look at that.

Sarah Teather: The persistent accusation is that the guidance is great, but the practice is terrible. That is what we are told over and over again. The guidance is super, and people are really impressed with it, but it is not taking place on the ground.

Lynne Featherstone: Like I said, I will take that back and ask my officials.

The Chair: We are going to have to agree to disagree.

Q120 Lord Lester of Herne Hill: I am going to ask you a question of a different kind, about weak Whitehall co-ordination and ministerial musical chairs. To explain the question, when I worked in a minority Labour Government in 1974, the Home Office was in charge of gender and race. When I worked with the Brown Government, I went to the permanent secretary and said, "For heaven's sake, get a serious mainstream Whitehall Department such as the Ministry of Justice to deal with the Equality and Human Rights Commission and equality." He replied, "No major Department will touch this with a barge pole," so it remained with the floating kidney, the Government Equalities Office.

I congratulate Nicky Morgan and Lynne Featherstone on their promotions, but my impression is that there is now extremely weak co-ordination in Whitehall and a constant reshuffling of the ministerial pack. I don't think you have the kind of strength that you would have if a major Department such as the Ministry of Justice or the Home Office co-ordinated equality policy, including what Sarah Teather has been asking about. What do you say about that?

Nicky Morgan: I refute that completely. I have worked with the Government Equalities Office since April. At the start of this Parliament, the Home Secretary was the Minister for Women and Equalities. Jo Swinson, who sits in the BIS Department, is my colleague and is another Minister for Women and Equalities.

I have been incredibly impressed by the work that the Government Equalities Office does across Whitehall, the conversations that we have as Ministers and the commitment of the Home Secretary, the International Development Secretary and the Prime Minister to the violence against women and girls agenda. You heard about the Girl Summit. The former Foreign Secretary convened a world-leading conference on preventing sexual violence in conflict, which was a fantastic experience that achieved great things.

I am concerned less about where a Department sits physically and more about what it does and the Ministers advocating for it. The Government have been phenomenal for the stability of the ministerial teams, with the exception of a couple of reshuffles. That was not the case with previous Governments. Clearly in Lynne's case a colleague resigned and she was brought in. We are delighted to have her back because she has a commitment to this area.

Q121 Baroness Lister of Burtersett: To go back to Sarah's question—partly to emphasise that we are not just talking about FGM, but about violence against women more generally; we will come back to asylum questions—at least a couple of our witnesses recommended that there should be one Minister with responsibility for violence against women and girls in the UK. Do you think there is any merit in that recommendation?

Mike Penning: It couldn't be across the UK, I don't think, because it is devolved.

Baroness Lister of Burtersett: I meant as opposed to Lynne's responsibility for overseas.

Mike Penning: My gut feeling is similar to what Nicky was saying earlier on. I was previously a disabilities Minister and I sat with Nicky on the Benches answering questions in that portfolio. When questions on equalities are there, Lynne will be there and the other Ministers from across Government will come in.

My gut feeling is that it sounds good, but unless you have cross-Government, it is not going to work, no matter what title you have got on your desk when you walk in in the morning. You have to have it across Government and you have to have the top pushing it down, which is exactly what the Prime Minister is doing.

Lynne Featherstone: It's been a great strength of this Government that they have had the inter-ministerial group and co-ordinated through that. Every Department has to attend and you really cannot advance these issues if every Department is not held to account. It is far more difficult for an individual who is roving, if you like, than it is for the Home Secretary who chairs this—woe betide you if you haven't come back with proper answers. If asylum was on the agenda for the inter-ministerial group, then every Department would have to answer what it is doing on asylum. I think that is the stronger way.

Q122 Baroness Lister of Burtersett: You have mentioned training already, but it has become clear from quite a number of our witnesses, some of whom really emphasised the importance of training, that although good training materials are provided by organisations such as the Association of Chief Police Officers, more needs to be done with regard to the provision of training for front-line staff across all sectors and the monitoring of performance on a continuous basis. What provisions have been put in place to ensure that? What more can be done and what is the role of central Government in ensuring that it is done?

