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Reexamining Domestic Violence: A Study on Male Victims in the Context of Pakistani Legislation

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ABSTRACT

This article aims to dispel the prevalent misconception in Pakistani society regarding spousal violence (SV), particularly the assumption that men are always the perpetrators. It seeks to illuminate the fact that SV is not only condemnable when inflicted upon women but also when perpetrated against men, a reality often overlooked in Pakistan. Through an analytical legal research approach, this study explores the causes and manifestations of SV by women against men, alongside an analysis of existing SV legislation in Pakistan. The results indicate a notable lack of awareness and action toward sexual violence against men, with minimal acknowledgment in governmental institutions throughout. SV against males is still often unacknowledged and not reported enough, especially within Pakistani societal standards. The study emphasizes the lack of laws that particularly deal with sexual violence against males. Only one law in Balochistan Province recognizes men as victims of domestic abuse or sexual assault. The paper emphasizes the significance of devoting resources and raising awareness to support male victims of SV and reduce its occurrence. It also supports changes to current domestic violence legislation to more effectively protect the rights of males and align with changes in society. This article attempts to promote a more inclusive and equitable approach to tackling sexual violence in Pakistani society by debunking misunderstandings and pushing for legislative reforms.



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1- Introduction

The terms Spousal Violence (SV) and Domestic Violence (DV) are often used as alternatives of each other, but DV is a broader term that includes abusive behavior involving family or household members and intimate partners, whereas, SV is violence that takes place between spouses or partner in intimate relationship only. It is also recognized as intimate partner violence (IPV). It is a gender-based serious legal issue for all religions, classes, cultures, and nations (Tsouroufli, M. 2020). DV includes physical, mental, and economic aggression or assault i.e., throwing objects, hitting, kicking, slapping, biting, shoving, battery, and restraining. Psychological, emotional, sexual, and economic abuse as well as domineering, intimidation, and stalking are also included in DV (Siemieniuk et al., 2010). Both intimate partners are perpetrating this wrong but DV against men failed to get recognition in Pakistani Society. The object of DV is to dictate and dominate the spouse and it is a combination of physical ill-treatment and aggressive mental behavior (Adebayo and Anthony Abayomi, 2014) DV against feminine has been investigated in the whole world including European and Asian countries at extensive length (Dienye et al., 2009). On the contrary, only several researchers worked to explore DV against men (Dobash et al., 2004). It is believed conventionally that men are more powerful than women; the same is the reason why men avoid reporting their victimization because they feel that they can be confronted with public humiliation regarding apparent lack of their masculine pride and different disparagements of their masculinity (Barber, C. F, 2013). It is also because of that the humiliation of being laughed at, ridiculed, accused, or belittled may be faced by male victims, in case of reporting (Douglas et al., 2011). Most of the men, when reporting against DV, are not believed. Men's ego has been developed in society in such a way that they believe that the reporting of DV is a social disgrace to their masculinity (Cook and Philip W, 2009). Moreover, IPV against men is less acknowledged by society as compared to IPV against women and it supplies an additional barrier to reporting IPV against them. DV against men by their spouses is not legally identified in most countries. Legal protection for men against DV by their spousal partners is equal to none (Khan et al., 2022). It is even though several researches have established that the range of IPV among men and women is virtually the same (Heiskanen et al., 2009). An argument is being advanced that women do violence against their spouses in self-defense (Stets et al., 2017). However, it is experienced that the majority of women became perpetrators just to accomplish their aspiration to dominate over their partner, they were not enthused by self-defense (Bair-Merritt et al., 2010). Just below half of female perpetrators became violent against their men due to no attention from their men towards their care, needs, and problems. The inclination of men for dominance in the family is also one of the reasons for DV against them (Straus and Murray A., 2010). Several General laws are in the field to guard the fundamental rights of both sexes. Special laws to protect women's rights have also been legislated in Pakistan but no special law to protect men from DV perpetrated by their spouse is in the field except one. Article 25 of the Constitution of Pakistan provides equal protection to everyone in terms that "everyone is equal in the eyes of the law and there is no discrimination based on sex." Sub-clause 3 of said article makes it clear that the state is not prevented from making laws for the protection of women. Holy Quran's message that Allah states "As for those women on whose part you fear disloyalty and ill-conduct admonish them first, then refuse to share their beds, and then (as a final measure) beat them lightly; If they heed your call then do not treat them unjustly" Darojati, H. (2016), and article 25 both are being misused. Sometimes these are completely disregarded in our society. For the reduction of DV rate against men in Pakistan, some necessary steps must be taken, e.g., existing enactments should be amended and the rights of male victims of DV must be secured in the same manner as those of women. Steps must be taken to refrain the mobbing. Bias-free justice must be guaranteed. Implementation of laws must be strict, after necessary amendments. Oppression of different sexual orientations should be ended and there should be a complete ban on electronic media to show criminal content through their channels.

