

Welsh Women's Aid consultation response – November 2019

HEFCW guidance on tackling violence against women, domestic abuse and sexual violence in higher education.

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These are the views of:	<i>Welsh Women's Aid (Third Sector) - the national charity in Wales working to end domestic abuse and all forms of violence against women.</i>

About Welsh Women's Aid

Welsh Women's Aid is the national charity in Wales working to end all forms of violence against women. We are a federation of specialist organisations in Wales (working as part of a UK network of services) that provide lifesaving services to survivors of violence and abuse - women, men, children, families - and deliver a range of innovative preventative services in local communities. We have been at the forefront of shaping coordinated community responses and practice in Wales since we were established in 1978. We do this by campaigning for change and providing advice, consultancy, support and training to deliver policy and service improvements for survivors, families and communities. We also deliver services including the Welsh Government funded Live Fear Free Helpline and a National Training Service partnership. We are piloting the Survivors Empowering and Educating Services (SEEdS) project, which is empowering survivors of violence and abuse to collectively influence and inform improvements in public services and commissioning frameworks and help change attitudes. Our success is founded on making sure the experiences and needs of survivors are central to all we do.

We also deliver the Wales National Quality Service Standards (NQSS), a national accreditation framework for domestic abuse specialist services in Wales (supported by the Welsh Government) as part of a UK suite of integrated accreditation systems and frameworks. More information on the NQSS can be found [here](#).

Welsh Women's Aid welcomes the opportunity to inform the consultation on HEFCW's draft guidance for tackling violence against women, domestic abuse and sexual violence (henceforth VAWDASV) in higher education institutions. It is well established that universities, as institutions, are sites of significant VAWDASV perpetration (Fenton et al., 2016). The evidence is clear that VAWDASV in universities remains pervasive. In 2019, a survey of 5,649 students in England and Wales found that 56% of respondents said they had encountered "unwelcome sexual behaviour, including inappropriate touching, explicit messages, catcalling, being followed, and being forced into sex or sexual acts."¹ Another 2019 investigation into the prevalence of rape and sexual assaults in UK universities found that over the last five years, there were more than 1,600 reports of rape or sexual

¹ Brook (2019) *Sexual Violence and Harassment in Universities: Summary Report*; http://legacy.brook.org.uk/data/Brook_DigIn_summary_report2.pdf [Accessed 19 November 2019]

assault in UK universities, and that (based on data from universities who provided figures), there was an 82 per cent increase in the number of reports of rape or sexual assault in the last year alone.²

Underpinning this abuse are attitudes – whether personal beliefs, perception of ‘social norms’, or a feature sub-cultures (see, for example, literature on ‘lad culture’) – which are characterised by sexism and victim-blaming. A survey of 733 students in Further and / or Higher Education in Wales³ found that:

- 34% of respondents answered that a woman is totally responsible or partially responsible for being raped or sexually assaulted if she is drunk;
- 36% answered that a woman is totally responsible or partially responsible for being raped or sexually assaulted if she acted in a flirtatious manner;
- 28% answered that a woman is totally or partially responsible for being raped or sexually assaulted if she is alone and walking in a dangerous or deserted area.

These figures clearly demonstrate the need for action by Higher and Further Education institutions to prevent VAWDASV and to offer protection and support to survivors of VAWDASV who may be their students or their staff, this includes holding perpetrators (who again may be student or staff) to account.

1. Does the draft guidance provide clear recommendations to institutions on tackling violence against women, domestic abuse and sexual violence? If not, what could be done to be clearer?

The importance of undertaking prevention work in conjunction with specialist VAWDASV services is understated. Specialist services should be central to the work done within universities to tackle all forms of violence against women. Although the guidance advises under ‘collaboration’ that universities should work with ‘appropriate professionals, including third sector agencies’, the failure to explicitly link this with the recommendations to train staff and students to provide ‘effective, timely and appropriate responses to those experiencing VAWDASV’ and to hold perpetrators to account dilutes the paramount importance of using specialist services – experts – to deliver such training and interventions. By failing to make this link explicit, doors remain open for institutions to introduce / create their own sub-standard training, leading to ineffective referral pathways and inadequate and potentially damaging responses to disclosures. There are other dangers to doing everything ‘in-house’ – including the potential for the elected trainers to fail to properly communicate the messages due to their own prejudices, and for the lines of accountability to become blurred. It is our view that universities must understand the importance of using and sufficiently resourcing specialist VAWDASV services to deliver training and interventions. As it currently stands, we do not believe that the guidance makes this clear.