Lynne Featherstone: As I have said, there are a number of Departments, so if you are talking about violence against women, there are a number of aspects involved, and I don't think there is one answer to your question. For example, regarding domestic violence and abuse, the Home

Secretary commissioned Her Majesty's Inspectorate of Constabulary to undertake a comprehensive review in each of the 43 police forces. They each then had to come up with an action plan. Those are now forthcoming and are being examined as we speak. When they are instituted, there is an amount of training. The College of Policing, for example, has an authorised professional practice that it is coming forward with.

The review found failings. It identified that the effectiveness of the police approach to domestic violence where the victims were believed was a major issue, as was whether the police are learning from the experiences and whether changes needed to be made. That enables you to go in and provide the training that is needed to close the gaps. There was a great failing in leadership and in getting everyone to take on board the belief of the victims. Training for front-line professionals is crucial. Once those action plans are published, we will see where those gaps are.

In terms of health professionals, the National Institute for Health and Care Excellence has published guidelines on prevention. There is professional guidance on domestic violence and abuse for health visiting and school nursing programmes. The Royal College of Physicians has an e-learning tool and there is an e-learning provision on FGM. There is going to be face-to-face, front-line training on violence against women and FGM. There is not just one size. For each of the issues there is not general training, but specific and very necessary training, and much of that is now going ahead.

Nicky Morgan: Lynne has outlined the police and health services, but the point is that there are a number of different front-line professionals that will come into contact with either the victims or, from an education and children's services point of view and my particular responsibility in the education field, the children who will potentially be caught up in a domestic abuse situation. Lynne has mentioned the training given to health visitors, which is hugely important.

In the Education Department, we are obviously responsible for children's social workers. We have just announced a change in the way that the chief children's social worker, Isabelle Trowler, has been looking at this very much. Sir Martin Narey is also looking at the training. We have announced that there will be three different levels of social work practice, particularly focusing on the front line. The difficulty has been that sometimes the really good people who want to concentrate on front-line practice get taken up with paperwork, administration and management. We want the good people to stay on the front line, where they can particularly deal with the victims and their families.

Baroness Lister of Burtersett: Is this something that you are keeping under review across the board?

Nicky Morgan: Yes. The social work changes have gone all the way across Government. Lynne mentioned the inter-ministerial group, and the point is having the different Departments represented. Having a discussion means that you can build on other people's experiences and best practice. Certainly, talking about the training of children's social workers will then stimulate a discussion about social workers who deal with adults. It goes on from there. It is about constantly keeping up to date with training and guidance, helping people to look for problems and knowing where to refer them on to.

Q123 Lord Lester of Herne Hill: The Government action plan, as regards the media and media standards, says that we must continue to "work closely with media regulators and stakeholders across industry to ensure that suitable media content protections are maintained." I do not know

whether you had the chance to read in detail the evidence we took from Ofcom and the Independent Press Standards Organisation last week. If not, then I must limit what I ask you. We had very little evidence of private sector involvement, in particular involving the media, in the fight against violence against women. What role do you think that they should be playing, and how do you think that that could be encouraged, bearing in mind freedom of expression as well as everything else?

Nicky Morgan: That was a very important point at the end. The Government very much believe in the freedom of the press and the media. We are not going to tell people what they should and should not be reporting on or how they should be editing. Having said that, I do think that the portrayal—it goes back to the point that Lynne made, which is that a lot of this is about looking at equality between the sexes and the role of women. I am particularly concerned, in Education, about raising girls' aspirations. The media has a big part to play in that, with the women who are involved in media and who are broadcasting. I recently gave evidence, along with Ed Vaizey, to a House of Lords Committee on women in broadcasting. There is no doubt that when you have women putting together reports for the broadcasters, they will often challenge gender stereotypes in a way that you might not get with male reporters. I do not want to generalise, but it is very important that we have women in front-line media positions and making editorial decisions.

My colleague Jo Swinson has been working on something called the body confidence campaign, which is about the way that women and girls are portrayed in the media and not having unrealistic models and role models. That really affects girls' self-esteem and how they view themselves as they are growing up. In all of these things, I certainly think that the media has a role to play. It is also very important that there is public pressure. When people see things that they disagree with in the media, they should complain. The Government have a role, but the public and the media have their own role to play, too.

