

# Government policies to reduce domestic violence



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## Domestic Violence

**The most serious threat to personal safety occur not on the city street but in the home.**

**Discuss.**

The explorative of the discussion within this essay will to be examine what constitutes the term ' domestic violence', and what implementations as a result of government policies have been introduced to address and therefore eradicate the problem of domestic violence within society.

Crimes committed within a private space, such as domestic violence within the family home are considered and regarded to be less problematic than crimes committed within the public sphere, and are often disregarded and dismissed among public concern and political agendas when addressing and combating the ' problem of crime' within society today. Domestic violence was firstly given recognition and was identified as a social problem in the late 19<sup>th</sup> century, and was associated with child cruelty, and marital violence. However it was not until the mid twentieth century during a time span of five decades that different form of domestic violence were highlighted and made visible within society. Saranga (2001) cited in McLaughlin et al (2006) p'163

This was demonstrated with cases of child neglect, and the physical abuse of children during the 1960 's following the work of Henry Kempe in 1962, which brought attention to the ' battered child syndrome'. Creighton (2002) The amplification of domestic violence incidents, and their effects, exposed by the feminist movement in the 1970<sup>s</sup> which followed with the establishing of Women's Aid in 1974, who campaigned for the introduction of new

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legislative acts and policies to support victims of domestic violence. Dobash & Dobash (1992) p'33. The sexual abuse of children in the 1980<sup>s</sup>, such as the 'Cleveland child sex abuse scandal' where children were removed from their parent's care, for fear of them being sexually abused, although.

Pragnell, (nd). The recognition of elder abuse during the 1990<sup>s</sup>, following the introduction of a national organisation for Action on Elder Abuse in 1993, to combat the mistreatment of older people. Richardson, (1998).

Furthermore In addition, the recognition of male victims of domestic violence, abuse and rape with the introduction of and the increase of parental abuse within the home committed by children of the family

The government defines 'domestic violence' as, "Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality. This includes issues of concern to black and minority ethnic (BME) communities such as so called 'honour based violence' female genital mutilation (FGM) and forced marriage". The reference and the use of the term 'adult' is defined as "any person aged 18 or over. Family members are defined as mother father, son, daughter, brother, sister, and grandparents, whether directly related, in laws or step family". (Domestic Violence Mini site: Home).

Furthermore, the definition of 'domestic violence' applied by the Crown Prosecution Service (2001), states that the use of 'Domestic violence' is "a general term to describe a range of behaviours often used by one person to control and dominate another whom they have, or have had, a close or

family relationship and the abuser operates from a position of perceived power". In addition stating that it " includes forms of violent and controlling behaviour such as physical assaults, sexual abuse, rape, threats and intimidation, harassment, humiliating and controlling behaviour, withholding of finances, economic manipulation, depravation, isolation, belting and constant unreasonable criticism". (Broken Rainbow)

Therefore from these definitions of ' domestic violence', attributes of the term engage both the female and male sexes, and is regardless of their gender orientation , ethnicity , religious beliefs, social status, age and include children of the family unit, as being either victims or perpetrators of domestic violence. From this it has been suggested that the family is therefore a " predominant setting for every form of physical violence: from slaps to torture and murder.", and that " some form of physical violence in the life cycle of family members is so likely that it can be said to be almost universal". Hotaling and Straus (1980) cited in McLaughlin et al. (2006) p'163.

According to the statistics released by the Home Office and published in Crime in England and Wales 2006/2007, one incident of domestic violence is reported to the police every minute, however prior to this reporting, research suggests that up to thirty five assaults upon the victim will have been (excruciated) (executed) by a partner or former partner. Also domestic violence accounts for 16% of all violent crime, effecting one in every four females, and one in every six males during their lifespan. With 77%, of the victims being female, and upon average, ' domestic violence' claiming the

life of two female victims, by a current or former male partner every week.

(Domestic violence| Home Office)

Consequently Dobash & Dobash, (1992) stated that “ The four main sources of conflict leading to violent attacks are men’s possessiveness and jealousy, men’s expectations concerning women’s domestic work, men’s sense of the right to punish ‘ their’ women for perceived wrongdoing, and the importance to men of maintaining or exercising their position of authority”. p’4.

Statistics from The British Crime Survey published for the period between the years, 2006 to 2007, included 28% of the sample reporting to have experienced domestic violence, between the ages of sixteen and fifty nine years, and non-sexual abuse being reported to be the most common type of abuse. Furthermore, 62% of the female sample reported to experience more than one incident of domestic violence, in comparison to 54% of the males during the past twelve months. Also the study revealed that females were more prevalent to males in experiencing all types of domestic violence, over a prolonged period of time, in comparison with 50% of males reporting to being victims for less than a period of one month. Females were also more likely to sustain injury, or suffer emotional effects as a result of the incident and seek medical assistance, as opposed to the males which had participated within the survey. (British Crime Survey statistics 2006/2007)

Furthermore according to the British Crime Survey, of the 74% of ‘ domestic violence’ incidents reported in 2006/2007 it emerged that although the victim had discussed the matter with another, only 13% had reported the incident to the police, with only 11% reporting incidents of sexual assault,

and police officers discovering the remaining 2% another way, 45% of the incidents against females were perpetrated within her own, and 23% perpetrated in the home of her assailant. Also, 66% of the victims who had experienced partner abuse did not recognise the incident as 'domestic violence', although more females recognised abuse as a crime, whereas males, regarded it as "just something that happens". (British Crime Survey statistics 2006/2007)

Evidentially, Hoare and Jansson stated the comparison between the figures and extent of domestic violence during the period 2004 to 2007, as reported by the victims surveyed for The British Crime Survey, indicate that incidents of 'domestic violence' were consistent in occurrence during the three year period.( )

