

ASSOCIATION OF TEACHERS AND LECTURERS

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Home Office Consultation:

Together We Can End Violence Against Women and Girls
Response from the Association of Teachers and Lecturers
May 2009

ATL, as a leading education union, recognises the link between education policy and our members' conditions of employment. Our evidence-based policy making enables us to campaign and negotiate from a position of strength. We champion good practice and achieve better working lives for our members.

We support our members, as their careers develop, through first-rate research, advice, information and legal advice. Our 160,000 members – teachers, lecturers, headteachers and support staff – are empowered to get active locally and nationally. We are affiliated to the TUC, and work with government and employers by lobbying and through social partnership.

ATL policy

ATL believes that teachers as professionals must be recognised for their knowledge, expertise and judgement, at the level of the individual pupil and in articulating and implementing a shared understanding of the role of education in promoting co-operation, collaboration and community cohesion.

ATL fully supports initiatives aimed at tackling disadvantage and inequality in all their manifestations and particularly welcomes the *Every Child Matters* agenda as a vision and path towards greater equality, fairness and social justice in our society. Education is about meeting the needs of every child, supporting pupils' well-being and ensuring that all young people can achieve their potential, irrespective of their background. ATL is campaigning for education professionals to be properly supported and to be given the professional freedoms to continue to be at the centre of excellent teaching and learning for all.

ATL response

ATL strongly welcomes and supports the Government's commitment to a vision of society in which violence against women and girls is wholly unacceptable. We welcome the Government's commitment to taking more systematic action to help prevent violence against women and girls, and we particularly welcome the emphasis on a cross-government approach to tackle this invidious and deeply embedded problem. The Government's identification of the role of communities to ensure the protection of

women and girls' fundamental human rights and freedoms is an important dimension of a nationally driven, well-resourced and integrated strategy to prevent and eliminate violence against women and girls through awareness-raising, education and, most crucially, concerted action.

There is no doubt that the education sector has a particular role in challenging all aspects of inequality, discrimination, violence and injustice. ATL is therefore very pleased to be able to respond to this important consultation. Our response focuses on the key areas of:

- Violence against women and girls;
- Achievements in tackling violence against women and girls;
- 'Doing Gender': Contextualising violence against women and girls;
- The role of the education sector;
- Curricular entitlement: PSHE and SRE; and
- The Standards Agenda

Violence Against Women and Girls

According to the United Nations (UN), violence against women and girls includes "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life".¹ It takes a range of forms, including sexual, physical, or emotional abuse by an intimate partner; physical or sexual abuse by family members or others; sexual harassment and intimidation; sexual assault and rape; trafficking for forced labour or prostitution; forced marriages, dowry-related violence; female genital mutilation; and 'honour' killings.²

The End Violence Against Women coalition estimates that in the UK alone 3 million women experience rape, domestic violence, forced marriage, stalking, sexual exploitation and trafficking, female genital mutilation or crimes in the name of 'honour' each year.³

On the specific issue of domestic violence, ATL acknowledges that men might also be affected and welcomes research by the Home Office and the Men's Advice Line into this issue. Initial findings appear to suggest that gay and bisexual men constitute a significant proportion of the data recorded on male victims.⁴ The Men's Advice Line also notes that male callers to the helpline sometimes present as victims but that during the course of the call, the evidence presented by the caller indicates a more complicated situation.⁵

As noted in the Home Affairs Select Committee Report on Domestic Violence, Forced Marriage and 'Honour'-based Violence, there is a "dearth of reliable data about the prevalence of domestic violence against men". However, the available evidence shows that "women experience more serious and more frequent violence than men" and that 85% of victims of domestic violence are women.⁶

Available statistics also show that:

- 1 in 4 women will experience domestic violence in their lifetime;
- women are the victims in 4 out of 5 domestic homicides;
- on average around two women a week are killed by a partner or former partner; and
- children are always affected by domestic violence, including through a strong link between domestic violence and child abuse.⁷