Lord Lester of Herne Hill: That presumably includes the codes of good practice and conduct of IPSO and those belonging to it, as well as other newspapers, broadcasters and Ofcom. We took evidence about rather extensive guidance in those areas by regulators.

Nicky Morgan: Absolutely. The good ones give high regard to those guidelines.

Mike Penning: You have touched on a really important point here, Lord Lester. I am not just saying that because you are sitting in front of me; it is genuinely very important. I want people who have been abused and attacked to have the confidence to come forward. We are seeing more of that. But if we are not careful, what will happen is that certain newspapers will be writing that there is a sudden increase in rape. At the moment, we do not have that evidence. There are more people reporting rape, and there are more people reporting sexual and domestic violence. That is fantastic because they have the confidence in the system to come forward. We want more people to do that, but the media have a role to play. If the media highlight the fact that there is a lot more of that and we live in a dangerous society, we will end up coming at it from the other end; perhaps women will not come forward because they do not want to be stereotyped in that way. It is a massively important area. We must not forget online—the new technologies and things that young people use are completely different from the days of me waking up and reading *The Times* most mornings.

Q124 Mr Sharma: A number of organisations, including Southall Black Sisters in my constituency, have expressed concern about the impact that funding cuts and localised competitive tendering are having on specialist gender-specific services. It has been argued that the level of support services for

survivors of violence in England does not meet the Council of Europe's recommended levels. That level is one refuge space per 10,000 people. What is the Government's response to these concerns?

Mike Penning: I will say something because a lot of this comes through my portfolio. I am sure that Lynne will come in, in a moment. I have a similar situation in my constituency, where people are bidding for contracts and do not win for whatever reason. It is crucial to explain to them why they are not winning. We have ring-fenced—this is unusual, as the Treasury hates hypothecating money—£40 million specifically in this area. PCCs and local authorities are also very conscious.

I have seen in my visits, and I saw it again yesterday, that there is a joining up of the bidding process. It has not just been the traditional ways; the local authorities are joining with the health teams, police teams and PCCs. Those are bigger bids going out. That will mean that some people who have traditionally done services will lose; I must be honest about that. However, there will be better coverage as to what is going on in our constituencies. That, to me, is more important than anything else.

Lynne Featherstone: Outside the £40 million of ring-fenced stable funding that went through 2010 to 2015, and was basically for local, domestic and sexual violence support services and national health helplines, the Ministry of Justice is opening 15 new rape crisis centres. We have funded 86 rape support centres to provide independent specialist support to female victims aged 13 and over. I understand there has been a constant cry of Government cuts because of the grants variation to local authorities. I would argue that local authorities have a choice about where they make cuts. I know Southall Black Sisters very well, and the point is that devolving power to local areas means that you have to assess what is needed in your area. That varies from area to area.

More money than ever before is available for services to support victims of crime. There is a total budget of up to £100 million from the Ministry of Justice; that is double what it was before. PCCs, which are one part of the new commissioning arena, have £60 million of the £100 million budget to commission services locally. We are bringing together all the commissioners and providers, so that they can work, and we are doing more work to upskill those commissioners. That needed to happen to understand needs in the new commissioning landscape.

There is money. As I described earlier, only yesterday I visited the Katherine Low Settlement, which is getting a grant of £10,000 to train community champions, taking it right down to the level at which we need to work in and with communities. There is a range of bidding. Not all the small bidders can access some of the big funds, but there are ways of accessing the smaller funds.

Mike Penning: It is fair to say that there are concerns, but that is the nature of it. If you want localism, there will be winners and losers. Some of the traditional ways may not be the way that people win contracts in the future.

Lynne Featherstone: There is a new landscape. We have taken out six regional roadshows among all the commissioners—not just the PCCs, but health and local authority commissioners: the violence against women sector. The whole sector is invited to have these discussions around commissioning, because obviously violence against women services are incredibly important.