This study aims to achieve multiple major objectives to get a deeper understanding of and find solutions for the issue of domestic violence against males in Pakistani society. We will first examine the frequency and characteristics of domestic violence against men, aiming to reveal the different types and displays of

abuse in intimate partner relationships. This study also investigates how society views and feels about domestic violence against men, as well as the obstacles that hinder male victims from reporting incidents and seeking support services. The author will analyze the legal framework and current protections for male victims of domestic violence in Pakistan to find any shortcomings in the existing laws and enforcement methods. The author aims to provide techniques and interventions to decrease the occurrence of domestic violence against men and advance gender equality in treating intimate partner violence (IPV). We will analyze how media representation and cultural standards contribute to either maintaining or questioning domestic violence against males, aiming to provide suggestions for regulating media and promoting awareness campaigns. The author aims to enhance the awareness of domestic violence against males in Pakistan and support initiatives to properly tackle this important issue.

2- Methodology

For this examination, Analytical legal research techniques were used. Research on DV and IPV by different researchers was looked into. General and Special enactments, legislations, and Bills on DV were also explored. It covered all enacted laws and bills to prevent DV, whether at the provincial or federal level. Additionally, this study contemplated the moral standards, Social and economic context, religious influences, and literacy level of perpetrators.

3- Limitations of the Study

This study has certain constraints and limitations. The source of data was prior and pre-existing research conducted by different researchers, so, its findings have limited scope and are not prevalent to the masses. Almost all kinds of SV or IPV experienced by a male victim throughout his lifetime were also covered. The minimum limit of marriage age was one year, whereas, the maximum marriage age was limitless, owing to which, the possibility of inaccuracies and variations cannot be ruled out, due to recall bias. An analytical study of current and pipeline legislation on DV was performed. The focus of the study was confined to the DV by female partners, explicitly, victimization of males. DV laws and amendments in these laws by the Pakistani legislature for securing the fundamental rights of men were studied and assessed, in the light of Article 25 of the Constitution of Pakistan and other enabling laws.

4- Reasons for Domestic Violence Against Men

SV is a serious subject that calls for extra research to offer effectual solutions concerning the facts and circumstances prevailing in societies. Poverty, violation of moral code, addiction, delinquency, underlying psychological disorders, family and cultural differences, infertility of victim, low educational level, inability to create emotional relationships, low monthly income, and high-risk sexual relationships are most common causes of domestic violence. Among other SV-creating factors, lack of legal, social, cultural, and economic support has also significant footings (Dastjerdehei et al., 2020). In Pakistan, DV is primarily linked with liquor and drug addiction. Usually, those men are taken by ladies, who consume excessive liquor and abuse their family commitments. It means that the female intimate partner drives the power of violence from the conduct of her male partner. Men's enticing behavior to force women to become violent has so many reasons, the main of which is non-matched engaged marriages. The root cause of DV can be attributed to illiteracy and lack of religious education. Extreme hunger for modern, foreign, and English lifestyles is another contributing factor to DV. A female partner's intense longing to control her spouse and failure to achieve such a goal is another cause of DV against men. Reasons for greed to control her partner may be trouble in controlling anger and mood swings, lack of confidence, intense jealousy, inferiority, or superiority complex comparing the education and socioeconomic background of the male partner (Okumu et al., 2022). Very exceptional category's women believe themselves superior to their spouses and claim their right to control their spouse. Undiagnosed personality or psychological disorders may also cause the women to become perpetrators. In Pakistani Society, some women, members of families where DV is taken as a normal part of their life, inherit the habit of DV

aggression from their family. Male domination may also take the form of emotional, physical, or sexual abuse. DV perpetrators learn violent behavior from their families, community, and cultural influences because most of the studies suggest that aggression is often caused by situational and individual interaction. Such perpetrators may have observed or may have been victims of violence (Dutton and Donald G. 2006). Children victims and observers of DV may believe that the pragmatic approach to the resolution of conflicts is violence. Girls witnessing DV in their paternal families have a higher probability of being victimized by their spouses. Generally, women are taken as victims of DV but it is reversed sometimes (Scott-Storey et al., 2023). Disorders like antisocial, borderline personality, and posttraumatic stress as well as intense longing for control relationships; weak anger control, substance abuse, jealousy, depression, stress, criminal history, psychological problems, sexual abuse, and attitudinal approval of spouse are also reasons of DV against men. It is also worth mentioning that anger, frustration, feelings of powerlessness, revenge, and skill deficiency can also be counted as reasons for DV against men (Saldivia et al., 2012).

Moreover, prevalent poverty across the nations generated frustration in society, which resulted in violence in families (Kumar, K. et al., 2023). In addition to the abovementioned factors of DV against men, deficient moral Education of women, the poor fiscal status of the wife, the unfriendly environment at home, broken family, negligence of husband, behavior with matrilocal husband, too much use of the internet and social media, incompetency and impotency of husband, superiority complex of men and discontented ego of women also play a role to make female spouse violent. Whichever is the reason for DV, no reasons, however, validate or defend the abuse committed by the perpetrator. It should also not be taken as a justification for their wrongful acts. These probable reasons are discussed for a better understanding of why the perpetrator believes that physical, emotional, psychological, or sexual violence is suitable for dealing with her intimate partner. Eventually abuser requires help for her unhealthy and self-damaging behavior or finds her living a solitary and lonely life.