Furthermore, a survey of teenage girls by Women's Aid and the teenage magazine Bliss in December last year revealed that nearly a quarter of 14-year-olds had been victims of sexual abuse or forced to have sex and that 1 in 4 16-year-olds had been physically hurt by someone they were dating.⁸ This reinforces the findings of an earlier inquiry by the Home Affairs Select Committee, which revealed "significant levels of domestic violence between teenagers". The report also notes a worryingly high level of acceptance among both young men and women of a man hitting a female partner in certain circumstances.⁹

The above statistics on domestic violence need to be considered in the context of the absence of standardised data on this issue, and the significant under-reporting of incidents of domestic violence largely due to fear, shame, isolation and a lack of support.¹⁰ It is very likely, therefore, that this data merely represents the 'tip of the iceberg'.

ATL is very pleased that the consultation document acknowledges the UN definition which situates domestic violence within the broader context of violence against women. We take this as an indication of the Government's intention to replace the common non-statutory and gender-neutral definition of domestic violence, which has operated across Government Departments, with the UN understanding.¹¹ Our own response to this consultation is firmly situated within the UN framework of gender equality and human rights.

Celebrating Achievements in Tackling Violence Against Women and Girls?

ATL welcomes the Government's achievements in tackling violence against women and girls over the past 10 years. We are very pleased to see the introduction of legislation such as the Sexual Offences Act 2003, the Female Genital Mutilation Act 2003, the Domestic Violence, Crime and Victims Act 2004, and the Forced Marriage (Civil Protection) Act 2007. In particular, we welcome the provision within the Forced Marriage Act for third parties to be able to apply on behalf of victims to seek protection in cases of forced marriages.

While these changes in legislation have undoubtedly been much needed, it is important to recognise, however, that legislation alone does not generate social and cultural change. A year after the introduction of the Female Genital Mutilation Act, for example, there was still widespread ignorance among the public and some health professionals that female genital mutilation was against the law.¹² Since its introduction in 2003, there have been no prosecutions for female genital mutilation in the UK.¹³ Similarly, an evaluation of the Domestic Violence Act, three years after its

introduction, has shown that the impact of the Act “had been limited and in some respects unclear”.¹⁴

ATL believes that despite some positive developments, there is no room for complacency. Giving due credit to the Government’s achievements, we are concerned, however, that the pronounced celebration of achievement throughout the consultation document risks detracting from the persistent and momentous challenges in eliminating violence against women and girls.

Celebrations of a 10-year high of conviction rates for rape prosecutions, for example, detract from the reality that of the estimated 47,000 women who are raped in Britain every year, between 75% to 95% never report their attack. Only 6.5% of those who make it into the courts, or 191 of 47,000 women, achieve a conviction.¹⁵ Reports also suggest the institutionalised negligence of rape cases within the police and Crown Prosecution Service, but also among juries, particularly in cases where victims had been drunk.¹⁶

ATL further welcomes the Government’s investment in support services for victims of violence against women, but is concerned that most of this investment appears to be concentrated on specialist initiatives within the criminal justice system. Together with the simultaneous erosion of specialist services in the women’s voluntary sector, this trend prevents the vast majority of women, who do not report, from accessing specialist support services.¹⁷

Research also shows that specialist provision is patchy across the UK, and in some cases fragile, which effectively creates a ‘postcode lottery’ of provision. Even more worryingly, only 10% of local authorities have specialised support services for black and minority ethnic (BME) women, which can meet any needs arising from the experience of specific forms of violence such as forced marriage or ‘honour’-related crimes.¹⁸

Where specialist support services for BME women exist, their funding is often insecure. Last year, the London-based charity Southall Black Sisters, which provides domestic violence services to BME women, faced a drastic cut in funding by Ealing council, which justified its new decision to commission a generic, borough-wide service on domestic violence on the grounds of ‘equality and cohesion’. Failing to carry out a race equality impact assessment of this new policy, Ealing council was eventually forced to backtrack.¹⁹

Scenarios like these effectively pit women victims of domestic violence against each other in the provision of and access to services. ATL expects that an integrated strategy to tackle violence against women and girls will undergo a comprehensive equality impact assessment in line with existing (and proposed) legislation. We also believe very strongly that the current recession must not be used as an excuse to reduce any funding of specialist services in the voluntary sector and would welcome firm assurances from the Government to protect, support and extend these important services.