Further, the guidance does not enlighten its audience about *how* universities should “increase the focus on holding perpetrators to account”. The recommendation to “provide opportunities [for perpetrators] to change their behaviour around victim safety” rightly highlights an important element of VAWDASV prevention: supporting perpetrators to change their behaviour in order to reduce their likelihood of causing further harm (it is important to re-iterate at this juncture the need to work with

² Freedom of Information Request carried out by Channel 4 (2019) <https://www.channel4.com/news/82-increase-in-reports-of-sexual-violence-in-universities>

³ NUS Wales (2008) *Violence Against Women The Perspective of Students in Wales*; Amnesty International, NUS Wales Women’s Campaign https://www.amnesty.org.uk/files/nus_wales_survey.pdf

specialist services who provide such interventions). However, the guidance neglects to mention what ought to be a fundamental expectation for every university: the publication of staff and student codes of conduct which incorporate clear behavioural expectations in relation to VAWDASV and articulate the procedure(s) which will be followed in the event of a breach / allegations of breaches of those behavioural codes, including the possible disciplinary outcomes (e.g. termination of contracts / studentships).

Finally, the guidance does not define what is meant by a 'whole-system approach' to preventing VAWDASV within the context of higher education settings. Although most of the components of a 'whole-system approach' are described throughout the guidance, the *concept* of a 'whole-system approach' is not properly explained in the guidance. Rather than presenting it as the *fundamental framework* which should underpin every higher education institution's VAWDASV strategy and provision, it is presented as a single 'element' of VAWDASV prevention, of equal weight and standing to all the other elements. This conception of a 'whole-system approach' is inaccurate: the guidance must make it clear that the 'whole-system approach' is what underpins the recommendations, and that collectively, the recommendations constitute a 'whole-system approach'.

To address these three deficiencies, we recommend that the guidance be amended as follows:

- 1) Under 'Seek active involvement', amend the second point to read as follows:

"work with specialist VAWDASV services to train, as appropriate, staff and students to provide effective, timely and appropriate responses to those experiencing VAWDASV, including by building effective referral pathways to the specialist services for those who want support"

- 2) (a) Under 'Plan long-term', insert the following:

"Ensure that student and staff codes of conduct incorporate clear behavioural expectations in relation to VAWDASV and articulate the procedure(s) which will be followed in the event of a breach / allegations of breaches of those behavioural codes, including the possible disciplinary outcomes (e.g. termination of contracts / studentships)."

and

"Institutions should not use non-disclosure agreements if their actual effect – whether intentional or not – is to prevent survivors of VAWDASV from disclosing or reporting the abuse and / or the institutional response to their allegations of abuse to other agencies."

- (b) Under 'Seek active involvement', amend the fourth point to read as follows:

"increase the focus on holding perpetrators to account by ensuring that the university's code of conduct is robustly enforced. Collaborate with specialist VAWDASV services to ensure that support is available for perpetrators who have expressed a desire to change their behaviour to access accredited perpetrator programmes."

- 3) State from the outset what a 'whole-system approach' to VAWDASV prevention constitutes. Namely, ensuring that:

- (a) Preventative work is undertaken to challenge attitudes of both staff and students;
- (b) Staff / students are trained by specialists to identify signs of VAWDASV and respond appropriately to disclosures;
- (c) Robust referral pathways to specialist services are put in place;
- (d) Robust processes for holding perpetrators to account are developed, published, and enforced;
- (e) Support is provided for survivors to enable them to continue with their academic career and participate in university life;
- (f) There is strong strategic leadership in the institution;
- (g) All VAWDASV practice is evidence-based.

2. Are there any gaps or omissions in the guidance that should be addressed? Please explain what these are and how they should be addressed.

Agree.

Welsh Women’s Aid welcomes the acknowledgement of the ‘*Bystander Interventions*’ within effective practice in Annex A however would strongly recommend that it is included within the body of the guidance. Bystander interventions are widely used within universities and are based in evidence. They aim to inform, challenge and change attitudes, and encourage participants to stand up to enablers of VAWDASV (e.g. sexist language, rape ‘jokes’, misogynistic comments). A review of bystander interventions⁴ published by Public Health England in 2016 showed that bystander approaches are “showing particular aptitude for addressing the primary prevention of sexual and domestic violence in university settings” (p.5). In particular, statistically significant changes have been reported for bystander intervention participants in areas including decreased perpetration of violence; decreased likelihood of perpetrating violence decreased incidence of community violence (perpetration and victimisation); decreased rape myth acceptance; and increased confidence and intention to intervene. It is crucial that students and staff in universities are not only able to identify VAWDASV and get help when needed, but that VAWDASV and the attitudes underpinning it are actively challenged: undertaking Bystander interventions is one effective way of doing so which has been successfully evaluated.