However, according to the estimation of Pease and Farrell, "domestic violence statistics are 140% higher than these stated in the British Crime Survey which records a maximum of crimes per person". cited in Barron (2007). Therefore, accounting for a distortion of the actual amounts of incidents perpetrated upon the victims. Furthermore according to Walby et al (2001) when disclosing experiences of domestic abuse the victims are reluctant to do so in a face to face situation, which could account for the lack of reporting incidents of intimate personal violence to the police, which could account for why the figures are under reported . Also Walby (2004), suggests that one of the factors that contribute to the underestimation of domestic violence incidents is due to the British Crime Survey recording only a maximum of five incidents per person in a twelve month period within the figures .(ref)

From these figures there is a clear indication that crimes committed within the 'private space', do not only exist, but are extensive, therefore accounting for a substantial amount of 'hidden crime' which are not represented within the statistics for domestic violence incidents which occur.

Furthermore, when an act is committed and identified as criminal, such as an adult assaulting another within the public sphere, a location which is accessible to everyone at all times, therefore possibly witnessed by a insignificant other, to that of the victim of the crime, sanctions are more likely to be imposed through the criminal justice system. However that same act perpetrated by one adult against another, within a private space, where the accessibility to that space is determined by one person, or a group of people, such as the family unit, it is often regarded as a domestic problem. Saranga (2001) cited in McLaughlin et al (2006) p'163. Which accounts as one of the key and problematic features of dealing with domestic violence, due to the lack of reporting the incident by the victim, or victims when they do occur, which therefore prohibits outside intervention by the state through the criminal justice system.

Although Article 8 of the European Convention on Human Rights (1998), safeguards a general right to respect for privacy for an individual, and their family, with interventions by the state only being permissible and justified in accordance with the law, which includes the prevention of crime, and the protection of health, and the rights of freedom of others (YourRights. org. uk). Which therefore includes acts of domestic violence. Although Gordon (1998) " challenged the idea that state intervention was an intrusion into private matters by asking ' whose privacy ' and ' whose liberties' were being

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violated”. cited in McLaughlin al (2006) p’163 Furthermore according to Dobash et al the debate upon state intervention within incidents of domestic violence is divided with “ some maintaining that interventions more likely to be intrusive, repressive and controlling”, while others pronounce that “ it can be enabling, empowering and protective”. Dobash and Dobash (1992) p’4

In order to address and combat domestic violence, which appears to be dependant upon the reporting of the crimes initially by the victim, who may be apprehensive of reporting the crime for fear of reprisals in doing so, The Domestic Violence Crime and Victims Act 2004, was introduced to support, protect and safeguard the rights of victims and witnesses, of intimate personal violence, therefore putting the victims at the forefront of the criminal justice system. Furthermore the introduction of The Domestic Violence Act (2007), introduced the governing of new powers for the police to arrest the perpetrators of domestic violence attacks, and introduced the breach of non- molestation orders committed by perpetrators to become a criminal offence, therefore punishable by the state, as opposed to the victim, and making common assault an arrest able offence, with sanctions imposed, therefore strengthening the implications of such actions committed by perpetrators, which were previously dealt with under civil laws.(Domestic Violence Home Office)

Consequently, as a result of the introduction of The Domestic Violence Act (2007), and according to the estimation of circuit judge, John Platt, that the figures of “ mostly women”, who were applying to secure non-molestation orders has decreased by between the “ figures of 25%, and 30%, since the implementation of the act in July 2007”, he also stated that “ every judge I

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have spoken to thinks there has been a drop” In 2006, 20. 000 applications were requested for non- molestation orders. Gibb et al (2008). Therefore, allowing for the figure of 25% of a reduction within applications made, would account for 5. 000 women, not seeking protection from their perpetrators through the courts for them, and their children. Furthermore Judge Platt stated that “ Obviously this is a very worrying figure. Either offenders have change their behaviour which seems extremely unlikely, or the victims do not want to criminalise the perpetrators” which could be due to the fact that they are perceived to be the provider of the family, or the father of the children within the family unit, and the woman refusing to be held accountable for penalising their husband or partners actions, through the criminal justice system, and resulting in the perpetrator obtaining a criminal record, to which Judge Platt concluded “ It’s human nature”. cited in Gibb et al (2008)

Also other implementations introduced to safeguard children of the family unit, include that of the National Domestic Delivery Plan which has progressed to include children who are effected by domestic violence into the Common Assessment Framework, therefore incorporating them within Local Children’s Boards, and furthermore safeguarding that Multi-agency Public Protection Arrangements, and Multi Risk Assessment Conferences are aware of their involvement, and their needs, in order for them to work and comply within child protection arrangements in relation to the child, or children of the family. (National Domestic Violence Delivery Plan 2007)

Causal theories of domestic violence include that of the ‘ intergenerational theory’, and often referred to as ‘ the cycle of abuse’ which is derived from

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the social learning theory, and based upon the premise that ‘ violence begets violence’, which suggests that young males who had witnessed, or experienced domestic abuse, were more likely to become the perpetrators of such abuse within adulthood, and that young females who had also witnessed, or experienced domestic abuse, were prone to remain within abusive relationships as adults. According to Rosenbaum et al (1991) 70% of abusive husbands were from a violent background. Although in contrast Stark and Filtcraft (1998) stated that only 30% of males which had experienced violence within their childhood became abusive towards their female partner within adulthood. (Tackling Domestic Violence 2005)

However according to Dobash & Dobash (1979) “ Children may learn to accept, admire, emulate or expect such behavior (domestic violence), but they may also be repulsed by it and reject it’s use. It would be naïve to assume that a child is such a simple creature that he or she learns only one thing from what he or she observes and that is to emulate the observed behavior in a robot fashion.” cited in Tackling Domestic Violence (2005)

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