The consultation document does not make any specific commitments to eradicating the continuing injustice experienced by women with ‘no recourse to public funds’, including domestic workers and trafficked

women, who remain trapped in violent and abusive relationships. Without recourse to public funds, these women face the stark choice between risking their lives with a violent partner or facing poverty, destitution and the likelihood of being deported. Although some women without recourse to public funds may be helped by the Domestic Violence Rule, in practice, the majority are failed either because they are not eligible, or do not know that they are eligible, or have insufficient evidence to prove that they are victims of domestic violence.²⁰ ATL would welcome a reform and extension of the domestic violence rule to all abused women with an insecure immigration status, including trafficked women and overseas domestic workers, together with appropriate access to legal aid.

ATL is also concerned about specialist provision for other groups who experience domestic violence, such as women with mental health or drug use problems, gay, lesbian, bisexual or trans victims or disabled women. Particularly those who are not living openly as gay, those who are trans, or whose abuser may also be their carer are likely to face very specific barriers. ATL anticipates that any Government strategy for tackling violence against women will also make explicit, sustained and ring-fenced provision for women and girls with specific needs.

Whilst the Government reports that the number of domestic violence cases has dropped, ATL remains sceptical about such optimism, largely because of the under-reporting of cases of domestic violence and the high rate of repeat victimisation. Research has shown that a woman is assaulted on average 35 times before she first contacts the police and that 73% of all incidents of domestic violence involve repeat offending.²¹

The Home Office Select Committee Report also observes that domestic violence is not a legally defined offence, which means that crimes of domestic violence can be recorded by the police and prosecuted in numerous ways.²² ATL therefore shares the concerns by the End Violence Against Women (EVAW) coalition over the lack of a comprehensive Government survey across all forms of violence against women and girls. Without such primary data, as EVAW rightly states, there is neither a strong evidence base to underpin an integrated strategy on violence against women and girls, nor is there a sufficient benchmark for measuring progress.²³

'Doing Gender': Contextualising Violence against Women and Girls

Considerations of how to eliminate and prevent violence against women and girls frequently return to their position in society. The UN itself recognises that violence against women is a manifestation of "historically unequal power relations between men and women". These power relations, as noted in the UN Declaration on the Elimination of Violence against Women, have led to male domination over and discrimination against women. The Declaration also acknowledges that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men".²⁴

ATL believes that it is vital to adopt an explicit gender equality and human rights-based approach to the problem which takes into account the socio-

economic and cultural context which facilitates the various manifestations of violence against women and girls.

Within such a contextual approach, we would welcome a broadening of emphasis within policy-making including and beyond the area of criminal justice. The Government's reference to a fact-finding review of the sexualisation of girls is an extremely welcome and necessary first step. ATL also believes that there is a stronger need to make reference to all forms of sexual harassment, and to include a review of the influence of pornography and the proliferation of gentlemen's clubs on boys' and men's perceptions of sexual relationships and gender roles.

In this regard, we hope that the review will also cover the increasing levels of sexual imagery in goods aimed at children. This includes sexual slogans printed on girls' underwear, the marketing of Playboy bunny stationery to young girls, and the growing trend for 'sexy toys'.²⁵ We are concerned not only at the commodification of the female body but also about a model of female sexuality increasingly being determined by pornography and the sex industry.