Welsh Women’s Aid are delivering the ‘Bystander Intervention’ to Welsh universities. This intervention, an adaptation of the original ‘Intervention Initiative’ and piloted by Welsh Women’s Aid in four Welsh Universities in 2017 (see report [here](#)) yielded positive results, showing consistent improvements in students’ knowledge of and attitudes towards domestic abuse and sexual violence; their ability to identify potential situations of VAWDASV; their awareness of different ways to safely intervene; and in their self-reported likelihood of intervening.

The current guidance, in asking for examples of ‘effective practice’, omits any reference to ‘evidence-based’ programmes. Welsh Women’s Aid is concerned that a call for ‘effective practice’ could result in the inclusion in the new guidance of a raft of practices whose robustness and rigour are questionable and whose applicability to different university settings may remain untested.

⁴ Fenton, R. et al (2016) ‘A Review of evidence for bystander intervention to prevent sexual and domestic violence in universities’;
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/515634/Evidence_review_bystander_intervention_to_prevent_sexual_and_domestic_violence_in_universities_11April_2016.pdf

Another omission in the guidance is any reference to the critical role that VAWDASV-specific infrastructure has in ensuring that staff and students can access appropriate support. It is common practice for universities to have dedicated ‘teams’ who provide expert advice and support around various aspects of student life (e.g. mental health, sexual health, finance). To maximise their impact, these teams must be well-resourced and be linked with specialist service workers, and must be conspicuous to all staff and students. While the current guidance recognises the importance of providing “information and access to specialist support services” for those affected by VAWDASV, it does not capture the importance of developing, maintaining and publicizing the infrastructure that is necessary for ensuring that those affected by VAWDASV can access appropriate support. A good practice example of this would be the Cardiff University Disclosure Response Team, that have received specific training from specialist services, that deliver a disclosure response services and effective referral pathway to support (further information below).

To address these omissions, Welsh Women’s Aid recommends that:

- 1) Under ‘Prioritise prevention’, amend the first point to read as follows:

“prioritise primary prevention and early intervention by using evidence-based interventions such as the ‘Bystander Intervention’ to challenge and change attitudes and behaviour, in addition to providing more general awareness-raising and signposting information to the entire university population.”

- 2) Include the ‘Bystander Intervention’ as an example of evidence-based effective practice in the updated guidance. Ensure that all examples of ‘effective practice’ which are published in the guidance clearly state whether they have been evaluated and what evidence exists to testify for their success.

- 3) Under ‘Plan long-term’, insert the following:

“Ensure that the necessary infrastructure for effectively responding to and supporting those who have experienced VAWDASV (e.g. a dedicated VAWDASV team within student well-being services) is developed, maintained, and well-publicized.”

3. Should more be done to improve the guidance not already identified in the responses given to the questions above? If more should be done, please explain the improvements that might be helpful and why.

Agree

Understanding and identifying the prevalence of VAWDASV from the outset would make a dramatic difference to the justification of implementing a whole-system model of VAWDASV prevention into Higher Education. Students’ reporting experiences of sexual violence in particular are increasing at an alarming rate⁵, underpinned by a profoundly sexist and victim blaming culture⁶. These statistics alone demonstrate that experiences of VAWDASV are the rule, as opposed to the exception therefore the guidance must reflect this.

⁵ Freedom of Information Request carried out by Channel 4 (2019) <https://www.channel4.com/news/82-increase-in-reports-of-sexual-violence-in-universities>

⁶ NUS Wales (2008) Violence Against Women The Perspective of Students in Wales, Amnesty International, NUS Wales Women’s Campaign https://www.amnesty.org.uk/files/nus_wales_survey.pdf

We recommend that in order to instil in higher education leaders a sense of urgency regarding the development of appropriate and effective VAWDASV provision, the guidance should include recent statistics which highlight the prevalence and pervasiveness of VAWDASV in university settings (for examples, see [here](#) and [here](#)).