Q125 Baroness Berridge: I am going to come back to the point raised by Baroness O'Loan. The evidence we heard suggests that responses to honour-based violence remain patchy and that the police are not always culturally literate. For example, we were told that family members are relied on to be interpreters. We had some very good evidence from an Anglican charity called Restored about the theological perversion that can be used to justify that type of behaviour—perhaps it

doesn't justify it, but it pervades people's thoughts. Do you agree that there are still challenges with policing in those cultures, in relation to the religious communities that have come up that are separate from mainstream society? Specifically, what sort of approach will you take in the future in relation to those communities?

Mike Penning: Speaking with my police hat on, yes, of course there are challenges. Communities in many areas are changing. Edmonton in north London is now completely different culturally to when I grew up there. Policing must move with the times and reflect those changes.

The answer is that policing must be community-based and there must be a cultural understanding of what goes on. For instance, in my mosque, the mosque committee is a very different animal—I will use that word—to the welfare committee. They have very different attitudes and responses. We all accept that using family members as interpreters is fundamentally wrong. Yesterday, I was with the police in Warrington, and they were dealing with a lady who spoke only Urdu, so an independent interpreter was brought in. It delayed the investigation, but it was the right thing to do. It was a police decision—we must not take away the independence of the police—and it was the right decision, and I said that to them at the time. There is a lot of work to be done, but it has to be done in the communities.

The other thing that we have to do is rebuild trust. Some of the younger Asian boys in my community have said to me, "We don't trust the police, Mike." That is where the work must be done.

Baroness Berridge: We often hear that in that space. Is there an awareness of a religious, separatist theme—I have specifically not used the words "minority culture"—which has come out in the field of education more broadly than it has where we first anticipated finding it?

Nicky Morgan: There is a broader question not just about schools but about education more broadly. We were not discussing a lot of these issues as a society seven, eight, 10 or even five years ago. I did not come across FGM and did not have campaigns aimed at me until I became a Member of Parliament. It was the same with forced marriage and honour-based violence, but there is certainly an awareness of those issues now.

On the question about front-line professionals, there must be a culture of belief when people come to them. People should be able to report to anybody—a teacher, a social worker, somebody at church or a Member of Parliament. We must stop asking, "Can this really be happening?", and say, "Yes, it does happen. Therefore, where do we go?" As a Member of Parliament, I have had a case of forced marriage raised with me and I have heard about various incidents of potential honour-based violence. We have to know where to go next, but there must be a culture of believing the person who has come to us and asked for assistance.

Lynne Featherstone: For a long time there was a lot of tiptoeing around cultural eggshells, and I think that has gone now. You asked specifically about the police. Two years ago, I kicked off the FGM campaign in the Government. It has been a real learning curve and I have worked with survivors to understand the issue. Making sure the police force understands it is another tranche of work that needs to be done. Her Majesty's Inspectorate of Constabulary will be conducting a force-level inspection of all the forces on honour-based violence, with a specific focus on FGM. With the best will in the world, you can know things—all the front-line professionals can know things and begin to understand things—but to have the confidence to deal with it, address it and refer and signpost people on, you have to have a greater degree of understanding than is perhaps currently available to all front-line professionals.

The Chair: May I ask everyone to be succinct in their questions and answers?

Q126 Baroness O’Loan: We have heard evidence of poor practice from police and other criminal justice professionals, including the judiciary, and that such poor practice is not being properly tackled. I think HMIC said that in the majority of forces it was a priority on paper only, not in practice. The recent inspection that HMIC did on the police response to domestic violence showed, just as it consistently has for rape, that there exists an implementation gap between policy and practice. How can police and others be more forcefully encouraged to adhere to policies on violence against women?

Mike Penning: I don’t know which one of us that question is for. I am not supposed to be here as a Police Minister.

Lynne Featherstone: There are a series of improvements in criminal justice outcomes for VAWG. There are increased referrals to the CPS. There are increases in the volumes of prosecutions and convictions, and there are improvements in the conviction rate. The volume of domestic violence referrals from the police rose to 103,569 in 2013-14, which is a rise of 58,459 referrals from 2012-13 and the highest level ever, so things are changing. It was previously very difficult to get people to report, but people are reporting and the success rate is going up.