Testifying to the Scottish Parliaments' Equal Opportunities Committee, for example, the NSPCC pointed out that the sexualisation of girls encourages paedophiles to attempt to justify their abuse of girls by questioning age and suggesting 'consent'.²⁶ Furthermore, the pressure group *Object* has documented how men's "lifestyle" magazines and 'Lads mags' do not merely objectify women, but also tend to trivialise trafficking, sex tourism and prostitution. This has been accompanied by an increasing number of young British men using prostitutes, which has doubled in a decade to one in 10 in 2000.²⁷

We have already argued elsewhere that there are significant pressures on both boys and girls to take up the dominant positions of masculinity and femininity and that homophobia and sexism, together with the sexualisation of girls, are key elements in this process of 'doing gender'.²⁸ Various studies have commented on the powerful role of homophobia within male peer culture and in constructing and reinforcing stereotypical ideas of what it means to be a 'real' boy or man.²⁹ Based on the assumption of heterosexuality, boys who define themselves as masculine subjects in conformity with this dominant masculinity tend to position themselves in opposition to girls/women, gay or bisexual and/or non-macho boys/men.

For girls, a socially acceptable femininity is also premised on the norm of heterosexuality, and includes a requirement to have a 'feminine' appearance, thus marking girls out as different to the boys.³⁰ Deviations from these 'feminine' conventions, including being too sexual, too popular, too different or too confident, are thereby stigmatized as being evidence of a girl's 'distorted' sexuality and often expressed in the form of sexist or sexual bullying and sexual harassment.³¹

Boys' and girls' sex/gender identities are developed under constant pressure and surveillance between and within male and female peer groups.³² In the classroom, boys frequently silence girls through sexist abuse and sexual harassment.³³ At the same time, homophobia serves as

a means for boys to distance themselves from femininity and forcefully reject boys who do not conform to the dominant standard of masculinity. The emphasis on heterosexuality thereby ensures that the story of 'romance', which promotes male dominance and female subordination, is not challenged or dislocated by girls who, within the context of their own heterosexuality, might display more 'laddish' behaviours.³⁴

ATL is extremely concerned about the impact of a cultural context of heterosexism which restricts both boys and girls. We therefore warmly welcome the Government's proposal to establish an Advisory Group with a specific focus on how schools can help prevent violence against women and girls as an important step in tackling the dominant attitudes and assumptions of this cultural context. ATL believes that an investigation of heterosexism, together with the sexualisation of women and girls, should be a key part of the Advisory Group's remit. We would also welcome a greater emphasis on determining why it has become an acceptable part of the dominant form of masculinity to have power over women and believe that this question should be a key driver of the Group's work.

ATL has some reservations about the long-term effect and change generated by a search for 'solutions' that would ultimately require women and girls to alter and/or restrict their behaviour and lives in order to feel safe. We believe that this consultation employs an unduly narrow understanding of safety as the prevention from harm. Proposals for self-defence training classes offered to women and girls may have some merit, but we do not think that such an approach goes far enough in facilitating a culture change which enables women and girls to fully realise their individuality, freedom, human rights, dignity and equality with men. A limited understanding of safety also restricts the identification of strategies to tackle violence against women and girls as well as of an alternative social order.

The role of the education sector

Given the crucial role that schools and colleges play in educating for equality, dignity, fairness and social justice, we are disappointed to note that none of the education unions appear to have been invited to serve on the new Advisory Group proposed in the consultation document. We are concerned that there is possibly an unhelpful 'division of labour' between different Government Departments working on similar issues.

ATL also remains concerned about the persistent use by the Government of the indeterminate and legally undefined term 'gender bullying'. The term 'gender bullying' suggests a gender-neutral approach that encompasses violence against women and girls without investigating the ingrained social beliefs, attitudes, institutions and structures that systematically subordinate women and girls and hence create a cultural context in which violence against women and girls has managed to acquire a degree of normalisation.

