



## **Minutes of the APPG on Domestic Violence and Abuse Meeting**

### **Coercive Control: the heart of domestic abuse**

Wednesday 22<sup>nd</sup> June 2022, 10.30am-11.30am

Virtual meeting

Chair: Baroness Lister of Burtersett CBE

As the critical post-separation abuse provision of the Domestic Abuse Act 2021 will be coming into force in the near future, the APPG on Domestic Violence and Abuse held a meeting to examine the levels of public awareness and understanding of coercive control. The group also examined how this new provision could impact survivors and what vital lessons need to be learnt from the implementation of previous provisions.

The meeting was chaired by Baroness Lister of Burtersett and the other parliamentarians in attendance included Baroness Uddin, Rt Hon Liz Saville Roberts MP, and Sir Peter Bottomley MP.

### **Baroness Lister**

Baroness Lister welcomed speakers and attendees and thanked them all for sharing their expertise. She referred to Section 68 of the Domestic Abuse Act 2021 and briefly discussed how for many survivors, the abuse continues after separation. Baroness Lister then introduced the speakers.

### **David Challen, Coercive Control campaigner**

David briefly outlined how in 2019 he helped successfully campaign to free his mother from prison in a landmark case recognising coercive control.

In August 2010, his mother Sally Challen killed his father Richard Challen in their family home. Afterwards, she drove to a beach and walked to the cliff in an attempt to end her life. A suicide prevention team were able to talk her down after some hours, she was later arrested for murder and sentenced to 22 years in prison. David and his brother campaigned for years to help bring to light true understanding around the events that led to Richard Challen's death. They campaigned to highlight that Sally Challen's actions were not fuelled by emotions of jealousy or rage as was inaccurately painted by the original trial, but rather stemmed from a loss of control following a 40-year campaign of fear and psychological abuse waged by Richard Challen. In June 2019, Sally Challen was freed after almost a decade in prison.

Their campaign led to Sally Challen's murder conviction being quashed and this landmark case helped raise awareness of severity of coercive control. It is an issue that affects everybody regardless of social class and background. The term is defined as 'an act or acts of intimidation, humiliation designed to make a person subordinate and or dependant by isolating them from a source of support, exposing their resources and capacity for a personal gain, depriving them of a means of needed independence, resistance and escape and regulating their everyday behaviour.'

Sally was aged 15 when she met 22-year-old Richard, the abuse started not long after this and it continued for over 40 years. When confronting him after finding about his infidelity, Richard told Sally that if she made him choose, he would choose the other woman. This set the defining tone for their relationship. He built a controlling environment, making decisions about her finances, her acquaintances, her looks, what she drank, forcing her to accept his continued infidelity as well as verbal and physical abuse. He sought to ensure she couldn't live without him and isolate her personal independence.

Despite witnessing glimpses of this relationship, at the time there was no language to accurately describe the abuse. Instead, the terms used were 'bad' and 'toxic' which do not gather the size of the control present and can therefore still damage and silence victims when used in today's society. The wrong terminology also curbs our actions in society to stop this abuse.

Sally Challen was left with multiple mental health issues after her ordeal with Richard Challen. David and his brother as children also were made to bear witness to the effects of coercive control. Coercive control breeds dependency, and Sally Challen had left Richard but returned because she was taught to live with, care for and even love her abuser.

Today we have the language around coercive control, but we are severely lacking in national awareness needed for victims. 50,000 cases were recorded between April 2020 and September 2021, and a number of those suffering do not report. The real figures could be as high as 1 million, so fewer than 0.1% of survivors are ever likely to get justice. We are facing a struggle to investigate reports: out of the coercive control offences recorded only 3.4% result in a charge. Police are lacking the fundamental training and resources needed to spot cases of coercive control.

Offenders receive a maximum penalty of five years. Richard Challen if he was alive today would have spent five years in prison after 40 years of abuse. This does not make victims of abuse feel safe.

Sally Challen's experience is not isolated or unusual. 50% of women in prison or more have past experiences domestic abuse. This is likely to be higher due to figures around disclosing abuse, however the majority of women who are convicted for murdering their abuser are likely to have their cases reviewed for manslaughter.

We need to recognise the urgent need for greater resources to tackle coercive control. Many women remain trapped, and many children remain helpless.

### **Baroness Lister**

Baroness Lister thanked David for sharing his story and appreciated his account of what coercive and controlling behaviour looks like and the effect it can have. She then invited Cyrene to speak.

### **Cyrene Siriwardhana, Legal and Policy Advisor, Surviving Economic Abuse (SEA)**

Cyrene explained that economic abuse is a form of abuse designed to 'reinforce or create financial dependence and instability', limiting women's choices and their ability to access safety. As a term, economic abuse recognises that an abuser can control not only money and finances, but also resources that money can buy like food, clothing, transportation and housing.