On sexual violence, I can give you the figures or I can send them to you. I can leave them out to keep my answer succinct. Basically, things are going in the right direction. There is not a direct correlation between the numbers of reports and the actuality of convictions. Despite beginning to see a rise in volumes, with a 25% rise in defendants charged during 2013-14, the conviction rate fell. The CPS has drawn up a national rape action plan with the police to deliver changes following a national rape scrutiny panel that the Director of Public Prosecutions co-chaired with the national police lead on rape. I can go through all the figures. They are different for FGM and for domestic abuse.

Mike Penning: I can give you an example.

The Chair: A succinct one.

Mike Penning: Succinct but very important. The police rape team have the CPS in the same office and they work together. That is in Cheshire, and that is the sort of thing that works. The police can go straight to the CPS and say, “What else do you need?”

The Chair: Baroness Berridge, you have two succinct questions.

Q127 Baroness Berridge: The Home Office are consulting at the moment on whether coercive control should be a specific criminal offence. Do you know when the outcome of that consultation will be, and is work being undertaken with the Ministry of Justice—second succinct question—in relation to the evidence that women, as it is usually women, need to produce to get legal aid? Is it going to go beyond domestic violence to coercive control?

Lynne Featherstone: On your first question, we launched the consultation on coercive control and the specific offence of domestic abuse on 20 August. That has concluded and we expect to hear news imminently.

Mike Penning: Specifically on legal aid work, we are absolutely committed to legal aid being available to victims of domestic violence. It should remain available to protect victims, but we are looking at how flexible that needs to be. If people need it, we must have the evidence around it. I will write with more detail.

Q128 Baroness Lister of Burtersett: The Home Office—in your written evidence to us—noted that the introduction of universal credit has implications here, because financial control has an element of coercive control. They present it as the right to ask for split payment, or that split payment will deal with this, but we have heard strongly from Women’s Aid to the contrary. They fear that just by asking for a split payment, survivors of domestic violence could be put at risk, so what is the Home Office doing to liaise with the Department for Work and Pensions to make sure this does not happen?

Mike Penning: I have just left DWP.

Lynne Featherstone: I believe Women’s Aid are out on their own on this, compared with the other groups. I understand that they have taken a very different view of domestic abuse inclusive of coercive control. My understanding is that they don’t think it’s a good idea.

Q129 Baroness Lister of Burtersett: Sorry, I am not talking about whether coercive control should be criminalised; I am talking about Women’s Aid’s concern about the new rules on universal credit.

Mike Penning: I understand, but UC is not rolled out fully yet, so how they could come to that conclusion before it even happens I don’t know. I’ve not seen it in the pilots where this is being rolled out, and I was in the Department and this was part of my portfolio. People might think something will happen with UC, but they best wait and see, because actually the pilots are not indicating what they’re saying. In your own commentary you said that they think it is going to happen, but they don’t know, do they?

Lynne Featherstone: The JSA domestic violence easement has been replicated in universal credit, provided that certain conditions are met. UC claimant victims of domestic violence can access an initial four-week exemption for work-related requirements, which can be followed by a further nine-week exemption if evidence is provided. If the universal credit claimant has children, that exemption is extended to 26 weeks. It is not as if it has not been considered.

Baroness Lister of Burtersett: I am sorry, Chair, but this is not quite the point. Surely prevention is better. I do not want to wait until women are put at risk. That is not just Women’s Aid’s fear; the new rules on universal credit, which have not yet rolled out to families, so the pilots do not tell us that much about this—

Mike Penning: That’s exactly the point I was making.

Baroness Lister of Burtersett: Yes, but that is why the pilots are not telling us anything.

Mike Penning: Then how can they predict something they do not know? Most of it is replicated from what we did before

Nicky Morgan: Lynne made the point that the rules can be flexible. In particular, we have seen with the current JSA system that there have been exemptions and changes to the rules, specifically in the domestic violence arena. As Minister for Women—and I am sure it the same for Home Office Ministers—we see things happening and we get evidence. That point has not been brought to me as Minister for Women. Should it be? That is the sort of thing that we would raise as part of the inter-ministerial group or directly with Iain Duncan Smith and the DWP Ministers, to ask what flexibility we have.