5- Review of Literature

Men are victims of DV at many socioeconomic levels, according to research conducted in Nai Abaadi Chaakra, Rawalpindi, Pakistan. As per researchers, most of the time, rather than being the target of DV, Men are overlooked or even falsely accused of being aggressive. This can be due to the advantage women have over men in Pakistani society because women are frequently seen as innocent and respectful. However, women frequently take it as an advantage and commit DV against men, including sexual, psychological, and emotional abuse in addition to physical assaults (Munirkazmi, S. S. and Mohyuddin, A. 2012). 176 wedded men were interrogated in research carried out in Karachi city of Pakistan, range of their marriage age exceeded a year. 49.4% of male victims complained of marital physical abuse. 47.7% reporting was of hitting, punching, and slapping, whereas, 55% of men were themselves found victims of physical violence during childhood (Fikree et al. 2005, p. 49-58). 257 wedded men were examined in another research executed at District Dir (Lower) of the Province of KPK, and it was observed that 99% of men were victims of psychological violence. 89.5% of women imposed their own decision on their male partner; 56.2 wives forced their husbands to listen to their instructions; 1.2% of husbands faced physical violence for failure to follow the instructions of their wives; 72.9% of husbands were restricted by their wives from seeing their friends; 87.2% husbands faced restrictions by their wives to contact with their paternal family; 70.2% of the husband were restrained from shopping and 1.6% husband were deprived health care facilities. Such study also testified that 30.6% of wives were of the belief that their husbands had no trust in them; 70.95 husbands were insulted by their spouses; 19% of wives made their husbands feel bad about them; 22.9% of women publically humiliated their husbands; 74.4% husband were intimidated or scared by their wives, while, 31.8% wives extended threats of hurt to their spouses. So far as the physical violence against male spouses is concerned, 2.7% of husbands received slaps from their wives; 40.3% of husbands were hit by their wives through thrown objects; 61.2 % of wives pushed their husbands; hairs of 7% of husbands were pulled by their wives; 17.4% husband received fist or punch

from their spouses; 17.4% husbands were hit by something else that can hurt, while, 0.4% of husbands were kicked by their spouses. Precise of this study is that 39.42% of men were found victims of DV (Hizbullah K et al., 2018). Every fourth woman and every seventh man is the sufferer of brutal physical violence from her/his spouse at some point in her/his lifetime. They also suffered Sexual, Emotional, verbal, Economic, and Psychological abuse (Directorate of Human Rights Khyber Pakhtunkhwa, 2016). Mrinal Chadha concluded that 12% of Pakistani male intimate partners are victims of DV and 59% of them are reported missing for 11 workdays due to DV (Chadha, M. et al., 2021).

S. Thureau examined 707 victims of DV, out of which (13%) 81 were men and (87%) 626 were women. He concluded that on repeated occasions male victims of DV were 49% and receivers of minor skin injuries were 85%. 91% became unfit to do work for 3 days and 70 % of male victims became psychologically impaired due to DV (Thureau et al., 2015). Carbone-Lopez and Kristin Carmela concluded that 3.4% of male victims of DV reported interpersonal violence and 1.6% of DV male victims reported being the victim of systematic abuse, after examining 5867 US men (Carbone-López and K. C 2006) Another study of 216 US men revealed that 20% of them were found victim of DV with their current relationship (Afifi et al., 2009). Findings of an examination of 2,991 Air Force personnel in the USA are that 23% of DV perpetrators were female (Brewster et al., 2002). McCarroll et al. concluded in their study conducted in the Army Central Registry of the USA that 33% of perpetrators of DV were women (McCarroll et al., 2000). Statistics, according to Fiebert, show that 63% of men and 39% of women are victims of aggressive domestic situations (*Fiebert et al., 1997*). In his 30 years most recent research, ‘Shuler’ noticed that 12% of men were subjected to DV of any kind in any event by their intimate partner, within a given year. He also explored that 1.3 per 1000 men and 3.8 per 1000 women were deceived by their spouses. Although these pieces of knowledge are not as towering as those of women but not immaterial; previously, the harsh conduct of females at home was seen as an individual, rather than a social issue (*Shuler and Caroletta A. 2010*). Machado concluded that a male victim is underappreciated, maltreated, and punished when he attempts to seek help against IPV. He also highlighted the potential societal issues that are contributing to male victimization due to the lack of available resources for them (*Machado et al., 2020*).

