

Cross-Government definition of domestic violence:

A Consultation

About Adfam

Adfam is the national umbrella organisation working to improve the quality of life for families affected by drug and alcohol use. We do this by working with a network of organisations, practitioners and individuals who come into contact with the families, friends and carers affected by someone else's drug or alcohol use. We provide direct support to families and practitioners through publications, training, consultancy, prison visitors' centres and signposting to local services, and work extensively with professionals and Government to improve and expand the support available to families.

1. Option 1: The government's definition of domestic violence remains the same.

a) Do you think the cross-government definition of domestic violence should remain the same? (please tick)

Yes

No

Don't know

Comments:

- 1) For various reasons explained throughout this document, but principally because:
 - The definition should be amended to include coercive control. Coercive control is often the primary characteristic of domestic violence which usually occurs in sustained patterns of behaviour and not as individual incidents. A change in the definition would more accurately describe the experiences of victims of domestic violence (including those affected by substance use) and help give practitioners and services the tools they need to improve their practice.
 - The definition should be amended to include those aged 16 and 17. It is inconsistent that the law allows 16 and 17 year-olds to marry and have children but does not permit abuse they experience to be characterised as domestic violence, but rather child abuse. Including 16 and 17 year olds within the definition also captures both violence perpetrated in relationships between similarly aged late teens which in most respects are adult and similar to relationships between people aged over 18 and

the experiences of parents abused by their substance-using children (many of whom are aged under-18) which is under recognised.

b) Do you think the current definition of domestic violence is properly applied by government departments, Local Government, and frontline practitioners?

	Yes, apply the definition properly	No, do not apply the definition properly	Don't know
Government departments			X
Local government front-line practitioners			X

c) Do you think the current definition is understood by victims, perpetrators and front line practitioners?

	Yes, understood	No, not understood	Don't know
Victims			X
Perpetrators			X
Front line practitioners			X
Government departments			X
General public			X
Local Government			X

Any further comments to support your views:

No.

2. Option 2: The definition of domestic violence is amended to include coercive control.

The government definition identifies domestic violence as ‘*incidents of threatening behaviour, violence or abuse.*’ Domestic violence is often underpinned by a pattern of coercive control. Coercive control is a complex pattern of overlapping and repeated abuse perpetrated within a context of power and control. It can be described as a series of repeated incidents which may vary from lesser to greater severity. This could include things like the control of finances, verbal abuse or social isolation. Psychological control is a unique factor that sets domestic violence apart from other types of crime. Such control could also include a person being forced to change their behaviour as a result of fear.

Without the inclusion of coercive control in the definition of domestic violence, there may be occasions where domestic violence could be regarded as an isolated incident. As a result, it may be unclear to victims what counts as domestic violence, for example it may be thought to include physical violence only. Often the first incident reported to the police or other agencies is rarely the first incident to occur.

d) Do you think that coercive control should be included in the definition of domestic violence?

Yes

No

Don't know

Any further comments to support your views:

Domestic violence is usually manifest in patterns of behaviour and not as isolated incidents. Coercive control explains and describes this sustained pattern of behaviour which will be familiar to many victims. Coercive control (including intimidation, isolation and bullying) is also the most accurate predictor of domestic violence homicide¹. The definition therefore needs to be extended to include coercive control as well as isolated incidents of abuse, and more accurately reflect the experiences of victims of domestic violence.

The relationship between domestic violence and substance use is complex and far from a simple matter of cause and effect. Most people who use drugs or alcohol are not violent to partners or family members. Substance use (including alcohol) in some cases, however, may lead to forms of abusive and coercive control - financial abuse (for instance forcing a victim to sell drugs to get funds to sustain a shared habit), sexual violence (for instance pimping a victim or forcing her into prostitution to get money for drugs) or emotional/psychological abuse (for instance using substances as a means of control by restricting access to drugs or deliberately limiting access to treatment services). This type of substance use related domestic violence is likely to appear in a sustained way over time and not as

¹ Regan, Linda, Kelly, Liz, et al. (Autumn 2008) “If only we’d known”: An exploratory study of seven intimate partner homicides *Safe Issue* 27

individual incidents since drug or alcohol problems are often long standing and likely to affect the victim and/or perpetrator for a number of years.