Q130 Sarah Teather: Switching the topic back to asylum, we had quite a lot of concerns raised about the appropriateness of the fast-track process in relation to detention, victims of domestic

violence and trafficking. The Royal College of Psychiatrists, for example, said that it significantly exacerbates trauma. John Vine raised concerns that the process of screening was clearly not working. We also heard evidence of a high number of reversals of decisions made, once claimants are able to access appropriate help and advice, but only within the community—that is, once they have been released.

It has been claimed that that breaches the UK's obligations under the Istanbul Convention, with regard to the requirement for policies sensitive to gender-based asylum claims. I would be interested to know your views.

Lynne Featherstone: I am not sure I have an exact answer, but I am happy to write to you on that. There is range of things concerning asylum seekers. Would you like to go through them again because I did not catch all the issues?

Sarah Teather: No; I am talking about the detained fast-track process. That is, when you apply for asylum, but the whole of your application is done within detention in an extremely rapid process. In particular, we had a lot of evidence that that is completely inappropriate.

Lynne Featherstone: I will have a look at it. That fast track was introduced to ease the situation of asylum seekers so that they would have their decision expedited and be supported during that period. You are saying that that is not happening. In both of the interchanges we have had you seemed to be saying that what on paper is good is not happening in practice.

Sarah Teather: The evidence we had was that it was a completely inappropriate place to get information around disclosure of domestic violence, rape and sexual violence. Women are not willing to disclose in that context. It often becomes difficult for them to have a fair hearing later because of what has happened to them in the detained fast-track process. The process of being detained causes very serious, possibly permanent, psychological damage to these women's health. We had a range of evidence around this process. If you are not able to answer—

Lynne Featherstone: I think we need to see the evidence, and I am more than happy to look into it and report back to you.

The Chair: Lord Lester, you wanted to ask a question.

Q131 Lord Lester of Herne Hill: This is something that the UN Committee on the Elimination of Discrimination against Women has commented on: the position of victims of domestic violence with a precarious or insecure immigration status. Such a woman cannot apply for legal aid and has not got, in practice, access to support from refuge services—we have had quite a lot of evidence about that. That leads to such a vulnerable person making a choice between remaining in a violent relationship or destitution if they leave. What is being done to help that kind of victim?

Mike Penning: Neither of us is an Immigration Minister and I was not aware of this question or the previous one. I can't answer without the facts in front of me. It would be inappropriate to do so.

Lord Lester of Herne Hill: I think you would be aware within your Department because there was attention drawn to it by the UN body and there has been evidence that I am sure your civil servants have followed.

Mike Penning: Lord Lester, there was a list of questions that indicated what we would possibly be asked today and this was not one of them. I have not got that information, but I will write to the Committee with a fuller answer.

Lord Lester of Herne Hill: That's fine, but did I put the question clearly enough?

Mike Penning: Of course.

The Chair: For the record, we do not provide Ministers with questions, but with the topics.

Mike Penning: I accept that, because otherwise we would probably have brought an Immigration Minister along.

Nicky Morgan: Exactly, it would be helpful to have an Immigration Minister.

Sarah Teather: We did ask for one, as I recall.

The Chair: We will write to you.

Q132 Baroness Lister of Burtersett: I'm afraid this is another immigration question, but quite a lot of our evidence focused on it. In evidence to us and more generally, one hears over and over again about the existence of a culture of disbelief. That is presented as both disbelief because they were asylum seekers and because they were women who had suffered violence and that that culture is within the UK immigration and border services. We also heard that a significant number of decisions made in that context are overturned on appeal within the judicial process.

Going back to training, how does training deal specifically with this to help immigration and border staff to understand the situation of women who are fleeing violence? What monitoring of decisions, if any, takes place?

