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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 umbrella organisation in Wales that supports and provides national representation for independent third sector violence against women, domestic abuse and sexual violence (VAWDASV) specialist services in Wales (comprising our membership of specialist services and members of the regional VAWDASV Specialist Services Providers Forums).¹ These services deliver life-saving and life-changing support and preventative work in response to violence against women, including domestic abuse and sexual violence, as part of a network of UK provision.

As an umbrella organisation, our primary purpose is to prevent domestic abuse, sexual violence and all forms of violence against women and ensure high quality services for survivors that are needs-led, gender responsive and holistic. We collaborate nationally to integrate and improve community responses and practice in Wales; we provide advice, consultancy, support and training to deliver policy and service improvements across government, public, private and third sector services and in communities, for the benefit of survivors.

We also deliver direct services including, for example, 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

¹ Our membership of 22 third sector violence against women, domestic abuse and sexual violence specialist services in Wales, with whom we have national partnership agreements to ensure our work is coordinated and integrated includes: Aberconwy DAS, Atal y Fro, Bangor and District Women's Aid, Clwyd Alyn Housing Association (CAHA) Women's Aid, Stepping Stones, Safer Merthyr Tydfil, Carmarthen Domestic Abuse Service, Calan DVS, Cardiff Women's Aid, Cyfannol Women's Aid, Domestic Abuse Safety Unit (DASU), Gorwel (Grwp Cynefin), Montgomeryshire Family Crisis Centre, Newport Women's Aid, North Denbighshire Domestic Abuse Service, Port Talbot & Afan Women's Aid, RCT Women's Aid, Safer Wales (including Dyn Project), Swansea Women's Aid, Threshold, West Wales Domestic Abuse Service and Rape and Sexual Abuse Support Centre (RASASC) North Wales.

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collectively influence and inform improvements in public services and commissioning frameworks, and help change attitudes.

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: <http://www.welshwomensaid.org.uk/what-we-do/our-members/standards/>)

Welsh Women's Aid response to UK Government consultation: Statutory guidance to police on firearms licensing

Recommendations:

- A history of domestic abuse should be an automatic ban on firearm ownership
- Partners of applicants should not be interviewed about suitability for gun ownership, however, should this go ahead, officers should be trained to recognise and understand coercive control
- A survivor's own perception of risk must be treated with the highest priority.
- Evidence gathering on an applicant's suitability should be from a range of agencies to build a clear picture of any history of domestically abusive behaviour

Welsh Women's Aid has drafted the below statement in response to UK Governments 'Statutory guidance to police on firearms licensing'. Rather than answer the individual questions we have focused specifically on the points relating to applicants for a firearm licence with a history of domestic abuse.

Welsh Women's Aid welcomes the efforts by UK Government to strengthen the statutory guidance for chief officers of Police, particularly the acknowledgement of the risks posed by perpetrators of domestic abuse who are granted a firearms licence. While we appreciate there are some legitimate cases for gun-ownership, we are gravely concerned that anyone with a history of domestic abuse, including coercive control, or other forms of violence poses too much of a risk to be granted a licence. We are concerned by the wording within the guidance which states; '*evidence of domestic violence or abuse is one of the most serious factors that should be **taken into consideration** when assessing an application*'. We are clear that any known history of violent or abusive behaviour, including non-physical coercive control, in the context of domestic abuse should be an automatic ban on firearm ownership. The perpetrator has already demonstrated that they pose a risk and to allow access to a firearm is to furnish them with a weapon which can be used to both intimidate as well as harm

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someone. Evidence from the United States has found that domestic abuse and gun violence are deeply interconnected and that guns in domestic violence situations have devastating consequences².