Victims of domestic violence are more likely to use substances than other people (the Yale trauma² study estimated victims to be fifteen times more likely to use alcohol and nine times more likely to use drugs than others) which may in turn make them more vulnerable to incidents of abuse – this is another factor that feeds the ongoing nature of domestic violence and its main thread coercive control.

In order to capture the reality of substance use related domestic violence experienced by victims the definition should therefore be amended.

e) Do you think extending the definition would be helpful to victims as well as front line practitioners?

Yes

No

Don't know

Any further comments to support your views:

For reasons explored above, extending the definition in this way would more accurately describe the violence experienced by victims. Having their experiences conceptualised and described as chains of isolated events when they are in fact sustained patterns of behaviour is hard for victims and is likely to impede valid expressions of experience and suffering and decrease confidence in services' ability to respond.

² Stark, E. and Flitcraft, A. (1996) Women at risk (London: Sage)

3. Option 3: The government's definition of domestic violence is extended to 16-17 year olds.

Option 4: The government's definition of domestic violence is extended to all those under 18.

In 2008, the Home Affairs Select Committee report on Domestic Violence, Forced Marriage and Honour Based Violence (HBV) stated that:

'We heard of concerning attitudes and abuse between young people in intimate relationships. However, 16–18 year olds are excluded from the current government definition of Domestic Violence, there has been little research on the needs of teenage victims and perpetrators of domestic violence, and there is little support for under-18s in abusive relationships. The existence of abuse in teenage relationships further underlines the urgent need for effective early education on domestic violence and relationships.'

A commitment to consider this change was made in the *Violence Against Women and Girls Action Plan 2011*.

Currently, those under 18 years of age are excluded from the domestic violence definition. Such violence committed against a person under 18 would be considered child abuse by most services. Whilst this may be appropriate for children experiencing parental or family based violence, the nature of some teenage relationships can be similar to relationships between adults and as such could be considered as an extension of adult domestic violence.

The current cross-government definition refers to 'intimate partner'; however studies into the prevalence of teenage relationship abuse use different definitions for relationships that reflect the more fluid, less narrow labels used for describing relationships between and with under 18s. The 2009/10 British Crime Survey found that young people were more likely to suffer partner abuse in the last year than any other age range - 12.7% of women and 6.2% of men aged 16-19 had experienced some form of domestic abuse in that year. Anecdotal evidence has also shown there are worryingly high levels of acceptance of abuse in teenage relationships.

It is important to consider that people can be married aged 16 in England and Wales, provided they have consent from their parents or guardians, and many teenagers under the age of 18 are also parents.

f) Do you think the government's definition of domestic violence should be extended to include 16-17 year olds?

Yes

No

Don't know

Comments

Many of the issues which affect victims aged over 18 also extend to people under that age. 18 is a rather blunt cut-off point which fails to capture the complexity and adult nature of relationship which many 16 and 17 year olds are part of. A number of girls ages below 18 are in serious, sexual relationships and the level of domestic violence in these relationships is estimated to be higher than in those between the over-18s.³ There is also anecdotal evidence to suggest that recognition of abuse is lower in the under-18s⁴. As noted, the law currently permits 16 and 17 year olds to marry and have children, yet fails to acknowledge that the abuse they experience at home could be domestic violence. Technically abuse committed against victims under 18 is considered child abuse which is not an intuitive fit for abuse perpetrated, for instance, by a 17 year old to another 17 year old.

If the definition is not extended to cover 16 and 17 year olds there is a risk that victims of that age are not able to access support from existing provision, as domestic violence policy, funding and service configuration focus on those aged 18 and over.