Mike Penning: The second part of your question I can't answer, but I will write to the Committee on it. The answer to the first question is that of course it is completely inappropriate and fundamentally wrong in any modern society that someone is not believed because they happen to be immigrant or an asylum seeker. If that is culturally inside the Border Force, the Minister and I will have a conversation in the morning about it. I can't believe that—the camera is not on you so, without being rude, you can pull as many faces as want, but I cannot believe that. There are bad people in society across the board. We have had reports and inquiries—the Jay report is a classic example—where people looked at the person and not the crime. If that is happening in the Border Force then that is fundamentally wrong, and we will look at it.

Baroness O'Loan: Can we ask the witnesses to read the evidence that we received, which led to these questions?

Sarah Teather: It's so strong.

Lynne Featherstone: Can I—

The Chair: Can I just say that the purpose of asking you here is that you are representing the Government. You may have your particular briefs, but the purpose of asking you here at the end of the evidence session is that one assumes that you have read all the evidence that has been given to us by previous witnesses.

Mike Penning: I've read most of it.

Lynne Featherstone: I want to come back to the training. We are monitoring that and seeing how the training is working or not working through regular audits of decisions in gender-based cases, so that we can actually analyse the issues that you are bringing to our attention.

The Chair: Sarah, did you want to ask anything now?

Sarah Teather: No.

The Chair: Baroness Lister, you asked the last one and you have another substantive question.

Q133 Baroness Lister of Burtersett: I'm sorry; we've been jumping around and I have got a bit lost. The Istanbul Convention requires, as you know, a gendered approach to violence against women. Concern has been expressed that there has been an increase in Government in the use of gender neutral language and that some funding had been diverted towards male victims of violence at the expense of female victims, at local level. What is your response to that? Do you see it as a gender-neutral issue?

Lynne Featherstone: This is an issue du jour. Yesterday, I was at the White Ribbon Campaign launch and there was a discussion about how gendered our discussions and services should be. That probably needs looking at because it is a difficult subject. We must give a voice to the position of women in the world and, quite frankly, the epidemic and endemic violence that they suffer. We should be able to focus in on that by saying that women suffer it, but we must not deny the fact that men suffer domestic violence at a much higher level than most people would think. There is an issue around the terminology used; that is the debate of the day. There is no decision on it as such.

Mike Penning: I think if the question is—it is my portfolio—whether am I going to put money into support for victims of male rape; yes, I am. I have not taken it off something else. There is only a certain amount of money, and I am very proud that we are doing that. It is an area that has hardly been funded at all for many years.

Q134 The Chair: Could we finish on the ratification of the Istanbul Convention? In January, I asked the Prime Minister a question on that very matter at the Liaison Committee. He said that as soon as the provisions of the Anti-social behaviour, Crime, and Policing Bill were passed and had become law, the Government would be able to ratify the Istanbul Convention. I heard him say that and it is on the record. The provisions of that Bill, criminalising forced marriage, came into effect in June this year. I asked you a few moments ago how seriously we could take your views at the fag end of this Parliament. You said that you would be taking it very seriously. The Prime Minister said in January that this would be ratified as soon as that Bill was passed and became law. It is now November; it was passed in June.

Lynne Featherstone: The outstanding part that prevents immediate ratification is that—this is my understanding—article 44 of the convention requires the UK to take extraterritorial jurisdiction in respect of each of the offences established in accordance with the convention. Those decisions are with the Minister as we speak—not me, but another Minister in the Home Office.

The Chair: So what does that mean?

Lynne Featherstone: That means that he is considering them at this time and will pursue them with a view to ratification.

The Chair: How long has he been considering them?

Lynne Featherstone: I'm afraid that I don't know. I have only been there for three weeks.

Mike Penning: The situation is not wholly within the Home Office; it is a Foreign Office matter because it is a jurisdiction area, but it sits within the Home Office. We hope and want to make a decision. We would like to have made it before. We want to ratify it, which is why we signed up to it in the first place.

Lynne Featherstone: I would, however, say that this is a question I have been asked, in the three weeks that I have been in the Home Office, more often than any other question. I am very proud of the laws that the country has and the way that we deal with violence against women. The practice and implementation of a number of countries that have signed or ratified the agreement comes way below the UK standards. Law is important, but it is not just the ratification that is important; it is about how we behave and what we do.

The Chair: But it starts with the law, doesn't it?

