



Men in Scotland: Surviving Domestic Abuse

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Please access our brief feedback form at:

www.amis.org.uk

A PDF version of this Guide may be downloaded free from our website.

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What is domestic abuse?

Domestic abuse is threatening, bullying, controlling or other abusive behaviours between adults who are, or have been, intimate partners. The abuse may be emotional, psychological, financial, sexual and may involve violence. It can affect any relationship, regardless of gender, age, class, dis/ability, ethnic origin or sexuality. Domestic Abuse can damage the lives of all involved: men, women, and any children affected. (*AMIS definition of domestic abuse*)

AMIS also recognises abuse between and from other family members, including honour-based violence and forced marriage.

Domestic abuse is usually a pattern of controlling behaviour that tends to get worse without effective intervention. There is no shame in being a victim of domestic abuse. It is not your fault.

Emotional Abuse

Verbal abuse, insults, belittling, constant criticism, involving children as weapons of abuse, depriving you of sleep

Threats

Threats to report that you're being abusive when you're not, threats of violence, threats to 'out' you, threats of suicide

Physical and Sexual Abuse

Hitting, kicking, punching, slapping, biting, spitting, nipping, using weapons (or using objects as weapons), making you have sex when you don't want to, making you engage in unwanted sex acts

Other Acts of Control

Restricting access to money, restricting access to friends/family, stalking, blaming you for abuse, withholding immigration documents

Is it happening to me?

Do you recognise any of the types of abuse noted on page 3? Are you walking on eggshells? Do you feel you have been isolated from your friends and family? Are you afraid of your partner? Are you afraid of what she/he might do?

Although not always easy, recognising that your partner is abusing you puts you in a better position to protect yourself. Avoid retaliation as this can escalate conflict and put your safety at risk. Be aware of any triggers, and then remove yourself from the situation, if you can.

Report or Record It

The police advise that the best way to keep yourself safe is to report domestic abuse to them. This isn't always easy, and you may not want to get your partner into trouble. 'Remote Reporting' will be rolled out across Scotland after April 2013, allowing domestic abuse victims to report incidents at locations other than police stations, for example, local community centres and housing offices. If you don't feel ready to report it to the police you can keep a record of the abuse in a safe place, documenting everything. You might never use this, but it is better to have a record of it in case you need it.

Talk to someone about what is happening, especially if you are unsure if you are being abused. Confide in a friend, family member or call AMIS.

If you have sustained any injuries make sure that they are recorded as domestic abuse by your GP. Your right to confidentiality will be respected.

Stay Safe

Be prepared to leave safely at short notice, should this become necessary. Keep essentials somewhere safe, perhaps a friend's house. Have a change of clothes, a list of contacts, important documents, fully charged mobile with credit and a separate bank account or cash if you can.

Consider whether you will be taking any children with you and whether it is safe to do so. If you do plan to take any children ensure that you are legally entitled to do so and it may be best to notify the police and/or social work so that they know the children are safe.

I Just Want It To Stop: Calling the police

Men who phone the AMIS Helpline often say that they want the abuse to stop but they don't want their partner to get into trouble. This is quite common and perfectly understandable. However, you could be at great risk from your partner, as could your children, if you have any. The police advise that speaking with them is the best way to stay safe.

The police understand that men as well as women are affected by domestic abuse. You won't be the first male victim that they have dealt with. In fact, 10,228 incidents of domestic abuse reported to the police in Scotland in 2011/2012 were recorded as having a male victim.

Reporting an incident to the Police

Call the Police.

(999 in an emergency).



Incidents of domestic abuse automatically get a priority response.

(Officers should be briefed on any history of abuse before they arrive).



Police pursue all lines of enquiry. If there is evidence, they will make an arrest. If they need more evidence they will likely detain and interview the alleged perpetrator.

(The police can detain someone for a maximum of 12 hours without charge).



You should be given an incident number and information on support.

(Support may be limited for men, but you can call AMIS on 0808 800 0024).



The alleged perpetrator may be released without charge or reported to the Procurator Fiscal. If they are charged, they may be detained until the next court date or they may be released on a police undertaking.