6. Legislation on Domestic Violence in Pakistan

Before discussing the DV laws, it is imperative to examine the broader spectrum of DV. Some of the familiar kinds of DV are beating, assaulting, battering, verbal abuse; economic and psychological abuse, and violence. Emotional, verbal, and psychological violence are types of crushing and disregarding behavior for victims. Instances exemplifying this kind of violence are violations of the victim’s liberty, privacy, integrity, and security. It also includes insults, hurt, threats of physical pain or hurt, malicious prosecution, blaming for immorality, and divorce. Harassment is also considered a form of DV which includes the unwanted and intimidating behavior of the perpetrator suggesting the fear of harm through any manner to terrorize the victim. Depriving the victims of utilizing the entitled economic or financial resources or prohibiting or restricting them from maintaining access to such resources is termed as economic abuse. The standard-setting statement of Pakistan is its constitution, which distinguishes the basic standards by which every other law must contend with it. Similarly, it differentiates the key rights of Pakistani citizens, granting the fundamental rights that must not be violated by any legislative act or practice in the country. Article 25 of the Constitution of Pakistan grants equal protection by law to the people of Pakistan and that too without discrimination of sex, but the factual and actual state of legislative work for the protection of men against DV is totally poles apart from its basic theme.

6.1. Legislation for Islamabad Capital Territory (ICT)

The Ministry of Women finalized the Draft “Domestic Violence (Prevention and Protection) Bill in 2009” (DV Bill, 2009) and it was for the first time introduced and passed by the National Assembly of Pakistan (NA) in August 2009. Later on, it was presented in the Senate of Pakistan (Senate) and was ratified there

in February 2012, but it could not succeed in becoming an Act of Parliament because of not pass the Sharia test of the Council of Islamic Ideology (CII) (Ch, S. N. et al., 2021). However, it was the first and foremost attempt of the Pakistani legislature to make a law regarding DV. Another bill titled “Domestic Violence (Prevention and Protection) Act, 2020” (DV Bill, 2020) was introduced in NA in 2021 and was passed on the 19th of April 2021 (National Assembly Secretariat, 2021). Said bill has also been passed by the Senate since 21st June 2021. (Senate Secretariat, 2021) However, it was returned to NA, from where it was referred to CII for constitutional advisory (Ahmad, T. 2021). It yet requires the approval of the President of Pakistan, to become an “Act” of Parliament, after passing the Sharia of CII.

The aims and Objectives of DV Bill 2020 are to provide legal relief, rehabilitation, and protection to the victims of “Domestic Violence” (DV Bill, 2020 s 3) and criminalize the “respondent” (DV Bill, 2020 s 2.1-xv) for subjecting the “aggrieved person” (DV Bill, 2020 s 2.1-i) to DV. A category of “informer” (DV Bill, 2020 s 2.1-viii) is also provided in it, whose job is nowhere mentioned in it. DV Bill, 2020 deals with various “Emotional, psychological and verbal abuse”. (DV Bill, 2020 s 3-explanation Ib) It includes the pattern of humiliating or degrading conduct towards the victim and also acknowledges assault, abetment, use of criminal force, harassment, criminal intimidation, hurt, physical abuse, mischief, trespass, willful or negligent desertion of the victim, stalking and economic abuse as a part of DV. This Bill also deals with "physical abuse" (DV Bill, 2020 s 3-explanation Ia) which means physical harm inflicted upon “vulnerable persons” (DV Bill, 2020 s 2.1-xviii) and includes the offenses relating to the human body and affecting human life, offences of wrongful restraint and wrongful confinement, offences of criminal force, assault, slavery, kidnapping, abduction, and forced labor, the offense of rape, unnatural offense, offences against property, offenses relating to marriage and offenses against women (Ministry of Law and Justice, 2017). DV Bill, 2020 also covers “Economic abuse” (DV Bill, 2020 s 3 explanation I-d) which includes deprivation of economic resources or restriction to access such resources to which the aggrieved person is entitled. “Sexual abuse” (DV Bill, 2020 s 3 explanation I-c) i.e., sexual conduct to abuse, humiliate, degrade, or otherwise violate the dignity of any person, is also covered under DV Bill, 2020. The terms, which are not defined in it are referred to the Pakistan Penal Code, 1860 (PPC) and Code of Criminal Procedure, 1898 (Cr. P.C). Due to this DV Bill, 2020 is strongly interconnected with the PPC and Cr.P.C. It is also made clear in it that the facts and circumstances of every case shall be considered, for the determination of whether the conduct, etc. of the respondent constitutes DV or not (DV Bill, 2020 s 3 explanation I). In practice, the terms “psychological” and “economic” violence may be misused because a variety of perpetrators may exploit the situation by claiming that the victims had applied psychological violence against them just to justify that their act was in response or self-defense. It may also be because of that the proving of psychological violence is very complex, especially in fragile states (Gupta et al., 2023). The success of this bill is that the DV has no more private family issues because any aggrieved person may knock on the door of the Court and the court shall direct the respondent to show cause within seven days of receipt of notice (DV Bill, 2020 s 5.2).