Furthermore, ATL believes that there is an important role for the further and higher education (HE) sector in tackling violence against women and

girls. Further education (FE), in particular, tends to reach young people who have disengaged from secondary education and may not have fully benefitted from any sex and relationship education (SRE) at their school. In many cases, further education settings also fill any gaps due to the varying extents of SRE in secondary education. The emerging evidence of the prevalence of violence and abuse within teenage relationships also demonstrates that education about healthy relationships cannot stop at secondary school level. Unfortunately, there is no acknowledgement of the role of the FE and HE sector in the consultation document.

The consultation document rightly places a strong emphasis on domestic violence as a key area to be addressed by schools. We welcome this emphasis, particularly as our own membership survey has shown that 79.8% of respondents either denied or did not know whether their school or college educated pupils about domestic violence. A further 61.6% were unsure or did not believe that staff at their school or college were confident in supporting pupils experiencing domestic violence at home. Nearly 8 out of 10 respondents indicated that they were unaware of any information materials around domestic violence, including signposting to specialised help and support services, being provided by their school or college.³⁵

With much of domestic violence being a 'hidden crime', it is not surprising that 77.6% of respondents did not know whether staff experiencing domestic violence are treated sympathetically and are appropriately supported by their school or college. Without wanting to prejudice any levels of actual support given to staff who are victims/survivors of domestic violence, ATL believes that it would be generally helpful if domestic violence became a more visible issue in schools and colleges. Our members have also reported that schools and colleges would benefit from a comprehensive domestic violence support programme to ensure consistency within and between schools and colleges.³⁶

At the same time, however, we do not think that domestic violence should be dealt with in isolation of other forms of violence against women, in particular sexual harassment and sexist or sexual bullying. We know from DCSF statistics that 3,500 pupils were suspended for sexual misconduct between 2006 and 2007.³⁷ Research has also shown that sexual harassment is not only integral to the performance of hegemonic masculinity as referred to above, but that there is also a strong tendency among boys to view sexual harassment as primarily a physical phenomenon. Boys appear to believe, for example, that if they do not touch girls, then it is not sexual harassment.³⁸

Our own survey has shown that almost 6 out of 10 respondents have witnessed or experienced sexual or sexist insults on a regular basis in their school or college. 56.8% reported that these insults occurred daily, several times a week or weekly.³⁹

Furthermore, 1 in 2 teachers has witnessed or experienced pupils acting out sexually across the different phases of education. This confirms that sexuality and sexual relationships are an important dimension of human identity and that children are not to be considered as 'blank slates'.

However, children's initial exploration of sexuality and later of sexual relationships is not immune to a cultural context that sexualises girls and women through their objectification, by rendering their value dependent on their sexual appeal, and by inappropriately imposing sexuality upon girls (i.e. the 'adultification' of girls).

Our members report that much of pupils' acting out in a sexual way appears to replicate messages received via celebrities, song lyrics, music videos, advertising, teenage magazines, computer games, the Internet and TV.⁴⁰ ATL believes that sex and relationship education should therefore begin in an age-appropriate form in the early years and should be developed in a whole-school approach alongside the development of children into young adults.

Curricular Entitlement: PSHE and SRE

We are very pleased that the Government is currently determining the contents of a new curricular entitlement to sex and relationship education (SRE) as well as personal, social and health education (PSHE), following the respective reviews of both areas of teaching and learning. We have already stated elsewhere that we would like an acknowledgement that PSHE cannot be taught in isolation from the rest of the curriculum and that PSHE should be implemented as part of a whole-school approach.⁴¹

Faith and independent schools as well as faith-based academies and colleges develop their own distinctive ethos within which they operate. ATL would therefore welcome the development of guidance or code of practice which supports these schools and colleges in ensuring the delivery of a broad and balanced SRE and PSHE curriculum.

As part of a broad and balanced SRE and PSHE curricular entitlement, we would like to see a critical approach to the cultural context of heterosexism which reinforces stereotypical ideas about 'appropriate' masculinity and femininity and crucially underpins the persistent pressure to conform to dominant gender stereotypes between and within male and female peer groups. This can include verbal attacks; name-calling and offensive 'jokes'; exclusion; spreading malicious rumours; sexist, sexual and homophobic bullying; and, in the most extreme cases, sexual assault, rape and violence.