(An undertaking is essentially police bail. Undertakings can have special conditions attached e.g. not to approach you or the family home).

Worried About the Police?

It's my word against hers/his (will I be believed?)

You may be hesitant about reporting an incident to the police as you fear that you won't be believed. This is understandable as most incidents will happen in private with no witnesses. However, it is always worthwhile reporting incidents of abuse. The police will take all complaints seriously and guidance states that every effort must be made to secure further evidence to 'corroborate' what you have reported. The police will be used to dealing with incidents that have happened in private and they may be able to corroborate your complaint through an interview with your partner or any physical injuries.

False allegations

Some men report that their partners make, or threaten to make, false allegations about them. This can be a form of abuse, exerting power and control over you. If you fear that this might happen then you should keep a record of the abuse, confide in someone you trust about what is happening; keep any threatening emails or text messages and speak with your local Domestic Abuse Liaison Officer (see page 7).

When should I call the police?

Not all types of domestic abuse are crimes, and you may not know when to call the police. Incidents where there has been an assault seem quite obvious, but it is also an offence under section 38 of the Criminal Justice and Licensing Act (Scotland) 2010 for a person to behave in a threatening or abusive manner that would make a reasonable person suffer fear or alarm. It does not matter whether they intend to cause you fear or alarm, only that they are reckless in their behaviour.

Getting your point across

Men can respond to abuse differently from women. You may feel agitated, angry or even ashamed that you have had to involve the police. Try to stay calm. Give the police the facts about what happened and tell them how that made you feel. Men sometimes say that they are not afraid of their partner but 'sleep with one eye open'. Recognise when you are afraid and make sure the police know this; there is no shame in admitting to being afraid.

Getting Police Advice – Domestic Abuse Liaison Officers

A Domestic Abuse Liaison Officer (DALO) is a plain clothes police officer who works from a specialist domestic abuse unit within the police. DALOs do not attend incidents of domestic abuse. The role of the DALO is to provide support and advice to victims after a reported incident. If you have reported an incident of domestic abuse to the police you may find that your local DALO contacts you the following day.

You can also contact your local DALO directly for advice and information. You can contact a DALO without having reported anything to the police. Generally, if you disclose that you have recently been a victim of a criminal offence, such as an assault, and you are at risk, the DALO may need to speak to a superior and record this as an incident.

If you want advice but you do not want to report your partner, ask your DALO about how much you can disclose before they have a duty to escalate the matter. Individual officers can sometimes use their discretion. From April 2013, there will be a single police force in Scotland and the role of the DALO will change slightly; ultimately your local DALO is there to help and support you. Their focus is on what is best for you.

Your DALO can offer advice, safety-planning and direct you to other agencies that may be able to offer support. You may want to call your DALO anonymously, without giving any specific details so that you can discuss your options.

Your DALO may also put a 'marker' on your address following an incident of domestic abuse. This doesn't mean a quicker response, as all domestic abuse reports get a priority response, but it does mean that you can make a silent call. Making a silent call from a property with a 'marker' means that the police will respond without you having to speak to them, which is helpful in cases where a call to the police may escalate any abuse.

Going to court

At the first hearing (the next court day after arrest) the Procurator Fiscal will oppose bail where appropriate. If they do not oppose bail they may request special conditions. When considering bail, the Procurator Fiscal can ask the Sheriff to consider any incidents of domestic abuse that you haven't previously reported to the police. If your partner has been released on bail you can still apply for **civil protection**.

If your partner is released on court bail s/he can be arrested for breaching any special conditions, such as approaching you. This includes any contact through social media, text messaging, e-mail, and through other people.

The majority of domestic abuse cases will be heard in the Sheriff Court. In some areas there are Specialist Domestic Abuse Courts which are staffed with Sheriffs, Procurators Fiscal and court staff specially trained in domestic abuse. The purpose of these courts is to provide a more specialist and speedy response to domestic abuse cases. Such courts can be found at Edinburgh, Glasgow, Ayr and Dunfermline Sheriff Courts. Make use of advocacy services where they exist, for example, **“Advocacy, Support, Safety, Information Services Together” (ASSIST)**, which covers the Strathclyde area and supports male victims at Edinburgh Domestic Abuse Cluster Courts.