Lynne Featherstone: Of course it starts with the law. We have so many very good laws on preventing violence against women. We should be proud of where we are and we are moving as fast as we can towards ratification of the Istanbul Convention.

Q135 Lord Lester of Herne Hill: Just to clarify, Mr Penning, my understanding it that before the Foreign Office ratifies an international agreement, it consults the domestic Departments to see whether any objections or reservations are needed. Leaving aside the Foreign Office and the formal state of ratification, are there still any kind of problems in Whitehall about ratification?

Mike Penning: The only area holding it up is the extraterritorial jurisdiction. As soon as we have resolved that, we will do it. That is exactly what it says here and what we will do.

Nicky Morgan: I do not believe so. I think this is the final issue.

Mike Penning: It is black and white in my brief here; that is the only thing holding it up. There is nothing else in any other Department.

Lord Lester of Herne Hill: What does that mean?

Nicky Morgan: A specific statutory provision is required before any part of the criminal law can apply to conduct abroad. There will have to be one further legislative step. Once the decision is taken that we will have these criminal offences applying abroad, there will be one final legislative step. One would hope that that could be done before the end of this Parliament.

Mike Penning: And I will confirm that it is black and white.

Lord Lester of Herne Hill: So the issue that you are still troubled by is whether offences involving domestic violence against women committed abroad should be contrary to UK law.

Nicky Morgan: I do not know if it is contrary. It is that they would apply to offences, wherever they were committed.

Lord Lester of Herne Hill: And that is controversial.

Mike Penning: It is unusual.

Nicky Morgan: Speaking as a former solicitor, it is quite a step to take. I seem to remember that when I was in practice, extraterritoriality was always of great interest to all of us when we were looking at the law. One would hope that we are in agreement, having signed the agreement in

2012—it shows our support for the convention, and one would hope that this is now a step in the process rather than any further steps of support being needed.

Lord Lester of Herne Hill: I share your hope.

Q136 Baroness O’Loan: Have you prepared for the legislative measure which will be necessary before the end of this Parliament?

Nicky Morgan: I can write to the Committee and confirm that step, because that is a matter for other Departments.

Mike Penning: I understand; it is a question that I asked as well.

Baroness O’Loan: It is unlikely that it will happen, because of the constraints of the legislative timetable and so on.

Nicky Morgan: I am hoping that it is a fairly simple legislative step, but let’s write to the Committee to set out that process.

Mike Penning: Firstly, I think that it is fairly simple and, secondly, it is not going to be controversial. This place can, when it wants to—both Houses can—move things through.

Q137 The Chair: In the light of the questions asked by Lord Lester earlier about how this major issue has moved around different Government Departments, and in the light of how you have been listening to each other, do you now consider it time that you changed your mind and that there ought to be a settled question? Should issues of violence against women be located in a major Government Department and remain there permanently?

Nicky Morgan: I think that Lord Lester’s question was about the Government Equalities Office, which is a different matter. The point about violence against women and girls—the breadth of the questions today shows that it can only be tackled by a sustained effort across a number of different areas of our society and different communities, and that involves different Ministers. It would be a retrograde step if violence against women and girls was seen as only a Home Office matter, for example. We have shown today that you need to have the Ministry of Justice engaged; you need to have Education; you need to have Health; you clearly need to have the Foreign Office; you need to have International Development, and I am sure that there are other Departments that I have missed out.

The important point is that we as Ministers can go back to our Departments and quiz our own civil servants and officials to ensure that, through the inter-ministerial group, this issue is at the top of the agenda, which it is. The Prime Minister downwards are absolutely engaged in tackling it. My worry, if you had one Minister with responsibility for it, would be that they would not have the clout in different Departments to quiz the civil servants, hold them to account and get things done in the way that we do. I hope that the three of us and others have demonstrated how committed we are to this agenda.

The Chair: You have undertaken to write to us on a number of issues. We will also write to you on a number of issues. Could I, in the best spirit of inquiry, ask that the next time you appear before a Select Committee, you ask your officials to brief you on all the evidence given to us in our previous evidence sessions? That applies to all Ministers. Thank you very much for your presence.