4. Is there any other information that it would be helpful for HEFCW to consider in developing the guidance further?

Agree.

In February 2018, Cardiff University launched the Disclosure Response Team (DRT)⁷, a dedicated pathway of disclosure, support and referral for anyone at the university who experiences any form of violence, harassment or abuse. Survivors can make disclosures via an online form, or by contacting a confidential email address. To support this model, Welsh Women's Aid developed training for staff on how to manage disclosures in order to contribute to the culture shift pertaining to all forms of violence against women, domestic abuse and sexual violence (VAWDASV) within the university.

Once students' disclose, options of support are discussed with a primary focus on safety and support. So, for example, if the assault happened within the student's halls of residence alternative accommodation will be sought. Furthermore, the DRT can provide evidence for extenuating circumstances requests to protect the student's academic life, as well as information on counselling or specialist support from local agencies, which can include Sexual Assault Referral Centres.

Within the first two weeks of launch over 100 students had used the service, which is promoted throughout the academic year alongside campaigns that aim to highlight the dangers of problematic, coercive or violent relationship and friendship cultures. The contact number is supplemented by the Live Fear Free helpline, which means students have access to support 24/7.

The principles for the DRT training, as provided to Cardiff University by Welsh Women's Aid, were based on Ask and Act⁸ as an entry level awareness and support training for professionals who are increasingly likely to come into contact with survivors. Ask and Act is the tiered training model available within The National Training Framework⁹, as a supporting document of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act¹⁰, 2015 in order to increase prevention, protection and support. Whilst not explicitly designed for Higher Education, the training offers a gateway into all sectors to increase their understanding and awareness of abuse so that the culture of silence that surrounds violence against women and girls (VAWG) can be broken. Therefore, it is a fundamental tool available across academia and should be explicitly referenced within this guidance, using the model of the DRT at Cardiff University as a best practice example.

5. Does the guidance have any positive or negative impacts or unintended consequences in terms of equality and diversity and the Well-being of Future Generations (Wales) Act's sustainable development principle, seven wellbeing goals, and five ways of working?

⁷ The Disclosure Response Team, Cardiff University, <https://www.cardiffstudents.com/itsnojoke/report-an-incident/>

⁸ Ask and Act Training, Welsh Women's Aid, <https://www.welshwomensaid.org.uk/training/ask-act/>

⁹ The National Training Framework, Welsh Government, <http://www.assembly.wales/laid%20documents/sub-ld10514/sub-ld10514-e.pdf>

¹⁰ Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act, Welsh Government, <http://www.legislation.gov.uk/anaw/2015/3/contents/enacted>

As it stands, VAWDASV does not feature within the guidance as an explicit and central cause of negative well-being amongst students and universities. Research behind the theorisation of the social norm theory that informed the development of The Intervention Initiative demonstrated the prevalence of undergraduate student's experiences of violence and abuse, which goes on to have a significant impact on well-being, academic attainment and positive experiences of higher education and university life. Violence against women and girls is a cause and consequence of gender inequality, which creates a divisive society reflected in power dynamics, reinforced by oppressive norms.

The impact of any experience of violence and abuse can be severe and long-lasting, such as anxiety, depression, isolation, self-harm, destructive behaviours, an inability to concentrate, flashbacks, panic attacks and more. Therefore, by not naming the prevalence of this violence and making the links between how the experiences of all forms of abuse can have a profoundly negative impact on an individual's ability to realise any of the wellbeing goals, or create increased equality within the Well-being of Future Generations (Wales) Act, this guidance will be limited in its impact.

6. What positive or adverse effects will the guidance have on:

- **opportunities for persons to use the Welsh language?**
- **treating the Welsh language no less favourably than the English language?**

Welsh Women's Aid would urge that the use of the Welsh language is equally as robust as English. We would also urge that it is clear that those who have experienced VAWDASV can disclose in Welsh and that the ability to respond in Welsh is promoted in order to ensure inclusivity in all contexts, which will contribute to a positive effect on treating the Welsh language no less favourably than the English.

7. Could the guidance be changed to increase positive effects, or decrease adverse effects on:

- **opportunities for persons to use the Welsh language?**
- **treating the Welsh language no less favourably than the English language?**

The Live Fear Free helpline is a bilingual service, which also offers communication in other languages through language line and webchat and text for those with hearing difficulties, therefore this should be promoted within the guidance in order to increase the opportunities for the Welsh language to be used and ensure that access to all support services is fully inclusive.

ENDS