

To: the Gender Duty Team
Women and Equality Unit
Department for Trade and Industry
3rd floor, 1 Victoria Street
London SW1H 0ET

20 January 2006

Dear Gender Duty Team

End Violence Against Women Coalition response to *Advancing Equality for Men and Women: Government proposals to introduce a public sector duty to promote gender equality*

Summary

The End Violence Against Women (EVAW) Coalition warmly welcomes the introduction of a public sector duty to eliminate discrimination and promote equality between women and men. According to the most recent British Crime survey data almost half of all women experience domestic violence, sexual assault or stalking in their lifetime, and comparative data from the Scandinavian countries suggests that VAW is amongst the gravest and intractable forms of inequality. Public services have a crucial role to play in responding to, preventing and eliminating violence.

In order to demonstrate compliance with its future obligations under the gender equality duty we are calling upon the Government to take a **strategic approach to addressing and ultimately eliminating VAW**, within the broader gender equality strategy. Whilst the goal of elimination is an existing international human rights commitment, we argue that many domestic policies – including the equalities agenda – are undermined by unchecked violence.

Who we are

The EVAW Coalition is an unprecedented linkage of organisations, across the women's sector, particularly the VAW field and between the nations and regions, Amnesty International, the TUC, the National Federation of Women's Institutes and supported by individuals. What unites members is a belief that women in the UK are entitled to live their lives free from gender-based violence and discrimination. We believe that government and public services have a leading role to play in creating a society that no longer tolerates or excuses VAW.

What is VAW?

'VAW' refers to any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life (UN Definition, Beijing Platform for Action). It is a fundamental violation of women's human rights.

The following data are just a snap shot of the scale of the problem:

- Almost half of women in England and Wales have experienced domestic violence, sexual assault or stalking
- In 2003, just 5.3% of rapes reported to the police resulted in conviction
- 85% of forced marriage cases dealt with by the Foreign and Commonwealth Office involved female victims;
- It is estimated that around 74,000 women in the UK have been genitally mutilated
- Estimates of the scale of trafficking in women for sexual exploitation into the UK continue to grow;
- Women's widely documented greater fear of crime than men's, particularly in relation to violent offences, is directly connected to a perceived need to factor personal safety into routine decisions and daily activities¹, affecting the ability to contribute to society to their fullest potential.

A Strategy on VAW

These facts demonstrate that VAW is at crisis levels and despite good initiatives in specific areas, there is now an urgent need for the government to take a more strategic approach to ending VAW. This should be one strand of a broader gender equality strategy. The Greater London Domestic Violence Strategy has led to a fall in female domestic homicides by a third since its inception in 2001 so we know that strategic approaches do work. An all Wales Domestic Abuse Strategy has delivered targeted services and money to meet needs throughout Wales. Further, in Scotland, the work to produce an integrated VAW strategy for Scotland is well advanced. The process of creating a domestic abuse strategy highlighted the importance of addressing every form of gendered violence in the broader context of men's violence against women and gender inequality.

A recent survey of countries with strategies to address VAW in place², found the following factors to be essential components: a clear and comprehensive definition of VAW; recent prevalence data showing the scope of the problem, with particular focus on women with additional/complex needs; aims, actions and targets; clear lines of responsibility for implementation; cross-sectoral partnerships; specified timeframes; unambiguous budget allocations; and built-in mechanisms for formal evaluation and monitoring.

Countries reported many benefits resulting from having a strategy or action plan - for governments and the NGO sector alike. These included: raised awareness of VAW as an integrated, equality issue, both in the general public and in government; the creation of a natural enforcement mechanism, through which to hold the government as a whole, and in all its parts, to account; increased inter-agency working; some funding gains for the voluntary sector; new legislation and policy reviews; increased research and new and innovative practice³. If government in the UK were to develop and implement a comprehensive, integrated VAW strategy, not only would it secure the benefits outlined above, but it would also provide the opportunity to streamline and ensure consistent provision and, as argued by Kelly and Lovett (2005), provide potential savings for government in the long term.

¹ Kelly, I. & Lovett, J. (2005) *What a Waste. The Case for an Integrated Violence Against Women Strategy*. Women's National Commission: London

² Lovett, J. (2005) *Briefing document on strategic approaches to addressing violence against women*. London: Child and Women Abuse Studies Unit.

³ Lovett, J. (2005) *op.cit.*

Gender inequality

The gender equality duty aims to tackle systematic discrimination more effectively and yet the consultation document fails to set out the nature and extent of gender inequality in society today, including gender-based violence. The experience of members of the Coalition is that there is limited awareness among public bodies about the discrimination that women experience and how VAW is part of this. Without such an understanding, public bodies will not be able to implement the duty effectively. Furthermore, there is a danger that 'promoting equality of opportunity between men and women' will be misinterpreted by public bodies to mean 'same treatment' as opposed to 'appropriate treatment,' according to need.

The experience of our members in the women's voluntary sector in Northern Ireland, since the implementation of Section 75 of the NI Act, clearly illustrates how this can occur. Section 75 imposes a Statutory Duty on public authorities to promote good relations between people of different religious belief, political opinion or racial group, sexual orientation, marital status and age and also between men and women generally and public authorities must ensure their actions do not impact negatively on any of these groups.

