

ALCOHOL, DOMESTIC ABUSE AND SEXUAL ASSAULT

Key Points

- Research typically finds that **between 25% and 50% of those who perpetrate domestic abuse have been drinking at the time of assault**, although in some studies the figure is as high as 73%. **Cases involving severe violence are twice as likely as others to include alcohol.**
- Where alcohol is involved in domestic abuse it is **not the root cause**, but rather a compounding factor. Alcohol should not be used as an excuse for those who perpetrate abuse, but neither should its influence be ignored.
- Alcohol use by the victims of domestic abuse is a complicated issue. At times it can be misinterpreted and used against the victim, yet **in some scenarios victims are likely to turn to alcohol as a means of coping with their experiences of abuse.**
- **Research suggests that those who mix energy drinks and alcohol are almost twice as likely to be taken advantage of sexually.**
- There is a strong link between alcohol and violence, and **research suggests that pricing policies such as minimum unit pricing for alcohol would reduce rates of domestic violence.**
- In light of poor conviction rates and general misunderstanding about alcohol, sexual assault and rape, there have been calls for a **change in the law around consent so that intoxication is seen as a possible indicator that abuse has taken place.**
- **There is a need for improved training for law enforcement agencies** on the impact of alcohol, sexual assault and the capacity to consent.

Introduction

Alcohol harm is experienced not only by drinkers but by those around them including families, friends, colleagues and strangers. There is a strong relationship between alcohol and domestic abuse, violence and sexual assault. **Whilst alcohol should not be used as an excuse for those who perpetrate violence and abuse, neither should its influence be ignored.** This report outlines the evidence on the relationship between alcohol, domestic abuse and sexual assault and makes recommendations for tackling the problem in the UK.

Domestic abuse includes both physical violence and emotional, sexual, psychological or financial behaviour between intimate partners or family members which is controlling, coercive or threatening. It can occur as an isolated incident but is often found as a pattern of abuse within the home, and is estimated to cost the UK nearly £16 billion a year.¹

Research typically finds that between 25% and 50% of those who perpetrate domestic abuse have been drinking at the time of assault,² although in some studies the figure is as high as 73%.³ There are however no official statistics specifically regarding alcohol misuse and the prevalence of domestic violence in the UK. Information from perpetrators' reports and victims' reports provides a useful but incomplete view of the situation, and it has been found that only 13% of victims of serious sexual assault reported the incident to the police.⁴ It has been suggested that

on average, a woman will have been assaulted 35 times before her first call to the police.⁵

There is a large body of research linking alcohol and domestic abuse. **Alcohol is particularly associated with incidents of physical and severe physical domestic violence,⁶ and this is also true for incidences of sexual assault.⁷**

The relationship between alcohol and domestic abuse is complicated however, and alcohol use can have various effects on both the perpetrators and victims. These can be factors central to the assault itself, such as cognitive impairments caused by alcohol, or more distant factors, such as alcohol expectancies about sex, where men may expect to feel more powerful, disinhibited and aggressive after drinking. While it may not always be the case, research does suggest that it is problem drinking that is more likely to be associated with domestic abuse than drinking per se.

Alcohol and those who perpetrate domestic abuse

There are a number of possible reasons as to why such a high proportion of those who perpetrate domestic abuse have been drinking at the time of assault, and why cases involving severe violence are twice as likely as others to include alcohol.

Alcohol increases the likelihood of perpetrating violence through reduced inhibition and increased aggression,⁸ and perpetrators may intentionally use alcohol to justify sexually aggressive behavior. Alcohol also has a psychopharmacological effect on cognitive functioning and can cause drinkers to misread and disregard the degree of sexual interest in their victim, potentially a key factor in rape and sexual assault.⁹ Combined with lowered inhibitions, this can lead to aggression when inaccurate expectations are not met. An additional factor may be that certain personality types increase both the propensity to drink heavily and to commit sexual assault.¹⁰

Alcohol use by victims of domestic abuse

Domestic abuse groups have raised alcohol use by victims of abuse as an important issue and emphasise the need for care to be taken in order to avoid the use of damaging victim-blaming narratives. There are many reasons why victims of domestic abuse may drink. Amongst those caught up in long term domestic abuse there is evidence that they may use alcohol to cope with the effects of domestic abuse. Indeed, one study found that **women who suffered domestic abuse from their partners were twice as likely to drink after the abuse as their violent partner.¹¹**

In cases of rape and sexual assault outside of relationships, other explanations for why a victim may have been drinking range from social stereotypes portraying women who drink as more sexually available, and therefore making them more prone to being targeted for sexual assault, to the cognitive defects brought about by drinking. In cases of rape this last point can be particularly problematic¹² as alcohol consumption can impact upon **a victim's 'capacity to consent', causing legal problems where victims have knowingly consumed alcohol.¹³**

Current case law does little to protect those who have voluntarily consumed alcohol unless they have reached the point of unconsciousness, with the judge in R v Dougal (2005) stating that 'drunken consent is still consent'.¹⁴ **It is because of this that some groups have called for a change in the law so that intoxication be seen as a possible indicator that abuse has taken place.** This already exists for child sexual abuse cases and would place put a duty of care on (usually) men to ensure that they engage in consensual sexual relations, clarifying things for juries where a case comes down to one person's word against another (see the recommendations at the end of the paper for more detail).