We were alarmed to read that there will be an expectation on survivors to be interviewed on the suitability of a perpetrator for a licence. While the code recognises this should not happen in front of the applicant (perpetrator) and is clear that officers should have adequate training on the indicators of domestic abuse, it fails to recognise the survivor may be unwilling to speak or that they may be at risk of reprisals. This suggestion shows a lack of understanding of coercive control and the limits this may impose on a survivor to be able to speak freely with the interviewer. It also does not address the issue that survivors may, as a coping mechanism, be minimising their own experiences, particularly to statutory bodies because of a fear of the perpetrator, or the perpetrator getting into trouble, or having any children removed. And while it acknowledges that risk could increase if the perpetrator is refused a licence, we are clear this should not be a reason to grant a licence and there is no detail on what steps the police would be expected to take to protect someone or ensuring there are effective referral mechanisms to specialist support. We are concerned the risks are too high and again reiterate that a history of domestic abuse should be an automatic ban.

A survivor's concern for their (and any children's safety) must be acted on immediately and risk never downgraded by any professional. Survivors know the relationship better than anyone and their intuitive feelings of being at risk must be given the most weight. We note that the guidance explains that a request from a partner or family member that an applicant should not hold a certificate should be considered. This should not just be 'taken into account' but acted on immediately. The survivor's own perception of risk must always be treated with the highest priority and if they are concerned, this must not be downgraded or dismissed. We cite here, the example of Christine and Lucy Lee³ who were shot and killed by their perpetrator after guns were returned to him, despite a family member reporting to the police that he had threatened to kill them.

In terms of background checks, we are concerned that evidence of abuse from 'medium' risk perpetrators will not be captured. Checks via the MASH or MARAC will not capture those outside of the top 10% highest risk perpetrators. Risk is dynamic and can fluctuate rapidly. The lack of recognition of coercively controlling behaviour can also lead to limited identification of risk. Even without physical violence, Domestic Homicide Reviews (DHRs), have demonstrated that coercive control is a significant risk factor for homicide. These factors mean that perpetrators that are not, yet, identified as meeting the limited thresholds, may still be granted a licence.

Additionally many women do not or do not feel able to report to the police. This is particularly pertinent for women experiencing multiple discrimination; women who have been in contact with the criminal justice system, have substance misuse or mental health needs or have insecure immigration

² <https://everytownresearch.org/reports/guns-violence-women-americas-uniquely-lethal-domestic-violence-problem/>

³ <https://www.refuge.org.uk/surrey-police-firearms-licencing-officer-sacked-for-failings-in-case-concerning-shooting-of-christine-and-lucy-lee/>

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status. By basing background checks on MASH or MARAC referrals limits the number of women, particularly those with additional vulnerabilities, that are provided with protection through firearm licensing.

The number of domestic abuse cases which come to the attention of the police is small in comparison to all cases identified. More investigation with other public and statutory services in order to build a multi-agency picture is needed outside of police records to determine if someone has a history of domestically abusive behaviour. We support the suggestion from the Home Office that a licence should not be granted without a medical certificate from a GP. We urge that within this evidence gathering, specific questions are asked about whether the applicant has ever expressed anger or harmful feelings towards a partner, family member or other person as well as information on mental health needs.

Under 'most serious factors' domestic abuse is listed as a behaviour that would '*usually mean that a certificate is refused or revoked unless exceptional circumstances can be demonstrated*'. These, as the consultation points out, are evidence that someone has taken positive steps towards rehabilitation, or long periods of law-abiding behaviour. We would urge caution here as evidence from the long term Mirabal Project⁴ found that perpetrator programmes for example appear to demonstrate that, while physical and sexual violence decreases after a programme, other forms of coercive control do not decrease at the same levels. Therefore, a firearm could still be used as a means of control or threatening behaviour and as mentioned earlier, risk can fluctuate; such as a partner attempting to leave, a pregnancy or other changes to the relationship dynamics which can lead to escalation of risk and potentially fatal, domestic abuse.

Thank you for the opportunity to respond to this consultation. Welsh Women's Aid would be happy to provide further information and evidence on this topic, or related matters on request.

Any comments or questions regarding our response can be directed to:
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⁴ <https://www.dur.ac.uk/resources/criva/ProjectMirabalfinalreport.pdf> page 18