In the meantime, a prevention order may be passed but a protection order shall not be issued for committing domestic violence (DV Bill, 2020 s 5.3). This means that the accused of DV is free to manage evidence to prove him innocent. The court is also bound to decide the victim’s petition within ninety days of its making (DV Bill, 2020 s 5.4). In the case of the prima facie commission of DV, the court may restrain the respondent from committing further acts of DV or having communication with the aggrieved. The court may also direct the respondent to stay away from the aggrieved or stay at a specified distance wear an ankle or wrist bracelet GPS tracker or move out of the house (DV Bill, 2020 s 8.1) Entering into the place of employment or educational institution of the aggrieved person and causing violence by respondent to the dependents and relatives or any other person assisting the aggrieved may be restrained by the court. On proving the commission of DV, reasonable and necessary conditions or specific directions may be imposed or passed by the court for the protection and safety of an aggrieved person. The court may also direct the police to protect the aggrieved person (DV Bill, 2020 s 8.2-9). Offenses of DV falling under PPC are punishable as provided in PPC, whereas, offenses of DV not falling under PPC DV are

punishable with imprisonment from six months to three years and a fine of Rs. 20,000 to 100,000 and in case of default in payment of fine, three month's simple imprisonment (*DV Bill, 2020. s 4*). It extends only to the Islamabad Capital Territory (ICT), which is only 0.96% of the total 207 million of the country's population (*Final Results of Census, 2017*)

6.2.DV Legislation for Sindh Province

The legislature of the province of Sindh is the first DV law-making body in Pakistan, it officially passed the first-ever law against DV on 12th of March, 2013 under the name and title of "The Domestic Violence (Prevention and Protection) Act, 2013" (SDVA, 2013). (Provincial Assembly of Sindh, 2013) SDVA, 2013 defines the aggrieved person in the same manner as defined in DV Bill, 2020 (*SDVA, 2013 s 2.1a*). "Child" is defined in it very exhaustively (*SDVA, 2013 s 2.1b*), similarly as in DV Bill, 2020, because it deals with every person under the age of eighteen as a child. The definition of "informer" (*SDVA, 2013 s 2.1i*) is also added but as compared to DV Bill 2020, it empowers him to present a petition before the court, for the aggrieved person. Punishments for each kind of domestic violence, varying from monetary compensation to imprisonment of two years are provided in it (*SDVA, 2013 s 5-6*). Rests of the features of SDVA, 2013 are in similarity to DV Bill, 2020.

6.3.DV Legislation for Balochistan Province

Aiming to the recognition of fundamental rights of women and men to dignity of the person, "The Balochistan Domestic Violence (Prevention and Protection) Act, 2014" (BDVA, 2014) was passed by Balochistan Provincial Assembly on the first of February 2014. It got approval from the Governor of Balochistan on 11th February 2014 (Provincial Assembly Balochistan, 2014). It deals with the province of Balochistan. BDVA 2014 has a momentous difference from all the DV Laws enacted in Pakistan on the point that the "man" is also included in the definition of the aggrieved person (*BDVA, 2014 s 2.1a*). In this way, it also protects the men from DV and IPV. It provides three days' notice (*BDVA, 2014 s 5.3*) to the "accused" (*BDVA, 2014 S 2.1b*) by shortening it from seven days, as compared to DV Bill, 2020 and SDVA, 2013. Through this act, the court is also made bound to decide the application of the aggrieved person within thirty days of its making and the court has also to follow the summary trial procedure as provided in chapter XX of Cr. P.C (*BDVA, 2014 s 5.4*). Additionally, "domestic help, or employment as a domestic servant" has also been included in the definition of a "vulnerable person" (*BDVA, 2014 s 2.1u*). BDVA, 2014 is more exhaustive and comprehensive than DV Bill, 2020, and SDVA, 2013, because it also provides the penalty for filing false complaints (*BDVA, 2014 s 25*). For the rest of the features, it is almost a copy of the DV Bill, 2020.

6.4.DV Legislation for Punjab Province

The Punjab Protection of Women against Violence Act, 2016 (PPWVA, 2016) was promulgated 9th of February, 2016 (*Provincial Assembly Punjab, 2016*). This Act defines a female as an "aggrieved person" (PPWVA, 2016 s 2.1a) who has become the subject to violence. "Dependent child" (PPWVA, 2016 s 2.1e) i.e., male child below the age of twelve years, of an aggrieved person is also protected through this Act. It discriminates against the variety of possible victims of DV or IPV because it only recognizes female victims. Moreover, the definition of child only covers male children, discriminating against girls and all children above the age of twelve years. "Defendant" (PPWVA, 2016 s 2.1n) is defined in it in such a way that any person can be a possible perpetrator. Seven days' notice by the court to the defendant and a decision of complaint within 90 days of the making of the complaint is made a directory for the court (*PPWVA, 2016. Sec. 4*). Economic and psychological abuse is defined in it in a very limiting manner. The court is empowered to force the defendant to wear an ankle or wrist bracelet GPS tracker, during the investigation process. An aggrieved person is not protected from harassment through PPWVA, 2016, and sexual violence is also not defined in it. Criminalizing the perpetrators of DV is neglected in it but the

penalty for filing a false complaint and breach of the order is provided in this Act in the shape of punishment of imprisonment (*PPWVA, 2016. Sec. 19-20*).