Emerging trends: pre-loading and high caffeine drinks

The incidence of pre-loading (consuming alcohol at home before going out drinking) has increased in recent years, and has been linked to increased overall consumption, increased sexual assaults and increased fights and injuries.¹⁵ In addition there is a growing **body of research linking the mixture of high caffeine energy drinks with alcohol to an increased risk of sexual assault for both men and women.** Large amounts of caffeine can mask the effects of alcohol, making people feel more alert and in control of themselves than they actually

are, and potentially leading them to consume more alcohol than they would have without caffeine. **One study found that those who mixed energy drinks with alcohol were more than twice as likely to take advantage of someone else sexually, and almost twice as likely to be taken advantage of sexually themselves.** In addition they were twice as likely to be hurt or injured, and twice as likely to require medical attention.¹⁶

Alcohol and dual perpetrator domestic violence

Cases of dual perpetrator domestic violence have been found to include the highest number where both partners were alcoholics or heavy drinkers, with alcohol present in 88% of such cases, significantly higher than the sole domestic violence perpetrators in the sample (63%).¹⁷ One study found that, despite the fact that both partners engaged in alcohol or domestic abuse, a far greater number of the total cases of domestic abuse were attributable to men, and men were more likely to be recorded as using alcohol.¹⁸

Alcohol, children and domestic abuse

Alcohol misuse is estimated to be involved in 25% – 33% of child abuse cases¹⁹ and concern about parental drinking is the number one reason that children contact ChildLine.²⁰ Denmark has recently made it compulsory for local authorities to offer treatment for children and adolescents whose parents are addicted to alcohol,²¹ and in New York alcohol abuse by a parent is assumed to be evidence of child neglect.²²

There is evidence that children who experience abuse have a greater propensity to develop alcohol and drug problems. One study found that 14% of those entering treatment for alcohol misuse had experienced physical abuse as a child, and that they had higher levels of depression.²³

Alcohol use and access to refuges for those affected by domestic abuse

In some cases women affected by domestic abuse, who also have problematic alcohol use, can face particular problems accessing essential services such as refuges. For example, almost all London boroughs require the refuges they fund to support women with alcohol, drug or mental health problems in some way within their service specifications. However, **research has shown 61% of boroughs only 'sometimes accept' women who use alcohol or drugs,** and that two boroughs actively exclude women with alcohol, drug and/or mental health problems from refuges.²⁴

Policies to reduce levels of alcohol-related domestic abuse

The price of alcohol: Reducing the affordability and accessibility of alcohol is associated with lower levels of reported incidents across a range of violent crimes, and pricing policies have been described by NICE as 'the most effective way of reducing alcohol-related harm.'²⁵ One study found alcohol-related A&E admissions to be highly price sensitive, calculating that a 1% increase in the real price of beer would reduce national A&E assault cases by 5,000 per year.²⁶

A government-commissioned review of the evidence for alcohol minimum unit pricing (MUP) found that increases in alcohol price were associated with reductions in overall crime, violent crime and sexual assault. Evidence for the effect on domestic violence was inconclusive, and in need of further study.²⁷ However, other research **found that a 1% increase in alcohol price resulted in a 5% reduction in the likelihood of domestic violence against wives.**²⁸

Improved training for law enforcement agencies: Improved training for law enforcement agencies, including the Police and Crown Prosecution Service, on the impact of alcohol and the capacity to consent may help to improve rates of conviction for sexual violence. **Such training could create an environment where the testimony of victims of sexual assault and rape is given greater weight, leading to more convictions.**

The charity Against Violence and Abuse have put forward an interesting proposal which warrants further investigation, **suggesting that the Crown Prosecution Service Guideline on Prosecuting Child Sexual Abuse Cases (2013) should be extended to adults. This**

recognises that ‘if the victim has been, or is, abusing drink or drugs’ or their account was ‘inconsistent’, this should be understood as a possible indicator that abuse has taken place. This would put a duty of care on (usually) men to ensure that they engage in consensual sexual relations and help to stop those assaulted after voluntarily consuming alcohol being regarded as unreliable witnesses. In addition to this, judicial directives given to juries on rape and sexual assault cases should include information on rape myths related to substance use.²⁹

Drug and alcohol services: As mentioned above, agencies have identified a need for refuges to better understand and cater for victims of domestic abuse with alcohol problems, as well as drug problems and mental health needs. **Better partnership – along with proper service level agreements – between refuges and services working in these areas may help to ensure that victims of domestic abuse with additional needs receive appropriate help and are not turned away.**³⁰

The full report ‘*Alcohol, Domestic Abuse and Sexual Assault*’ is available to read/download here: <http://bit.ly/iasdomabuse>

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