Victim Information and Advice (VIA)

VIA is part of the Procurator Fiscal Service, providing advice and support to victims of certain crimes, including domestic abuse. VIA can help you at court by giving you advice and information on the court process, keep you updated on the progress of your case and apply for **special measures** (e.g. screens or giving evidence by video-link) to help you give evidence if you are considered to be vulnerable.

Witness Service

You can contact the Witness Service if you are anxious about going to court and they can arrange a pre-court familiarisation visit. You can find further information at:

www.victimsupportscotland.org.uk

Civil Protection

If you are living with your partner it is possible to apply for a civil order (Exclusion Order, Interdict and Non-Harassment Order) even if you have not made any reports to the police or been through the criminal justice system. They can be used on their own or alongside any criminal charges.

	Exclusion Order	Matrimonial / Relevant Interdict	Domestic Interdict
Requirements	Both partners must have occupancy rights	Both partners must have occupancy rights	Both partners must have occupancy rights
Relationship Status	Married, Civil Partnership, Cohabitants	Married, Civil Partnership	Cohabitants
What does it do?	Excludes an abusive partner from your home	Restrains/Prohibits certain conduct towards you or your children or entering your home/other residence/your place of work/your children's school if they are in your care	Restrains/Prohibits certain conduct towards you or your children or entering your home/other residence/your place of work/your children's school if they are in your care
What if it is breached?	Criminal offence punishable by a fine or prison or both	Breach of Interdict proceedings can be raised in a civil court. If a power of arrest is attached: arrest and detained at police station until court appearance where Sheriff can order up to 2 more days detention.	

This guide only aims to make you aware of possible options. You will need a family solicitor to advise you and apply for any order. You might be entitled to Legal Aid, or you may have to pay the full cost yourself. You could also seek advice from Citizen's Advice or a local Law Centre. Visit www.lawscot.org.uk to search for a family solicitor in your area.

Civil Protection

Do I have occupancy rights?

Occupancy Rights are your rights to live in your home when only your partner's name is on the mortgage or rent book; and it depends on your relationship status:

Relationship Status	Occupancy Rights?
Married/Civil Partnership	Yes – regardless of whether your name is on the lease or own the house
Co-habitants (joint-owners/tenants)	Yes
Co-habitants (the mortgage/lease is in your partner's name and not yours)	Not automatically – but you can apply to the court for an order to grant occupancy rights

Co-habitants can be a man and a woman or two men who are living together as if they were husband and wife or civil partners.

If you don't live with your partner and have no occupancy rights, and therefore no access to Exclusion Orders, Matrimonial/Relevant or Domestic Interdicts, there are still civil protections that you can apply for:

Non-Harassment Orders – this Order has been designed to protect any individual from harassment from another. One incident of harassment is sufficient to apply in domestic abuse cases. Breach of a Non-Harassment Order is a criminal offence. The accused could face a fine, or prison or both. You may also be able to seek damages for any anxiety caused or financial loss.

Interdicts – these are orders of the court that prevent someone from pursuing certain types of conduct or acts that may be harmful to you. If the court determines the interdict to be a 'domestic abuse interdict', and this determination is in effect, and a power of arrest is attached and in effect, a breach of this can result in a criminal offence, punishable by a fine or imprisonment or both.

Practical Support

Housing

You may find that you need to leave your home due to domestic abuse but you may have nowhere to go. Unfortunately, a refuge is not an option as there are no refuges for men in Scotland. You can, however, speak to your local council (they should have an out of hours number) about making a homelessness application. You will be interviewed and assessed. If you are eligible you should be permanently re-housed, although this may take some time. In the meantime, you should be given advice and offered temporary accommodation. If you are not eligible to be permanently rehoused you should be given advice and you may be offered temporary accommodation (or even a place in a hostel). Procedures may vary so it is best to contact your local council.

A record of incidents of domestic abuse (not necessarily incidents reported to the police, although this would be very helpful) will add weight to your application, and you should expect to discuss this with a housing officer. You should expect to be treated with respect; if not, politely ask to speak to someone with knowledge of domestic abuse.