6.5.DV Legislation for Khyber Pakhtunkhwa (KP) Province

With the object of curbing the menace of DV against Women in the Province of KP, the Khyber Pakhtunkhwa Domestic Violence against Women (Prevention and Protection) Act, 2021 (KPDVA, 2021) was promulgated on 08th February 2020. It has significant differences with above said DV Bill, 2020, SDVA, 2013, and BDVA, 2014 because the aggrieved person has been altered in it with “complainant” (KPDVA, 2021 s 2.1c) which may not be anyone else except the woman. Child, man, and any other vulnerable person is not included in the definition of complainant or victim and it does not recognize gender-based violence. The respondent or accused has also been altered in it with “complainee” (KPDVA, 2021 s 2.1d). The meaning and definition of “Domestic violence” (KPDVA, 2021 s 2.1j) have also been confined in it and it is given a very short meaning, however, “violence” (*KPDVA, 2021 s 2.p*) has a very exhaustive definition, it is in the same manner, as the DV is defined in DV Bill, 2020. But psychological and economic abuse is defined in it in the same parameters as defined in PPWVA, 2016. Another important point is that not only the complainant, but also her guardian and secretary of the District Protection Committee may also make an application before the court, for the redress of the grievance of the complainant, and the court has to decide on such an application within 60 days of its making, without adjourning it. If adjournment is necessary in the interest of justice, it shall not be for more than two working days (*KPDVA, 2021 s 12*). The Complainee and all others who abet or aid the Complainee in the commission of DV shall be liable to a minimum imprisonment of one year and a maximum of five years (*KPDVA, 2021 s 3*). This act is significantly different from other DV Laws and Bills because it recognizes only women as victims of DV or violence.

7. Comparison of DV-specific laws

DV legislation is being taken as no problem because in some administrative units i.e., Gilgit Baltistan (GB) and Azad Jammu & Kashmir (AJK) no legislation to curb DV has been introduced yet. BDAV, 2014 is better developed than the DV Bill, 2020, and all other DV laws because it includes a wide range of potential victims and extra operative time for proceeding and trial. Diverse victim groups are hushed in KP and a variety of violence is left unquestioned. For such, disapproval of the Human rights laws by the CII can be one of the possible reasons. The DV legislation situation appears to be worse in certain areas than it is in others. The major reasons for the silence are the discriminatory definitions of victims and offenders, given that an aggrieved person may include both the perpetrator and several victim categories. Region of ICT has only introduced bills but failed to convert them into enactment, whereas, no DV legislation processes have yet been introduced in AJK and GB. Silence is also observed due to inconsistencies with various definitions. No man is included in the definition of the aggrieved person, except those who have a physical or mental disability or are handicapped. The legislation that criminalized the DV perpetrators in Pakistan is only SDVA, 2013, and BDVA. These are confined to Sindh and Balochistan respectively. An official monitoring institution is not established by any of the legislative frameworks. PPWVA, 2016 is neither under the criminal procedure nor it introduced the penal consequences for offenders. One could theorize that the provinces with DV-enacted laws may experience a reduced percentage of DV incidents; however, as of now, no population survey has been conducted yet to validate this assumption. The most important thing is that the success of these statutes and Bills has left Domestic Violence no longer a private family issue because any aggrieved person may knock on the door of the Court as a victim of DV.

8. Other General Laws for the whole of Pakistan

In addition to the above, the Protection of any victim including men from any sort of violence is assured by the legislature through several general laws and special laws. Some instances of these are as under;

Honor killing is defined as the Slay of a member(s) of a family or community by a fellow member with the conviction that the subject has brought dishonor to the family or group (Li, 2023). The murderer took the honor killing as a means of restitution of the status and reputation of the family, in society. Human Rights Commission report exposed 1096 female and 88 male victims of honor killing, in 2015.

“Criminal Law Amendment Act, 2004” was introduced by the legislature in 2001, to protect the victims from such brutality (*National Assembly Secretariat, 2005*). “Anti-Honor Killing Laws (Amendment) Bill, 2014” and “Anti-Honor Killing Bill, 2016” were also introduced in the NA and Senate respectively. After enacting these laws as “The Criminal Law (Amendment) (Offences in the name or on the pretext of honor) Act, 2016”, it was officially notified on 22nd of October 2016 (*National Assembly Secretariat, 2016*). These amendments provided an exhaustive definition of honor crimes through section 299 of the Pakistan Penal Code. This definition includes the male victims. Lodging of FIR and making of a complaint under section 200 of Cr. P.C., 1898 is also available to the victims. Punishment of honor killing is given in section 316 of PPC. Section 310 and 310 A of PPC has made it punishable to offer a woman compensation for a crime (Badal-e-Sulah) (*Lari, M. Z, 2011*). Another brutal form of violence is acid throwing, wherein both perpetrators i.e., male and female, intentionally and willfully throw acid at the victims, usually targeting their faces and sensitive body organs. To control acid throwing, Section 336(A) and 336(B) in PPC were added through the Criminal Law (Second Amendment) Act, 2011, and ‘hurts caused by corrosive substance / Acid were made punishable for a minimum of 14 years to maximum life imprisonment. (Criminal Law (Second Amendment) Act, 2011) These laws provide the remedy of registration of criminal cases and making of complaints under sections 154 and 200 of Cr. P.C respectively.