ATL continues to have concerns, however, about the balance between a statutory entitlement to SRE and PSHE and the parental right to withdraw children from sex and relationship education. The school curriculum should be about pupils thinking, discussing, reflecting, empathising and learning together as well as in single sex groups as appropriate. We believe that further guidance is needed on the ways in which schools and colleges can work with and support parents/carers to appreciate the crucial role of PSHE and SRE.⁴² Parents/carers, in turn, have a crucial role to play in supporting their children to learn and understand what makes mutually respectful relationships, to develop empathy and acceptance of diversity, and to challenge any prejudices, stereotypes and inequalities within their communities and in society.

The reluctance of addressing issues around forced marriage, female genital mutilation and 'honour'-based violence for fear of appearing 'culturally insensitive' remains of concern for ATL. We agree that these issues must be addressed and tackled in solidarity and in partnership with BME groups, especially those representing victims/survivors of these particular forms of violence against women and girls. ATL would therefore welcome the inclusion of education about these forms of violence against women and girls into the statutory entitlement to the SRE and PSHE curriculum.⁴³

The Standards Agenda

As with other Government initiatives in relation to education, we also note in this consultation document a strong emphasis on the generic concepts of behaviour, attendance and achievement. While safer schools and colleges will undoubtedly have a positive impact on all these factors, we disagree that initiatives to tackle violence against women and girls should be subsumed under or justified in relation to these factors rather than as moral imperatives within a human rights framework.

We also disagree with the Government's reference to a need for schools and colleges to help children and young people deal with their emotions in the context of tackling violence against women and girls as this not only individualises the act but is also in danger of trivialising the scale and depth of the problem.

Similarly, while we agree that there are strong and significant child protection issues involved in tackling violence against girls and women, ATL believes that we should guard against reducing violence against women and girls to a child protection issue alone. For example, in cases of women without recourse to public funds, children may be taken into care, but not their mothers who are just as much in need of support.

Another example is the DCSF's response to *Making the Grade? 2007*, in which the Department states that "domestic violence is a major focus for the Department, so we protect children and educate their parents", but it may well be that mothers or female carers themselves need to be supported and protected. With schools and colleges being one of the few public places which can often still be accessed by victims/survivors of domestic violence, there is a significant role for education institutions to take a wider view of domestic violence which goes beyond child protection issues.

Such an enhanced role clearly requires the provision of specialist support through a lead practitioner drawn from a multi-agency team as well as training for education staff. Our members suggest that any training should be accredited and facilitated by expert or specialist outside agencies. Many respondents to our survey also felt that there is a particular need for a public awareness campaign on violence against women and girls in all its manifestations.⁴⁴

ATL believes that the principle or model of the Corporate Alliance Against Domestic Violence could be replicated at local authority level for schools and colleges, and we would encourage and firmly support any initiatives to bring all schools into the local authority family of schools. We fear that education structures, at present, with their emphasis on competition rather than collaboration, undermine the holistic principles of the Every Child, including every woman and every girl, Matters agenda, which provides a useful basis in schools for tackling violence against women and girls.

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ENDNOTES:

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- ⁴ Cf. House of Commons/Home Affairs Committee, *Domestic Violence, Forced Marriage and 'Honour'-Based Violence*, Sixth Report, Session 2007-8, vol.1, p.22.
- ⁵ The Men's Advice Line, Research around male victims and domestic violence, www.mensadvice.org.uk/pages/research-around-male-victims-and-domestic-violence.html.
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- ¹⁰ Cf. House of Commons Home Affairs Committee, *Domestic Violence, Forced Marriage and 'Honour'-Based Violence*, Sixth Report, Session 2007-8, vol.1, p.6.
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- ²³ M. Coy, J. Lovett and L. Kelly, *Realising Rights, Fulfilling Obligations*, (London, End Violence Against Women: 2008), p.6.
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