You may also want to consider renting from a private landlord, but might struggle to find a deposit. Check if your local council has a 'rent deposit' or 'tenancy guarantee' scheme, which might help you to spread the cost of the deposit over a period of time. You can seek further help with housing from **Shelter Scotland** on **0808 800 4444**.

Money

Financial restrictions may present a barrier to leaving an abusive partner, especially if they have restricted your access to money. Your local **Citizens Advice Bureau** should be able to give accurate advice on benefits. If you are already receiving benefits you should report any changes in your circumstances. You may also be able to get help through **local housing allowance** (if you rent from a private landlord.) Further information on benefits can be found at the Department for Work and Pensions www.dwp.gov.uk

If you are receiving benefits you may be able to benefit from a **budgeting loan** or a **community care grant**. **Crisis loans** up to £1,500 are also available. These may provide short term solutions to help you start a new life.

Children

Unfortunately, children can sometimes be used as weapons by an abusive parent. An abuser may try to turn your children against you or they may threaten you regarding contact or residence. If you are an unmarried father you will need to check whether you have **Parental Responsibilities and Rights** (unmarried fathers will have equal parental rights and responsibilities if they are named on the birth certificate for any child born on or after 4th May 2006. If you aren't named, or the child was born before 4th May 2006 you can apply to the court). You should make an appointment to see a family solicitor.

Civil Court:

In a civil court, where a Sheriff is considering residence or child contact, the Sheriff **must** consider the need to protect a child from an abusive parent, or any risk to the child, regardless of whether any of the abuse has been directed at the child or not. This highlights the importance of keeping records and reporting incidents.

Criminal Court:

If there are any children in the house who may have witnessed a reported incident of domestic abuse, the Procurator Fiscal will consider whether the emotional impact on a child of giving evidence in court outweighs the need to protect the child from an abusive parent.

Special measures will automatically be considered for child witnesses, and the child may be asked which measures they feel would help.

It is understandable that you will want to protect your children, and that they will be your main concern, but you should acknowledge the impact on **you** as well – especially when dealing with other organisations. Make sure that others are aware that you are suffering too, and try not to minimise your experience. **Families Need Fathers Scotland** run local groups to help fathers support each other.

If you want support or help for your child you can contact **Children1st** or the **Scottish Child Law Centre**. Children can call the Scottish Child Law Centre themselves for their own advice.

Perpetrators

Someone who perpetrates domestic abuse does so by exerting power and control over their partner. They may do this for a variety of reasons, and you may not always be aware of it, especially in the early stages. It can sometimes be difficult to recognise that you are being abused, and it can be uncomfortable to think of your partner as an abuser. However, your partner is fully accountable for his/her actions.

Perpetrators may also try to minimise their behaviour, make excuses and deflect blame. S/he may blame previous violent partners, witnessing or experiencing abuse as a child, stress, mental health, substance misuse or blame you. This is not acceptable. Your partner is responsible for his/her actions and s/he is responsible for getting help for their behaviour.

It is not up to you to change; only the abusive partner should change. Generally, couples counselling is not advised for abusive behaviour. You are not part of the problem and it can be unsafe to mediate in domestic abuse cases.

In Scotland there are, as yet, no intervention programs for female abusers or male abusers of other men. The only support is targeted at male abusers of female victims. Unfortunately, this means that there is limited opportunity for women or gay men who wish to address their behaviour.

Respect, which provides a service to the whole of the UK, offers a “confidential and anonymous helpline for anyone concerned about their violence and/or abuse towards their partner or ex-partner.” They offer support to men and women concerned about their behaviour in both heterosexual and same-sex relationships.

Real Life Stories: Taking it like a man...

I have two choices, put up with it, or leave, and my child grows up without a father, as I would never get custody.

She periodically attacks me, pokes me, punches me in the testicles. Pushes me around when she wants her way. Demands I turn down the sound on the computer, whilst she turns up the TV... Tells me I have to pay all the bills, even though she spends all the money. If I get angry, I am the abuser.

What am I supposed to do? I've tried talking to her about it, she denies being responsible, denies trying to start a fight, calls me a liar and other names. When I do the same, it's all my fault, she drags up sins from decades ago and the cycle continues. If I try to leave the house, she follows me. If I respond I get a mug in the face or a pot or worse. Or I have to put up with her slamming doors, threatening to commit suicide etc. Or telling me where the door is...