Child marriage is the marriage by an individual before reaching the age of 18 years for males and 16 years for females, in Pakistan. Through the Punjab Child Marriage Restraint (Amendment) Act, 2015, and by amending the Child Marriage Restraint Act, 1929, parents of the child, guardian, or any other person promoting or solemnizing child marriage are made liable to be punished through the registration of criminal cases against them. Family Court having powers of Judicial Magistrate First Class is made forum of adjudication, which shall take cognizance of the complaint of the Union Council (Provincial Assembly Punjab, 2015). Forced marriage is a marriage where one or both of the parties enter into a marriage contract without his/her or their consent and against will. Usually, this type of offense takes place whenever a woman is compelled to enter into a marriage i.e., marriage in wanni, swara, Badl-e-Sulh, or marrying a woman with the holy Quran. The legislature has enacted “The Criminal Law (Third Amendment) Act, 2011” and added Section 310-A, through which offender of giving a female in marriage or otherwise in badl-e-sulah, wanni or swara is made liable to a minimum of three years and a maximum of seven years imprisonment. Through the insertion of sections, 498.a, 498.b, and 498.c in PPC depriving women from inheriting property, compelling them to enter into forced marriages, and marrying with the Holy Quran has also been made punishable. (Criminal Law (Third Amendment) Act, 2011).

To protect the victim from different forms of Sexual Violence i.e., Rape, Stripping, Exhibitionism, Sexual photography, Incest, forced prostitution, trafficking for sexual exploitation, Stalking, Eve-Teasing, and Sexual harassment in the workplace, the Legislature of Pakistan has enacted several laws. For the offense of rape punishable under Section 376 of PPC, the remedy to lodge FIR or make a Complaint before the police or Magistrate respectively is provided in Cr.P.C. Punishment of death or imprisonment of not less than ten years which may extend to 25 years, and fine may be awarded to the offender, subject to the severity of offense and offender.(PPC, 1860) Through “The Criminal Law (Amendment) (Offences Relating to Rape) Act, 2016” Courts dealing with rape cases are made bound to decide the case within three months and appeal within six months. Protection of the identity of rape victims has been secured right from the reporting of crime till the conclusion of trial and Penalties for disclosure of personal information of rape victims are also provided in said Act. Medical and DNA tests have also been made mandatory within 24 hours of reporting of crime. Punishment for rape causing hurt to the body of the victim, rape with a minor, and the mentally or physically disabled person has been increased to the death

penalty. Such Investigating officers who fail to properly investigate and pursue the case are also held liable for punishment (*Criminal Law (Amendment) (Offences Relating to Rape) Act, 2016*). Through enactment of the “Torture and Custodial Death (Prevention and Punishment) Act, 2022”, “Custodial rape” and its abetment is also made punishable in accordance with the rape laws. The trial of custodial rape is to be concluded within three weeks from the date of receiving of challan and appeal within thirty days. Special protection is also provided to victims and witnesses of custodial rape (*Senate Secretariat, 2022*). Sections 354 and 354-A provide the punishment of two years imprisonment or fine or both and death or imprisonment for life and fine respectively for the offenses of outraging the modesty of a woman or stripping her or her clothes in public to exposing her to the public view (*Tariq, et al., 2022*). Forced Prostitution and trafficking of women for sexual exploitation have also been made punishable with imprisonment which may extend to twenty-five years and a fine. For this purpose, Sections 371A and 371B have been incorporated in PPC (Akhtar, 2022). Stalking and Eve-Teasing are one of the forms of sexual harassment, for which, Section 509 of PPC and PPWVA, 2016 is in the field to protect women from any sort of sexual harassment in the shape of stalking and Eve-teasing. For an offense under the section of 509 PPC, the remedy of registration of criminal case is provided whereas under PPWVA, 2016, remedies of Protection centers and shelter homes, Centers for reconciliation and resolution of disputes, District Women protection committee and Toll-free universal access number (UAN) are made available to women.

For Sexual Harassment at the Workplace “The Protection against Harassment of Women at Workplace Act, 2010” provides the remedy of filing a complaint before the Federal or Provincial Ombudsman. Two types of penalties are provided for the violator i.e., Minor penalties of censure, withholding of promotion or increment for a specific period, stoppage of efficiency, a bar in the time-scale for a specific period, and recovery of the compensation for the complainant, and Major penalties of reduction to a lower post or time-scale, or to a lower stage in a time-scale, compulsory retirement, removal from service, dismissal from service and Fine (Khan, et al., 2022).