In practice, however, this has been interpreted to mean it is a legal obligation to treat all these groups in the same way, without taking into account already existing differences and inequalities between them. For example, civil servants insisted that any definition of domestic violence (DV) had to be gender neutral and that they could not privilege the interests of female victims of DV above those of male victims, and that service delivery had to be 'equal'.

We strongly urge government to learn lessons from poorly drafted guidelines in Northern Ireland regarding Section 75 and the ways in which the intentions of lawmakers have been subsequently undermined in practice.

Ensuring equality between women and men is about ensuring they have the same opportunities in life. This can only be achieved if it is based on an analysis and clear understanding of the existing barriers to these opportunities.

We are calling for the Government to set out a clear analysis of the nature and impact of gender inequality, including gender-based violence. We attach a paper prepared by Professor Liz Kelly, WNC Commissioner, Chair of the WNC VAW Working Group and Director of the Child and Woman Abuse Studies Unit, *How violence is constitutive of women's inequality and the implications for equalities work*, which outlines how VAW is a key driver of gender inequality and how this should be considered in equalities work. We feel strongly that it should inform the development of the public sector duty to promote gender equality.

The women's voluntary and community sector

The women's voluntary sector has a wealth of knowledge and expertise in delivering quality services to women experiencing violence but continues to be vastly under-funded. In some instances, women-only services are overlooked for funding for not also providing services to men. This is despite the fact that the vast majority of victims of rape and sexual assault are women.

The success of the public sector gender duty depends largely on a strong and sustained voluntary sector. Therefore it should be explicitly identified as a key stakeholder for consultation and, in order to provide this expertise, must be properly and sustainably resourced.

Procurement

Public bodies are increasingly providing funding to the voluntary sector through commissioning for a specific project. This seems in place of investing in the development and sustainability of organisations. This method particularly disadvantages women's organisations as they often work on politically or socially 'unpopular' issues, such as VAW.

Given that women's organisations have extensive knowledge and expertise in the gender field, the Gender Duty must be implemented in such a way that it targets women's organisations for the procurement of services, rather than excludes them.

Gender training

Public bodies should develop or buy in expertise on gender, and deliver training to all staff. This is needed to ensure commitment to a culture change on gender equality. In addition, civil servants should receive mandatory training in understanding gender and the causes of inequality at basic levels and when advancing to higher grades. What we envisage here is not the 'gender sensitivity' or 'awareness' training which was developed in the 1980/90s, but new materials and approaches drawing on innovative insights from gender theory as to why change is difficult to achieve and how the status quo is embedded in a multitude of taken for granted practices. We would expect a focus on 'doing gender' in the routines of everyday, and how these can serve to reproduce inequality.

Integrated approach to tackling inequality

Women are not a homogenous group - they come from many different backgrounds and cultures. Women often experience multiple layers of discrimination based on race, disability faith, sexual orientation etc - all impacting on and creating barriers to equality. It is therefore crucial that the gender, race and disability equality duties are implemented in an integrated way. This can ensure appropriate responses to women from minority and marginalised communities, that all women have equal access to support, intervention and justice, and that all perpetrators are held equally accountable for their actions.

Gender Disaggregated data

The ERAW Coalition calls for public authorities to be required to disaggregate all data collected by gender. Without this it will be impossible for them to measure how well they are meeting women and men's needs, and in the long term, meeting their responsibilities under the proposed gender duty.

The ERAW Coalition urge further disaggregation, in order to address intersectional issues - for example, how many black women, how many disabled women, how many young women, are service users.

Gender Impact Assessments and screening

At present, Gender Impact Assessments (GIAs) are proposed only to cover **new** and **major** employment, policy or service delivery changes. There are many clear examples of where public bodies are currently not meeting the needs of women through current service provision, policies or employment practices. The ERAW Coalition strongly calls for them to be extended and also that gender becomes a key theme in the work of all regulatory bodies, including the Audit Commission and Inspectorates.

Inclusion of Education

The EAWW Coalition welcomes the inclusion of education under the proposed public sector duty and the importance in addressing awareness and prevention. A range of research projects, most recently the Amnesty International opinion poll, reveal the persistence of attitudes that tolerate and condone VAW. Young people are being 'educated' by the Internet, films, computer games and so-called 'adult' magazines, in which women are not represented as equal or autonomous.

Pilot work by WOMANKIND Worldwide reveals a worrying loss of awareness about gender constructs, particularly amongst younger teachers: a tendency strengthened by the current emphasis on boys' formal achievements⁴. The overlooking and minimising of gender within the curriculum ensures that government equality agendas will fail. Both this pilot and previous research make clear that children and young people welcome opportunities to critically reflect on gender and want information on VAW to be available in school: they especially welcome the opportunity to explore what respectful and consensual gender and sexual relations might be.

We note government support for such work in the report on the consultation on the prostitution review, and would argue that such work must be the foundation for building equality and ending violence.

Resourcing

The government must ensure that substantial funds for training, the development of guidance and tools are made available, following the development of the gender duty. These must be accessible to both public bodies and voluntary and community sector organisations.

Please do not hesitate to get in touch with the Coalition, should you have any queries about the information in this response. Members can be reached through the Women's National Commission (WNC) Directorate on 020 7215 6973.

⁴ To the extent that the continued entry of girls into lower paid jobs and persistent gender segregation in the labour market is ignored.