

GBV 85

Communities, Equality and Local Government Committee

Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill:

Stage 1

Response from: Older People's Commissioner for Wales



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By email

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12th September 2014

Dear Christine,

Consultation on the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill

Thank you for the invitation to contribute to this inquiry. I am supportive of the terms of reference for the inquiry and see significant synergy between the general principles of the Bill and work I am advancing with and on behalf of older people in Wales.

Since taking up the post of Older People's Commissioner for Wales I have been very clear that addressing the abuse of, and crimes against, older people is a priority for me and must also be a priority for Wales. Much progress has been made in the past five years, but there is more progress to be made. Wales must be a safe place to grow older – not just for some, but for everyone.

The Explanatory Memorandum

I welcome the mention of older people in the Explanatory Memorandum but would draw attention to a number of important matters it raises. Mention of the CSEW (page.8) illustrates that the voices of older people are lacking in the reporting of some aspects of abuse. The cited 2012-13 Crime Survey for England and Wales questionnaire limits its self-

completion sections on domestic violence, sexual victimisation and stalking to those aged 16-59 only. Any information from a person aged 60 or older on these matters is therefore not collected and there is no reason given to explain why this is the case.

The stereotype of the 'typical' domestic abuse victim is a young woman living with an abusive man, with young children. We know that this stereotype is true in the majority of cases but it does not present the full picture and can lead to domestic abuse not being recognised early enough amongst those in the fifty plus age bracket.ⁱ

In 2008, the Welsh Government's Communities and Culture Committeeⁱⁱ review of domestic abuse in Wales found that older people who are victims of domestic abuse do not receive the services they need and in some cases, are not even considered to be victims. Some older women have lived with domestic abuse for decadesⁱⁱⁱ and we know that older women are less likely to report abuse, particularly if they have lived with it all their life.^{iv} However, when services are specifically designed for older women, referrals increase dramatically.^v

My own casework supports this finding as on numerous occasions an incident that is clearly domestic abuse of an older person is referred to adult protection services rather than to the police. This has significant implications for the basic human rights of older people, not least the right to support and justice.

Complementing existing safeguarding procedures

I trust that the commitment to support and complement existing safeguarding procedures concerning children (p.15) will be replicated in respect of older people. One of the initiatives arising from the Welsh Government's 'Right to be Safe' strategy was a pilot study focusing on the needs of older victims of abuse. I was a key supporter of the Access to Justice pilot study^{vi}, which was evaluated in 2012 and recommended that the Welsh Government look more closely at how domestic abuse and adult protection procedures can be better integrated.

The Wales Interim Policy and Procedures for the Protection of Vulnerable Adults helpfully draws attention to the distinctions and overlaps between domestic abuse and adult protection.^{vii} This guidance needs to be strengthened and built upon. Since the inception of the Social Services and Well-being (Wales) Act I have called for statutory guidance that clearly demonstrates the links between the adult protection and

safeguarding elements of the Act and domestic violence legislation, both in the devolved context and at UK level.

The Policy Intent Statements

I am also fully supportive of the guidance proposals detailed in the Policy intent documents in respect of:

- A National Training Framework
- Ask and Act
- Multi-Agency Fora

However, older people's experiences and needs must be reflected in the design and delivery of all of these interventions. Whilst I welcome the inclusion of a small section (p.73) acknowledging that older people are not a homogenous group, I would question their inclusion in this section as a 'minority group'. This is clearly inconsistent with the demographic reality of an ageing population.

The evaluation of the Access to Justice pilot study also identified differences between domestic abuse of younger people and domestic abuse of older people. For example, older men are at greater risk of being victims of domestic abuse than younger men and older people require different services because their needs and that of their abuser can be complex. It is important that the public and practitioners are made aware of how domestic abuse presents and affects older people and images representing older victims of abuse should be shown in publicity campaigns and all Welsh Government publications to assist in breaking down these stereotypes.

By the end of this year I will have published research carried out on my behalf by Aberystwyth University highlighting the 'gaps' in the services available to older people who experience abuse. The report will recommend the action that should be taken to fill those gaps.

I trust that this information will inform the progress of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill and would welcome further opportunities to influence the development and future implementation of these legislative proposals, including the provision of oral evidence.

Yours sincerely,



Sarah Rochira
Older People's Commissioner for Wales

ⁱ For example, see Domestic Abuse & Equality Older Women report by the Equality and Human Rights Commission, 2011

http://www.equalityhumanrights.com/uploaded_files/Wales/domestic_abuse_equality_-_older_women.pdf

and Intimate partner violence against older women in Europe (UK Report), Penhale and Porritt, 2010

<http://www.uea.ac.uk/documents/2397319/2510614/IPVoW+UK+National+Report.pdf/c46ac112-7ec1-4259-9b26-e2cbd575bf4a>

ⁱⁱ Domestic Abuse in Wales, Communities and Culture Committee, 2008, 6.1.7, p.12

http://www.assemblywales.org/cc3_domestic_abuse_inquiry_report_-_e_-_final.pdf

ⁱⁱⁱ Older Women's lifelong experience of domestic violence in Northern Ireland, Changing Ageing Partnership, 2010

<http://www.vawpreventionscotland.org.uk/sites/default/files/Older%20Women's%20Lifelong%20Experience%20of%20Domestic%20Violence%20in%20Northern%20Ireland.pdf>

^{iv} McKibben, M. (1988) "Self-neglect: An issue for the battered women's movement" Wisconsin Department of Health and Social Services, USA

^v Speltz, K. & Raymond, J. (2000) "Elder Abuse, Including Domestic Violence in Later Life" Wisconsin Lawyer; Vol. 73 (9); September 2000.

<http://www.wisbar.org/wislawmag/2000/09/speltz.html>

^{vi} <http://wales.gov.uk/docs/caecd/research/121220accesstojusticeen.pdf>

^{vii} Wales Interim Policy and Procedures for the Protection of Vulnerable Adults, January 2013, 6.6.5, p.30

http://ssiacymru.org.uk/home.php?page_id=8297



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