So, for as Economic violence or abuse is concerned, it received minute attention from the lawmakers. Recognition of this type of violence or abuse is unfortunately less than what is required to curb it. Economic violence includes the exclusion of victims from financial decision-making, limited access of victims to funds and credit, Discrimination of victims with regard to property laws, discriminatory traditional laws of inheritance, uneven salary at workplaces, i.e., leave under-paid, denial for victims to use communal land, an irrational ban on working by partners, denial of payment of dower and abandonment of family maintenance (Fawole and Olufunmilayo I, 2008). In addition to Section 498-A of PPC, Section 9 of The Muslim Family Laws Ordinance, 1961, (MFLO, 1961) Section 2 (ii) of Ground for Dissolution of Muslim Marriages Act 1939, The Women in Distress and Detention Fund Act, 1996 and PPWVA, 2016 provides the remedy for economic violence or abuse from their spouse or other member of family. Failure of the Husband to pay maintenance to the Wife empowers the wife to apply to the Chairman Union Council, which shall constitute an Arbitration Council, which shall determine the matter and may issue a certificate specifying the amount of maintenance allowance to be paid by the husband. This remedy is in addition to any other legal remedies available to the victim, which also include the institution of suit for recovery of maintenance allowance, dower, dowry, and personal belongings under the Punjab Family Court Act, 1964. It may also become a ground for the dissolution of a Muslim marriage if the husband has neglected or failed to provide maintenance for a period of two years (Shahid, 2013).

9. Analysis of Legislation on Domestic Violence Against Men

The legal system of every country reflects the Basic values of a country. While considering the DV in Pakistan, the two most important components of the widespread legal structure of Pakistan must be looked into, i.e., the constitutional law and laws enacted in the light of principles of Shariah. The object of legislation must be the legal treatment of DV in Pakistan strictly in accordance with the divine law and laws of the land. Shariah’s philosophy is and must be the foundation of legislation in Pakistan (Pakeeza,

2015). Above said second component of legal structure may be distributed in General Law and Special Law. Through almost all the General Laws, Men and women are both protected from certain acts of violence whereas women are also protected from all sorts of abusive behavior at home, workplace, markets, and legal custody through several special laws, in addition to general laws.

Because of the inside and outside examination of DV laws, some essential ends can be drawn. All above-discussed DV laws except BDVA, 2014 only protect the rights of aggrieved persons, which do not include men. As a whole, men are still deprived of their fundamental rights as enshrined in our constitution wherein Article 25 clear-cut states that everyone is equal before the law without any discrimination based on sex. It is only BDVA, 2014, that includes “men” in the definition of an aggrieved person and protects them in the same way as women are protected, from DV. It is pertinent to mention here that the total population of Balochistan is 12335129 out of which 6486736 are male, whereas, the total population of Pakistan is 207,684,626 and, in this way, the total population of Balochistan is only 5.95% of the population of the whole of Pakistan (*Pakistan bureau of statistics, 2017*). This means thereby, only 2.12% men of in Pakistan are subject to BDVA 2014. Men of the remaining population of Pakistan have no right to be protected from DV or have any prevention thereof. To curb any type of gender-based violence, especially Domestic violence, necessary amendments in the existing legislation are required to be adjusted for the protection of men’s rights in our progressive society wherein females want to dominate over males at any cost (*Farid, et al., 2008*). There are various Administrative and Non-Legislative Associations focused on securing the benefits of women but rare is there to protect the rights of men. There must be legislation for encouragement on the governmental level to establish organizations and associations for the protection of the rights of men against DV and the provision of legal aid to male victims of DV. Our overall population needs foundations and bodies to look out for such scenes, which makes it a lot harder to perceive any event of violence against men. In Pakistan, there are ZERO associations or backing bunches present to help the male victims of DV. Indeed, even in created nations like the USA, there are more than 1,500 safe houses for female victims of DV and even more than 1,600 spare houses for creatures. Be that as it may, for men? There is only ONE safe house for male exploited people in the USA. In Pakistan, while ladies are urged to voice against DV, men have not possessed the capacity to voice their issues, the real issue being them being marked "powerless" or "non-manly" by individuals and being ignored.

10. Conclusion

Domestic Violence against men is genuine and has been across the board in Pakistan at a disturbing rate., there is a dire need of the hour to discuss this issue at the national level to find the solution to widespread problem of DV of women against men, especially against their spouses. Enacted legislation and efforts to legislate the laws about DV are only to the extent of women, in Pakistan. The only exception is the least populous Province of Balochistan, where, man is also acknowledged as a victim of DV, but even then no practical implication of BDVA, 2014 is observed from any corner. Lawmakers must acknowledge that different types of DV against men are a reality, from which men are to be secured and laws to control such DV must be enacted and implemented, in the same manner as the case of women. Legislation is rare on DV against men. Legal and social support as well as state policy for male victims of DV require attention. Breaking of social prejudice annexed with DV and adoption of appropriate policy regarding DV legislation including making of gender-neutral laws to protect men from DV and IPV is strongly suggested. The female perpetrators must be given wide attention to discourage others from having such inclinations. Pakistan needs progressively explicit and strict laws concerning DV, according to which disputes of DV must be treated as special criminal matters, to be resolved within days and people must be taught about gender equality and peaceful conduct at home. NGOs should be given the task of "rights-based projects" to provide legal aid to the male victims of DV. The religious chiefs ought to be welcome

to talk about DV in Mosques, Madrassas, and religious foundations of different beliefs. These religious chiefs can change the conventional attitude of individuals, more so than spouses' rights associations.

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