A 2020 report by Refuge showed that 1 in 6 women in the UK have experienced economic abuse by a current or former partner. SEA research showed that 95% of domestic abuse survivors experience economic abuse and 60% are in debt as a result of this. Further research by a specialist financial helpline for survivors of domestic abuse with financial difficulty found pollsters had an average of five creditors, and in one case up to as many as twenty-seven creditors. Economic abuse is also linked to physical safety, with women who experience it being five times more likely to experience physical abuse. 1 in 4 women report still experiencing economic abuse after leaving an abuser.

SEA conducts analysis of successful prosecutions of the controlling or coercive behaviour offence and found that six out of ten of these cases involve economic abuse. The real number is expected to be much higher, but the research is reliant on cases being reported in the media.

The controlling behaviour can continue after a survivor has left the relationship or are a couple are no longer living together. It can also start post-separation when the lack of physical proximity means an abuser no longer has any other means of controlling a survivor except for via their finances. Economic control may be the only way of exerting control.

Examples of this abuse can include:

- spending money from a personal or joint account,
- running up bills in the survivor's name,
- prolonging sale of joint property,
- non-payment of joint mortgage sometimes to the point of pushing the survivor to homelessness,
- refusing or delaying payment of child maintenance,

- continuously taking survivors to court and running up legal costs.

The Domestic Abuse Act 2021 lists controlling or coercive behaviour as a form of domestic abuse, but it should be recognised that coercive control can in fact underpin economic abuse as well as other forms of abuse. Economic abuse takes place very often if not always within a context of controlling or coercive behaviour and it can reinforce and thread through other forms of abuse. We believe this connected framing, rather than seeing these as discrete or separate forms of domestic abuse, will give a stronger signal to police and prosecutors to pick up economic abuse so it can be prosecuted as a form of controlling or coercive behaviour, particularly now that the offence will be extended to include post-separation abuse.

### **Baroness Lister**

Baroness Lister echoed many of Cyrene's comments, highlighting in particular the importance of economic abuse and framing it as intertwined with other forms of domestic abuse. She then invited Amy to speak.

### **Amy Roch, Director of Services and Deputy CEO, Galop**

Amy began by explaining that coercive control for LGBTQ+ people looks remarkably similar to the ways that have been discussed so far by other speakers. LGBTQ+ people experience domestic abuse at similar rates to heterosexual cis gender women. When we unpick the experiences of LGBTQ+ people who are subjected to abuse, we see that the ways in which power and control are used against them can mirror the experiences of cis gender women but there are also specific ways that perpetrators can exert control which can lead to additional barriers in identifying this form of control and coercive behaviour.

She gave various real examples to bring these differences to life:

An Egyptian gay man with no recourse to public funds had a British partner who used his immigration status to control him and not allow him to leave the relationship. He experienced years of controlling behaviour, when he did finally leave his partner, this ex-partner exposed him to his family in Egypt. This led to threats from his family, after which his ex-partner also told him that if he did not return to the relationship and previous home, he would have him deported back to Egypt where he would be subject to violence from his family. Services at Galop have found that this specific use of people's identity against them is common.

Revenge porn is carried out by a lot by perpetrators which can look different in the case of LGBTQ+ people. A trans woman who was not out to her colleagues or local community was being controlled by her partner. After leaving the relationship, he threatened to expose her to her community and share intimate photos of her online. Her partner would taunt her with talk about the escalating transphobia within the UK

and how people responded and treated trans people. He threatened and talked about what would happen to her when people found out she was trans. This continued for years until she was able to reach out and get support.

A woman who was married to a man and had children was subjected to coercive control throughout her marriage. During her marriage she also was navigating her sexuality. Her husband discovered messages between her and a friend discussing this, at which point the abuse escalated. He began to control her communications and who she communicated with, how she dressed and what she was able to do. Despite managing to escape he continued to threaten to expose her to her family.

Homophobia, biphobia and transphobia really inhibits the identification of abuse in many cases. In the last case one of the responses from a statutory agency was that the woman's coming out must have been very humiliating for her husband.

We see these narratives everywhere, especially in family courts, where partners continue to use these narratives to influence child contact. They use people's identities, stereotypes and myths to imply that they are unfit to parent. Due to this the ability to prevent, intervene and support people by the courts and statutory agencies are missed.

### **Baroness Lister**

Baroness Lister thanked Amy for these illustrative examples that highlight the different ways controlling and coercive behaviour can affect everyone differently.

### **Discussion**

- A question was raised on how the family courts could be made to consider criminal abuse against women and children.
- A question was raised highlighting the issues around police enforcement of provisions and law changes. The gap in statutory agencies understanding of domestic abuse and coercive control was highlighted as one of the reasons for which it is difficult to enforce.
- Deny, Attack, Reverse, Victim and Offender (DARVO) is used a post-separation tactic to paint the survivor as the abuser.
- Key differences between post-separation coercive control and post-separation stalking were discussed.
- A question around evidence gathering processes was raised, and how these processes can adequately capture and focus on the impacts and effects of coercive power and control on survivors.
- A question was posed to David Challen specifically around the mental health support he and his brother received during their mother's ordeal and the way in which the support available for child survivors has improved.
- The subject of the use of technology and communications as evidence for domestic abuse post-separation was also raised. In response several panellists noted the potential issues around personal data protection.