Admitting to this publicly is just simply impossible. I am 6'7", she is 4'8". Apparently, I'm supposed to just "take it like a man"...

I'd been the victim of domestic abuse and violence against me by my partner for over three years. I tolerated it as I'd hoped things would get better. In truth I would have suffered the indignity as long as I could for the sake of our child, I also knew the score for men leaving a relationship, I'd read the stories.

My ex would automatically have the right to have our child live with her and I would more than likely have to fight for the right to remain being a parent to my child through the courts. A friend of one of my mates went through separation from an acrimonious partner and told him going the legal route was the most emotionally stressful experience he'd ever had. He'd also spoke of the agony of living apart from his children.

Useful Contacts

Abused Men in Scotland:

0808 800 0024

Freephone Helpline

7pm – 10pm, 7 nights a week

www.abusedmeninscotland.org

Broken Rainbow:

0300 999 5428

LGBT Domestic Abuse Helpline

Mon & Thurs 10am – 8pm

Tues & Wed 10am – 5pm

www.brokenrainbow.org.uk

Children 1st Scotland:

Parent Line Scotland

0800 028 2233

For anyone with concerns about a child

www.children1st.org.uk

Citizens Advice Direct:

0808 800 9060

Freephone Advice Line

Mon – Fri 9am – 8pm

Sat 10am – 2pm

www.cas.org.uk

Families Need Fathers Scotland:

0131 557 2440

National Helpline: 0300 0300 363 Mon –

Fri 6pm – 10pm

www.fnfscotland.org.uk

Forced Marriage Unit:

0207 008 0151

Advice and Support

www.fco.gov.uk

Respect:

0808 802 4040

Freephone Helpline for female or male perpetrators of domestic abuse

Mon – Fri, 10am – 1pm and 2 – 5pm

www.respect.uk.net

Scottish Child Law Centre:

Advice Line 0131 667 6333

Mon – Fri 9:30am – 4pm

Freephone U18s 0800 328 8970

www.sclc.org.uk

Scottish Domestic Abuse and Forced

Marriage Helpline:

0800 027 1234

Freephone Helpline 24hrs a day, 365 days a year

www.scottishdomesticabusehelpline.org.uk

Shelter:

0808 800 4444

Freephone Advice Line

Mon – Fri 9am – 5pm

www.scotland.shelter.org.uk

Victim Support Scotland:

0845 603 9213

Support for victims

Mon – Fri 8am – 8pm

www.victimsupportsco.org.uk

Abused Men in Scotland (AMIS)

Abused Men in Scotland (AMIS) is a national organisation dedicated to supporting men who are experiencing, or who have experienced, domestic abuse. This includes all men aged 16 plus, regardless of sexuality, ethnic origin, dis/ability, whether fathers or not, city or rural dwellers and those whose immigration status is uncertain.

The AMIS helpline is open from 7pm – 10pm, seven nights a week:

0808 800 0024

It is free to call our helpline from UK landlines, BT payphones and most mobile networks (O2, Orange, Vodafone, Virgin, 3 and T-Mobile). Our number will not appear on any phone bills.

We welcome calls from men in need of support or advice, as well as from men and women seeking help for male friends or relatives, or seeking an understanding of what male friends or relatives may be experiencing.

We will listen and help you consider your situation and what action, if any, you may decide to take. We take a non-judgmental approach. We can offer information on making your situation better and keeping yourself safe. If you believe you or any children are in danger then we strongly advise you to contact the police.

We are not qualified in counselling or the law. If you need support or information beyond what we are able to give we will provide information about other services or agencies, or we will help you find the services you need.

We will not share your information beyond the helpline team unless with your consent or if a child may be in danger. We have male and female volunteers. All have a good understanding of men's experience of domestic abuse and all have undergone helpline training.

Disclaimer: This guide seeks to guide men towards appropriate support. Further advice may be required from other professionals e.g. solicitors. The information in these guides may need to be updated from time to time. Any updates can be found on the AMIS website:

www.amis.org.uk