There is also currently a serious lack of recognition of domestic abuse perpetrated by substance using children towards their parents. Adfam is running a project in partnership with Against Violence and Abuse (AVA) which has consulted parents to understand their experiences of abuse. The project was developed based on findings from another jointly run project - many parents accessing peer or family support groups were found to be suffering abuse from their substance using children which closely fit the current government definition of domestic violence (although it was perpetrated by both the under and over 18s). This group of parents did not characterise the actions of their children, which ran the full range from physical assaults with weapons and death threats to coercive control including extreme behaviour, blackmail, emotional abuse and financial exploitation, as domestic abuse and the services they turned to were uniformly drug or alcohol providers and not domestic violence agencies.

Under current definitions a 17 year old physically abusing their parents or grandparents is not perpetrating domestic violence. Research indicates that it's more likely to be considered a child protection issue, anti-social behaviour or conduct problem⁵ and that responses to child to parent violence are not as developed as those towards partner violence⁶. It is currently unclear as to whose remit responses to child to parent violence should fall.

Domestic violence services are unlikely to be in touch with these parents (who typically look for help regarding their child's substance use and not the abuse they suffer) and may not be used to

³ 2009/10 British Crime Survey

⁴ Home Affairs Committee – Domestic Violence, Forced Marriage and 'Honour' Based Violence, Volume 1, 2007-8

⁵ Gallagher 2004a, Holt 2009

⁶ Condy, 2009

characterising these experiences as domestic violence if they normally work on intimate partner violence. Parents are generally unwilling to disclose the abuse due to the 'double stigma' and shame that surrounds both having a child using substances and being abused by your own child. Both these factors mean that support for these parents is currently unsatisfactory - we believe that a greater awareness amongst services and practitioners is the best way to improve things, and that a more appropriate definition is the first step in doing this.

For all these reasons we therefore advocate including 17-18 year olds (as both victims and perpetrators) under the official definition of domestic violence. If this change in legislation were to happen Adfam believes there is a strong need for clear guidance from government stressing that domestic violence services have a duty to 16 and 17 year olds affected by domestic violence (and substance use) and adult family members affected by abuse as well as the adult victims that they currently work with.

g) Should the government's definition of domestic violence be extended to include all those under 18?

Yes

No

Don't know

Comments

Although some girls aged 16 or under will of course experience domestic violence, extending the definition to cover them risks doing more damage than good by muddying the waters of child protection. Child protection responsibilities should continue to remain squarely with the statutory services that currently dispense them.

h) If the definition were to be widened, what would the likely impacts be on services, such as refuges?

We believe a change in definition would lead to improved service provision all round since it would more accurately describe the experiences of victims.

However, it is important to note that improvement is not automatically entailed by a change in definition – it can only happen with corresponding, genuine change in practice. Any change in definition must be translated from policy to practice by effective joint working between policy-makers, commissioners and practitioners, and a strong central strategy. A fully trained and confident workforce is also essential, ready to break down and challenge some of the stigma and assumptions held in society.

As ever, multi-agency working will be essential, with domestic violence agencies having to forge closer links with family support services, substance use treatment services, schools and social services.

Any increased responsibility for domestic violence services should be backed up by a matching spending commitment and proper funding to ensure this most vulnerable group gets the support it needs.

i) How can services for those under 18 work together to better provide for victims with multiple issues?

Adfam's joint work with Against Violence and Abuse (AVA) has explored the issues faced by under 18s affected by domestic violence and substance use. A key change for services that could improve support is the acceptance that domestic violence experienced by 16 and 17 year olds is a matter for both child protection *and* domestic violence services. This could help gain a wider cultural acceptance that domestic violence does happen to under 18s.

Ensuring the workforce is sufficiently skilled and confident in asking under 18s potentially difficult questions is essential. Social workers do not have much compulsory education on domestic violence or substance use - the intersection of these two issues is complex and potentially quite confusing for practitioners, especially when complicated by the victim being aged under 18. Schools also need to recognise that being alert to domestic violence against their students falls within the statutory child protection duties they have for their students.

j) Please state any ideas or suggestions that you might have for delivering savings or other benefits in relation to the four options outlined in this consultation?

This is not an area Adfam has expertise in.